
AGENDA - REGULAR MEETING OF COUNCIL

Monday, June 26, 2023 @ 2:00 PM

In the City Hall Council Chambers – 4850 Argyle Street, Port Alberni, BC

The following pages list all agenda items received by the deadline [12:00 noon on the Wednesday before the scheduled meeting]. A sample resolution is provided for most items in italics for the consideration of Council. For a complete copy of the agenda including all correspondence and reports please refer to the City's website portalberni.ca or contact Corporate Services at 250.723.2146 or by email corp_serv@portalberni.ca

A. CALL TO ORDER & APPROVAL OF THE AGENDA

1. Council for the City of Port Alberni respectfully acknowledges that we are holding our meeting on the unceded traditional territories of Tseshaht and Hupacasath First Nations.
2. Late items identified by Councillors.
3. Late items identified by the Corporate Officer.
4. Notice of Video Recording (live-streaming and recorded/broadcast on YouTube)

That the agenda be approved as circulated.

B. ADOPTION OF MINUTES - Page 8

1. Minutes of the Special meeting held at 12:00 pm and Regular Council meeting held at 2:00 pm on June 12, 2023, as presented.

C. DELEGATIONS

D. UNFINISHED BUSINESS

Includes items carried forward from previous Council meetings.

E. STAFF REPORTS

Members of the public may be recognized by Council to speak to a report if the report is a response to their correspondence or an application.

1. Accounts

THAT the certification of the Director of Finance dated June 26, 2023, be received and the cheques numbered _____ to _____ inclusive, in payment of accounts totalling \$ _____, be approved.

F. BYLAWS

Bylaws are required for the adoption of regulations, financial plans, changes to land use policy and to approve borrowing. A bylaw requires four separate resolutions to be adopted and must be considered over a minimum of two [2] Council meetings. Each reading enables Council to reflect on the bylaw before proceeding further.

1. **Reserve Fund Establishment Bylaw No. 5086, 2023** - Page 13
Report dated June 20, 2023 from the Deputy Director of Finance requesting Council consideration for three readings of the proposed bylaw.
 - a. *THAT "Reserve Fund Establishment Bylaw No. 5086, 2023" be now introduced and read a first time.*
 - b. *THAT "Reserve Fund Establishment Bylaw No. 5086, 2023" be read a second time.*
 - c. *THAT "Reserve Fund Establishment Bylaw No. 5086, 2023" be read a third time.*

2. **Growing Communities Reserve Fund Bylaw No. 5087, 2023** - Page 22
Report dated June 20, 2023 from the Director of Finance requesting Council consideration for three readings of the proposed bylaw.
 - a. *THAT "Growing Communities Reserve Fund Bylaw No. 5087, 2023" be now introduced and read a first time.*
 - b. *THAT "Growing Communities Reserve Fund Bylaw No. 5087, 2023" be read a second time.*
 - c. *THAT "Growing Communities Reserve Fund Bylaw No. 5087, 2023" be read a third time.*

3. **Zoning Bylaw No. 5074, 2023 | Bylaw Modernization** - Page 28
Report dated June 15, 2023 from the Manager of Planning requesting Council consideration of first reading of the proposed bylaw.

THAT "Zoning Bylaw No. 5074, 2023" be now introduced and read a first time.

4. **OCP and Zoning Bylaw Amendments | 2846 4th Avenue** - Page 163
Report dated June 19, 2023 from the Manager of Planning requesting Council consideration for third reading and final adoption of the proposed bylaws.
 - a. *THAT "Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023" be read a third time.*
 - b. *THAT "Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023" be read a third time.*
 - c. *THAT "Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023" be now finally adopted, signed by the Mayor and Corporate Officer and number 5078.*
 - d. *THAT "Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5079.*

G. CORRESPONDENCE FOR ACTION

Correspondence addressed to the Mayor and Council where there is a specific request may be included on an agenda. Correspondence regarding personnel matters, legal action and/or items of a confidential nature will not be included. Correspondence addressed to Council that is administrative or operational in nature will be circulated to Council weekly and referred to the appropriate department for review and follow-up where necessary.

1. **2023 UBCM Convention | Meeting Requests** - Page 192
Correspondence regarding the meeting request process for meetings with Provincial Ministries, Agencies, Commissions, and Corporations (MACC) staff at the 2023 UBCM Convention.

Council direction requested.

2. **Alberni Pacific Railway | #7 Steam Locomotive Festival** - Page 197
Letter received June 20, 2023 from Richard Spencer, Manager of the Alberni Pacific Railway requesting Council support for the #7 Steam Locomotive Festival.

THAT Council support the #7 Steam Locomotive Festival taking place on August 6, 2023 at Alberni Pacific Railway Roundhouse from 10:00 am – 5:00 pm subject to:

- *receipt of confirmation that a Special Event Permit from the LCRB has been issued;*
- *submittal of a site plan to be approved by the City of Port Alberni;*
- *Traffic Implementation Plan [parking];*
- *consultation with all affected businesses/residents;*
- *provision of standard liability insurance in the amount of \$5M [minimum].*

H. PROCLAMATIONS

I. CORRESPONDENCE FOR INFORMATION

Correspondence found here provides information to Council. Correspondence regarding personnel matters, legal action and/or items of a confidential nature will not be included. Correspondence addressed to Council that is administrative or operational in nature will be circulated to Council weekly and referred to the appropriate department for review and follow-up where necessary.

1. **Correspondence Summary** - Page 199
 - a. Minister of Fisheries, Oceans and the Canadian Coast Guard | Responding to the City's letter of February 8, 2023 regarding Ghost Gear.
 - b. N. van Viegen | Public Safety Building [City response dated June 15th included]
 - c. S. Recksiedler | Alternate Highway Route
 - d. V. & D. McConnell | Alternate Highway Route

J. REPORT FROM IN-CAMERA

1. **Alberni Harbour Quay | Grassroots Café**
Council releases for public consumption Notice of its Intent to lease Unit 16 to C. Dupas and G. Gorton for the operation of Grassroots Café at the Alberni Harbour Quay for a five-year term.

2. **Annual Report 2022**

Council releases for public consumption the draft 2022 Annual Municipal Report as amended and further, directs staff to make the report available for public inspection as per legislative requirements.

K. COUNCIL REPORTS

1. **Council and Regional District Reports**

THAT the Council reports outlining recent meetings and events related to the City's business, be received.

L. NEW BUSINESS

New items of business requiring Council direction as well as an opportunity for Council to raise issues as a result of the business of the meeting or to identify new items for subsequent meetings by way of a 'Notice of Motion'.

1. **Director of Corporate Services – Presentation of the Annual Report**

The 2022 Annual Report is available to the public on the City's website at <https://www.portalberni.ca/annual-reports> or via City Hall in hardcopy.

1) Questions and Comments from the Council

THAT Council for the City of Port Alberni endorse the Annual Report for the year ended December 31, 2022 as presented.

2. **Statement of Financial Information - Page 208**

Report dated June 14, 2023 from the Director of Finance requesting Council approval of the Statement of Financial Information for 2022.

THAT Council approve the statements and schedules included in the Statement of Financial Information for 2022, prepared to comply with the Financial Information Act, as outlined in the report from the Director of Finance dated June 14, 2023.

3. **BC Transit Annual Operating Agreement [A0A] | 2023 – 2024 Amendment for Umo - Page 247**

Report dated June 20, 2023 from the Director of Finance requesting Council authorization to amend the BC Transit Annual Operating Agreement.

THAT the Mayor and Corporate Officer be authorized to execute the amended BC Transit | 2023 – 2024 Annual Operating Agreement between the City of Port Alberni and British Columbia Transit to reflect the changes required for Umo, the electronic fare collection system.

4. **Kitsuksis Dyke – Financial Plan Amendment | Renewal** - Page 253

Report dated June 21, 2023 from the Director of Finance requesting a Financial Plan amendment.

THAT Council amend the “City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023” by allocating \$55,000 from the Canada Community-Building Fund to repair, resurface and renew sections of the Kitsuksis Dyke Walkway.

5. **Boundary Extension | Johnston Road** - Page 255

Report dated June 19, 2023 from the Director of Development Services/Deputy CAO regarding a proposed boundary extension.

a. *That Council authorize staff to engage Urban Systems to conduct Phase 1 of the proposed boundary extension process for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street as reflected in the proposal dated May 19, 2023.*

b. *That Council amend the “City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023” Capital Plan, by allocating monies equally split between water and sewer reserves and contingency in 2023 in the amount of \$50,000 for the purpose of Urban Systems Inc. conducting Phase 1 of the proposed boundary extension process for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street.*

6. **Bylaw Enforcement Policy** - Page 263

Report dated June 20, 2023 from the Director of Corporate Services requesting Council consideration of the recommendation from the Committee of the Whole of June 19, 2023.

THAT Council approve Policy 3008-1 “Bylaw Enforcement”.

7. **Sports Fields** - Page 273

Report dated June 21, 2023 from the Director of Parks, Recreation and Heritage requesting Council consideration of recommendations from the Committee of the Whole of June 19, 2023.

a. *THAT Council direct staff to obtain preliminary costs for the recommended capital projects for City-owned sports fields for Council consideration at a future Regular meeting.*

b. *THAT Council direct staff to utilize a portion of the awarded Growing Communities Fund to complete a Parks, Recreation and Heritage master plan.*

-
8. **Growing Communities Fund | Grant Priorities Plan** - Page 278
Report dated June 22, 2023 from the Director of Finance requesting Council consideration of the recommendation from the Committee of the Whole of June 19, 2023.
- THAT Council direct staff to allocate Growing Communities funds in the amount of \$5,269,000 as follows:*
- *20% of the funding to address information gaps in populating long-term financial planning for community growth and the City's major assets.*
 - *80% of funding to set specific capital priorities based on the results of the long-term financial planning.*
9. **Permissive Tax Exemptions Policy** - Page 287
Report dated June 19, 2023 from the Deputy Director of Finance requesting Council consideration of the recommendation from the Committee of the Whole of June 19, 2023.
- THAT Council direct staff to proceed with establishing new Permissive Tax and Places of Public Worship Bylaws for the years 2024 to 2027 [4-year term] based on the Permissive Tax Exemption Policy dated June 10, 2019.*
10. **Tseshaht First Nation | Draft Letter in Support of an Alternative Access Road** - Page 296
Recommendation from the June 19th Committee of the Whole.
- THAT Council support the letter provided by Tseshaht First Nation addressed to the Prime Minister and Premier Eby requesting the establishment of an alternative access road in response to the Cameron Lake Bluffs Fire and associated closure of Highway 4.*
11. **Recruitment and Retention of Medical Staff**
Recommendation from the June 19th Committee of the Whole in response to the delegation presentation from Dr. Lambiotte on recruitment and retention of medical staff.
- THAT Council consider the recommendation of a joint Task Force as it relates to recruitment and retention of medical staff in the Alberni Valley.*
12. **Community Action Team | Poisoned Drug Crisis** - Page 299
Council consideration of the delegation presentation and associated requests from the Community Action Team at the June 19th Committee of the Whole.
- Council direction is requested.*
13. **2022 Surplus Funds | Notion of Motion [Deferred from the June 12th Regular Mtg.]**
THAT Council allocate the 2022 surplus between the R.C.M.P and Parks, Recreation and Heritage Reserves.

14. **Notice of Motion | Prohibit Illicit Drugs in Public Spaces**

That Council direct staff to draft a bylaw that would prohibit the use of illicit drugs in public spaces.

15. **Notice of Motion | Council Meeting Leave Policy**

M. QUESTION PERIOD

An opportunity for the public to ask questions of Council on decisions or recommendations made during the course of the meeting. A maximum of three [3] questions will be permitted per speaker.

N. ADJOURNMENT

That the meeting adjourn at PM

MINUTES OF THE IN-CAMERA MEETING OF COUNCIL
MONDAY, June 12, 2023 @ 12:00 PM
City Hall Committee Room | 4850 Argyle Street, Port Alberni, BC

PRESENT: Councillor D. Dame [Chair]
Councillor J. Douglas
Councillor D. Haggard
Councillor C. Mealey
Councillor T. Patola [Electronically]
Councillor C. Solda

ABSENT: Mayor Minions

Staff: M. Fox, CAO
D. Monteith, Director of Corporate Services
A. McGifford, Director of Finance
P. Deakin, Economic Development Manager

Call to order: @ 12:00 pm.

MOVED and SECONDED, THAT Council conduct a special Council meeting closed to the public on the basis that one or more matters covered under Section 90 of the Community Charter will be considered, specifically outlined as follows:

Section 90 (1)(e) the acquisition, disposition or expropriation of land or improvements and where the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

Section 90 (1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Section 90 (1)(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];

CARRIED

The meeting was adjourned at 1:49 pm.

CERTIFIED CORRECT

Mayor

Corporate Officer

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, June 12, 2023 @ 2:00 PM
In the City Hall Council Chambers – 4850 Argyle Street, Port Alberni, BC

Present: Councillor D. Dame [Chair]
Councillor J. Douglas
Councillor D. Haggard
Councillor C. Mealey
Councillor C. Solda
Councillor T. Patola [Electronically]

Absent: Mayor Minions

Staff: M. Fox, Chief Administrative Officer
A. McGifford, Director of Finance
D. Monteith, Interim Director of Corporate Services
S. Darling, Deputy Director of Corporate Services | Recording Secretary [Electronically]

Gallery: 15

A. CALL TO ORDER & APPROVAL OF THE AGENDA

The meeting was called to order at 2:00 PM.

MOVED AND SECONDED, THAT the agenda be amended to include an item under New Business M.6 | Notice of Motion - Prohibit Illicit Drugs in Public Spaces. The agenda was then adopted as amended.

CARRIED

B. ADOPTION OF MINUTES

MOVED AND SECONDED, THAT the Minutes of the Special meeting held at 12:30 pm and Regular Council meeting held at 2:00 pm on May 23, 2023, be adopted, as presented.

CARRIED

C. PUBLIC INPUT PERIOD

M. Ahlroos

Spoke to emergency procedures during extreme weather or natural events.

C. Alemany

Commented on the timing of the Regular Council meetings and public input periods.

J. Long

Requested clarification on zoning/bylaw procedures related to AirBnB's in the City.

Desmond

Spoke to public input periods for Regular Council meetings.

N. Anderson

Spoke to procedures around public input prior to decision-making recommendations.

D. DELEGATIONS

1. Introduction of Manager of Communications

The Chief Administrative Officer introduced the Manager of Communications, Kate Love.

E. UNFINISHED BUSINESS

1. Kistuksis Dyke Repairs

The Chief Administrative Officer provided an update on the Kistuksis Dyke noting that a contractor has been engaged and remediation efforts will be underway shortly.

F. STAFF REPORTS

1. Accounts

MOVED AND SECONDED, THAT the certification of the Director of Finance dated June 12, 2023, be received and the cheques numbered 152811 to 152930 inclusive, in payment of accounts totalling \$ 1,051,155.74, be approved.

CARRIED | Res. No. 23-183

2. 2022 Development Cost Charges

MOVED AND SECONDED, THAT Council direct staff to prepare a report outlining the requirements for allocating Development Cost Charge reserve funds.

CARRIED | Res. No. 23-184

MOVED AND SECONDED, THAT Council receive the report dated June 6, 2023 and titled "2022 Development Cost Charges".

CARRIED | Res. No. 23-185

3. 2022 Reserve and Surplus Balances

MOVED AND SECONDED, THAT Council receive the report dated June 5, 2023 titled '2022 Reserve and Surplus Balances'.

CARRIED | Res. No. 23-186

G. BYLAWS

1. Council Procedures Amendment Bylaw No. 5082, 2023

MOVED AND SECONDED, THAT "Council Procedures Amendment Bylaw No. 5082, 2023" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5082.

A recorded vote was requested.

In Favour: Mayor Minions, Councillors Dame, Douglas, Haggard and Mealey

Opposed: Councillors Patola and Solda

CARRIED | Res. No. 23-187

2. Zoning Bylaw Amendment | 5249 Pineo Road

MOVED AND SECONDED, THAT "Zoning Map Amendment No. 50 (5249 Pineo Road – Hammer), Bylaw No. 5049" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5049.

CARRIED | Res. No. 23-188

3. **Building Bylaw No. 5077, 2023**

MOVED AND SECONDED, THAT "Building Bylaw No. 5077, 2023" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5077.

CARRIED | Res. No. 23-189

H. CORRESPONDENCE FOR ACTION

I. PROCLAMATIONS

J. CORRESPONDENCE FOR INFORMATION

The Director of Corporate Services summarized correspondence to Council as follows:

- a. D. Hunt | 2023 Memorial Monument for Children of IRS
- b. Tsawak-qin Forestry Inc. | Forest Stewardship Plan - Tree Farm Licence 44
- c. Residents of Heritage Place | Advanced Polling Station at Civic Elections
- d. G. & L. Walerius | City Bylaws and Public Input

K. REPORT FROM IN-CAMERA

Councillor Douglas left the meeting at 3:16 pm and returned at 3:18 pm.

L. COUNCIL REPORTS

1. **Council and Regional District Reports**

MOVED AND SECONDED, THAT the Council reports outlining recent meetings and events related to the City's business, be received.

CARRIED | Res. No. 23-190

M. NEW BUSINESS

1. **2022 Surplus Funds | Notion of Motion**

THAT Council allocate the 2022 surplus between the R.C.M.P and Parks, Recreation and Heritage Reserves.

DEFERRED to June 26, 2023

2. **Official Community Plan (OCP) | Community Representative Team**

MOVED AND SECONDED, THAT Council direct staff to include a Seniors representative on the Official Community Plan | Community Action Representative Team.

CARRIED | Res. No. 23-191

← Councillor Haggard left the meeting at 3:28 pm and returned at 3:30 pm.

3. **Bylaw Enforcement Policy**

MOVED AND SECONDED, THAT Council refer the draft Bylaw Enforcement Policy presented to the May 15th Committee of the Whole to the June 19th Committee meeting to be further informed by priorities of the 2023 – 2027 Corporate Strategic Plan and further, that staff provide information relating to the composition and growth of the Bylaw Services department over recent years.

CARRIED | Res. No. 23-192

-
4. **Development Variance Permit [DVP 118] | 4289 Ravenhill Avenue**
MOVED AND SECONDED, THAT Council authorize the issuance of Development Variance Permit No. 118 and that the Director of Corporate Services be authorized to sign the permit granting the following variance to the Zoning Bylaw at 4289 Ravenhill Avenue:
- i. *Vary section 5.11.2 Site Development Regulations to permit a reduction of the required minimum front yard setback at 4289 Ravenhill Avenue from 7.5 metres to 3.26 metres for an accessory structure, a variance of 4.24 metres.*
- CARRIED | Res. No. 23-193**
5. **Burde Street Reconstruction | Anderson Avenue to 16th Avenue**
MOVED AND SECONDED, THAT Council amend the “City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023”, by allocating \$800,000 towards reconstruction of Burde Street between Anderson Avenue and 16th Avenue with funding from the Canada Community Building Reserve Fund.
- CARRIED | Res. No. 23-194**
6. **Notice of Motion | Prohibit Illicit Drugs in Public Spaces**
That Council direct staff to draft a bylaw that would prohibit the use of illicit drugs in public spaces.

N. QUESTION PERIOD

M. Ahlroos

Inquired regarding road reconstruction practices and security of City heritage equipment [railcars].

N. Anderson

Questioned the procedures bylaw amendments in relation to the encouragement of public participation at Council meetings.

O. ADJOURNMENT

MOVED AND SECONDED, THAT the meeting adjourn at 3:57 pm.


CARRIED

CERTIFIED CORRECT

Mayor

Corporate Officer

Date: June 20, 2023
 File No: 1840-01
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Proposed "Reserve Fund Establishment Bylaw No. 5086, 2023"

Prepared by: <i>R. MACAULEY</i> DEPUTY DIRECTOR OF FINANCE	Supervisor: <i>A. MCGIFFORD</i> DIRECTOR OF FINANCE	CAO Concurrence:  M. Fox, CAO
--	---	--

RECOMMENDATION

- a. THAT "Reserve Fund Establishment Bylaw No. 5086, 2023" be now introduced and read a first time.
- b. THAT "Reserve Fund Establishment Bylaw No. 5086, 2023" be read a second time.
- c. THAT "Reserve Fund Establishment Bylaw No. 5086, 2023" be read a third time.

PURPOSE

To establish a consolidated reserve bylaw and request consideration for three readings of the proposed bylaw.

BACKGROUND

Section 188 of the *Community Charter* authorizes a Council, by bylaw, to establish reserve funds for a specific purpose. City staff, in an effort to improve financial governance and financial planning have carried out a review of current and potential reserves. A report was brought to the Committee of the Whole in February 2023 outlining current and proposed reserves for information purposes only. Establishment of new reserves will allow Council the opportunity to align the City's reserve funds with strategic objectives and provide for a better understanding of funds available to the City for use in financial planning.

Benefits of establishing a reserve fund by bylaw are:

- appropriate funds are set aside to provide for opportunities and emergencies;
- funding may be set aside to ensure City assets can be maintained and replaced;
- funding is available to direct towards Council's strategic objectives;
- Council has a clear picture of the purpose of a reserve, its balances; and
- provides for easier administration and management.

ANALYSIS

This report speaks to non-statutory reserves that are currently established at the City, reserves that were requested by way of Council resolution and need to be formalized by bylaw, as well as proposed reserve fund opportunities for Council consideration. Statutory reserves as well as the Canada Community-Building Fund Reserve will not be included in the consolidated reserve establishment bylaw as they are required to remain as separate bylaws. Note: Reserves with an asterisk * have been established by Council resolution]:

Reserves for Review

Non-Statutory Reserve

Non-statutory reserves mean those Reserves that may be established by bylaw if Council so desires, pursuant to the *Community Charter*. The following are the City's non-statutory reserve funds.

Land Sale Reserve Fund Est. 1996

Established for the assembly and marketing of land and related development costs; to purchase lands required for the City's use; and, for servicing or upgrading of City owned parcels and facilities.

Equipment Replacement Reserve Fund Est. 1973

This reserve is intended to accrue funds to offset future capital cost of qualified equipment and to smooth out taxation requirements or potential need to borrow. The funds are to be used for equipment that are in the schedule for replacement.

Capital Works Reserve Est. 1994, Bylaw 4187

This reserve is intended to accrue funds to offset future capital construction projects and reduce borrowing requirements in each of three areas – General, Water and Sewer. The funds are to be used for capital projects including the extension or renewal of existing capital works. It is recommended that this reserve hold all budgeted amounts allocated to General Capital from current and prior years projects to give Council a clear picture of total accumulated amounts reserved for capital expenditure. The reserve would be dedicated only to general capital, all sewer and water amounts would be segregated and moved into their own reserves.

Parks & Recreation Capital Reserve Est. 2006

Established to fund the City's Parks & Recreation properties and facilities. Fund generation includes

- recreation service surcharge imposed on all recreational department fees and charges, including registered programs, admissions, and facility rentals.
- A surcharge of 10% has been set and can be reviewed and changed on an annual bases as part of the five-year Financial Plan.
- 100% of log sales collected from parks is added to this reserve.

Alberni Valley Community Forest [AVCF] Corporation Reserve Est. 2014

Established for the purpose of receiving and depositing dividends from AVCF. Use of funds is at the discretion of Council following consultation with the AVCF board with the exception of \$10,000 which is distributed by AVCF members to support a special community project.

***Waste Water Infrastructure Capital Reserve Fund**

Funds capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plan for constructing, altering, repairing new and aging sewer equipment and infrastructure including linear assets, and buildings.

***Water Infrastructure Capital Reserve Fund**

Established to fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plans and provides funding for constructing, altering, repairing new and aging water equipment and infrastructure including linear assets.

***RCMP Contract Surplus Reserve Est. 2012**

RCMP contract surplus amounts are contributed to this reserve as a contingency for use in any major investigations, Community policing or other policing costs approved by Council.

Proposed New Reserve Funds

The following reserves do not exist and will be established with the adoption of the bylaw.

***Aquatic Centre Replacement Reserve**

Establishing an Aquatic Centre Replacement reserve fund for the purpose of reserving monies for the future replacement of the Echo Aquatic Centre [pool]. In the 2021-2025 Financial Plan, Council set aside funding to establish a formal reserve fund.

Asset Management – General Infrastructure Replacement Reserve

Intended to fund the City's long-term infrastructure gaps by replacing City assets over the life of assets instead of funding assets at the end of useful life. Funding replacement over time will distribute the costs equitably reducing the impact to tax payers over time. Contributions will be used to fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management program and "Master Plans". Capital projects that repair, alter, upgrade or replace aging infrastructure including technology in the City [other than water and sewer service infrastructure] can be funded through the reserve.

To aid in aligning Council's strategic priority to further develop the asset management program staff have proposed the City work towards funding infrastructure gaps by creating a place in the annual financial plan dedicated for asset management contribution. A contribution equal to a percentage of the annual tax levy will aid in prioritizing contribution and ensure it becomes an integral part of the financial planning process.

Proposed Annual Contribution:

- 2% of tax levy for capital sustainment 2024 - $\$25,651,671 \times 2\% = \$513,033$
 - Amount to be confirmed during the annual financial planning process.

Strategic Priorities Reserve

Intended to support strategic priorities and initiatives, including operating initiatives, social issues, climate change, and Council contingency.

Museum Reserve

Established to fund Museum projects from monies contributed by restricted community donations or in trust. These restricted funds are currently tracked or set aside. A formal reserve would provide clean separation of these funds.

McLean Mill Projects

To establish a fund for McLean Mill projects that repair or replace new or historic infrastructure at the Mclean Mill National Historic Site. Currently heritage fees are collected and set aside for this purpose but have yet to be expensed. Mclean Mill grants received are currently set aside in the capital budget for use on McLean Mill projects.

IMPLICATIONS

All reserves noted will be consolidated into one bylaw. If approved, official reserves will be established, fund transfers to reserves will occur to recognize amounts in new reserves including any interest earned on funds to date. Reserves already established through bylaw will be repealed and consolidated under the new reserve bylaw. Reserves will be brought forth each year during the financial planning process in order to identify contributions to/from specific reserves.

COMMUNICATIONS

Not applicable.

BYLAWS/PLANS/POLICIES

Various bylaws are outlined throughout the report.

SUMMARY

Section 188 of the *Community Charter* authorizes a Council, by bylaw, to establish reserve funds for a specific purpose. In an effort to improve financial governance and align the strategic planning with financial planning staff have prepared a consolidated reserve establishment bylaw which includes current reserves as well as new reserves for consideration. Reviewing current reserve bylaws and creating new reserve bylaws that align the City's reserve funds with strategic objectives help provide better information for decision making in the financial planning process.

ATTACHMENTS

- Draft "Reserve Fund Establishment Bylaw No. 5086, 2023"

Key: *Council Resolution

Copy: D. Monteith, Director of Corporate Services
A. McGifford, Director of Finance

Reserve Fund	Purpose
	Statutory Reserves
Park Acquisition Reserve Fund Est. 2006	Monies received from the sale of park land or receipt of monies from amounts paid in lieu of provision of park land on subdivision. For the purpose of acquiring park lands.
	Non- Statutory Reserves
Land Sale Reserve Fund Est. 1999	The Land Sale Reserve Fund holds revenue generated by the sale of City owned lands. Its purpose is to provide funding for the assembly and marketing of land and related development costs; to purchase lands required for the City's use; and, for servicing or upgrading of City owned parcels and facilities
Canada Community-Building Fund Reserve Est. 2022	The reserved funds will be used on projects eligible pursuant to the Canada Community-Building Fund Agreement. Including but not limited to investment in infrastructure for construction, renewal, or material enhancement, and capacity building projects. Canada Community-Building funds are to be deposited and tracked within this Reserve inclusive of any interest earned.
Equipment Replacement Reserve fund est. 1973 Bylaw No. 3178	Purpose to set sufficient aside to provide for depreciation and obsolescence of machinery and equipment and together with interest earned replace machinery and equipment after useful life.
Parks & Recreation Capital Reserve est. 2000 Bylaw No. 4452	Funding from, 10% of Parks and Recreation revenues are paid into this reserve annually. In addition, 100% of revenues collected from the sale of logs from parks. Expenditures from this reserve are limited to the City's Parks & Recreation properties and facilities. examples of prior contributions are Bob Daily Stadium Track and Multiplex upgrades.
Alberni Community Forest Corporation Reserve est. 2014 Bylaw No. 4854	Reserve established for purpose of receiving and depositing Dividends from AVCF, use of funds will be at the direction of council following consultation with the AVCF board. \$10,000 can be distributed on an annual basis to support a special community project.

Reserve Fund	Purpose
Carbon Fund est. 2013 Bylaw No. 2013	Established in 2013, funds from carbon offsets reporting used to fund projects that reduce the City's green house gas emissions
Loss on Taxation Reserve	Purpose to mitigate the risk of significant loss of tax collection in the event of loss of major industry tax revenues.
Sewer Infrastructure Capital Reserve Fund	Purpose to fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plans that provide constructing, altering, repairing new and aging sewer equipment and infrastructure including linear assets, and buildings.
RCMP Surplus Reserve	RCMP contract surplus amounts to be contributed to the reserve as a contingency for use in any major investigations or future expected costs.
Water Infrastructure Capital Reserve Fund	Purpose to fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plans that provide constructing, altering, repairing new and aging water equipment and infrastructure including linear assets, and buildings.
Aquatic Centre replacement Reserve fund	Purpose to fund replacement of the aquatic centre facilities pool facilities and future costs of repairing, altering, and expanding the future aquatic centre over time.
Asset Management – General Infrastructure Replacement Reserve	Purpose to fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plans that repair, alter, upgrade or replace aging infrastructure in the City including Technological infrastructure (Not including water and sewer service infrastructure).
Strategic Priorities Reserve	Purpose to support strategic priorities and initiatives, including operating initiatives, social issues and Council Contingency
McLean Mill Projects	Purpose to fund Mcleans Mill projects that repair or replace new or historic infrastructure at the Mcleans Mill Historic Site.
Museum Reserve	Purpose to fund Museum projects from monies contributed by community donations.

CITY OF PORT ALBERNI

BYLAW NO. 5086

RESERVE FUND ESTABLISHMENT BYLAW

WHEREAS Section 188 (2) of the *Community Charter*, S.B.C. 2003, c. 26, as amended, authorizes a local government to establish by bylaw reserve funds for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS Section 189 (1) of the *Community Charter* authorizes the local government to provide for the expenditure of money in a reserve fund and interest earned on it for the purposes specified in the bylaw establishing the reserve fund;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF PORT ALBERNI, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. Title

1.1 This Bylaw may be known and cited for all purposes as "**Reserve Fund Establishment Bylaw No 5086, 2023**".

2. Reserve Fund

2.1 There is hereby established a Reserve Fund pursuant to the provisions of the *Community Charter*, to be known as the "Reserve Fund Establishment Bylaw".

3. Source of Funds

3.1 Ten percent (10%) of Parks and Recreation admissions, registered programs, and facility rentals revenue and 100% of revenues collected from the sale of logs from parks must be placed to the credit of the Parks & Recreation Capital Reserve.

3.2 Money received from the sale of surplus equipment and vehicles shall be placed to the credit of The Equipment Replacement Reserve Fund.

3.3 Except for tax sale proceeds and sale of park lands, money from the sale of land must be placed to the credit of the Land Sale Reserve Fund in accordance to Section 188 of the *Community Charter*.

3.4 Funds from the following sources may be placed to the credit of a reserve fund established in Section 3:

- a) Funds appropriated from capital or operating budgets, or from general revenues, as authorized by the City's Five-Year Financial Plan annually;
- b) Funding contributions from other levels of government, developers and members of the public for the same purpose of the reserve fund in which the money is being placed.

4. Use of Funds

- 4.1 Subject to Section 189 of the *Community Charter*, money in a reserve fund, and interest earned on it, must only be used for the purpose for which the fund was established.

5. Transfer of Funds

- 5.1 Money held by the City at the time of the adoption of this Bylaw in reserve fund established for the same purpose as a reserve fund established by this Bylaw, will, on adoption of this Bylaw, be transferred, together with interest earned on it, and placed to the credit of the applicable reserve fund established under Section 3 having the same purpose for which the money was received.

- 5.2 Despite Section 5, if the amount to the credit of a reserve fund is greater than required for the purpose for which the fund was established, Council may, by bylaw, transfer all or part of the amount to another reserve fund in accordance with Section 189 of the *Community Charter*.

6. Investment of Funds

- 6.1 Funds held by the City that are not immediately required and placed to the credit of a reserve fund may only be invested or reinvested in accordance with Section 183 of the *Community Charter*.

7. Repeal

The following bylaws, and all amendments, are hereby repealed:

- Land Sale Reserve Fund Bylaw No. 4306, 1999;
- Equipment Replacement Reserve Fund Bylaw No. 3178, 1973;
- Capital Works Reserve Fund Bylaw No. 4187, 1973;
- City of Port Alberni Capital Works Reserve Fund Bylaw No. 4197, 1994;
- Alberni Valley Community Forest Reserve Fund, Bylaw No. 4854, 2014;
- Parks and Recreation Capital Reserve Bylaw No. 4452, 2000;
- Port Alberni Carbon Fund Bylaw No 4817, 2013

READ A FIRST TIME this day of , 2023.

READ A SECOND TIME this day of , 2023.


READ A THIRD TIME this day of , 2023.

ADOPTED this day of , 2023

Mayor

Corporate Officer

Date: June 20, 2023
 File No: 1840-20-GCF
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Proposed "Growing Communities Reserve Fund Bylaw No. 5087, 2023"

Prepared by: <i>ANDREW MCGIFFORD</i> Director of Finance	Supervisor: <i>M. FOX</i> CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
--	---	--

RECOMMENDATION

- a. THAT "Growing Communities Reserve Fund Bylaw No. 5087, 2023" be now introduced and read a first time.
- b. THAT "Growing Communities Reserve Fund Bylaw No. 5087, 2023" be read a second time.
- c. THAT "Growing Communities Reserve Fund Bylaw No. 5087, 2023" be read a third time.

PURPOSE

To establish a Growing Communities Fund [GCF] Bylaw and request consideration for three readings of the proposed bylaw.

BACKGROUND

In March 2023, it was announced that the City is the recipient of a \$5,269,000 grant under the Provincial GCF program. The Province provided a one-time total of \$1 billion in grants to all 188 BC municipalities and regional districts. Grants are distributed using a formula that adjusts for population size and per-capital population growth between 2016 and 2021, based on BC Stats. The principle objective of the GCF is to increase the local housing supply with investments in community infrastructure and amenities.

The funding provided should be limited to one-off costs needed to build required infrastructure and amenities rather than funding ongoing or operational activities. The funds are to be incremental to currently planned investments and should accelerate the delivery of capital projects.

Eligible costs are as follows:

- Public drinking water supply, treatment facilities and water distribution;
- Local portion of affordable/attainable housing developments;
- Childcare facilities;
- Municipal or regional capital projects that service, directly or indirectly, neighbouring First Nation communities;
- Wastewater conveyance and treatment facilities;
- Storm water management;
- Solid waste management infrastructure;

-
- Public safety/emergency management equipment and facilities not funded by senior level government;
 - Local road improvements and upgrades;
 - Sidewalks, curbing and lighting;
 - Active transportation amenities not funded by senior level government;
 - Improvements that facilitate transit service;
 - Natural hazard mitigation;
 - Park additions/maintenance/upgrades including washrooms/meeting space and other amenities; and
 - Recreation-related amenities.

The following terms and conditions have been placed on the funds to ensure the optimal transparency of their use:

- The funds from the grant must be placed in a separate dedicated reserve fund established by bylaw [s. 188 of the *Community Charter* allows Council to establish a reserve fund, by bylaw, for a specified purpose and direct that money be placed to the credit of the reserve fund];
- The City must annually report on the use of money in this reserve fund over the calendar year, and the balance of the reserve fund at the end of the calendar year;
- This report must be included as a separate schedule to the annual audited financial statements;
- This annual reporting must continue until the reserve fund is completely utilized (i.e. drawn down to zero);
- Further to the financial reporting, an annual report that identifies work-related Housing Needs Reports and pre-zoning requirements, as applicable, is required;
- Requirements including parameters for public recognition of the funding related to projects. The province must be consulted prior to any proactive media events or news releases related to the project. Funded projects must also acknowledge the province’s contribution through temporary and permanent on-site signage.

The provincial government anticipates that the funds will be expended within approximately five years of receipt.

ALTERNATIVES/OPTIONS

1. That "Growing Communities Reserve Fund Bylaw No. 5087, 2023" be now introduced and read three times.
2. That Council provide alternate direction.

ANALYSIS

Council may request further information; however, the establishment of the reserve is a requirement of the grant.

IMPLICATIONS

The Province has provided a grant of \$5,269,000. This is a one-time grant; there is no indication at this time that the program will be ongoing. The funds will be placed in the reserve created by the proposed bylaw, and invested through the City’s cash management and investment program. Any interest earned will be credited back to the reserve.

COMMUNICATIONS

Not applicable.

BYLAWS/PLANS/POLICIES

The legislative authority pertaining to Reserve Funds is contained in Division 4 of *the Community Charter*. A reserve Fund under Section 188 of the *Charter* is required to be established for the GCF Grant. The money in the Reserve, and interest earned on it, must be used only for the purposes for which the reserve is established.

SUMMARY

The Province has granted the City of Port Alberni a GCF grant of \$5,269,000. The Province requires that this grant be placed into a segregated statutory reserve, to be held and accounted for separately from other funds. This report brings forward a bylaw to create the required reserve.

ATTACHEMENTS

- Draft “*Growing Communities Reserve Fund Bylaw No. 5087, 2023*”

Copy: D. Monteith, Director of Corporate Services
A. McGifford, Director of Finance

CITY OF PORT ALBERNI

BYLAW NO. 5087

GROWING COMMUNITIES FUND RESERVE BYLAW

WHEREAS Section 188 (2) of the *Community Charter*, S.B.C. 2003, c. 26, as amended, authorizes a local government to establish by bylaw reserve funds for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS Section 189 (1) of the *Community Charter* authorizes the local government to provide for the expenditure of money in a reserve fund and interest earned on it for the purposes specified in the bylaw establishing the reserve fund;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF PORT ALBERNI, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. **Title**

This Bylaw may be known and cited for all purposes as " **Growing Communities Reserve Fund Bylaw No. 5087, 2023**".

2. **Reserve Fund**

2.1 There is hereby established a Reserve Fund pursuant to the provisions of the *Community Charter*, to be known as the "*Growing Communities Reserve Fund Bylaw*".

3. **Source of Funds**

3.1 Growing Communities Fund grants received from the Province of British Columbia shall be deposited into this reserve fund.

3.2 Expenditures from this fund shall be authorized by a resolution of Council citing the Growing Communities Fund as the source of funds, and specify the use of the funds.

3.3 Amounts in this fund shall be invested in accordance with the City's investment policy and practice as determined from time to time, and interest so earned shall be credited to this fund.

3.4 Eligible expenditures from this fund are for capital projects, as follows:

3.4.1 Enhancement of the public drinking water supply, treatment facilities, and water distribution.

- 3.4.2 The local portion of affordable/attainable housing developments.
- 3.4.3 Childcare facilities.
- 3.4.4 Municipal or regional capital projects that service, directly or indirectly, neighbouring First Nation communities.
- 3.4.5 Wastewater conveyance and treatment facilities.
- 3.4.6 Storm water management.
- 3.4.7 Solid waste management infrastructure
- 3.4.8 Public safety/emergency management equipment and facilities not funded by senior level of government.
- 3.4.9 Local road improvements and upgrades.
- 3.4.10 Sidewalks, curbing and lighting.
- 3.4.11 Active transportation amenities not funded by senior level governments.
- 3.4.12 Improvements that facilitate transit service.
- 3.4.13 Natural hazard mitigation.
- 3.4.14 Park additions/maintenance/upgrades including washroom/meeting space and other amenities.
- 3.4.15 Recreation-related amenities.
- 3.4.16 Further to the above noted capital costs, one-off costs can include:
 - (a) Costs of feasibility studies, including infrastructure capacity assessment.
 - (b) Other early-stage development work.
 - (c) Costs of designing and tendering.
 - (d) Costs of acquiring land where it is wholly required for constructing an eligible infrastructure project.
 - (e) And, in limited situations, non-capital administrative costs where these are necessary for the completion of the eligible project.

4. Use of Funds

- 4.1 Subject to Section 189 of the *Community Charter*, money in a reserve fund, and interest earned on it, must only be used for the purpose for which the fund was established.

5. Transfer of Funds

- 5.1 Money held by the City at the time of the adoption of this Bylaw in reserve fund established for the same purpose as a reserve fund established by this Bylaw, will, on adoption of this Bylaw, be transferred, together with interest earned on it, and placed to the credit of the applicable reserve fund established under Section 3 having the same purpose for which the money was received.

- 5.2 Despite Section 5, if the amount to the credit of a reserve fund is greater than required for the purpose for which the fund was established, Council may, by bylaw, transfer all or part of the amount to another reserve fund in accordance with Section 189 of the *Community Charter*.

6. Investment of Funds

- 6.1 Funds held by the City that are not immediately required and placed to the credit of a reserve fund may only be invested or reinvested in accordance with Section 183 of the *Community Charter*.

READ A FIRST TIME this day of , 2023.

READ A SECOND TIME this day of , 2023.

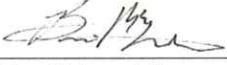


READ A THIRD TIME this day of , 2023.

ADOPTED this day of , 2023.

Mayor

Corporate Officer

Date: June 15, 2023
 File No: 3900-02-5074
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Zoning Bylaw No. 5074, 2023 – Bylaw Modernization

Prepared by:  Brian McLoughlin, Manager of Planning	Supervisor:  Scott Smith, Dir. of Development Services Deputy CAO	CAO Concurrence:  M. Fox, CAO
---	---	--

RECOMMENDATION

THAT Zoning Bylaw No. 5074, 2023, be now introduced and read a first time.

PURPOSE

Staff are proposing updates to the Zoning Bylaw to address accessory dwelling units, incorporate new legislation, and provide clarity on interpretation and application of the bylaw.

BACKGROUND

Zoning Bylaw No. 4832 was adopted on March 10, 2014 and since this time legislation has changed along with the needs of the community. Staff are bringing forward topics for consideration to modernize the Zoning Bylaw and address issues identified by Council and staff. The intent is for the proposed Zoning Bylaw No. 5074 to replace current Zoning Bylaw No. 4832. The proposed changes are limited in scope, and are intended to address outstanding issues that have been identified by Council and staff. Following adoption of the 2042 Official Community Plan (OCP), staff will undertake a more comprehensive review of the Zoning Bylaw.

Staff brought the draft Zoning Bylaw No. 5074 to the Committee of the Whole on January 31, 2023. Council supported staff engaging with the public on the draft bylaw, and this has now been completed.

ALTERNATIVES/OPTIONS

1. *THAT Zoning Bylaw No. 5074, 2023, be now introduced and read a first time.*
2. *THAT Council provide an alternative direction to staff by resolution.*
3. *THAT Council take no action and the bylaw does not proceed.*

Staff recommend Option #1.

ANALYSIS

Attached to this report is a summary table of proposed bylaw content changes. The summary table divides the list into sections that correspond with the format of the existing Zoning Bylaw:

- Section 3 Administration
- Section 4 Definitions
- Section 5 Establishment of Zones
- Section 6 General Regulations
- Housekeeping (Changes made across multiple sections of the bylaw)

Major topics addressed in the proposed bylaw include:

- New and Updated Definitions
- Accessory Dwelling Units (ADU)
- Day Care
- Fencing
- Density Calculation
- Density Bonusing
- C7 Commercial Zone Building Height
- Building Storeys
- Shipping Containers
- Update to residential zones (R1, R2, R3)

Overview

The following sections summarize proposed bylaw changes according to Zoning Bylaw section:

- Section 3 User Guide and Administration

Staff are proposing to add clarification on how density is calculated. For low density development such as single detached dwellings with ADUs, semi-detached dwellings, or triplexes, *units per hectare* will be used and specified in each zone. An ADU (secondary suite, carriage house, garden suite) is not considered a unit for density calculation.

Currently, residential zones use *floor area ratio* (FAR) to calculate density where the best practice is *units per hectare*. Multifamily, commercial and industrial development density will continue to be calculated using *floor area ratio*.

- Section 4 Definitions

Staff have identified references to permitted uses in the bylaw that are not yet defined, and have added these to clarify for both staff and the public. To align with recent legislation, staff have proposed updates to existing definitions for easier application and interpretation (eg. *Housing Agreement*) and added new definitions (eg. *Affordable Housing*).

Finally, new definitions have been added to support other proposed changes under Section 6 General Regulations including *Accessory Dwelling Units*. Definitions for different types of accessory dwelling units have also been added. The summary table attached to this report explains why each definition has been revised or added.

- Section 5 Establishment of Zones

- *5.5 Permitted in all Zones*

- Staff have proposed daycare, or other preschools, be added to this list to provide flexibility and increase the feasibility of this much needed use. Licencing of this use falls under provincial jurisdiction, but the City would issue a business license requiring fire and building inspections for life safety items that fall under BC Building Code.

- *5.11 R1 Single Detached Residential*

- Revised density calculation to align with units per hectare, and adjusted side yard setback on a corner lot to be consistent with R3 zone. Accessory dwelling units added as a permitted use. Full changes are shown in the summary table.

- *5.12 R2 Single and Semi Detached Residential*

- Modified to reduce minimum lot frontage and setbacks, and increased site coverage to allow houses to be constructed on historic lots that currently would require a rezoning to provide gentle infill. Accessory dwelling units added as a permitted use. Full changes are shown in the summary table.

- *5.13 R3 Small Lot Single Detached Residential*

- Modified to reduce minimum lot frontage, setbacks and site coverage to allow these housing types to be constructed on historic lots that currently would require a rezoning to provide gentle infill. Accessory dwelling units added as a permitted use. Full changes are shown in the summary table.

- *5.24 C7 Core Business*

- Increased the maximum height of a principal building from 14 metres to 16 metres to account for changes to density bonusing that removed a potential 4 metre height bonus. A sixteen (16 m) building height will permit approximately a 5-storey building, with additional height requiring a variance. Staff will review this again after the Official Community Plan (OCP) has been adopted, and a comprehensive update to the Zoning Bylaw is underway.

- Section 6 General Regulations

- *6.7 Fencing and Hedges*

- Updated text to remove ambiguity and to clarify use of chain-link fencing on property:

- Section 6.7.6 / 6.7.7 restricts the use of fencing intended to cause injury to a person (eg. barbed wire, electrified wire, razor wire). Barbed wire fencing only permitted in industrial zones (M1– 4)
 - Section 6.7.8 requires chain-link fencing to be coated or incorporate screening.

- Full changes are noted in the summary table.

- *Section 6.22 Accessory Dwelling Units*

- Staff are proposing to add sub-section 6.22 to permit accessory dwelling units on a single legal parcel, which could include one of the following: secondary suite, carriage house, garden suite. Definitions for *Carriage House* and *Garden Suite* are provided in Section 4.

6.22.1 Secondary Suites

Staff are proposing revisions to existing regulations to encourage gentle infill housing, and provide options for owners and renters to diversify the existing housing stock. Staff propose to remove the “owner-occupied” requirement, and replace this with a need for the principal dwelling to be permanently occupied by a renter or owner. Staff have also added that the principal residence must be a “single real estate entity” to align with changes made in BC Building Code.

6.22.2 Carriage Houses and 6.22.3 Garden Suites

Staff have proposed regulations for locating these small housing forms within a residential rear yard, including new setbacks specific to this use.

6.28 Density Bonusing

Staff are proposing some minor alternations to the existing text for RM and C7 Zones to encourage use of provisions currently listed in the bylaw. The intent is to encourage universally accessible housing units, affordable housing units, and provision of amenities as per *Local Government Act* sections 482 (a) and (b). Density bonusing provisions have been removed from each zone and placed in the Section 6 General Regulations.

Proposed changes will enable an applicant to meet each bonusing provision individually to receive the associated density increase, without being required to satisfy every provision in the density bonus list. The existing bonus structure has not been used by applicants because the financial cost of satisfying all provisions in the density bonus list often negates the benefit of the density increase. This style of bonusing will provide greater flexibility and encourage a diversity of housing options. However, density bonusing is limited to a maximum 0.3 Floor Area Ratio (FAR) increase for multi-family, and a maximum 0.5 FAR for commercial (C7), which is lower than best practice.

Additionally, the bonus for increased height (4 metres) in the C7 zone was removed to streamline density bonusing as exclusively an increase to FAR. Accordingly, maximum building height in the C7 zone has been increased slightly to compensate as the density bonusing is now easier to achieve. Staff will review this again after the Official Community Plan (OCP) has been adopted, and a comprehensive update to the Zoning Bylaw is underway.

6.29 Shipping Containers

New section provides basic regulation for shipping containers. Placement of containers is limited to industrial (M) zones unless otherwise used for storage during construction with a Building Permit. Additionally, section 6.29.2 proposes that a shipping container be used to store materials for the operation of a business or facility, and not as *mini-storage*.

- Housekeeping

Some changes require edits to multiple sections throughout the bylaw. These “housekeeping” edits are summarized below:

- Existing bylaw contains references to outdated sections of legislation. The bylaw has been revised to align with current sections in the *Local Government Act* or *Community Charter*.

- Open space provisions have been moved from each zone to General Regulations for ease of use and application.
- Naming conventions modernized throughout the bylaw:
 - *Handicapped* changed to *accessible*.
 - *Single family dwelling* changed to *single detached dwelling*.
 - *Two family dwelling* changed to *semi-detached dwelling*.
- *Home Occupation* use has been revised to allow an office in an apartment or condominium unit to support remote working options.
- Number of building storeys has been removed from zone regulations to reduce confusion with maximum building height requirements. Best practice is to regulate for the height of a building in all zones.
- General formatting of the document to make it more user friendly for the public.

IMPLICATIONS

The proposed Zoning Bylaw No. 5074 will clarify use and interpretation the bylaw. It also addresses several topics identified by Council and staff in recent years, including updated definitions, day care, fencing, shipping containers, building storeys, density bonusing and density calculations.

The draft bylaw also proposes updates to residential zones and enables Accessory Dwelling Units, which will lead to greater housing diversity in Port Alberni. This gentle infill housing also aligns with the Government of BC's *Homes for People* action plan and forthcoming housing legislation. Additional options for housing in small-scale rental formats such as carriage suites and garden houses, will also help the City meet it's goals in the *2021 Housing Needs Assessment*.

COMMUNICATIONS

Staff presented the draft Zoning Bylaw No. 5074 to Committee of the Whole (COW) at the January 31st meeting and received comments. At its Regular meeting of February 13th Council received the Committee's recommendation and resolved that staff undertake community consultation prior to bringing the bylaw to Council. In March 2023, a project page was created on the City's public engagement website (letsconnectpa.ca), and a message was sent to all subscribers about the proposed bylaw. A copy of the draft zoning bylaw was also uploaded for online viewing, and subscribers were invited to participate in a survey from March 17th to March 28th. An advertisement was placed in the March 15th edition of the Alberni Valley News, and posted to social media on multiple dates.

The survey ran for 10 days and 40 responses were received. A summary report with survey results is attached. Generally, the proposed changes were supported by participants, however, Section 6 which includes regulations for accessory dwelling units and shipping containers received the most comments. Following the survey, staff made additional minor edits to the draft Zoning Bylaw and posted a new version to the LetsConnect website on May 30th.

Communications Timeline:

January 31st – Draft Zoning Bylaw No. 5074, 2023 presented to the Committee of the Whole.

-
- February 13th – Council directed staff to initiate community consultation on the proposed bylaw content changes prior to ‘Zoning Bylaw No. 5074, 2023’ being considered by Council, as recommended by the Committee of the Whole January 31, 2023.
- March 13th – Post re: survey on City Facebook.
- March 15th – Survey advertisement in Alberni Valley News.
- March 17th – Survey opened. Draft Zoning Bylaw 5074 uploaded to www.letsconnectpa.ca for feedback.
- March 22nd – Post re: survey on City Facebook.
- March 28th – Survey closed.
- April 14th – Update posted to City Facebook.
- May 30th – Draft Zoning Bylaw No. 5074 uploaded to City’s engagement website www.letsconnectpa.ca with revisions.

Next steps

Repealing Zoning Bylaw No. 4832 and replacing it with Zoning Bylaw No. 5074, requires a formal process. If Council supports the proposed bylaw the process will include First and Second Readings, a Public Hearing, Third Reading of the bylaw, MOTI approval and Final Adoption. This will require advertisement in the local newspaper, but will not require issuance of notice as per section 466 (7) of the *Local Government Act* as ten or more parcels are subject to the bylaw amendment.

BYLAWS/PLANS/POLICIES

2023-2027 Corporate Strategic Plan

The proposed Zoning Bylaw No. 5074 aligns with Council’s mission of “*Providing or facilitating the delivery of high-quality core municipal services and programs*”. It also responds to the following Council Strategic Priorities:

- Priority #1 Respond to demographic change/improve life
- Priority #5 Foster a Complete Community (Safe, Healthy, and Inclusive)
- 5.2 Safe and accessible housing option exist for all members of the community.
 - 5.2.1. Develop a complete housing action plan.
 - 5.2.2 Explore alternatives to lead the way in developing strategies for accessible housing options for all community members.

SUMMARY

Staff are proposing updates to modernize the Zoning Bylaw that includes changes to residential zones, enabling accessory dwelling units, incorporating new legislation, and providing clarity for interpretation and application of the bylaw. The intent is for the proposed Zoning Bylaw No. 5074 to replace current Zoning Bylaw No. 4832.

Staff are seeking support for First Reading of Zoning Bylaw No. 5074.

ATTACHMENTS/REFERENCE MATERIALS

- *Zoning Amendment Summary Table June 15, 2023*
- *Draft “Zoning Bylaw No. 5074, 2023”*
- *Zoning Bylaw Modernization Public Feedback Survey Report, April 2023*

C: *D. Monteith, Interim Director of Corporate Services*
W. Thorpe, Director of Parks, Recreation and Heritage
P. Deakin, Manager of Economic Development

J:\Engineering\Planning\ZON\Zoning Bylaw Housekeeping 2022\Council\Zoning Bylaw No. 5074 report

New = Items that are not currently in Zoning Bylaw 4832 (this is the bylaw being reviewed and updated)

Added = Items that are mentioned somewhere in Zoning Bylaw 4832 but are not specifically defined

Updated = Proposed revisions to provide clarification or to align with current legislation

Summary of Proposed Zoning Bylaw Changes	
Amendment	Description / Rationale
Section 3 – User Guide and Administration	
<p>3.10 Non-Conformity</p> <p>3.10.2 A use that is permitted in a <i>zone</i> may be located on any <i>lot</i> that existed prior to the adoption of this Bylaw, including a lot that does not meet the minimum <i>lot area</i> regulations as set out in this Bylaw, a lot that does not meet the minimum <i>frontage</i> requirements as set out in this Bylaw, or a lot that does not meet both the minimum <i>lot area</i> regulations and the minimum <i>frontage</i> requirements as set out in this Bylaw.</p>	<p>Updated. Replaced sub-section text to provide clarity on permitted uses for lots that have zoning, but do not meet the minimum dimension requirements of that zone. Caused by a lot predating adoption of the Zoning Bylaw.</p>
<p>3.13 Density Calculations</p> <p>3.13.1 Low density residential development (single detached with carriage houses, semi-detached and triplex) is calculated on a unit/hectare basis as outlined in each zone. Accessory Dwelling Units are not considered a unit for the calculation of density. Where the calculation of units per hectare results in a fractional value, the number of units shall be rounded up to the nearest whole unit.</p> <p>3.13.2 Multi-family (containing four or more dwellings), Commercial and Industrial Development density is determined by floor area ratio as prescribe in the applicable zone.</p>	<p>New sub-section added to provide clarity on how density is to be calculated for new developments.</p>

<p>3.14 Rounding</p> <p>3.14.1 Unless otherwise specified, fractions or decimals may be rounded to the nearest whole number, tenth or hundredth, according to the degree of precision of the provision in question.</p> <p>3.14.2 Despite 3.14.1, where this bylaw imposes as part of its regulations a minimum numerical value, no smaller values may be rounded up to achieve compliance with the provision.</p>	<p>New section to avoid ambiguity on how items are rounded throughout the Bylaw.</p>
<p>Section 4 – Definitions</p>	
<p>ACCESSORY BUILDING means a detached building, the use or intended use of which is ancillary to that of a principal building situated on the same lot and excludes use for residential.</p>	<p>Updated. All uses were reviewed to assess the ease of interpretation and need for definitions to address exiting uses. Further, uses classes were reviewed to modernize definitions where required. In addition, many minor revisions were made to create great clarity and ease of interpretation.</p>
<p>ACCESSORY DWELLING UNIT means a subordinate dwelling unit attached to, within, or detached from a principal dwelling unit, where both dwelling units are located on the same parcel. This includes a secondary suite, carriage suite, and garden suite.</p>	<p>New definition added.</p>
<p>AFFORDABLE HOUSING means rental or ownership housing that costs less than 30% of the before tax household income, subject to change by CMHC or BC Housing.</p>	<p>New definition added to align with programs and housing continuum.</p>
<p>AMBULANCE STATION means a facility for the dispatch of ambulance services</p>	<p>New definition added for use currently listed in bylaw.</p>
<p>ANIMAL SHELTER means a facility for the temporary housing and care of lost, abandoned, or homeless domestic animals.</p>	<p>New definition added.</p>

<p>CARRIAGE HOUSE means a detached, subordinate dwelling unit that contains a garage or similar storage space on a ground floor, with a dwelling unit on an upper floor, located on a permanent, continuous foundation.</p>	<p>New definition added to enable accessory dwelling units.</p>
<p>DWELLING UNIT means one or more integrally connected habitable rooms, constituting a self-contained unit with a separate entrance, containing cooking facilities, eating, living, and sleeping areas and bathroom facilities, and occupied or constructed to be occupied by a person or persons living together as a single household unit.</p>	<p>Updated definition.</p>
<p>EMERGENCY SHELTER means short stay housing for less than 30 days for anyone who is experiencing homelessness or at risk of homelessness. They operate all year, up to 24 hours a day, seven days a week. Shelters provide dormitory style sleeping arrangements, with varying levels of support to individuals usually including food.</p>	<p>New definition added to align with programs and housing continuum.</p>
<p>EXTREME WEATHER SHELTER means temporary spaces for people who are experiencing homelessness made available during weather conditions where sleeping outside might threaten health and safety. Activated by local government from November 1 through March 31 (subject to change).</p>	<p>New definition added to align with programs and housing continuum.</p>
<p>FIRE HALL means a building or structure or part thereof containing offices, vehicles and equipment intended for the prevention or extinguishing of fires, including ancillary rooms and activity areas for the firefighters, and may include ancillary meeting rooms for public assemblies.</p>	<p>New definition added for use currently listed in bylaw.</p>
<p>FLOOR AREA, GROSS means the total of all floors when measured from the outer wall of the building, including all suites or dwelling units and all areas giving access such as corridors, hallways, landings, foyers, staircases, and stairwells. Enclosed balconies, mezzanines, porches, verandas, and elevator shafts shall be included.</p>	<p>Updated definition.</p>

<p>FLOOR AREA RATIO means the value reached when dividing the <i>gross floor area</i> of all <i>buildings</i> on a <i>lot</i> by the area of the <i>lot</i>. Except that the following shall not be included as gross floor area for the purpose of computing floor area ratio:</p> <ol style="list-style-type: none"> (1) Any portion of a storey used for parking purposes unless parking is a principal use. (2) Any portion of a storey used for laundry purposes, unless laundry is the principal use. (3) Any portion of a basement containing heating, laundry. Recreational or storage facilities, but excludes areas used for habitable accommodation, and necessary access to habitable accommodation. (4) Architectural features which are permitted as projections into setbacks areas as per section XX of this Bylaw. (5) Swimming pools and sundecks. 	<p>Updated definition.</p>
<p>GARDEN SUITE means a detached, accessory dwelling unit, typically on a ground floor, located on a permanent, continuous foundation.</p>	<p>New definition added to enable accessory dwelling units.</p>
<p>GARDEN CENTRE means a building or structure or part thereof for the growing, display, wholesale or retail sale of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation, and may include the sale of other goods, products and equipment normally associated with gardening and landscaping, includes nursery and landscape supplies</p>	<p>New definition added for use currently listed in bylaw.</p>
<p>HELIPAD means an area, either at ground level or elevated on a building or structure, licensed by the federal government, and approved for the loading, landing and takeoff of helicopters.</p>	<p>Added definition for use currently listed in bylaw.</p>

<p>HOTEL means a commercial building containing more than six <i>sleeping units</i> to provide temporary accommodation for the travelling public. <i>Sleeping units</i> may contain microwave, bar fridge, coffee maker and in no case shall <i>sleeping units</i> be used for any other commercial use. <i>Sleeping units</i> shall have separate entrances through a common hallway and may include ancillary amenities such as fitness rooms, pools and restaurants.</p>	<p>Updated definition.</p>
<p>HOUSEHOLD means an individual or two or more people related by blood, marriage, adoption or foster parenthood or five unrelated non-transient people living as a single group within a dwelling unit.</p>	<p>New definition added.</p>
<p>HOUSING AGREEMENT means an agreement between a property owner and the City by bylaw, as defined in Section 463 of the <i>Local Government Act</i>.</p>	<p>Updated definition added to align with housing programs.</p>
<p>LIVE-WORK means the use of premises for:</p> <p>(a) a dwelling unit, and</p> <p>(b) a business operated by the occupant of the dwelling unit that may include day care, <i>personal service</i>, <i>artist's studio</i>, general or professional office use, but does not include: any dating service, entertainment service, exotic dancer business, social escort business, tattooing, piercing, branding, or other similar business.</p>	<p>Updated definition to clarify the occupant of the dwelling unit must be the operator of the business.</p>
<p>LOT COVERAGE means the total area of a lot covered by buildings or structures divided by the area of the lot itself expressed as a percentage.</p>	<p>Updated from 'Coverage' to 'Lot Coverage' and updated definition for clarify.</p>
<p>MARINA means an establishment, including buildings, structures and docking facilities, and located on and adjacent to a navigable body of water, and used for the mooring, berthing, and storing of boats and marine equipment, and may include facilities for the sale, rental and repair of boats and accessory marine crafts.</p>	<p>Added definition added for use currently listed in bylaw.</p>
<p>MARKET HOUSING means housing that is privately owned by an individual (or a company) who generally does not receive direct subsidies to purchase or maintain it. Prices are set by the private market.</p>	<p>New definition added to align with programs and housing continuum.</p>

<p>MOBILE HOME means a single-family dwelling, factory built as a unit or units, suitable for year around occupancy, capable of being drawn or moved from place to place and meeting the CAN/CSA-Z240 MH standard.</p>	<p>Updated definition.</p>
<p>MODULAR HOME means finished sections of a complete dwelling built in a factory for transportation to the site for installation. Finished means fully enclosed on exterior and interior but need not include interior painting, taping, installation of cabinets, floor coverings, fixtures, heating systems, and exterior finishes. Modular homes conform to the National Building Code of Canada or British Columbia Building Code where mandated and contain a CSA modular home label.</p>	<p>Updated definition.</p>
<p>PARKING SPACE means a space on a driveway for single, semi detached and townhouses, or within a building, or a parking lot for multi-residential uses, for the parking of one vehicle, excluding ramps, and access aisles.</p>	<p>Updated definition.</p>
<p>PERSONAL SERVICE means establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal services may include activities such as dry cleaning, laundry, linen supply, diaper service, beauty shops, barbershops, shoe repair, funeral home, steam baths, fitness centres, health clubs, and, animal grooming services.</p>	<p>Updated definition.</p>
<p>POLICE STATION means a facility containing offices, detainment areas, laboratories and related ancillary facilities for the police in carrying out their duties of maintaining law and order</p>	<p>Added definition added for use that is currently listed in the bylaw.</p>
<p>PRINTING, PUBLISHING AND ALLIED INDUSTRY means a facility for the printing, publishing, engraving, or copying of papers, plans and newsprint.</p>	<p>Added definition added for use that is currently listed in the bylaw.</p>
<p>PRINCIPAL BUILDING means a building in which the principal use of the lot on which the building is located is conducted.</p>	<p>Added definition. Term referred to in General Regulations.</p>
<p>PRINCIPAL USE means the main or primary use of a premise that is provided for in the list of permitted uses in the zones in this Bylaw.</p>	<p>Updated definition.</p>

<p>PROFESSIONAL SERVICE means the use of an office where the primary activity is the performance of work, or provision of advice, to clients in specialized areas of expertise. Professional services may include engineering, accounting, marketing, graphic design, architecture, realty, and financial and legal services.</p>	<p>Added definition for use that is currently listed in the bylaw.</p>
<p>RECREATIONAL VEHICLE means a vehicle requiring a license and designed to be used for temporary living and travel, recreation or vacationing and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes, boats, snowmobiles, or other similar vehicles but does not include manufactured home.</p>	<p>Updated definition. Currently talked about in the existing bylaw.</p>
<p>RESIDENTIAL RENTAL TENURE means in relation to a dwelling unit in a multi-family residential building or multiple dwelling, a tenancy governed by a tenancy agreement that complies with the Residential Tenancy Act.</p>	<p>Updated. Text added to document. Definition previously adopted by Council</p>
<p>RESTAURANT means a business establishment where food and beverages are prepared, served and consumed on the premises, and includes facilities for ordering and pick-up for consumption off-site. A restaurant may include dining establishments issued a food primary license pursuant to the Liquor Control and Licensing Act.</p>	<p>Added definition added for use that is currently listed in the bylaw.</p>
<p>SCHOOL means a school, providing an educational program offered by a district pursuant to the School Act, an Independent School pursuant to the Independent School Act, or a college or community college or educational facility as certified under the Private Training Act and/or constituted and established pursuant to a provincial statute.</p>	<p>Updated to include organizations certified under BC Private Training Act.</p>
<p>SECONDARY SUITE means a <i>dwelling</i> unit that is an accessory to a single real estate entity and is comprised of one or more habitable rooms, intended for <i>use</i> as a separate and independent residence. A secondary suite contains sleeping facilities, a bathroom, and cooking facilities that are for the exclusive <i>use</i> of the occupant(s) of the suite</p>	<p>Updated to enable secondary suites on properties other than those with single detached homes.</p>
<p>Delete Storey and Half-Storey</p>	<p>Definition removed from bylaw. Regulated through building height requirement. Improves clarity.</p>

<p>SUBSIDIZED HOUSING means all types of housing that receive subsidy or rental assistance for those living in the private market from public sources (be they federal, provincial/territorial, or municipal).</p>	<p>Added definition to align with programs and housing continuum.</p>
<p>SUPPORTIVE HOUSING has no limit on length of stay, is a purpose-designed building that provides ongoing supports and services to individuals who cannot live independently.</p>	<p>Updated definition.</p>
<p>THEATRE means a building or part thereof devoted to dramatic, dance, musical or other live performances.</p>	<p>Added definition added for use that is currently listed in the bylaw.</p>
<p>TRANSITIONAL HOUSING provides housing for more than 30 days up to three years that includes provision of support services, on or off site, to help individuals move towards independence and self-sufficiency. This form of housing is often called second stage housing.</p>	<p>Updated. Replaces existing <i>Transition House</i> definition to align with programs and housing continuum.</p>
<p>USEABLE OPEN SPACE means a level, unobstructed area or areas, available for safe and convenient use by all the building's users and occupants providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, public walkways, and required front yards.</p>	<p>Updated definition to move technical requirements to <i>General Regulations</i>.</p>
<p>WHOLESALE means a business establishment devoted to wholesale sales, being: the sale of goods, commodities and merchandise to retail distributors; to other wholesale distributors; to industrial, commercial, institutional or professional business users; or acting as agents or brokers and buying or selling goods, commodities and merchandise for incorporation and assembly into other products.</p>	<p>Added definition added for use that is currently listed in the bylaw.</p>

Section 5 – Establishment of Zones

<p>5.5 <u>Permitted in all Zones:</u> The following <i>uses</i> are permitted in all <i>zones</i>: - Accessory Buildings and Structures - Public parks and playgrounds - Unattended Public Utility Use - Community Gardens - Market Gardens - Natural areas - Daycare or other preschools</p>	<p>Updated to include daycare as spaces are in short number, and many are needed to support working families. This provision is to remove barriers to daycares in the community.</p>
<p><i>R1 – Single Detached Residential zone</i> 5.11.1 <u>Permitted Uses</u> <i>Accessory Dwelling Unit</i></p> <p>5.11.2 <u>Site Development Regulations</u> Density (units/hectare) 16</p> <p>Notwithstanding the provisions of 5.11.2: (i) On a <i>corner lot</i>, the <i>side yard</i> by the flanking <i>street</i> must be not less than 3.0 metres (9.8ft) wide.</p>	<p>Updated <i>Permitted Uses</i> to replace “Secondary Suite” with “Accessory Dwelling Unit” to allow a carriage house or garden suite.</p> <p>Updated density to 16 units per hectare to match 1 unit per 600 m2. As per policy secondary suites do not count towards density.</p> <p>Updated to be consistent with R3 zone.</p>
<p><i>R2 – Single and Semi Detached Residential</i> 5.12.1 <u>Permitted Uses</u> <i>Accessory Dwelling Unit</i></p> <p>5.12.2 <u>Site Development Regulations</u> Minimum Lot Area 365m² (3,929 ft²) Minimum Frontage 10m (32.8 ft) Maximum Coverage 60% Minimum Setbacks: Front yard 6.0 m (21.3 ft) Rear yard 6.0 m (21.3 ft) Side yard 1.5 m (4.9 ft) Density (units/hectare): Single detached dwelling 27 Demi-detached dwelling 46</p>	<p>Updated <i>Permitted Uses</i> to replace “Secondary Suite” with “Accessory Dwelling Unit” to allow a carriage house or garden suite.</p> <p>Updated to remove different lot areas for single and semi-detached. There is now one lot area size.</p>

<p>R3 – Small Lot Single Detached Residential</p> <p>5.13.1 <u>Permitted Uses</u></p> <p><i>Accessory Dwelling Unit</i></p> <p>5.13.2 <u>Site Development Regulations</u></p> <p>Minimum Lot Area 300 m² (3,229 ft²)</p> <p>Minimum Frontage 10 m (32.8 ft)</p> <p>Maximum Coverage 60%</p> <p>Minimum Setbacks:</p> <p>Front yard 5.0 m (16.4 ft)</p> <p>Rear yard 5.0 m (16.4 ft)</p> <p>Side yard 1.5 m (4.9 ft)</p> <p>Density (units/hectare): 34</p>	<p>Updated <i>Permitted Uses</i> to add “Accessory Dwelling Unit” to allow a carriage house or garden suite. Enabling ADUs on R3 lots increases flexibility, but construction will be limited by the site development regulations (ie. lot coverage, setbacks).</p> <p>Updated to more closely match existing small lot sizes in Port Alberni.</p>
<p>5.24 C7 Core Business</p>	<p>Updated to increase maximum height to 16 m to account for changes to density bonusing that removed a potential 4 metre height increase.</p>

Section 6 – General Regulations

<p>6.7 Fences and Hedges</p> <p>6.7.5 In M zones, fences or walls not greater than 2.5 m (8.2 ft) in height are permitted in a front yard.</p> <p>6.7.6 No fence in any zone shall be constructed using barbed wire, razor wire, electrified wire or any other material intended to produce any sensation or injury to any person or animal having contact with the fence.</p> <p>6.7.7 Notwithstanding 6.7.6. barbed wire fencing is permitted in all M zones for security purposes.</p> <p>6.7.8 Where a chain link fence is constructed on property it must be coated or incorporate screening to render the fence opaque.</p> <p>6.7.9 Maximum permitted height of an open mesh or chain link fence is 3.7 m (12.1 ft) in cemeteries, public playgrounds, parks, playfields, school areas or in any M zone.</p>	<p>Updated to clarify language and reflect best practices.</p> <p>Added regulations for barbed, razor and other security fencing.</p> <p>Clarified use of chain link fencing.</p>
---	--

<p>6.8 Landscaping</p> <p>6.8.6 Maximum area of impervious surface in any R zone is calculated as follows:</p> <p>(Lot Area – Coverage) x 0.5 = impervious surface</p>	<p>New section added to clarify impervious surface area on residential lots.</p>
<p>6.10 Accessory Buildings</p> <p>6.10.5 In R, RR, and RM zones, the total floor area of all accessory buildings shall not exceed 90 m² (969 ft²), and the height of any accessory building shall not exceed 5.5 m (18 ft), subject to 6.10.8 of this Bylaw.</p>	<p>Updated to increase maximum floor space from 75 m² to 90 m² to be consistent across zones.</p>
<p>6.15.6 <i>Home Occupation</i></p> <p>(h) In multi-unit residential zones, home occupation as a permitted use is restricted to office space.</p>	<p>Updated to permit business conducted entirely online. Relevant to business licensing.</p>
<p><u>6.22 Accessory Dwelling Units</u></p> <p><u>6.22.1 Secondary Suites</u></p> <p>Existing:</p> <ul style="list-style-type: none"> - May not exceed 90 m² in total floor area or 40% of the habitable floor space of the building, whichever is less; - Must be fully contained within the principal residence; - Must be provided with a parking space additional to the standard parking space requirements for the residence; and - Are only permitted in an owner-occupied single-family dwelling. <p>Proposed:</p> <ul style="list-style-type: none"> - May be located in any single detached, semidetached or townhouse on the following conditions: - May not exceed 40% of the habitable floor space of the building, whichever is less - Must be fully contained within the principal residence which is a single real estate entity - Must be provided with a parking space additional to the standard parking space requirements for the residence as per section 7 of this bylaw; and 	<p>Updated to provide for greater flexibility and opportunities for gentle infill within the community.</p> <p>Allow for the diversification of housing rental and aging in place options.</p> <p>Allow for mortgage helpers for first time home buyers.</p>

<ul style="list-style-type: none"> - The principle dwelling is permanently occupied 	
<p><u>6.22.2 Carriage Houses:</u></p> <ul style="list-style-type: none"> - May be located on a lot with a single detached dwelling on the following conditions: - Is not located on a lot that contains another accessory dwelling unit; - Is provided direct access to a roadway or laneway or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the carriage suite parking area to the entrance of the carriage suite when direct access to the carriage suite from a roadway or laneway is not provided; - Is not located in the required front yard setback area or in front of the principal dwelling; - Meets minimum side yard setback requirements of the applicable zone; - May be located in the required rear yard setback; - No portion of the <i>building</i> is located within 1 m of a rear lot line; - Does not exceed a maximum height of the principal building; - Does not contain a gross floor area (excluding a first storey garage) greater than 40% of the gross floor area of the single detached dwelling, up to a maximum of 90 m²; - Must have a minimum of 18 m² of useable open space; and - Provides for parking in accordance with Section 7. 	<p>New section added to enable Carriage Houses on property according to conditions.</p>

6.22.3 Garden Suites:

- May be located on a lot with a single detached dwelling on the following conditions:
- Is not located on a lot that contains another accessory dwelling unit;
- Is provided direct access to a roadway or laneway or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the carriage suite parking area to the entrance of the carriage suite when direct access to the carriage suite from a roadway or laneway is not provided;
- Is located in a rear yard;
Meets minimum side yard setback requirements of the applicable zone;
- May be located in the required rear yard setback;
- No portion of the *building* is located within 1 m of a rear lot line;
- Does not exceed a maximum height of 8 m.
- Does not contain a gross floor area greater than 40% of the gross floor area of the single detached dwelling, up to a maximum of 90 m²;
- Must have a minimum of 18 m² of useable open space; and
- Provides for parking in accordance with Section 7.

New section added to enable Garden Suites on property according to conditions.

6.28 Density Bonusing

6.28.1 The purpose of the following density bonusing provisions pursuant to section 482 of the LGA are to support the development of:

- Universally Accessible housing units as per 482 (b)
- Affordable housing units as per 482 (b)
- Provision of amenities 482 (a)

6.28.2 On lands with an RM zone and the following Density Bonusing is available as follows:

- a. For each ten percent (10%) of the *dwelling* units constructed using universally accessible design standards and elevators are provided the floor area ratio may be increased by 0.1
- b. For each ten percent (10%) of the *dwelling* units that are designated as affordable the permitted the floor area ratio may be increased of 0.1
- c. Where greater than seventy-five (75%) of the required *off-street* parking is provided *underground* or enclosed underneath the principal *building*, the floor area ratio may be increased by 0.1

6.28.2.1 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5.

6.28.2.2 Where density bonusing is to be sought under 6.28.2 (b) above, a housing agreement is required as outline under section 483 of the *Local Government Act*.

6.28.3 On lands zoned C-7 the following Density Bonusing is available as follows:

- a. A 0.5 increase in FAR where a minimum of one *storey* or sixteen and one-half percent (16.5%) of the *gross floor area* of the *building* is *used* for commercial purposes;
- b. A 0.5 increase in FAR where greater than seventy-five percent (75%) of the required parking is provided *underground* or

Updated to reflect the legislative best practice for density bonusing. To create greater clarity for the administration of regulations. Moved from Section 5 to General Regulations.

Updated - Bonus for increased height (4 metres) in the C7 zone removed to streamline density bonusing as exclusively an increase to FAR. Max height in C7 zone increased to compensate. See Section 5.

<p>enclosed underneath the principle <i>building</i>;</p> <ul style="list-style-type: none"> c. A 0.1 increase in FAR for each (10%) of the <i>dwelling</i> units are constructed as <i>accessible</i> and where elevators are provided to all <i>storeys</i> in the <i>building</i> d. A 0.1 increase in FAR for each ten percent (10%) of the <i>dwelling</i> units are designated as affordable e. A 0.5 increase in FAR where a common meeting room or amenity room containing a minimum of 22 m² (235 ft²) is provided. <p>6.28.3.1 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5 for a maximum FAR of 3.5.</p> <p>6.28.3.2 Where density bonusing is to be sought under 6.28.3 (d) above, a housing agreement is required as outline under section 483 of the <i>Local Government Act</i>.</p>	
<p><u>6.29 Shipping Containers</u></p> <p>6.29.1 Use of land for the placement of shipping containers is permitted only in M zones, except under conditions authorized by 6.29.3.</p> <p>6.29.2 A shipping container shall only be used to store materials or products that are incidental to the operation of a business or facility located on the parcel and shall not be used for mini-storage.</p> <p>6.29.3 A shipping container may be used for the temporary storage of tools and materials on a property other than an M zone, for the construction or maintenance of a building or structure for which a required building permit has been obtained and remains active. Upon completion of construction the container must be removed with 14 days.</p> <p>6.29.4 No shipping container may be located in the setback area, as specified by the applicable zone, or within 3 m of any lot line adjoining an R, RM, or MH zone.</p>	<p>New section added to provide basic regulation for Shipping Containers.</p> <p>Placement limited to industrial zones unless used for storage during construction in accordance with a Building Permit.</p>

HOUSEKEEPING (Changes made across multiple sections of the bylaw):

Use able open space provisions	Moved from Section 5 Zones to General Regulations – 6.27
Density Bonusing Provisions	Moved from Section 5 Zones to General Regulations – 6.28
Single Family/Two Family Dwelling – Naming Convention	Change to single detached and semi-detached. .
Handicapped Parking Requirements – Naming Convention	Changed Handicapped to Accessible throughout
Home Occupation revisions	To allow for remote working options. Added ability to have office use in an apartment or condo unit.
Removed regulation of <i>Maximum Number of Principal Building Storeys</i> from zones.	Reduces confusion with building height requirements.
Density	Updated Section 5 low density residential zones with density measurements in units/hectare to replace Floor Area Ratio consistent with changes to section 3.13 <i>Density Calculations</i> .
<i>Office, Professional service, and Government service</i> uses in Commercial zones.	<p>Aligned commercial zones with existing <i>Office</i> definition by listing <i>Office</i> as <i>Accessory Use</i> instead of <i>Principle Use</i>.</p> <p>Added <i>Professional service</i> to C5 Transitional Office zone.</p> <p>Added “Government service” to C7 zone as a <i>Principal use</i>. Previously embedded in definition of <i>Office</i>.</p>



Port Alberni Zoning Bylaw

2023

DRAFT

Bylaw No. 5074

Table of Contents

1. Title.....	3
2. Repeal of Bylaws.....	3
3. Administration.....	4
4. Definitions.....	7
5. Establishment of <i>Zones</i>	24
A1 – AGRICULTURE	26
FD – FUTURE DEVELOPMENT	28
RR1 – RURAL RESIDENTIAL	29
RR2 – SEMI-RURAL RESIDENTIAL	31
R1 – SINGLE DETACHED RESIDENTIAL	32
R2 – SINGLE AND SEMI-DETACHED RESIDENTIAL.....	33
R3 – SMALL LOT SINGLE DETACHED RESIDENTIAL.....	35
RM1 – LOW DENSITY MULTI-RESIDENTIAL	36
RM2 – MEDIUM DENSITY MULTI-RESIDENTIAL	37
RM3 – HIGH DENSITY MULTI-RESIDENTIAL.....	38
MH1 – MOBILE AND MODULAR HOMES	40
C1 – NEIGHBOURHOOD COMMERCIAL	42
C2 – GENERAL COMMERCIAL	44
C3 – SERVICE COMMERCIAL.....	47
C4 – HIGHWAY COMMERCIAL	49
C5 – TRANSITIONAL OFFICE	52
C6 – GAMING CENTRE.....	53
C7 – CORE BUSINESS.....	54
C8 – COMMERCIAL RECREATION.....	57
C9 – COMMERCIAL GUEST HOUSE.....	58
M1 – LIGHT INDUSTRY.....	59
M2 – MEDIUM INDUSTRY	61
M3 – HEAVY INDUSTRY	63
M4 – UTILITIES.....	64
P1 – INSTITUTIONAL	65
P2 – PARKS AND RECREATION.....	68
W1 – WATERFRONT COMMERCIAL	69
W2 – WATERFRONT INDUSTRIAL	71
6. General Regulations	72
7. Parking and Loading Regulations	89
8. Comprehensive Development Zones	96
CD1 – COMPREHENSIVE DEVELOPMENT – UPLANDS PHASE 2 – BURDE STREET.....	96
CD2 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL INFILL – 4738 Athol Street.....	98
CD3 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL INFILL – 4835 & 4825 BURDE ST. AND 3614 & 3618 5TH AVE.....	99
Schedule A: Zoning Map	100
Schedule B: Permitted <i>Uses By Zone</i>	Error! Bookmark not defined.

CITY OF PORT ALBERNI

ZONING BYLAW

BYLAW NO. 5074

WHEREAS the *Local Government Act* of the Province of British Columbia authorizes a local government to enact bylaws, pursuant to the provisions of Sections 479 related to Zoning Bylaws, which divides the municipality into *zones* and which sets regulations for each *zone*;

WHEREAS persons who deem their interest in property affected by this Bylaw have, before the passage hereof, been afforded an opportunity to be heard on the matters contained herein before the Council of the City of Port Alberni, all in accordance with the requirements of the *Local Government Act*, including Sections 465 and 466 related to the holding of public hearings for Zoning Bylaws;

WHEREAS one of the principal purposes of this Bylaw is to guide the natural growth of the municipality in a systematic and orderly way for the ultimate benefit of the community as a whole by ensuring that the various *uses* made of land and *structures* in the municipality develop in proper relationship to one another;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Port Alberni, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. Title

This bylaw may be cited for all purposes as the “Zoning Bylaw No. 5074, 2023” hereinafter referred to as the “Bylaw”.

2. Repeal of Bylaws

Bylaw No. 4832 and all amendments thereto are hereby repealed.

3. Administration

NOTE: Diagrams are provided for illustration purposes only in this Bylaw.

NOTE: See Section 5 for *zone* abbreviations and *zone* groupings, as referenced throughout the Bylaw.

3.1 Application

3.1.1 This Bylaw shall be applicable to all land, *buildings* and *structures*, including the surface of water, within the City of Port Alberni.

3.1.2 No *building, structure* or use shall be located, constructed, altered or expanded except as is provided for in this Bylaw.

3.1.3 This Bylaw shall not relieve any person from complying with other Bylaws and legislation that are relevant to the development or *use* of land.

3.2 Amendments to the Bylaw

3.2.1 Any person applying to have this Bylaw amended, whether a text or a zoning map amendment or both, shall apply in writing *using* the prescribed form, describing the proposed change, providing reasons in support of such application, and any additional information required for application review and assessment.

3.2.2 Where an application to amend this Bylaw has been refused, no application the same as or similar to the refused amendment shall again be considered by *Council* for six (6) months after the date of refusal.

3.3 Bylaw Administration

This Bylaw is administered by officers, employees, and *agents* of the City of Port Alberni.

3.4 Enforcement and Inspection

Officers, employees, and *agents* of the City of Port Alberni are hereby authorized to:

3.4.1 Enforce this Bylaw and carry out inspections regarding the *use* and occupancy of *buildings* and property;

3.4.2 Enter upon any property or premises, at all reasonable times, to ascertain whether the provisions of this Bylaw are being complied with; and

3.4.3 Give notice to the owner of any property directing the owner or occupant to correct any condition which constitutes a violation of this Bylaw.

3.5 Contravention

Every person who violates any of the provisions of the Bylaw, or who acts or suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing

anything required to be done under the provisions of this Bylaw shall be deemed to be guilty of an infraction of this Bylaw.

3.6 Penalties

Every person guilty of an infraction of this Bylaw shall be liable on summary conviction to a penalty not exceeding two thousand dollars (\$2,000) for each infraction or offence. Each day that a violation or infraction exists or is permitted to exist shall constitute a separate offence under this Bylaw.

3.7 Permits and Licences

No permit or licence shall be issued for a *building, structure, or use* which violates any of the provisions of this bylaw.

3.8 Severability

If any section, subsection, sentence or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw or the validity of the Bylaw as a whole.

3.9 Interpretation of Permitted Uses

3.9.1 No lands, *buildings, or structures* in any *zone* shall be *used* by the owner, occupier, or any other person for any *use*, except one which is provided in this Bylaw as being specifically permitted for the *zone* in which it is located. Any use not expressly permitted is prohibited.

3.10 Non-conformity

3.10.1 Non-conforming *uses* and siting are permitted in accordance with the provisions of the *Local Government Act*.

3.10.2 A use that is permitted in a *zone* may be located on any *lot* that existed prior to the adoption of this Bylaw, including a lot that does not meet the minimum *lot area* regulations as set out in this Bylaw, a lot that does not meet the minimum *frontage* requirements as set out in this Bylaw, or a lot that does not meet both the minimum *lot area* regulations and the minimum *frontage* requirements as set out in this Bylaw.

3.11 Siting, Size, and Shape

No *building or structure* shall be constructed, reconstructed, altered, moved, or extended by the owner, occupier, or any other person so that it contravenes the requirements, as provided in this Bylaw, for the *zone* in which it is located, unless a variance has been granted for the same.

3.12 Measurement Discrepancies

If there is any discrepancy in this Bylaw between the metric and imperial measures for a given item, the metric value shall be considered the correct value for such item.

3.13 Density Calculations

3.13.1 Low density residential development (single detached with carriage houses, semi-detached and triplex) is calculated on a unit/hectare basis as outlined in each zone. Accessory Dwelling Units are not considered a unit for the calculation of density. Where the calculation of units per hectare results in a fractional value, the number of units shall be rounded up to the nearest whole unit.

3.13.2 Multi-family (containing four or more dwellings), Commercial and Industrial Development density is determined by floor area ratio as prescribed in the applicable zone.

3.14 Rounding

3.14.1 Unless otherwise specified, fractions or decimals may be rounded to the nearest whole number, tenth or hundredth, according to the degree of precision of the provision in question.

3.14.2 Despite 3.14.1, where this Bylaw imposes as part of its regulations a minimum numerical value, no smaller values may be rounded up to achieve compliance with the provision.

4. Definitions

In this Bylaw unless the context otherwise requires:

ACCESS AISLE	means a travelling lane in a parking area or <i>parking lot</i> which is immediately adjacent to a <i>parking space</i> , is <i>used</i> for and/or is necessary for turning, backing, or driving forward a motor vehicle into such <i>parking space</i> but is not <i>used</i> for the parking or storage of motor vehicles.
ACCESSORY BUILDING	a detached building, the use or intended use of which is ancillary to that of a principal building situated on the same lot and excludes use for residential.
ACCESSORY DWELLING UNIT	means a subordinate dwelling unit attached to, within, or detached from a principal dwelling unit, where both dwelling units are located on the same parcel. This includes a secondary suite, carriage house, and garden suite.
ACCESSORY USE	means a <i>use</i> which customarily is ancillary, subordinate to and exclusively devoted to a principal <i>building</i> , or <i>use</i> of a principal <i>building</i> , or a <i>principal use</i> on the <i>lot</i> upon which such <i>accessory use</i> is located.
ACCESSIBLE	means the design and construction of <i>buildings</i> in a manner to make them <i>accessible</i> and useable by persons with special needs and including features which are complementary to the BC <i>Building Code</i> .
ADULT NOVELTY	means toys of a sexual nature, intended only for adult <i>use</i> .
ADULT RETAIL STORE	means the <i>use</i> of premises to display or <i>retail</i> either or both of the following: <ul style="list-style-type: none"> • <i>Adult novelties</i> • <i>Drug paraphernalia</i>
AFFORDABLE HOUSING	means rental or ownership housing that costs less than 30% of the before tax household income, subject to change by CMHC or BC Housing.
AGENTS	means those professionals or tradespeople under contract to the City of Port Alberni with responsibility for administration of the zoning bylaw.
AGRICULTURE	means the <i>use</i> of land, <i>buildings</i> and <i>structures</i> for growing, rearing, and harvesting agricultural products or raising <i>livestock</i> . <i>Agriculture</i> includes processing crops grown on the land, horticulture, storing and repairing farm equipment <i>used</i> on the land, and other related <i>uses</i> including greenhouses. In the context of this Bylaw, <i>agriculture</i> also includes aquaculture, horticulture, and <i>forest management use</i> but excludes marijuana growing, the operation of <i>feedlots</i> , fur farms, piggeries, <i>poultry</i> farms, and slaughterhouses.
AGRICULTURE USE, INTENSIVE	means " <i>Intensive Agriculture</i> " as defined in Section 555 (1) of the <i>Local Government Act</i> : for example, the confinement of <i>poultry</i> , <i>livestock</i> or fur bearing animals, or the growing of mushrooms.

AMBULANCE STATION	means a facility for the dispatch of ambulance services.
AMUSEMENT ESTABLISHMENT	means premises that are <i>used</i> as billiard and pool halls, bingo halls, bowling alleys, or premises in which three or more <i>amusement machines</i> are placed provided or kept for the purpose of gain or profit of the operator.
AMUSEMENT MACHINE	means a machine on which mechanical, electrical, automatic or computerized games are played for amusement or entertainment and for which a coin or token must be inserted or a fee charged for <i>use</i> .
ANIMAL SHELTER	means a facility for the temporary housing and care of lost, abandoned, or homeless domestic animals.
ARTIST'S STUDIO	means a workspace for artists, artisans, craftspeople, including persons engaged in the application, teaching, or performance of fine arts such as but not limited to drawing, dance, vocal or instrumental music, painting, photography, sculpture, and writing. May include the accessory sale of art produced on the premises.
ASSEMBLY	means <i>use of a building or structure</i> for the gathering or meeting of persons for charitable, philanthropic, cultural, political, educational or other similar purpose.
ASSEMBLY, CULTURAL AND RECREATIONAL FACILITIES	means facilities such as armouries, art galleries, auditoriums, bowling greens, community centres, cultural centres, curling rinks, gymnasiums, meeting halls, museums, libraries, skating rinks and arenas, stadiums, swimming pools and tennis courts.
AUTOMOBILE OR BOAT SALES OR RENTAL LOT	means an open area <i>used</i> for the display, sales or rental of new or <i>used</i> passenger motor vehicles, boats, mobile-homes, or trailers in operable condition, and where no repair work is done except incidental repair of vehicles.
AUTOMOTIVE SALES, REPAIR AND SERVICING	means automotive supply stores, car washes, motor vehicle dealers, motor vehicle rental <i>lots</i> , motor vehicle repair shops, tire, battery, and automotive accessory stores.
AUTOMOBILE WRECKING YARD	means an open area where motor vehicles are disassembled, dismantled or junked or where vehicles not in operable condition or <i>used</i> parts of motor vehicles are stored.
BASEMENT	means that portion of a <i>building</i> between two floor levels, the lower of which is partly underground, but which has at least one half of its height from finished floor to finished ceiling above adjacent finished <i>grade</i> as determined by the <i>Building Inspector</i> .
BED AND BREAKFAST	means the <i>use</i> of part of a single detached dwelling for the accommodation of paying overnight transient guests and where breakfast is the only meal which may be served.

BOARDING and LODGING	means a <i>dwelling</i> in which more than 2 <i>sleeping units</i> are rented, with or without meals being provided, to more than 2 and not exceeding 15 persons, other than members of the <i>family</i> of the tenant or owner.
BUILDING	means a <i>structure</i> , which is designed, erected or intended for the support, enclosure, or protection of persons or property. When a <i>structure</i> is divided by <i>party walls</i> located upon <i>lot</i> lines, then each portion of such <i>structure</i> shall be deemed to be a separate <i>building</i> .
BUILDING, FRONT LINE OF	means the furthest extending portion of the <i>building</i> which faces the front line of the <i>lot</i> .
BUILDING INSPECTOR	means the Building Inspector of the City of Port Alberni.
BUILDING, REAR LINE OF	means the furthest extending portion of the <i>building</i> which faces the rear line of the <i>lot</i> .
BUILDING, TEMPORARY	means and includes: <ol style="list-style-type: none">(1) any <i>building</i> (except a garage or other <i>accessory building</i>) not having its exterior walls supported on continuous concrete or masonry foundation or walls.(2) notwithstanding clause (1) above, a <i>temporary building</i> shall also include boat shelters, bunkhouses, skid shacks, huts, tents, trailers, custom built mobile units or any other similar type of portable <i>building</i> or <i>structure</i>, whether or not the same be placed on foundations or affixed to the land in any way. <p>a <i>temporary building</i> shall not be construed to include permanent prefabricated residential <i>dwelling</i>s, industrial, warehouse or <i>storage buildings</i> which conform to the construction standards specified in the <i>Building Bylaw</i>.</p>
CAMPGROUND	means a site operated and occupied for part of the year only as temporary accommodation for short term, transient holiday makers in <i>recreational vehicles</i> , wheeled trailers or tents. A <i>campground</i> does not include mobile-home park, <i>motel</i> , <i>hotel</i> , or <i>motor hotel</i> .
CAMPING SITE	means a part of a <i>campground</i> where one wheeled trailer, <i>recreational vehicle</i> , or tent is intended to be located.
CANNABIS	means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marijuana shall have the same definition.

CANNABIS PRODUCTION FACILITY	means the use of land, buildings or structures for the cultivation, processing, testing, destruction, packaging and shipping of cannabis/marijuana, or any products containing or derived from cannabis that are regulated under the federal Cannabis Act. These facilities may be further categorized as either a standard or micro-cultivation use, a cannabis nursery use, or standard or micro-processing use. May also include any medical marijuana facility regulated under the Access to Cannabis for Medical Purposes Regulations. Specifically excludes storefront or retail outlet distribution of cannabis.
CANNABIS - STANDARD CULTIVATION	means the indoor large-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities. Canopy space up to or more than 200 m ² (2,152 ft ²) is permitted.
CANNABIS - MICRO-CULTIVATION	means the indoor small-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities. Canopy space up to 200 m ² (2,152 ft ²) is permitted.
CANNABIS - NURSERY	means the indoor growing of cannabis plants to produce starting material (seed and seedlings) and associated activities. Canopy space must not exceed 50 m ² (538 ft ²).
CANNABIS - STANDARD PROCESSING	means the large-scale manufacturing, packaging and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities. There is no limitation on the amount of dried flower processed annually.
CANNABIS - MICRO-PROCESSING	means the small-scale manufacturing, packaging and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities. Up to 600 kg of dried flower may be processed annually.
CANNABIS RETAIL STORE	means a retail business in a building, or part thereof, in which cannabis and cannabis accessories, in all its forms and as licensed by the Province of British Columbia, are sold to individuals who attend the premises. This use does not include cannabis production, cultivation and distribution.
CARRIAGE HOUSE	means a detached, subordinate dwelling unit that contains a garage or similar storage space on a ground floor, with a dwelling unit on an upper floor, located on a permanent, continuous foundation.
CARTAGE AND DELIVERY	means <i>use of a building or structure</i> by businesses engaged in local trucking, parcel delivery, and similar operations, but excludes the operation of freight trucking terminals.
CELLAR	means that portion of a <i>building</i> between two floor levels the lower of which is wholly below <i>grade</i> and which has more than one half of its height, from finished floor to finished ceiling, below finished <i>grade</i> as determined by the <i>Building Inspector</i> .

CITY ENGINEER	means the City Engineer of the City of Port Alberni.
CLUB OR LODGE	means a <i>building</i> or establishment <i>used</i> by an association or organization for fraternal, social or recreational purposes and which shall be operated for the <i>use</i> of club members and their guests only.
COMMUNITY CARE FACILITY	means any facility licensed or having an interim permit under the <i>Community Care and Assisted Living Act</i> or related regulations, including hospice, all facilities providing residential care for three or more children, youth, adults, or seniors, and all other facilities caring for three or more children who are not related to the operator by blood or marriage. This includes: Group Day Care, <i>Family Day Care</i> , Nursery <i>School</i> and Child-Minding Facilities, Facilities for Out-of-School Care, Specialized Day Care Facilities and Facilities for Residential Care for Children.
COMMUNITY GARDEN	means a non-commercial facility for the cultivation of fruits, flowers, vegetables, or ornamental plants.
CONTRACTOR'S SHOP	means an enclosed space <i>used</i> for the housing and/or operating of machinery, the provision of services, the fabrication of <i>building</i> -related products, interior storage, and may include the contractor's business <i>office</i> and exterior storage.
CONVENIENCE STORE	means a commercial <i>retail</i> outlet not exceeding 200 m ² (2,153 ft ²) in gross <i>retail</i> floor area selling food, beverage and other household convenience items for off-site consumption.
COUNCIL	means the City Council of the City of Port Alberni.
DORMITORY	means a <i>building</i> or portion thereof in which <i>sleeping units</i> are provided and/or rented by an institution, agency or industry, and which is regulated and maintained by such body. It may include commercial dining facilities.
DRIVE-IN/DRIVE-THROUGH	means a commercial establishment with facilities for accommodating and servicing customers travelling in motor vehicles, where customers remain in their vehicles and obtain goods. Does not include car washing, drive-in theatres, or gasoline service stations.
DRUG PARAPHERNALIA	means equipment supporting the consumption of illegal drugs.
DWELLING, MULTIPLE RESIDENTIAL	means any <i>building</i> consisting of three or more <i>dwelling</i> units, each of which is occupied or intended to be occupied as the permanent home or residence of one <i>household</i> .
DWELLING, SINGLE DETACHED	means any <i>building</i> consisting of one <i>dwelling</i> unit which is occupied or intended to be occupied as the permanent home or residence of one <i>household</i> . May include a fully enclosed <i>secondary suite</i> .

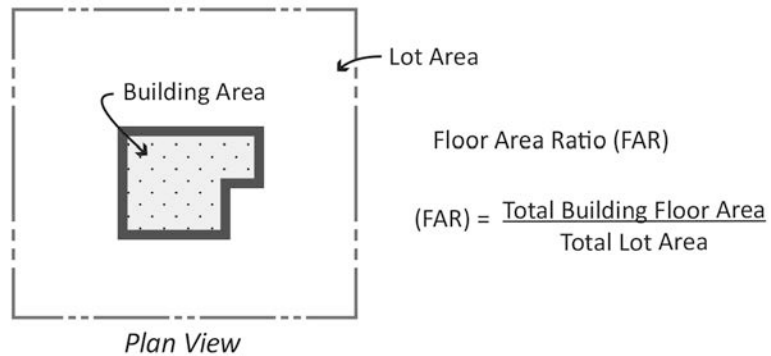
DWELLING, SEMI-DETACHED	means any semi-detached <i>building</i> divided into two <i>dwelling</i> units, each of which is occupied or intended to be occupied as the permanent home or residence of one <i>family</i> , and in which the units share a <i>party wall</i> , or in the case of an up and down duplex, are connected by a party floor/ceiling.
DWELLING UNIT	means one or more integrally connected habitable rooms, constituting a self-contained unit with a separate entrance, containing cooking facilities, eating, living, and sleeping areas and bathroom facilities, and occupied or constructed to be occupied by a person or persons living together as a single household.
EMERGENCY SHELTER	means short stay housing for less than 30 days for anyone who is experiencing homelessness or at risk of homelessness. They operate all year, up to 24 hours a day, seven days a week. Shelters provide dormitory style sleeping arrangements, with varying levels of support to individuals usually including food.
EXTREME WEATHER SHELTER	means temporary spaces for people who are experiencing homelessness made available during weather conditions where sleeping outside might threaten health and safety. Activated by local government from November 1 through March 31 (subject to change).
FAIRGROUND	means the use of premises for community events including festivals, fairs, carnivals, equestrian and related events, exhibitions, outdoor markets, and animal shows and may include the sale of goods.
FARM SALES	means direct sale of farm produce from farmer to consumer, incidental to farm production. May include sale of agricultural production from other farms in the vicinity.
FENCE	means a <i>structure used</i> as an enclosure, boundary or <i>screening</i> around all or part of a <i>lot</i> .
FIRE HALL	means a building or structure or part thereof containing offices, vehicles and equipment intended for the prevention or extinguishing of fires, including ancillary rooms and activity areas for the firefighters, and may include ancillary meeting rooms for public assemblies.
FLOOR AREA, GROSS	means the total of all floors when measured from the outer wall of the building, including all suites or dwelling units and all areas giving access such as corridors, hallways, landings, foyers, staircases, and stairwells. Enclosed balconies, mezzanines, porches, verandas, and elevator shafts shall be included.

FLOOR AREA RATIO

means the value reached when dividing the *gross floor area* of all *buildings* on a *lot* by the area of the *lot*. Except that the following shall not be included as gross floor area for the purpose of computing floor area ratio:

- (1) any portion of a storey used for parking purposes unless parking is a principal use.
- (2) any portion of a storey used for laundry purposes, unless laundry is the principal use.
- (3) any portion of a basement containing heating, laundry, recreational or storage facilities, but excludes areas used for habitable accommodation, and necessary access to habitable accommodation.
- (4) architectural features which are permitted as projections into setbacks areas as per section 6.12 of this Bylaw.
- (5) swimming pools and sundecks.

Floor Area

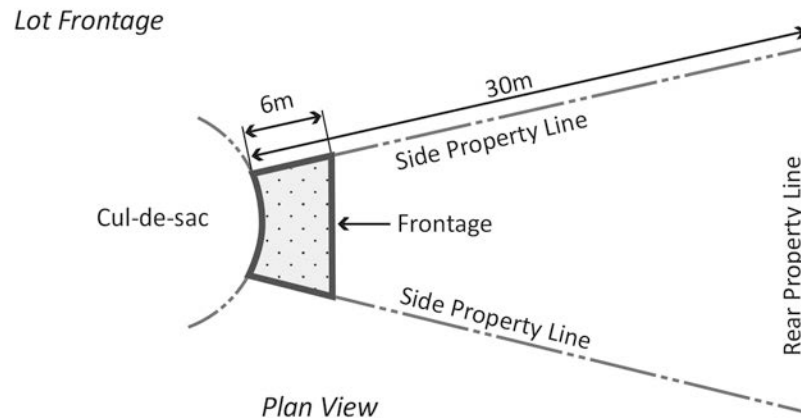


FOREST MANAGEMENT

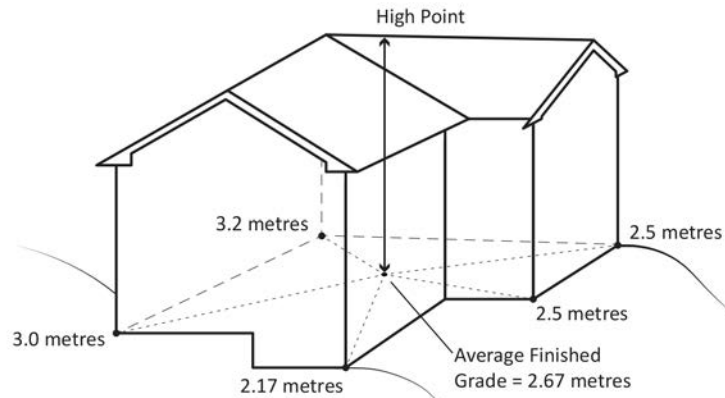
means the management of forests for the production of wood and to provide outdoor recreation, to maintain, restore or enhance environmental conditions for wildlife and for the protection and production of water supplies.

FRONTAGE

means the horizontal distance between the *side lot lines* measured at the point where the *side lot lines* intersect the *front lot line*. On curvilinear *streets*, frontage shall be determined by the minimum straight-line distance between the *side lot lines* calculated 6 m from the front property line.



- GARDEN SUITE** means a detached, subordinate dwelling unit, typically on a ground floor, located on a permanent, continuous foundation.
- GAMING CENTRE** means a *building* or part of a *building* where the *principal use* may include bingo, electronic bingo, *slot* machines, electronic gaming, and tele-wagering.
- GARAGE, PRIVATE** means a detached *accessory building* or a portion of a principal *building used* primarily for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or servicing such vehicles.
- GRADE OR GRADE LEVEL** means the finished average ground level at the centre of the exterior wall of a *building*.
- GARDEN CENTRE** means a building or structure or part thereof for the growing, display, wholesale or retail sale of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation, and may include the sale of other goods, products and equipment normally associated with gardening and landscaping, includes nursery and landscape supplies.
- HABITABLE FLOOR SPACE** means a floor area within a *dwelling* designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom, and kitchen.
- HEDGE** means an arrangement of shrubs or low-growing trees that are closely planted in a strip and intended to be maintained at a certain height, used to mark a boundary or enclose or screen an area of land. Does not include vegetation, foliage, or trees naturally occurring on a property.
- HEIGHT, BUILDING** means the vertical distance from peak of roof to average height of all outside corners of *building* at finished *grade*.



- HELIPAD** means an area, either at ground level or elevated on a building or structure, licensed by the federal government, and approved for the loading, landing and takeoff of helicopters.
- HOME OCCUPATION** means an occupation or *use* which is ancillary or secondary to a permitted residential *use* in accordance with the provisions of this Bylaw (Section 6.15).
- HOTEL** means a commercial *building* containing more than six *sleeping units* to provide temporary accommodation for the travelling public. *Sleeping units* may contain microwave, bar fridge, coffee makers and in no case shall *sleeping units* be used for any other commercial *use*. *Sleeping units* shall have separate entrances through a common hallway include ancillary amenities such as fitness rooms, pools and restaurants.
- HOUSEHOLD** means an individual or two or more people related by blood, marriage, adoption or foster parenthood or 5 unrelated non-transient people living as a single group within a dwelling unit.
- HOUSING AGREEMENT** means an agreement between a property owner and the City as defined in Section 483 of the *Local Government Act*.
- JUNK YARD** means an area outside of an enclosed *building* where junk, or *used*, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A junk yard shall not include the sale, purchase or storage of *used* furniture or any *manufacturing* operations.
- KENNEL** means any *building, structure*, compound, group of pens, or cages, or land on or in which 3 or more dogs or cats are or are intended to be trained, cared for, bred, boarded, or kept for any purpose whatsoever, and shall include any *building* or part thereof in which 2 or more dogs are kept for breeding purposes.
- LANDSCAPE BUFFER** means a *landscaped* area intended to separate two adjacent land *uses* or properties, and to partially obstruct the view or block noise, lights or other nuisances.

LANDSCAPING AND LANDSCAPED	means the planting of lawns, shrubs and trees, and the addition of fencing, walks, drives, or other <i>structures</i> and materials so as to enhance the appearance of a property or where necessary to effectively screen a <i>lot</i> , site or <i>storage yard</i> . NOTE: <i>Landscaping</i> may be subject to Development Permit guidelines.
LANE	means a highway which affords only a secondary means of access to a <i>lot</i> , at the <i>side lot line</i> or <i>rear lot line</i> .
LIVE-WORK	means the <i>use</i> of premises for: (a) a <i>dwelling unit</i> , and (b) a business operated by the occupant of the <i>dwelling unit</i> that may include day care, <i>personal service</i> , <i>artist's studio</i> , general or professional <i>office use</i> , but does not include: any dating service, entertainment service, exotic dancer business, social escort business, tattooing, piercing, branding, or other similar business.
LIVESTOCK	means cattle, horses, sheep, goats, swine, rabbits, and fish.
LOADING SPACE	means an off- <i>street</i> space on the same <i>lot</i> as the <i>building</i> , or contiguous to a group of <i>buildings</i> , for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a <i>street</i> , <i>lane</i> or other appropriate means of access.
LOT	means any <i>lot</i> , block or other area in which land is held or into which it is subdivided, including a bare land <i>strata lot</i> , but does not include a highway or a <i>building strata lot</i> under the <i>Strata Property Act</i> .
LOT AREA	means the total horizontal area within the <i>lot lines</i> of a <i>lot</i> .
LOT, CORNER	means a <i>lot</i> at the intersection or junction of two or more <i>streets</i> .
LOT COVERAGE	means the total area of a lot covered by buildings or structures divided by the area of the lot itself expressed as a percentage.
LOT DEPTH	means the mean horizontal distance between the front and <i>rear lot lines</i> .
LOT LINE, FRONT	means the boundary line between a <i>lot</i> and a <i>street</i> on which the <i>lot</i> abuts. <ul style="list-style-type: none"> • in the case of a <i>corner lot</i>, the shortest <i>lot line</i> shall be considered the <i>front lot line</i>. Where both <i>lot lines</i> on a <i>corner lot</i> are equal in length the <i>lot line</i> shall be considered a <i>front lot line</i> if the adjacent <i>lot fronts</i> on the same <i>street</i>. • in the case of a <i>through lot</i>, the <i>lot lines</i> abutting two parallel or approximately parallel <i>streets</i> shall both be considered as <i>front lot lines</i>. • in the case of a water access <i>lot</i> which only abuts a waterfront walkway or a waterway giving boat access, the <i>lot line</i> nearest to or adjacent to the water shall be considered the front line of a <i>lot</i>. • in the case of a <i>lot</i> which abuts a <i>street</i> and which abuts a waterway giving boat access, the <i>lot line</i> adjacent to the <i>street</i> is designated as the <i>front lot line</i>.

- where the *lot* does not have a *lot* line that abuts on a public highway or private road, or way, the front line of the *lot* shall be as determined by the *Approving Officer*.
- where a *lot* is divided by a public way such as a dedicated road, *lane* or walkway, both sides of such public way shall be considered as *front lot lines*.

LOT LINE, REAR	means the boundary line of a <i>lot</i> furthest from and opposite to the <i>front lot line</i> , except that there shall not be more than one <i>rear lot line</i> .
LOT LINE, SIDE	means a boundary line of a <i>lot</i> connecting front and <i>rear lot lines</i> .
LOT, STRATA	means a <i>lot</i> shown on a strata plan.
LOT, THROUGH	means a <i>lot</i> abutting two parallel or approximately parallel <i>streets</i> .
LOT WIDTH	means the distance between the <i>lot</i> lines connecting front and <i>rear lot lines</i> at each side of the <i>lot</i> , measured across the rear of the required <i>front yard</i> .
MANUFACTURING	means large scale processing of raw materials to produce goods or products and includes assembly of component parts. Does not include boiler and plate work, cement manufacturing, metal fabrication, paper manufacturing, sawmill, pulp mill, or ship <i>building</i> .
MARINA	means an establishment, including buildings, structures and docking facilities, and located on and adjacent to a navigable body of water, and used for the mooring, berthing and storing of boats and marine equipment, and may include facilities for the sale, rental and repair of boats and accessory marine crafts.
MARKET GARDEN, URBAN	means the <i>use</i> of land on a limited scale for the growing, harvesting and selling of fruits, vegetables, edible plants and the like but specifically excludes the growing of mushrooms. See related regulations in Section 6.25.
MARKET HOUSING	means housing that is privately owned by an individual (or a company) who generally does not receive direct subsidies to purchase or maintain it. Prices are set by the private market.
MARQUEE	means a permanent roofed <i>structure</i> attached to or supported by a <i>building</i> and projecting over public or private sidewalks or right-of-way.
MEDICAL MARIJUANA FACILITY	means a <i>building</i> or <i>structure</i> , approved and licensed by Health Canada, for the production and/or packaging and/or laboratory testing of marijuana, but specifically excludes storefront or <i>retail</i> outlet distribution of medical marijuana.
MEDICAL SERVICES	means health professions and services such as, but not limited to doctors, dentists, chiropractors, osteopaths, registered nurses, physio and massage therapists; includes clinics and health labs.

MICRO-BREWERY/ MICRO-DISTILLERY	means a facility, for the manufacturing of beer, cider or spirits, that produces less than 10,000 hectolitres per year and is licensed under a Manufacturing License by the Province of British Columbia and may include the following accessory uses: wholesaling of, tours of, retail sales of, and tasting of beer, cider or spirits produced on-site.
MINI-STORAGE	means self-contained storage rental units, with independent external entrances, for the storage of general household goods, vehicles and the like.
MOBILE HOME	means a single detached dwelling, factory built as a unit or units, suitable for year-round occupancy, capable of being drawn or moved from place to place, and meeting the CAN/CSA-Z240 MH standard.
MODULAR HOME	means finished sections of a complete dwelling built in a factory for transportation to the site for installation. Finished means fully enclosed on exterior and interior but need not include interior painting, taping, installation of cabinets, floor coverings, fixtures, heating systems, and exterior finishes. Modular homes conform to the National Building Code of Canada or British Columbia Building Code where mandated and contain a CSA modular home label.
MOTEL	means a <i>building</i> or group of <i>buildings</i> wherein more than six (6) units of sleeping accommodation is provided, for temporary occupation by transient motorists, none of which shall be <i>used</i> for <i>retail</i> trade. Each <i>sleeping unit</i> shall have a separate exterior entrance. A motel may include a café or restaurant and such ancillary facilities as self-service laundry. Each <i>sleeping unit</i> shall be self-contained, having its own bathroom with a toilet, wash basin and bath or shower. Each <i>sleeping unit</i> shall have its own <i>parking space</i> conveniently located on the <i>lot</i> and may contain basic cooking facilities in the units.
MOTHER'S CENTRE	means a shared and independent residential living space with built-in supports exclusively for women and children, including counselling, childcare, and administrative office space, but does not include intensive healthcare services.
NATURAL BOUNDARY	means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river or stream, or other body of water, a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.
OFFICE	means the <i>use</i> of a room or group of rooms within a <i>building</i> to conduct the affairs of a business, profession, service, industry, or government.
PARKING LOT	means an open area of land, other than a <i>street</i> or <i>lane</i> , <i>used</i> for the parking of vehicles. May be either commercial or non-commercial activity.
PARKING SPACE	means a space on a driveway for single, semidetached and townhouses, or within a <i>building</i> , or a <i>parking lot</i> for <i>multi-residential uses</i> , for the parking of one vehicle, excluding ramps, and <i>access aisles</i> .

PARTY WALL	means a wall jointly owned and/or shared by two or more parties as defined in the BC <i>Building Code</i> .
PERSONAL SERVICE	means establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal services may include activities such as dry cleaning, laundry, linen supply, diaper service, beauty shops, barbershops, shoe repair, funeral home, steam baths, fitness centres, health clubs, and, animal grooming services.
PLACE OF WORSHIP	means a church, temple, mosque, synagogue and the like, but excludes <i>schools</i> .
POLICE STATION	means a facility containing offices, detainment areas, laboratories and related ancillary facilities for the police in carrying out their duties of maintaining law and order.
PORCH, OPEN	means an unenclosed projection from the main wall of a <i>building</i> that may or may not <i>use</i> columns or other ground supports for structural purposes.
POULTRY	means domesticated birds kept for eggs, meat, feathers, hide, or other related purposes, and includes Cornish hens, layers, meat birds, breeding stock, replacement pullets, roasters, or ducks. On properties <i>zoned</i> to permit <i>agriculture</i> , also includes geese, turkeys, game birds, and <i>ratites</i> .
PRINCIPAL BUILDING	means a building in which the principal use of the lot on which the building is located is conducted.
PRINCIPAL USE	means the main or primary use of a premise that is provided for in the list of permitted uses in the zones in this Bylaw.
PRINTING, PUBLISHING AND ALLIED INDUSTRY	means a facility for the printing, publishing, engraving, or copying of papers, plans and newsprint.
PROFESSIONAL SERVICE	means an <i>office</i> that is used for work involving specialized areas of expertise and advice to clients. Professional services may include engineering, accounting, marketing, graphic design, architecture, realty, and financial and legal services.
PUBLIC MARKET	means a market held in an open area or in a <i>structure</i> where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.
PUBLIC UTILITY	means a system, works, plant, operative stationary equipment or service which furnishes services and facilities, available to or for the <i>use</i> of all the inhabitants of the City, including but not limited to: <ul style="list-style-type: none"> (1) communication by way of telephone or cable or satellite;

- (2) public transportation by bus or trolley coach;
- (3) production, transmission, delivery or furnishing of water, gas or electricity to the public at large; and
- (4) collection and disposal of sewage, garbage and other wastes.

a public utility can be owned or operated by or for the City or by a corporation under agreement with or a franchise from the City or under a federal or provincial statute.

PUBLIC UTILITY, UNATTENDED	means a utility <i>use</i> where no employee is required to be on the site except for required repair and maintenance needs.
RATITE	means a bird that has small or rudimentary wings and no keel to the breastbone, and includes ostriches, rheas, and emus.
RECREATIONAL VEHICLE	means a vehicle requiring a licence and designed to be used for temporary living and travel, recreation or vacationing and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes, boats, snowmobiles, or other similar vehicles but does not include manufactured home.
RETAIL	means a <i>building</i> or part thereof in which foods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public. Does not include pawn shops or <i>adult retail</i> .
RESIDENTIAL RENTAL TENURE	means in relation to a dwelling unit in a multi-family residential building or multiple dwelling, a tenancy governed by a tenancy agreement that complies with the Residential Tenancy Act.
RESTAURANT	means a business establishment where food and beverages are prepared, served and consumed on the premises, and includes facilities for ordering and pick-up for consumption off-site. A restaurant may include dining establishments issued a food primary license pursuant to the Liquor Control and Licensing Act.
ROOF AREA	means the horizontal area of a roof regardless of the style or slope of the roof.
SCHOOL	means a school, providing an educational program offered by a district pursuant to the School Act, an Independent School pursuant to the Independent School Act, or a college or community college or educational facility as certified under the Private Training Act and/or constituted and established pursuant to a provincial statute.
SCREENING	means a continuous tight-board <i>fence</i> or wall uniformly finished or a compact evergreen <i>hedge</i> or combination thereof, supplemented with <i>landscape</i> planting, that would effectively screen the property which it encloses, and is broken only by access driveways and walkways.
SECONDARY SUITE	means a <i>dwelling</i> unit that is contained within and accessory to a single real estate entity and is comprised of one or more habitable rooms, intended for <i>use</i> as a separate and independent residence. A secondary suite contains sleeping

facilities, a bathroom, and cooking facilities that are for the exclusive *use* of the occupant(s) of the suite.

SETBACK	means the required minimum distance between a <i>building</i> or <i>use</i> and each of the respective <i>lot</i> lines.
SHOPPING CENTRE	means a group of <i>retail</i> stores and related businesses, which may include restaurants, <i>personal services</i> , <i>offices</i> , and veterinary clinics, in one or more <i>buildings</i> designed as an integrated unit, together with its ancillary parking and <i>landscaped</i> areas.
SLEEPING UNIT	means one or more habitable rooms <i>used</i> or intended to be <i>used</i> for sleeping, or sleeping and living purposes, but not including a kitchen sink or cooking facilities. A bathroom containing a water closet, wash basin and a bath or shower may be shared.
SMALL REPAIRS	means the repair of small items such as instruments, jewellery, small appliances.
SOCIAL SERVICE CENTRE	means a <i>building used</i> for administrative purposes and to provide information, referral, counselling and advocacy services.
STEWARDSHIP CENTRE	means a building, open to the public, that includes exhibits, interpretive and educational activities related to local ecological resources through public education, planning, events, research and management.
STORAGE BUILDING	means a <i>building</i> where the <i>principal use</i> is the storage of goods, wares, merchandise, substances, articles or other items.
STORAGE YARD	means an area outside of an enclosed <i>building</i> where contractors' or construction materials and equipment, solid fuels, lumber and new <i>building</i> materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, as a principal or an <i>accessory use</i> . A storage yard does not include an automobile wrecking yard or a <i>junk yard</i> .
STREET	means a public highway, road or thoroughfare which affords the principal means of access to abutting <i>lots</i> .
STRUCTURE	means anything constructed or erected, the <i>use</i> of which requires location on the ground or attachment to something having location on the ground but shall not include walls less than 1.5 m (4.9 ft) in height or <i>fences</i> that do not exceed the height permitted in the <i>zone</i> in which they are located.
SUBSIDIZED HOUSING	means all types of housing that receive subsidy or rental assistance for those living in the private market from public sources (be they federal, provincial/territorial, or municipal).

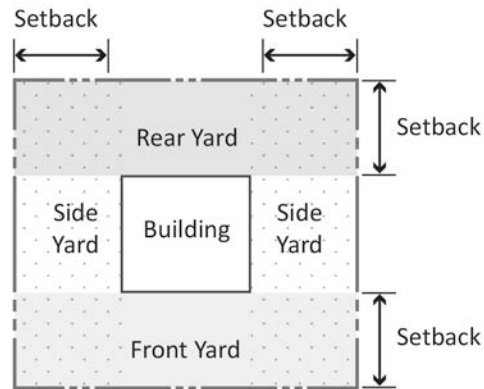
SUBDIVISION APPROVING OFFICER	means an Approving Officer appointed by the <i>Council</i> under the <i>Land Titles Act</i> .
SUPPORTIVE HOUSING	means housing that has no limit on length of stay, is purpose-designed building that provides ongoing supports and services to individuals who cannot live independently.
THEATRE	means a building or part thereof devoted to dramatic, dance, musical or other live performances.
TRANSITION HOUSE	means a facility providing temporary accommodation and/or counselling to persons in need or distress. Facilities operated under the <i>Community Care Facilities Act</i> , <i>Correction Act</i> or <i>Mental Health Act</i> are not included in this definition.
TRANSITIONAL HOUSING	provides housing for more than 30 days up to three years that includes provision of support services, on or off site, to help individuals move towards independence and self-sufficiency. This form of housing is often called second stage housing.
TRANSPORTATION DISPATCH AND DEPOT	means a transportation centre. Includes taxi dispatch, bus terminals, and other similar <i>uses</i> .
UNDERGROUND PARKING	means an area devoted exclusively for parking vehicles and is located beneath a principal <i>building</i> which is completely enclosed and exclusively devoted to parking vehicles. This area shall not be considered a <i>storey</i> .
USEABLE OPEN SPACE	means a level, unobstructed area or areas, available for safe and convenient <i>use</i> by all the <i>building's</i> users and occupants providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas <i>used</i> for off-street parking, off-street loading, service driveways, public walkways, and required <i>front yards</i> .
USE	means the purpose for which any <i>lot</i> , parcel, tract of land, <i>building</i> or <i>structure</i> is designed, arranged or intended, or for which it is occupied or maintained.
VIDEO RENTAL STORE	means a business where the primary activity is to rent or sell videos, DVD's, video games, and related items.
WHOLESALE	means a business establishment devoted to wholesale sales, being: the sale of goods, commodities and merchandise to retail distributors; to other wholesale distributors; to industrial, commercial, institutional or professional business users; or acting as agents or brokers and buying or selling goods, commodities and merchandise for incorporation and assembly into other products.
YARD, FRONT	means that portion of the <i>lot</i> , extending from one <i>side lot line</i> to the other, between the front line of the <i>lot</i> and a line drawn parallel thereto. The depth of

such yard shall mean the perpendicular distance between the front line of the *lot* and the parallel line. In the case of a *through lot* there shall be two such *front yards*.

YARD, REAR

means that portion of the *lot*, extending from one *side lot line* to the other, between the rear line of the *lot* and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the rear line of the *lot* and the parallel line.

Yard Setbacks



YARD, REQUIRED

means the minimum front, rear, or *side yard* specified for each *zone*.

YARD, SIDE

means that portion of the *lot*, extending from the *front yard* to the *rear yard* between the side line of the *lot* and a line drawn parallel thereto. The width of such yard shall mean the perpendicular distance between the side line of the said *lot* and the parallel line.

ZONE

means an area delineated on the Schedule A Zoning Map and established and designated by this Bylaw for a specific *use(s)*.

5. Establishment of Zones

- 5.1 For the purposes of this Bylaw, the lands and waters within the corporate limits of the City of Port Alberni are hereby classified and divided into the following zones:

A1 – Agriculture
 FD – Future Development
 RR1 – Rural Residential
 RR2 – Semi Rural Residential
 R1 – Single *Detached* Residential
 R2 – Single and Semi-Detached Residential
 R3 – Small *Lot* Single *Detached* Residential
 RM1 – Low Density Multi-Residential
 RM2 – Medium Density Multi-Residential
 RM3 – Higher Density Multi-Residential
 MH1 – Mobile and Modular Homes
 C1 – Neighbourhood Commercial
 C2 – General Commercial
 C3 – Service Commercial
 C4 – Highway Commercial
 C5 – Transitional Office
 C6 – Gaming Centre
 C7 – Core Business
 C8 – Commercial Recreation
 C9 – Commercial Guest House
 M1 – Light Industry
 M2 – Medium Industry
 M3 – Heavy Industry
 M4 – Utilities
 P1 – Institutional
 P2 – Parks and Recreation
 W1 – Waterfront Commercial
 W2 – Waterfront Industrial
 CD1 – Comprehensive Development – Uplands Phase 2 – Burde Street

- 5.2 For the purpose of convenience throughout the Bylaw the following designations shall be used for groups of zones:

R zones Shall mean all zones beginning with a single R and followed by a number.
 RM zones Shall mean all zones beginning with RM or MH followed by a number.
 RR zones Shall mean all zones beginning with RR followed by a number.
 A zones Shall mean A1 and FD zones.
 C zones Shall mean all zones beginning with C followed by a number.
 M zones Shall mean all zones beginning with M followed by a number.
 P zones Shall mean all zones beginning with P followed by a number.
 W zones Shall mean all zones beginning with W followed by a number.

5.3 Zoning Map

The location and extent of each *zone* established by this Bylaw is shown on the “Zoning Map” marked Schedule “A”, attached hereto and made part of this Bylaw.

5.4 Zone Boundaries

- 5.4.1 Where a *zone* boundary is shown on the zoning map as following a road allowance or a watercourse, the centre line of such road allowance or watercourse shall be the *zone* boundary.
- 5.4.2 Where a *zone* boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of such boundary shall be determined by the *use* of a scale ruler on the Zoning Map.
- 5.4.3 Where land that originally formed part of a highway is consolidated with a *lot*, such land shall be deemed to have the same *zone* designation as the augmented *lot*.

5.5 Permitted in all Zones

The following *uses* are permitted in all *zones*:

- 5.5.1 *Accessory Buildings and Structures*
- 5.5.2 *Public parks and playgrounds*
- 5.5.3 *Unattended Public Utility Use*
- 5.5.4 *Community Gardens*
- 5.5.5 *Market Gardens*
- 5.5.6 *Natural areas*
- 5.5.7 *Daycare or other preschools*

5.6 Zone Abbreviations

Where *zone* abbreviations are *used* within the text of this Bylaw, they shall be read in the same manner as the full textual name of the *zone* would be read.

A1 – AGRICULTURE

5.7 The purpose of this zone is to permit agricultural uses.

5.7.1 Permitted Uses

(may be subject to approval by the BC Agricultural Land Commission)

Principal Uses

Agriculture, except for intensive agricultural uses

Aviary

Garden shop, nursery, and landscape supplies

Kennel

Single detached dwelling

Accessory Uses

Bed and breakfast

Farm market operation

Farm sales

Guest house

Home occupation

Housing for farm labour

Secondary suite

Supportive housing

5.7.2 Site Development Regulations

Minimum *Lot Area* 2 ha (4.94 ac)

Minimum *Frontage* 100 m (328 ft)

Maximum *Coverage* 40%

Maximum *Coverage*: Greenhouse operations 75%

Minimum *Setbacks* (Principal Residence):

Front yard 7.5 m (24.6 ft)

Rear yard 9 m (29.5 ft)

Side yard 4 m (13.1 ft)

Maximum Height, Residence 10 m (32.8 ft)

Maximum Height, *Livestock Building* 15 m (49.2 ft)

Maximum Number of *Building Storeys* 2.5

Maximum number of residential units per *lot* 2

5.7.3 Conditions of Use

(a) Notwithstanding the provisions of 5.7.2, farm market operations shall be limited to a maximum of 200 m² (2,153 ft²) of *gross floor area*.

(b) A minimum of 50% of the farm market operations *retail* floor space shall sell farm products produced on-farm or by farms in the vicinity. No more than 50% of the *farm sales* floor space may be used for the display and sale of other products, e.g. crafts, agricultural products from outside of the local area, or other products for *retail* sale.

- (c) All *building, structures, cages, pens or runs used for kennels, aviaries, or the keeping of bees, cows, goats, horses, pigeons, and poultry* shall be located not less than 25 m (82 ft) from all *lot* lines, and not less than 9 m (29.5 ft) from a *dwelling* situate on the same *lot*.
- (d) *Lots less than 0.4 ha (1 ac) in area shall not be used for the keeping of cows, goats, horses, pigeons, or other animals, except as provided for in Section 6.24 of this Bylaw.*
- (e) An area of not less than 0.2 ha (0.5 ac) shall be made available for the keeping of each horse, cow, goat, sheep, or other similar animal.
- (f) The construction of additional housing for farm labour requires that the farm have “farm status” per BC Assessment, and that more than one full-time person, in addition to the principal operator/farmer, is employed on the farm.
- (g) For supportive housing, the maximum number of persons in care shall not exceed four (4).

DRAFT

FD – FUTURE DEVELOPMENT

5.8 The purpose of this *zone* is to retain land required for future development in large parcels, to the extent possible, so that urban development may someday proceed in an orderly fashion. These *zone* provisions enable lands to be *used* for open space, parks, or forestry *uses* on an interim basis.

5.8.1 Permitted Uses

Principal Uses

Agriculture, except for intensive agricultural uses

Kennel

Single detached dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary suite

5.8.2 Site Development Regulations

Minimum <i>Lot Area</i>	4 ha	(9.88 ac)
Minimum <i>Frontage</i>	150 m	(492 ft)
Maximum <i>Coverage</i>	10%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)
Maximum Number of Principal <i>Building Storeys</i>	2.5	
Maximum number of residential units per <i>lot</i>	2	

5.8.3 Conditions of Use

- (a) The maximum *coverage* calculation shall include greenhouses.
- (b) Notwithstanding the provisions of 5.8.2, all *buildings, structures, cages, pens or runs used for kennels, aviaries* and the keeping of bees, shall be located not less than 25 m (82 ft) from all *lot* lines, and not less than 9 m (29.5 ft) from a *dwelling* situate on the same *lot*.
- (c) *Lots* less than 0.4 ha (1 ac) in area shall not be *used* for the keeping of cows, goats, horses, pigeons, or other animals, except as provided for in Section 6.24 of this Bylaw.
- (d) An area of not less than 0.2 ha (0.5 ac) shall be made available for the keeping of each horse, cow, goat, sheep, or other similar animal.

RR1 – RURAL RESIDENTIAL

5.9 The purpose of this zone is to provide for low density development of a rural character, with larger *lots*, serviced by on-site sewage disposal field.

5.9.1 Permitted UsesPrincipal Uses*Agriculture*, except *intensive agricultural uses*

Aviary

Kennel

Single detached dwelling

Accessory Uses*Bed and breakfast**Home occupation**Secondary suite**Supportive housing*Site Specific UsesA second single detached dwelling, or a semi-detached *dwelling*5.9.2 Site Development Regulations

Minimum <i>Lot Area</i>	4,000 m ²	(0.988 ac)
Minimum <i>Frontage</i>	40 m	(131.2 ft)
Maximum <i>Coverage</i>	33%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	3 m	(9.8 ft)
Maximum Height, <i>Principal Building</i>	10 m	(32.8 ft)
Maximum number of residential units per <i>lot</i>	2	

5.9.3 Conditions of Use

- Notwithstanding the provisions of 5.9.2, on a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.
- Kennels*, aviaries and greenhouses are only permitted on *lots* greater than 8,000 m² (2 acres) in size.
- For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- Notwithstanding the provisions of 5.9.1, only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.
- Lots* less than 0.4 ha (1 ac) in area shall not be *used* for the keeping of cows, goats, horses, pigeons, or other animals, except as provided for in Section 6.24 of this Bylaw.

- (f) An area of not less than 0.2 ha (0.5 ac) shall be made available for the keeping of each horse, cow, goat, sheep, or other similar animal.

5.9.4 Site Specific Uses

The following *uses* shall be permitted on a site specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
A second single detached dwelling, or a semi-detached <i>dwelling</i>	2831 Burde <i>Street</i>	Block 20, District <i>Lot</i> 139, Alberni District, Plan VIP1401A Except Plan 37251

DRAFT

RR2 – SEMI RURAL RESIDENTIAL

5.10 The purpose of this zone is to provide for low density development of a semi-rural character.

5.10.1 Permitted Uses

Principal Uses

Single detached dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary Suite

Supportive housing

5.10.2 Site Development Regulations

Minimum Lot Area	1,160 m ²	(12,487 ft ²)
Minimum Frontage	23 m	(75.5 ft)
Maximum Coverage	33%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum number of residential units per lot	2	

5.10.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.10.2:
 - (i) The sum of the width of both side yards must be equal to or greater than 20% of the lot width.
 - (ii) On a corner lot, the side yard by the flanking street must be not less than 3.5 metres (11.5 ft) wide.
 - (iii) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 m (9.8 ft) for one side yard.
- (b) For supportive housing, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following accessory uses is permitted on any lot: bed and breakfast OR secondary suite OR supportive housing.

R1 – SINGLE DETACHED RESIDENTIAL

5.11 The purpose of this zone is to establish and maintain low-density neighbourhoods.

5.11.1 Permitted Uses

Principal Uses

Single detached dwelling

Accessory Uses

- Bed and breakfast*
- Home occupation*
- Accessory Dwelling Unit*
- Supportive housing*

5.11.2 Site Development Regulations

Minimum <i>Lot Area</i>	600 m ²	6,458 ft ²
Minimum <i>Frontage</i>	15 m	49.2 ft
Maximum <i>Coverage</i>	50%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Density (units/hectare)	16	
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)

5.11.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.11.2:
 - (i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
 - (ii) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.

R2 – SINGLE AND SEMI-DETACHED RESIDENTIAL

5.12 The purpose of this zone is to establish and maintain low-density neighbourhoods featuring single and semi-detached dwellings.

5.12.1 Permitted UsesPrincipal Uses

Single detached dwelling
Semi-detached dwelling

Accessory Uses

Bed and breakfast
Home occupation
Accessory Dwelling Unit
Supportive housing

5.12.2 Site Development Regulations

Minimum <i>Lot Area</i>	365 m ²	(3,929 ft ²)
Minimum <i>Frontage</i>	10 m	32.8 ft
Maximum <i>Coverage</i>	60%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6.0 m	(21.3 ft)
<i>Rear yard</i>	6.0 m	(21.3 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Density (units/hectare):		
Single detached dwelling	27	
Semi-detached dwelling	46	
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)

5.12.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.12.2:
- (i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (11.5 ft) wide.
 - (ii) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.

- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*:
bed and breakfast OR *secondary suite* OR *supportive housing*.

DRAFT

R3 – SMALL LOT SINGLE DETACHED RESIDENTIAL

5.13 The purpose of this zone is to provide for gentle density in areas of the city that are being redeveloped, and to provide new single detached housing in a smaller format.

5.13.1 Permitted Uses

Principal Uses

Single detached dwelling

Accessory Uses

Home occupation

Accessory Dwelling Unit

5.13.2 Site Development Regulations

Minimum Lot Area	300 m ²	(3,229 ft ²)
Minimum Frontage	10 m	(32.8 ft)
Maximum Coverage	60%	
Minimum Setbacks:		
Front yard	5 m	(16.4 ft)
Rear yard	5 m	(16.4 ft)
Side yard	1.5 m	(4.9 ft)
Density (units/hectare)	34	
Maximum Height, Principal Building	10 m	(32.8 ft)

5.13.3 Conditions of Use

Notwithstanding the provisions of 5.13.2:

- (a) On a corner lot, the side yard by the flanking street must be not less than 3.0 metres (9.8 ft) wide.
- (b) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 m (9.8 ft) for one side yard.
- (c) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a highway other than a lane is 5.8 m (19 ft).

RM1 – LOW DENSITY MULTI-RESIDENTIAL

5.14 The purpose of this zone is to provide for lower density multiple family residential development.

5.14.1 Permitted Uses

Principal Uses

- Community care facility
- Multi-residential dwelling
- Single detached dwelling
- Semi-detached dwelling

Accessory Uses

- Home occupation

5.14.2 Site Development Regulations

Minimum Lot Area

Single detached dwelling	500 m ²	(5,382 ft ²)
Semi-detached dwelling	700 m ²	(7,535 ft ²)
Four (4) dwelling units or less	900 m ²	(9,688 ft ²)
Over four (4) dwelling units	1,000 m ²	(10,764 ft ²)

Minimum Frontage

Single detached dwelling	15 m	49.2 ft
Semi-detached dwelling	20 m	65.6 ft
Four (4) dwelling units or less	25 m	82.0 ft
Over four (4) dwelling units	30 m	98.4 ft

Maximum Coverage

40%

Minimum Setbacks:

Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)

Maximum Floor Area Ratio

0.5

Maximum Height, Principal Building

10 m (32.8 ft)

5.14.3 Conditions of Use

- (a) The principal access to each dwelling unit shall be from an outdoor area.
- (b) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- (c) Site development for single and semi-detached dwellings must be in accordance with the R2 zone regulations provided in Sections 5.12.2 and 5.12.3.

RM2 – MEDIUM DENSITY MULTI-RESIDENTIAL

5.15 The purpose of this zone is to provide for medium density multiple *family* residential development.

5.15.1 Permitted Uses

Principal Uses

- Boarding and lodging
- Community care facility
- Multi-residential dwellings
- Single detached dwelling
- Semi-detached dwelling

Accessory Uses

- Home occupation

5.15.2 Site Development Regulations

Minimum <i>Lot Area</i>	840 m ²	(9,043 ft ²)
Minimum <i>Frontage</i>	25 m	(82.0 ft)
Maximum <i>Coverage</i>	50%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	5 m	(16.4 ft)
Maximum <i>Floor Area Ratio</i>	0.8	
Maximum Height, <i>Principal Building</i>	12.5 m	(41.0 ft)

5.15.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.15.2, *useable open space* shall be provided on the *lot* of not less than 45 m² (484.4 ft²) for each *dwelling* unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling* unit of smaller size.
- (b) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this Bylaw.
- (c) Site development for single *detached* and semi-detached dwellings must be in accordance with the R2 zone regulations provided in Sections 5.12.2 and 5.12.3.

RM3 – HIGH DENSITY MULTI-RESIDENTIAL

5.16 The purpose of this zone is to provide for higher density multiple *family* residential development.

5.16.1 Permitted UsesPrincipal Uses

Boarding and lodging
Community care facility
Multi-residential dwellings
Single detached dwelling
Semi-detached dwelling

Accessory Uses

Home occupation

5.16.2 Site Development RegulationsMinimum *Lot Area*

Multi-residential dwelling 1,120 m² (12,056 ft²)

Minimum *Frontage*

Multi-residential dwelling 30 m 98.4 ft

Maximum *Coverage*

50%

Minimum *Setbacks*:

Front yard 6 m (19.7 ft)

Rear yard 9 m (29.5 ft)

Side yard 5 m (16.4 ft)

Maximum *Floor Area Ratio*

1.2

Maximum Height, *Principal Building*

14 m (45.9 ft)

5.16.3 Conditions of Use

- (a) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this Bylaw.
- (b) Site development for single and semi-detached dwellings must be in accordance with R2 zone regulations provided in Sections 5.12.2 and 5.12.3.

5.16.4 Site Specific Uses

The following uses shall be permitted on a site-specific basis:

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
<u>Accessory Uses:</u> Hostel Restaurant Pub Assembly	4815 Argyle Street	Lot 7, Block 41, District Lot 1, Alberni District, Plan 197B (PID: 009-251-162) and Parcel A, Block 41, Plan VIP197B, Alberni Land District (Being a consolidation of Lots 8 & 9, See FB348042)
'Maximum Height, Principal Building' = 18 m (59 ft); and	4202 and 4238 8th Avenue	4202 8th Avenue – Lot 10, District Lot 1, Alberni District, Plan VIP18042; and

<i>'Maximum Number of Building Storeys'</i> = 5		4238 8th Avenue – Lot 11, District Lot 1, Alberni District, Plan VIP18042
--	--	---

DRAFT

MH1 – MOBILE AND MODULAR HOMES

5.17 The purpose of this zone is to establish and maintain areas for *mobile* and *modular homes*, allowing for individual strata-titled *lots* or multiple-unit *mobile-* or *modular-home* parks.

5.17.1 Permitted Uses

Principal Uses

- Mobile home*
- Modular home*
- Modular- or mobile-home park*

Accessory Uses

- Common recreation area or *building*
- Home occupation*
- Single detached dwelling (1) for owner or operator of *modular-* or *mobile-home* park

5.17.2 Site Development Regulations for Mobile- and Modular-Home Parks

Minimum <i>Lot Area</i>	8,000 m ²	(1.98 ac)
Minimum <i>Frontage</i>	60 m	(196.9 ft)
Maximum <i>Coverage</i>	40%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	7.5 m	(24.6 ft)
<i>Side yard</i>	7.5 m	(24.6 ft)
Maximum Height, Principal <i>Building</i>	6 m	(19.7 ft)
Average density of a <i>mobile-</i> or <i>modular-home</i> park shall not exceed	20 sites per ha	8 sites per acre

5.17.3 Site Development Regulations for Mobile- and Modular-Home Spaces

(a) Whether or not individual *mobile-* or *modular-home* park spaces are strata-titled, the following siting regulations shall apply:

Minimum <i>Frontage</i>		
for single wide	11 m	(36 ft)
for double wide	14 m	(46 ft)
Minimum Site Area		
for single wide	260 m ²	(2800 ft ²)
for double wide	350 m ²	(3765 ft ²)
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	3 m	(9.8 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
<i>Rear yard</i>	2.5 m	(8.2 ft)
Maximum Site <i>Coverage</i>	40%	

(b) *Setbacks* pertaining to each surveyed or clearly and permanently marked *mobile-* or *modular-home* location or established space are in addition to those specified in 5.17.2.

5.17.4 Conditions of Use

- (a) Notwithstanding the provisions of 5.17.2, a *lot* complying with the minimum *lot area* requirements may be subdivided to create *strata lots* for individual mobile or *modular homes* in accordance with the standards for mobile- or *modular-home spaces*, as set out in 5.17.3 of this *zone*.
- (b) The yard *setbacks* set forth in the Site Development Regulations, Section 5.17.2, shall be *used* as a buffer area, with *uses* within these *setbacks* limited to the provision of open or *landscaped* areas and access crossings.
- (c) Not less than five percent (5%) of the total *lot area* shall be set aside as a recreation or open space area *accessible* to all residents. This area shall not include any *required yards*.
- (d) For a mobile- or modular-home site located on a corner, the *side yard* against the flanking internal roadway shall be a minimum of 3.5 m (11.5 ft).
- (e) Notwithstanding any other provision of this Bylaw, *accessory buildings* situated upon a mobile- or modular-home space shall not exceed 20 m² (215 ft²) in area nor 4 m (13.1 ft) in height and may be located not less than 1 m (3.3 ft) from the side or *rear lot line* at the site when located to the rear of the mobile or modular home.
- (f) Where a porch is less than 10 m² (107.6 ft²) in area or a carport is attached to a mobile home, the porch or carport may project up to 1.5 m (4.9 ft) into a required 3 m (9.8 ft) *side yard*.
- (g) Internal roadways shall be a minimum of 8 m (26.2 ft) in width. Each modular-home/mobile-home park space shall have access to a roadway.
- (h) Each mobile- and modular-home space shall have its boundary clearly and permanently marked.
- (i) Notwithstanding minimum width requirements established elsewhere in this Bylaw, the minimum width of a modular home shall be 5.0 m (16.4 ft).

C1 – NEIGHBOURHOOD COMMERCIAL

5.18 The purpose of this *zone* is to provide for small-scale commercial establishments, typically on a single *lot*, catering to the convenience needs of the immediate neighbourhood.

5.18.1 Permitted Uses

Principal Uses

- Artist’s studio*
- Community care facility*
- Live-work*
- Medical service*
- Office*
- Personal service*
- Professional service*
- Restaurant (not drive-through)*
- Retail*

Accessory Uses

Dwelling unit(s) above or behind a permitted commercial *use*

Site-Specific Uses

Gasoline service station

5.18.2 Site Development Regulations

Minimum <i>Lot Area</i>	540 m ²	(5,813 ft ²)
Minimum <i>Frontage</i>	15 m	(49.2 ft)
Maximum <i>Coverage</i>	50%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	6 m	(19.7 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum Height, <i>Principal Building</i>	9 m	(29.5 ft)

5.18.3 Conditions of Use

- (a) All business activity shall be conducted within a completely enclosed *building* except for display, restaurant patios, and parking and loading facilities.
- (b) *Dwelling* units located above or behind commercial *uses* shall comply with the following requirements:
 - (i) A completely separate and independent entrance to the *dwelling* unit shall be provided from a ground floor entrance having access directly onto the public *street*.
 - (ii) All *dwelling* units shall be entirely self-contained.
 - (iii) One off-*street parking space* shall be provided for each *dwelling* unit, located so as not to impair access to the commercial premises or the *use* of off-*street* loading facilities.
- (c) Where the *gross floor area* of commercial development is less than 200 m² (2,152.9 ft²), the loading regulations shall not apply.

5.18.4 Site Specific Uses

The following *uses* shall be permitted on a site-specific basis:

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Gasoline Service Station	4007 Compton Road	<i>Lot M, District Lot 112, Alberni District, Plan VIP43267</i>

DRAFT

C2 – GENERAL COMMERCIAL

5.19 The purpose of this zone is to establish and maintain compact, vibrant commercial areas with a broad range of pedestrian-scale uses.

5.19.1 Permitted Uses

Principal Uses

- Amusement establishment*
- Appliance repair*
- Artist’s studio*
- Assembly*

- Automotive sales, repair and servicing*
- Bakery*
- Bank or other financial institution*
- Cannabis Retail Store, subject to 6.26*
- Club or lodge*
- Community care facility*

- Daycare or other preschool*

- Gasoline service station*
- Live-work*
- Medical service*
- Multi-residential dwelling*

- Office*
- Pawn shop*
- Personal service*
- Place of worship*
- Professional service*
- Public market*
- Restaurant, including drive-through*
- Retail*

Principal Uses (continued)

- School*
- Senior’s housing*
- Shopping centre*
- Small appliances and electronics, sales, and repair*
- Social service centre*

Veterinary clinic

Accessory Uses

- Caretaker's dwelling unit, subject to Section 6.16*
- Dwelling unit(s) above or behind a permitted commercial use*
- Home occupation*

Site Specific Uses

- Liquor, Wine, and Beer Store*

5.19.2 Site Development Regulations

<i>Minimum Lot Area</i>	800 m ²	(8,611 ft ²)
<i>Minimum Frontage</i>	15 m	(49 ft)
<i>Maximum Coverage</i>	75%	
<i>Minimum Setbacks:</i>		
<i>Front yard</i>	0 m	
<i>Rear yard</i>	3 m	(10 ft)

<i>Side yard</i>	1.5 m	(5 ft)
Maximum Height, Principal <i>Building</i> (on lots less than 1,120 m ²)	9 m	(29.5 ft)
Maximum Height, Principal <i>Building</i> (on lots 1,120 m ² or greater and where only residential units are located above commercial uses)	18 m	

5.19.3 Conditions of Use

- (a) Every *use* shall be conducted within a completely enclosed *building* except for:
- parking,
 - loading,
 - restaurant patios,
 - outdoor display,
 - rental, sales or *storage yards*,
 - activities related to the operation of a *drive-through* or *drive-in* facility,
 - activities done at gasoline service station pumps, and
 - temporary garden supply *structures*.
- (b) For *shopping centres* abutting a *lot* in an R, RM or P2 *zone*, the required *setback* for a *side yard* shall be increased to 5 m (16.4 ft).
- (c) *Dwelling* units located above or behind commercial *uses* shall comply with the following requirements:
- (i) Access to residential portions of a building shall be through a completely separate and independent entrance located at ground level and providing access to the outdoors directly onto a public *street* or approved pedestrian walkway through the property.
 - (ii) All *dwelling* units shall be entirely self-contained.
 - (iii) One off-*street parking space* shall be provided for each *dwelling* unit, located so as not to impair access to the commercial premises or the *use* of off-*street* loading facilities.
- (d) Where multi-residential dwelling units or seniors housing are located below the second *storey*, the Site Development Regulations of the RM3 Higher Density Residential *zone* shall apply.
- (e) No outside storage for *public market use* shall be permitted after market hours.
- (f) In *dwelling* units above or behind commercial *uses*, *home occupation* as a permitted *use* is restricted to *office* space for a business which is lawfully carried on at another location.

5.19.4 Site Specific Uses

The following *uses* shall be permitted on a site-specific basis:

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Liquor, Wine and Beer Store	3764 10 th Avenue	<i>Lot B, District Lot 1, Alberni District, Plan VIP75178</i>
Liquor, Wine and Beer Store	2943 10th Ave. (Quality Foods)	<i>Lot A, District Lot 1, Alberni District, Plan VIP13914 Except Plan 50966 (PID: 004-503-112)</i>

DRAFT

C3 – SERVICE COMMERCIAL

5.20 The purpose of this zone is to establish and maintain areas for *retail* and service operations that are vehicle-oriented or require large storage areas.

5.20.1 Permitted Uses

Principal Uses

- Ambulance station
- Amusement establishment
- Appliances and electronics, sales and repair
- Artist’s studio
- Automotive sales, repair and servicing
- Bakery
- Bank or other financial institution
- Boat or recreational vehicle sales and repair
- Building supply
- Cannabis Retail Store, subject to 6.27
- Cannabis Micro-Cultivation
- Cannabis Micro-Processing
- Cannabis Nursery
- Cartage and delivery services
- Catering establishment
- Club or lodge
- Contractor’s shop
- Custom woodworking
- Enclosed storage and warehousing, including mini-storage
- Garden shop, nursery and landscape supplies
- Gasoline service station
- Glass shop
- Medical service
- Micro-Brewery/Micro-Distillery
- Office

Principal Uses (continued)

- Pawn shop
- Personal service
- Petroleum products, wholesale
- Prefabricated buildings sales
- Printing, publishing and allied industry
- Public Market
- Recycling depot
- Restaurant, including drive-through
- Retail
- Signs and displays industry
- Transportation dispatch and depot
- Veterinary clinic
- Wholesale
- Accessory Uses
- Caretaker's dwelling unit, subject to Section 6.16
- Outdoor storage
- Site Specific Uses
- Liquor, wine and beer store
- Dwelling unit(s) behind street facing commercial units and dwelling unit(s) on the second storey

5.20.2 Site Development Regulations

Minimum <i>Lot Area</i>	930 m ²	(10,011 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	75%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	0 m	
<i>Rear yard</i>	3 m	(9.84 ft)
<i>Side yard</i>	0 m	
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)

5.20.3 Conditions of Use

- (a) Outdoor storage areas shall be screened or *fenced* on all sides not facing the principal *building* and no material shall be piled so as to be higher than such *screening*.
- (b) All industrial, business, repair or servicing *uses* shall be conducted within a completely enclosed *building* except for outdoor display, rental, sales or outdoor storage areas, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.
- (c) No *club* or *lodge* shall have more than three machines on which mechanical, electrical automatic, digital or computerized games are played for amusement, recreation, competition or entertainment and for which a fee is charged for *use* or for which a coin or token must be inserted.
- (d) Notwithstanding any other provision of this Bylaw, in addition to any required commercial parking, only one-half (0.5) parking space for each residential dwelling unit is required at 3575 3rd Avenue (Lots 24-25, Block 50, District Lot 1, Alberni District, Plan197B, PID's: 000-171-891, 000-171-905).

5.20.4 Site Specific Uses

The following *uses* shall be permitted on a site-specific basis:

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Liquor, Wine and Beer Store	3684 3rd Avenue	<i>Lot 1, District Lot 1, Alberni District, Plan EPP30558</i>
Dwelling unit(s) behind street facing commercial units and dwelling unit(s) on the second story	3575 3rd Avenue	<i>Parcel B, Block 50, Alberni District, Plan 197B (PID: 030-520-347)</i>

C4 – HIGHWAY COMMERCIAL

5.21 The purpose of this zone is to establish and maintain areas offering a range of large format retail, service, and tourist recreational uses, with high levels of visibility for vehicular traffic.

5.21.1 Permitted Uses

Principal Uses

Automotive sales, repair and servicing

Bank or other financial institution

Boat or recreational vehicle sales and repair

CAMPGROUND

Cannabis Retail Store, subject to 6.26

Cannabis Micro-Cultivation

Cannabis Micro-Processing

Cannabis Nursery

Garden shop, nursery and landscape supplies

Gasoline service station

Golf driving range

Hotel

Medical service

Miniature golf

Motel and Motor hotel

Personal service

Professional service

Restaurant, including drive-through

Retail

Shopping centre

Tourist service

Transportation dispatch and depot

Veterinary clinic

Accessory Uses

Caretaker's Dwelling Unit, subject to Section 6.16

Outdoor storage

Office

Site Specific Uses

Liquor, wine and beer store

Nightclub, Cabaret, Bar & Pub

5.21.2 Site Development Regulations

Minimum <i>Lot Area</i>		
Minimum <i>Frontage</i>	930 m ²	(10,011 ft ²)
Maximum <i>Coverage</i>	30 m	(98.4 ft)
Minimum <i>Setbacks</i> :	40%	
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	6 m	(19.7 ft)
<i>Side yard</i>	6 m	(19.7 ft)
Maximum Height, Principal <i>Building</i>	9 m	(29.5 ft)

5.21.3 Conditions of Use

- (a) All business, repair or servicing *uses* shall be conducted within a completely enclosed *building* except for garden shops, outdoor display, rental, sales or *storage yards*, restaurant patios, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.

5.21.4 Conditions of Use: Campgrounds

- (a) An accessory store to serve *campground* patrons is permitted to a maximum *gross floor area* of 120 m² (1,292 ft²).
- (b) Except for caretakers' residences, no person, tent or *recreational vehicle* shall occupy a *camping site* within a given *campground* for more than 90 days in any calendar year.
- (c) Notwithstanding the provisions of (b), a maximum of ten percent (10%) of the *camping sites* in any given *campground*, excluding caretakers' residences, may be occupied by the same person, tent or *recreational vehicle* for more than 90 days in any calendar year.
- (d) Each *camping site* for a *recreational vehicle*, trailer or tent shall have an area of not less than 60 m² (646 ft²).
- (e) Washroom facilities shall be not more than 150 m (492 ft) from any *camping site*.
- (f) No washroom facility shall be closer than 4 m (13.1 ft) to any *camping site*.
- (g) A standpipe for potable water shall be not more than 50 m (164 ft) from any *camping site*.
- (h) Internal roads must be of a material that does not produce dust.
- (i) Garbage disposal containers shall be provided and shall be insect-tight, water-tight, and animal-proof.
- (j) A minimum of ten percent (10%) of the *lot* shall be provided for *useable open space*.

5.21.5 Site Specific Uses

The following *uses* shall be permitted on a site-specific basis:

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Liquor, Wine and Beer Store	3825 Redford Street	<i>Lot B, District Lot 45, Alberni District, Plan EPP43903</i>
	4277 Stamp Avenue	<i>Lot A, District Lot 1, Alberni District, Plan 33048</i>
	4850 Beaver Creek Road	<i>Lot A, Block 2, District Lot 11, Alberni District, Plan VIP618B (DD FA60973)</i>
Nightclub, Cabaret, Bar and Pub	4920 Cherry Creek Road	<i>Lot A, District Lot 14, Alberni District, Plan VIP61333</i>
Nightclub, Cabaret, Bar and Pub and a Liquor, Wine and Beer Store	4940 Cherry Creek Road	<i>Lot 1, District Lot 14, Alberni District, Plan VIP51563</i>

C5 – TRANSITIONAL OFFICE

5.22 The purpose of this zone is to establish and maintain transitional areas between residential, commercial and industrial zones. Permitted uses and buildings are intended to have little impact on neighbouring residential properties.

5.22.1 Permitted Uses

Principal Uses

Artist’s studio

Community care facility

Live-work

Medical service

Professional Service

Personal service

Single detached dwelling (built prior to the adoption of this bylaw), which may include any of the other permitted uses

Small appliances and electronics, sales and repair

Accessory Uses

Office

5.22.2 Site Development Regulations

Minimum Lot Area	540 m ²	(5,813 ft ²)
Minimum Frontage	15 m	(49.2 ft)
Maximum Coverage	50%	
Minimum Setbacks:		
Front yard	6 m	(19.7 ft)
Rear yard	6 m	(19.7 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Height, Principal Building	9 m	(29.5 ft)

5.22.3 Conditions of Use

- (a) All business activity shall be conducted within a completely enclosed *building* except for parking and loading facilities.
- (b) Where a single detached dwelling is the principal permitted use, the Site Development Regulations of the R2 zone and off-street parking requirements of this Bylaw shall apply.
- (c) Notwithstanding the off-street parking requirements of this Bylaw, no parking shall be located in a required *front yard*.
- (d) Commercial activities on C5 zoned property are exempt from the loading regulations (Section 7.7).

C6 – GAMING CENTRE

5.23 The purpose of this zone is to establish and maintain areas for gaming facilities and related uses.

5.23.1 Permitted Uses

Principal Uses
Gaming Centre

Accessory Uses

Helipad
Light Industrial Storage of non-toxic and non-flammable material
Lounge
Meeting Rooms
Micro-Brewery/Micro-Distillery
Office
Restaurant

5.23.2 Site Development Regulations

Minimum Lot Area	2 ha	(4.9 ac)
Minimum Frontage	100 m	(328 ft)
Maximum Coverage	35%	
Minimum Setbacks:		
Front yard	9 m	(29.5 ft)
Rear yard	9 m	(29.5 ft)
Side yard	9 m	(29.5 ft)
Maximum Height, Principal Building	12.5 m	(41 ft)

5.23.3 Conditions of Use

(a) All business activity shall be conducted within a completely enclosed building except for restaurant patios, parking and loading facilities.

C7 – CORE BUSINESS

5.24 The purpose of this *zone* is to establish and maintain vibrant mixed use commercial core areas, with attention to providing goods and services to residents, the travelling public and tourists.

5.24.1 Permitted UsesPrincipal Uses

Adult retail
 Amusement establishment
 Appliance repair
 Artist's studio
 Assembly
 Automotive sales, repair and servicing
 Bakery

 Bank or other financial institution

 Boat or recreational vehicle sales and repair
 Cannabis Retail Store, subject to 6.26
 Club or lodge
 Community care facility
 Daycare or other preschool
 Gasoline service station
 Government service
 Hotel, Motor hotel and Hostel
 Live-work
 Lumber and Building Materials Retailers and Wholesalers
 Medical service
 Micro-Brewery/Micro-Distillery
 Multi-residential dwelling
 Nightclub, Cabaret, Bar and Pub

 Parking lot
 Pawn shop
 Personal service
 Place of worship
 Printing, publishing and allied industry

Principal Uses (continued)

Professional service
 Public market
 Restaurant, including drive-through
 Retail
 School
 Senior's housing
 Shopping centre
 Single or semi-detached dwelling (built prior to the adoption of this bylaw)
 Small appliances and electronics, sales and repair
 Social service centre
 Theatre
 Tourist Services
 Transportation Dispatch and Depot
 Tutoring Service

Accessory Uses

Home Occupation
 Residential above commercial
 Office

Site-Specific Uses

Dwelling units at ground level
 Glass shop
 Liquor, wine, and beer store

5.24.2 Site Development Regulations

Minimum <i>Lot Area</i>	540 m ²	(5,812.7ft ²)
Minimum <i>Frontage</i>	15 m	(49.2 ft)
Maximum <i>Coverage</i>	90%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	0 m	
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard</i>	0 m	
Maximum Height, Principal <i>Building</i>	16 m	(52.5 ft)
Maximum <i>Floor Area Ratio</i>	3.0	

5.24.3 Conditions of Use

- (a) All business *uses* shall be conducted within a completely enclosed *building* except for outdoor display, rental, sales or *storage yards*, restaurant patios, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.
- (b) In mixed-use residential and commercial *buildings*, residential *uses* shall be located above the first *storey*, except as provided in (d).
- (c) A shared public access to the residential *dwelling* unit(s) shall be provided separate from any other *use* from a ground floor entrance opening directly onto the public *street*.
- (d) Where multi-residential dwelling units or seniors housing are located below the second *storey*, the Site Development Regulations of the RM3 Higher Density Residential *zone* shall apply.
- (e) Notwithstanding any other provision of this Bylaw, only one-half (0.5) *parking space* for every residential *dwelling* unit is required above a commercial *use* in a mixed commercial-residential *building*.
- (f) No *club or lodge* shall have more than three machines on which mechanical, electrical automatic, digital or computerized games are played for amusement, recreation, competition or entertainment and for which a fee is charged for *use* or for which a coin or token must be inserted.
- (g) In *dwelling* units above or behind commercial *uses*, *home occupation* as a permitted *use* is restricted to *office* space for a business which is lawfully carried on at another location.

5.24.4 Site Specific Uses

The following *uses* shall be permitted on a site-specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Glass shop	4650 Margaret Street	<i>Lot A, District Lot 1, Alberni District, Plan VIP28247</i>
Liquor, wine, and beer store	4963 Angus Street	<i>That portion of Lot B, District Lot 1, Alberni District, Plan 32610 north of Angus Street</i>
Liquor, wine, and beer store	5086 Johnston Road	<i>Lot 1, District Lot 1, Alberni District, Plan EPP13767</i>

DRAFT

C8 – COMMERCIAL RECREATION

5.25 To establish and maintain areas offering large-scale tourist recreational *uses* and related activities.

5.25.1 Permitted Uses

Principal Uses

- Campground
- Golf Driving Ranges
- Miniature Golf
- Parks, Playgrounds and Open Spaces
- Theme Parks, excluding animals
- Water Slides

Accessory Uses

- Assembly
- Lounge
- Restaurant
- Retail

5.25.2 Site Development Regulations

Minimum <i>Lot Area</i>	1.2 ha	(3 acres)
Minimum <i>Frontage</i>	45 m	(150 ft)
Maximum <i>Coverage</i>	35%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	9 m	(29.5 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	9 m	(29.5 ft)

5.25.3 Conditions of Use

- (a) The principal *building* on the site shall be a minimum of 100 m² (1,076 ft²) in size.
- (b) The sum total of the *gross floor area* for *accessory buildings*, including restaurants, shall not exceed 230 m² (2,530 ft²) except that an additional accessory store with a maximum of 120 m² (1,292 ft²) is permitted in conjunction with a *campground*.
- (c) All mechanical, electrical or other service equipment located outside or on the roof of a *building* shall be screened from adjacent properties and *streets* by *landscaping*, ornamental *structures* or other means.
- (d) All outdoor storage and refuse receptacle areas shall be screened in accordance with Section 6.8.
- (e) A maximum of one caretaker’s residence may be located in conjunction with the permitted *use* on the *lot*, subject to the provisions of Section 6.16.
- (f) Where a *campground* is the principal permitted *use*, the conditions of *use* contained in Section 5.21.4 (Highway Commercial) shall apply.

C9 – COMMERCIAL GUEST HOUSE

5.26 The purpose of this *zone* is to provide accommodation, primarily of a “*Bed and Breakfast*” character to tourists, visitors and vacationers. Development in this *zone* should be of compatible character and not negatively impact surrounding neighbourhoods.

5.26.1 Permitted UsesPrincipal Uses

Guest House
Single detached dwelling
Semi-detached dwelling

Accessory Uses

Bed and Breakfast
Secondary suite

5.26.2 Site Development Regulations for Guest HousesMinimum *Lot Area*

Up to 4 units	900 m ²	(9,688 ft ²)
5 or 6 units	1,000 m ²	(10,764 ft ²)
7 or 8 units	1,100 m ²	(11,840 ft ²)

Minimum *Frontage*

25 m (82 ft)

Maximum *Coverage*

35%

Minimum *Setbacks*:*Front yard*

7.5 m (24.6 ft)

Rear yard

9 m (29.5 ft)

Side yard

1.5 m (4.9 ft)

Maximum Height, *Principal Building*

10.5 m (29.5 ft)

Maximum *Floor Area Ratio*

0.6

5.26.3 Conditions of Use

- (a) The conditions of *use* pertaining to Guest Houses are specified in 6.14.
- (b) Where a single or semi-detached dwelling is located in a *GH zone*, the Site Development Regulations of the *R2 zone* and off-*street* parking requirements of this Bylaw shall apply.
- (c) For single detached dwellings and semi-detached dwellings having no carport or attached garage with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard* and 3 m (9.8 ft) for both *side yards* for a semi-detached dwelling.
- (d) *Secondary suites* are only permitted on those *lots* where a single detached dwelling is the *principal use*. For clarity, a *secondary suite* is not permitted in conjunction with a guest house or *bed and breakfast use*.

M1 – LIGHT INDUSTRY

5.27 The purpose of this zone is to establish and maintain areas containing light industrial uses, such as wholesale, warehouse and light *manufacturing* operations.

5.27.1 Permitted Uses

Principal Uses

Automotive sales, repair and servicing
 Boat or recreational vehicle sales and repair
 Building supply
 Cannabis Standard Cultivation
 Cannabis Standard Processing

Cannabis Micro-Cultivation
 Cannabis Micro-Processing
 Cannabis Nursery
 Cartage and delivery service
 Contractor's shop
 Custom workshop

Electronics repair

Enclosed Storage and warehousing, including mini-storage

Exterminating service

Food and beverage processing (excluding the fish, meat and poultry products industries)

Furniture and fixture manufacturing

Garden shop, nursery and landscape supplies

Gasoline service station

Glass shop

Health and fitness centre

Machine shop

Machinery and equipment sales, rental and repair

Other light manufacturing industry

Petroleum products, wholesale

Prefabricated buildings sales

Printing, publishing and allied industry

Recycling depot

Principal Uses (continued)

Signs and displays industry
 Storage yard
 Transportation dispatch and depot
 Veterinary clinic
 Wholesale (excluding wholesalers of scrap and waste materials)
 Works yard

Accessory Uses

Caretaker's dwelling unit subject to Section 6.16
 Display, storage, and *retail* sales of goods produced on the premises
 Office

Site-Specific Uses

Medical Marijuana Facility

5.27.2 Site Development Regulations

Minimum <i>Lot Area</i>	930 m ²	(10,011 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	50%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard (total)</i>	6 m	(19.7 ft)
(Permitted on one side)	0 m	
Maximum Height, Principal <i>Building</i>	12.5 m	(41 ft)

5.27.3 Conditions of Use

- (a) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (b) All portions of a required *front yard* not used for permitted parking or display areas shall be fully and suitably *landscaped* and properly maintained.
- (c) Outdoor storage areas shall be screened or *fenced* on all sides not facing the principal *building* and no material shall be piled so as to be higher than such *screening*. Required front *screening* shall be situated so as to conform with the *front yard setback* provisions.
- (d) All activities and *uses* shall be conducted within a completely enclosed *building* except for parking, loading, outside storage and product display *uses*.
- (e) Along any *lot* line adjacent to an R, RR, or RM *zone*, a continuous *landscape buffer*, excluding any areas *used* for access, shall be provided and shall be not less than 1.8 m (5.9 ft) in height.

5.27.4 Site Specific Uses

The following *uses* shall be permitted on a site-specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Medical Marijuana Facility	4921 Bute St.	Lot A, District Lot 1, Alberni District, Plan VIP31847

M2 – MEDIUM INDUSTRY

5.28 The purpose of this *zone* is to establish and maintain areas for both light and medium industrial *uses*, including *uses* that require outdoor storage.

5.28.1 Permitted Uses

Principal Uses

All uses permitted in the M1 Zone

- Animal shelter
- Automobile wrecking yard*
- Blacksmithing and welding shop
- Bulk fuel storage
- Construction and assembly of pre-fabricated or modular *buildings*
- Construction, house moving and excavation
- Industry *offices*, workshops and storage
- Large equipment or machinery sales and repairs
- Machining
- Manufacturing*, excluding *uses* specifically listed in M3
- Open storage
- Scrap and waste materials wholesaler
- Truck transport operation
- Utility works yard
- Wood industry, concerned with *manufacturing* or finishing from prepared lumber

Accessory Uses

- Caretaker's *dwelling* unit, subject to Section 6.16
- Display, storage, and *retail* sales of goods produced on the premises
- Office*

5.28.2 Site Development Regulations

Minimum <i>Lot Area</i>	930 m ²	(10,011 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	60%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard</i> (total)	6 m	(19.7 ft)
(Permitted on one side)	0 m	
Maximum Height, Principal <i>Building</i>	12.5 m	(41 ft)

5.28.3 Conditions of Use

- (a) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (b) Notwithstanding the provisions of 5.28.2, the minimum *lot area* for an *automobile wrecking yard* operation shall be one (1) hectare (2.47 ac).
- (c) All portions of a required *front yard* not *used* for permitted parking or display areas shall be *landscaped*.
- (d) Any part of a *lot used* or intended to be *used* as an outside storage area that is adjacent to a R, RR, or RM *zone* shall be separated by a solid screen from the properties in that *zone*. No material shall be piled so as to be higher than such *screening* within 15 m (50 ft) of the *lot* line.
- (e) Along any *lot* line adjacent to an R, RR or RM *zone*, a continuous *landscape buffer*, excluding any areas *used* for access, shall be provided and shall be not less than 1.8 m (5.9 ft) in height.

M3 – HEAVY INDUSTRY

5.29 The purpose of this *zone* is to establish and maintain areas for heavy industrial and *manufacturing* activities.

5.29.1 Permitted UsesPrincipal Uses**All uses permitted in the M2 zone**

Boiler and plate work
 Fabricated metal products
 Fish, meat and *poultry* products industry
Junk yard
 Paper and allied *manufacturing* industry
 Primary metal industry
 Ready-mix concrete
 Sawmill
 Shipbuilding, boatbuilding and repair
 Storage

Accessory Uses

Caretaker's *dwelling* unit, subject to
 Section 6.16

Display, storage, and *retail* sales of goods
 produced on the premises
Office

5.29.2 Site Development Regulations

Minimum <i>Lot Area</i>	1,000 m ²	(10,764 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	60%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard</i> (total)	6 m	(19.7 ft)
(Permitted on one side)	0 m	

5.29.3 Conditions of Use

- (a) Any area of a *lot used* as, or intended to be *used* as, an outside storage area that is adjacent to a R, RR, or RM *zone* shall be separated by a solid screen at least 2.5 m (8.2 ft) in height from the properties in that *zone*. No material shall be piled so as to be higher than such *screening* within 15 m (50 ft) of the *lot* line.
- (b) Open storage shall not be permitted in a required *front yard*.
- (c) Any portion of a *lot* in the M3 *zone* which abuts the Alberni Inlet waterfront is exempt from the yard *setback* provisions.

M4 – UTILITIES

5.30 The purpose of this zone is to establish, maintain and regulate areas directly related to the operation of a railway, railway yard, high voltage transmission utility tower corridor, gas mains and related stations, reservoirs, water and sewer pump stations and other utilities works, whether or not publicly owned.

5.30.1 Permitted Uses

Principal Uses

Accessory Uses

- Electric power stations and installations
- Natural gas sub-station
- Parking of equipment
- Railway lines and stations
- Sewer pump stations, chambers, treatment facilities and related equipment
- Telegraph and cable systems
- Telephone exchanges
- Transmission lines and sub-stations
- Utility storage
- Waste disposal facility
- Water reservoir, pump station, valve station and related equipment
- Works yard

5.30.2 Site Development Regulations

Maximum Coverage	90%	
Minimum Setbacks:		
<i>Front yard</i>	7 m	(22.9 ft)
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard (total)</i>	3 m	(9.8 ft)
Maximum Building Height	7.5 m	(25 ft)

5.30.3 Conditions of Use

- (a) Outdoor storage of mechanical equipment, natural gas sub-stations, pump stations, valve stations and related equipment shall be screened by solid fencing or *landscaping* which obstructs the visibility of the utility installation.

P1 – INSTITUTIONAL

5.31 The purpose of this *zone* is to establish and maintain areas in which institutional *uses* can be accommodated and located in a manner complementary with surrounding *uses*.

5.31.1 Permitted UsesPrincipal Uses

Ambulance station

Arena

Assembly, cultural or recreational
facility

Childcare centre

Community Care facility

Dormitory

Firehall

Hospital

Hostel

Medical service

Office

Parking Lot

Personal service

Place of worship

Police station

Pound

School

Supportive housing

Transition house

Tutoring service

Accessory Uses

Caretaker's *dwelling* unit, subject to Section
6.16

Site Specific *Accessory Uses* as permitted
under Section 5.31.4.

5.31.2 Site Development Regulations

Minimum Lot Area	540 m ²	(5,813 ft ²)
Minimum Frontage	15 m	(49.2 ft)
Maximum Coverage	40%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Height, Principal Building	12.5 m	(41 ft)

5.31.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.31.2, the total of both *side yards* must be equal or greater than 20% of the *lot width*.
- (b) *Community care facilities* for seniors may include an accessory beauty shop or other provision of other *personal services*, limited to 16m² (172 ft²) in floor area and 2 service chairs, operating between the hours of 8:30 am to 5:00 pm, Monday to Friday and 9:00 am to 12:00 pm on Saturday.

5.31.4 Site Specific**A.**

The following *Accessory Uses* are permitted on the property located at **5100 Tebo Avenue** – Lot 1, District Lot 13, Alberni District, Plan VIP78180 (PID: 001- 346-377):

- Artist's studio
- Cabinet making
- Custom woodworking
- Furniture repair and upholstery
- Ornamental metal working
- Printing, publishing and allied industry
- Signs and displays industry
- Small repair shop

- i. The following conditions apply to *Accessory Uses* listed in 5.31.4.A:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 1,077 m² (11,592 ft²).
 - c) No retail activity is permitted as part of any business located on the property.

B.

Site – **4411 Wallace Street** – Lot B, District Lot 1, Alberni District, Plan 32448 VIP78180 (PID: 000-154-130).

- i. Notwithstanding the maximum coverage provisions of Section 5.31.2, for the property known as Fir Park Village, a maximum coverage of 58% is permitted.

C.

Site – **4065 6th Avenue** – Lot 16, District Lot 1, Alberni District, Plan 13685 lying to the North of a boundary parallel to and perpendicularly distant 150 feet from the Northerly boundary of said Lot 16 (PID: 004-625-919).

- i. The following accessory use is permitted:
 - Restaurant
- ii. The following conditions apply to *Accessory Uses* listed in 5.31.4.Ci:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 481 m² (5,180 ft²).

D.

Site – **2170 Mallory Drive** – Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409).

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
 - a) Small Engine Repair
 - b) Mechanic
 - c) Custom Woodworking
- ii. The following conditions apply to uses listed in 5.31.4 Di:
 - All business activity shall be conducted within a completely enclosed building except for parking and loading facilities

E.

Site – **A portion of 4305 Kendall Avenue** – Lot B, District Lot 92, Alberni District, Plan VIP86344 (PID: 027-829-634).

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
 - a) *Mother's Centre*

P2 – PARKS AND RECREATION

5.32 The purpose of this zone is to preserve natural ravine areas, green belts and other areas deemed environmentally sensitive, to provide protection of the natural setting, ecological systems and aesthetic beauty of the City, and to establish and maintain areas for parks, recreation and community open spaces uses.

5.32.1 Permitted UsesPrincipal Uses*Assembly, cultural and recreational facility*

Cemetery

Fairground

Fish hatchery

Forest management

Golf course

Natural Areas, Open Spaces and Parks

Public Parks and Playgrounds

Accessory UsesCaretaker's *dwelling* unit, subject to Section 6.16Carnivals, Circuses, Exhibitions,
Horse, Dog and Pony Shows*Office*

Picnic Area

Parking Lot

Public Toilet

5.32.2 Site Development RegulationsMinimum *Lot Area*1,000 m² (10,764 ft²)Minimum *Frontage*

30 m (98.4 ft)

Maximum *Coverage*

40%

Minimum *Setbacks:**Front yard*

6 m (19.7 ft)

Rear yard

9 m (29.5 ft)

Side yard

1.5 m (4.9 ft)

Maximum Height, *Principal Building*

8 m (26.2 ft)

W1 – WATERFRONT COMMERCIAL

5.33 The purpose of this zone is to establish and maintain areas for commercial and retail operations, especially those serving marine-based or tourist-oriented activities.

5.33.1 Permitted Uses

Principal Uses

- Boat rental operations
- Boat tour and charter operations
- Commercial mooring facilities

Docks, Wharves, and Floats (for the use of water taxis, ferries, float planes and amphibious vessels)

Fish product industry

Marina

Marine fuelling operations

Marine-oriented clubs such as yacht clubs

Micro-Brewery/Micro-Distillery

Nightclub, Cabaret, Bar and Pub

Observation Tower

Public market

Restaurant, (excluding drive-in or drive-through)

Retail

Stewardship Centre

Accessory Uses

Loading facility

Office

Permanent residence (on one boat or vessel by one member or employee of any other use permitted within this zone for purposes of security and fire protection)

Private floats and wharves

Storage

Temporary boat storage

Temporary or seasonal residence (on a boat or vessel for commercial fishing purposes)

Site Specific Uses

Barber

Beauty Shop

Residential Above Commercial

Salon

Spa

5.33.2 Site Development Regulations

Maximum Height, Principal *Building* 8 m (26.2 ft)

5.33.3 Conditions of Use

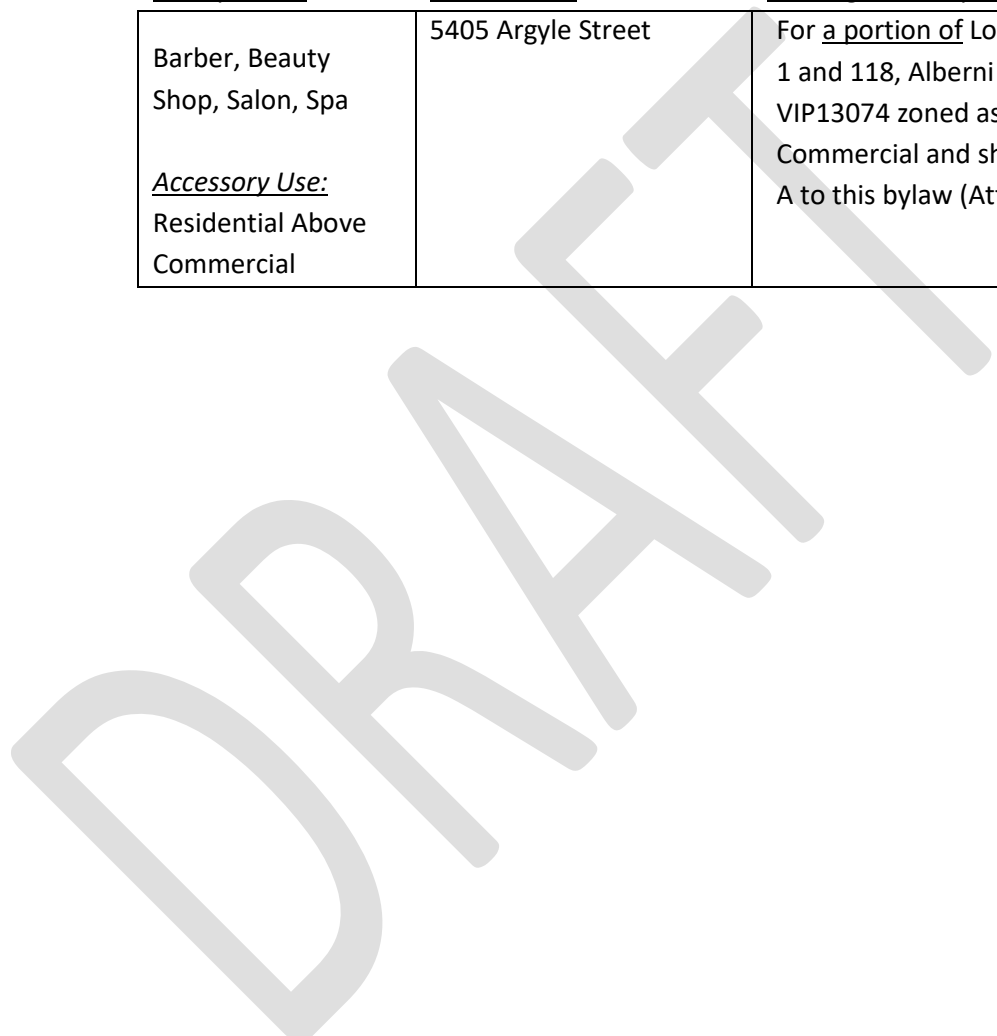
- (a) Notwithstanding the provisions of 5.33.1,
 - (i) Temporary or seasonal boat residence is permitted, provided that the boat or vessel is wharfed at a location where the following on-shore facilities are provided, at a minimum, in separate rooms for females and males:
 - one water-closet;
 - one wash-basin; and
 - one bathtub or shower
 - (ii) Private Floats and Wharves are permitted only where necessary for practical access by boats to commercial enterprises primarily oriented to water uses and water traffic.

- (b) Where associated with *retail* sales of live or fresh seafood in the same *building, fish product industry* activity is limited to a maximum *gross floor area* of 235 m² (2,530 ft²).
- (c) Marine fuelling operations shall be located not less than 60 m (196.8 ft) from any R or RM zone.

5.33.4 Site Specific Uses

The following *uses* shall be permitted on a site-specific basis:

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Barber, Beauty Shop, Salon, Spa <u>Accessory Use:</u> Residential Above Commercial	5405 Argyle Street	For a portion of Lot A, District Lots 1 and 118, Alberni District, Plan VIP13074 zoned as W1 Waterfront Commercial and shown in Schedule A to this bylaw (Attached)



W2 – WATERFRONT INDUSTRIAL

5.34 The purpose of this *zone* is to establish and maintain areas for accommodation of industries that are related to the fishing industry, marine transportation, *shipbuilding* and maintenance.

5.34.1 Permitted Uses

Principal Uses

- Commercial mooring facilities
- Fish and seafood buying and packing stations
- Fish product industry
- Marine and water traffic oriented:
 - Loading facility
 - Storage
 - Warehouse, and
 - Works yard
- Marine fuelling operations

Office

Shipbuilding, boatbuilding and repair

Accessory Uses

- Loading facility
- Private floats and wharves
- Storage
- Temporary boat storage
- Permanent** residence on one boat or vessel by one member or employee of any other *use* permitted within this *zone* for purposes of security and fire protection
- Temporary** or seasonal residence on a boat or vessel for commercial fishing purposes

5.34.2 Site Development Regulations

Maximum Height, Principal *Building* 12.5 m (41 ft)

5.34.3 Conditions of Use

- (a) Marine fuelling operations shall be located not less than 60 m (196.8 ft) from any R or RM *zone*.
- (b) *Offices* as a *principal use* shall be permitted only on the upper *storeys* of any waterfront industrial *building*. For clarity, *offices* as a *principal use* shall be permitted only on the second *storey* or higher in a waterfront industrial *building*.

6. General Regulations

6.1 Number of Principal *Buildings* on a Site

No more than one residential *building* shall be located on a *lot*, except as otherwise provided in this Bylaw.

6.2 Location of *Buildings*

- 6.2.1 No *building* shall be located in any required front, side, or rear yard except in accordance with this Bylaw.
- 6.2.2 No principal *building* shall be located so as to be within more than one *lot*, except where one or more of the *lots* is an air space parcel.

6.3 Location of *Buildings* and *Structures* Adjacent to Watercourses

6.3.1 Unless otherwise required by another level of government, all *buildings*, and *structures* in all *zones* shall be located not less than 15 m (49.2 ft) from the *natural boundary* of a lake, marsh, pond, river, creek, stream, including without limitation:

- Rogers Creek;
- Dry Creek, east of the *Quadrant Street*;
- Ship Creek, east of 3rd Ave;
- Lugin Creek;
- Cherry Creek;
- Kitsuksis Creek, east of the Kitsuksis Dyke; and
- the Somass River, north of Lupsicupsi Point,
- or any other natural body of water, except the ocean.

6.3.2 *Buildings* and *structures* shall be located not less than 7.5 m (24.6 ft) from any dyke right-of-way or other flood protection *structure*.

6.3.3 Parking and loading areas and other impervious surfaces shall be located not less than 7.5 m (24.6 ft) from the *natural boundary* of any lake, marsh, pond, river, creek, stream or any other natural body of water, except the Alberni Inlet, and must fulfil the requirements of other levels of government.

6.4 Height Exemptions

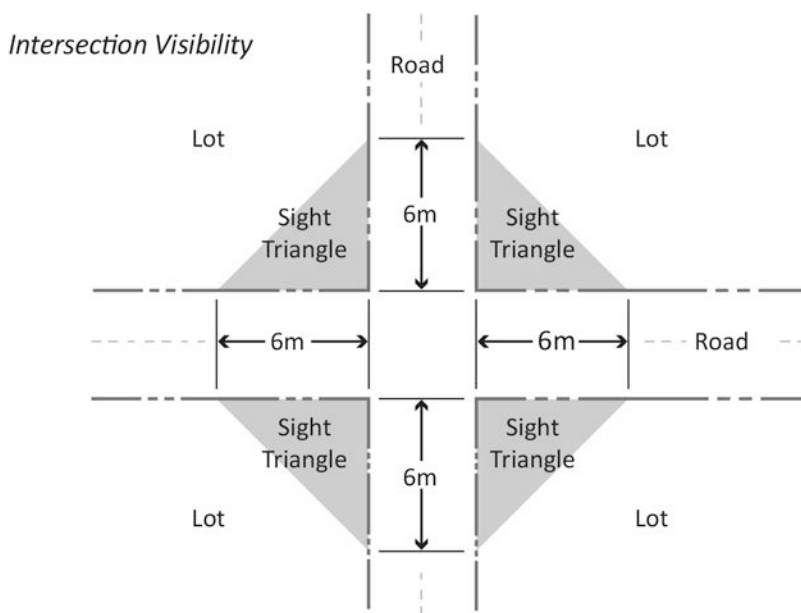
The following *structures* or structural parts shall not be subject to the *building height* requirements of this Bylaw:

- belfries;
- cellular towers;
- chimneys;
- church spires;
- domes;
- elevator and ventilating machinery penthouses
- fire and hose towers;
- flag poles;
- grain storage;
- monuments;
- observation towers;
- radio towers;
- silos;
- solar panels;
- stadiums;
- transmission towers; and
- wind turbines,
- photovoltaic cells

provided that no such *structure* shall cover more than twenty percent (20%) of the *lot* or, if located on a *building*, not more than ten percent (10%) of the *roof area* of the principal *building*.

6.5 Visibility at Intersections

Notwithstanding any other section of this Bylaw, on a *corner lot* at any *street* or *lane* intersection, except for a permitted principal *building*, there shall be no obstruction of the line of vision above a height of 1.25 m (4.1 ft) and below a height of 3.0 m (9.8 ft) in the triangular area contained by lines extending to points 6 m along each *lot* line from the corner of the *lot* and a diagonal line connecting those points.



6.6 Minimum *Lot* Size Exemptions

Notwithstanding other provisions of this Bylaw, zoning restrictions and *lot area* and *frontage* requirements do not apply to a *lot* created for an *unattended public utility use*.

6.7 Fences and Hedges

- 6.7.1 The height of a *fence*, *hedge* or wall shall be determined by measurement from ground level at the average *grade level* within 1 m (3.28 ft) of both sides of such *fence* or wall.
- 6.7.2 Notwithstanding 6.7.1, the height of a *fence*, *hedge* or wall erected along a retaining wall shall be determined by measurement from the ground level at the average *grade* within 1 m (3.28 ft) of the side which is supported by the retaining wall.
- 6.7.3 *Fences*, *hedges* or walls not greater than 1.25 m (4.1 ft) in height are permitted within a required *front yard*.
- 6.7.4 *Fences* or walls not greater than 1.8 m (6 ft) in height are permitted from the rear of the required *front yard setback* to the rear of the property.
- 6.7.5 In M zones, *fences* or walls not greater than 2.5 m (8.2 ft) in height are permitted in a *front yard*.
- 6.7.6 No *fence* in any zone shall be constructed using barbed wire, razor wire, electrified wire or any other material intended to produce any sensation or injury to any person or animal having contact with the *fence*.
- 6.7.7 Notwithstanding 6.7.6, barbed wire fencing is permitted in all M zones for security purposes.

- 6.7.8 Where a chain-link *fence* is constructed on property it must be coated or incorporate screening to render the *fence* opaque.
- 6.7.9 Maximum permitted height of an open mesh or chain link *fence* is 3.7 m (12.1 ft) in cemeteries, public playgrounds, parks, playfields, *school* areas or in any M *zone*.
- 6.7.10 Notwithstanding 6.7.1 through 6.7.6, all *fences*, *hedges* and walls are subject to the provisions of 6.5.
- 6.7.11 There shall be fencing having a minimum height of 1.85 m (6.0 ft) and a maximum height of 2.4 m (8.0 ft) around open swimming pools.

6.8 Landscaping

- 6.8.1 In RM, P1, C, M1 and M2 *zones*, all areas not *used for buildings, structures, parking, loading, access or storage* shall be *landscaped*.
- 6.8.2 In all RM, C, and P1 *zones*, *screening* not less than 1.5 m (4.9 ft) and not greater than 1.85 m (6.0 ft) in height shall be provided on at least three (3) sides of garbage bins, receptacles or storage areas, unless located within a completely enclosed *structure*.
- 6.8.3 Notwithstanding Section 6.7.4, *screening* not less than 1.5 m (4.9 ft) and not more than 2.4 m (8.0 ft) in height shall be provided:
 - (a) along any side or rear boundary of a *lot* in a C *zone* that abuts an R, RR, RM, or A *zone*; and
 - (b) between any RM *zone* and any parking or access *uses* that abut any R *zoned lot*, along the common *lot* lines.
- 6.8.4 For boulevards: *Landscaping* in the form of grass, unless otherwise approved by the *City Engineer*, shall be provided between the *lot* line and curb or *street* shoulder in the absence of a curb.
- 6.8.5 Notwithstanding 6.8.1 through 6.8.4, all *landscaping* requirements are subject to the provisions of Section 6.5.
- 6.8.6 Maximum area of impervious surface in any R *zone* is calculated as follows:
 $(Lot\ Area - Coverage) \times 0.5 = impervious\ surface$

6.9 Storage of Vehicles and Equipment

- 6.9.1 No commercial vehicle, truck, bus, construction equipment, dismantled or wrecked automobile, or any similar vehicle, craft, boat, trailer, *recreational vehicle*, or equipment shall be parked or stored in the open on property in any R, RR, or RM *zone*, except when such vehicles or equipment are engaged in work on or about the premises upon which they are located.

- 6.9.2 Notwithstanding 6.9.1, the following types of vehicles are permitted, and may only be parked or stored in a yard other than a *front yard*:
One truck, personnel carrier bus or commercial vehicle not exceeding a length of 9 m (29.5 ft);
Any dismantled or wrecked vehicle for a period of not more than 30 successive days.
- 6.9.3 Notwithstanding 6.9.1, the following types of vehicles and equipment are permitted to be parked or stored in any yard:
One boat or vessel not exceeding a length of 9 m (29.5 ft); and
One trailer or *recreational vehicle*.
- 6.9.4 Notwithstanding Section 6.9.3, parking of one trailer or *recreational vehicle*, which may include a boat on a trailer, is permitted in the *front yard* only on a hard or gravelled surface.
- 6.9.5 Notwithstanding 6.9.3, in a C9 zone where a room is rented, the occupant of the room may park one boat or vessel not exceeding a length of 9 m (29.5 ft), or one trailer or *recreational vehicle* for the duration of their stay.

6.10 Accessory Buildings

- 6.10.1 *Accessory buildings* shall not be erected unless:
(a) the principal *building* has been erected; or
(b) the principal *building* will be erected simultaneously; or
(c) the *principal use* is in effect.
- 6.10.2 An *accessory building* shall not be used as a *dwelling*, except for a permitted caretaker's *dwelling* unit as provided for in Section 6.16.
- 6.10.3 Except as otherwise provided in this Bylaw, *accessory buildings* may be located in required rear and *side yards* provided that no portion of the *building* is located within 1.0 m (3.3 ft) of a rear or *side lot line*.
- 6.10.4 Where a garage or carport is accessed from a *lane*, said *building* shall be located not less than 1.5 m (4.9 ft) from the laneway *lot line*.
- 6.10.5 In R, RR, and RM zones, the total floor area of all *accessory buildings* shall not exceed 90 m² (807.3 ft²), and the height of any *accessory building* shall not exceed 5.5 m (18 ft) nor 1 *storey*, subject to 6.10.8 of this Bylaw.
- 6.10.6 In A zones, the total floor area of all *accessory buildings* shall not exceed 90 m² (969 ft²), and the height of any *accessory building* shall not exceed 4.5 m (14.8 ft) nor 1 *storey*.
- 6.10.7 In A, R, RR, or RM zones, not more than two-thirds of the width of the *rear yard* nor 50% of the *lot area* to the rear of the principal *building* of any *lot* shall be occupied by *accessory buildings*.
- 6.10.8 In A, R, RR, or RM zones, where a carport or garage or portion thereof is located in the required *side yard* of the principal *building* and is attached to the principal *building*, the required *side yard* adjoining the garage shall be reduced to 0.9 m (3 ft), whether or not it is an interior or *corner lot*.

- 6.10.9 In all *zones*, on a *corner lot*, an *accessory building* or portion thereof which is located to the rear of the principal *building* shall be subject to the required *side yard setbacks* of the principal *building* whether or not it is attached to the principal *building*.
- 6.10.10 In P, C, M, W, or RM *zones*, an *accessory building* shall not exceed the maximum height of a principal *building*.
- 6.10.11 In P, C, M, W, or RM *zones*, where an *accessory building* is located within a required *rear yard*, the *accessory building* shall not exceed 4.5 m (14.8 ft) in height.
- 6.10.12 Notwithstanding 6.10.1 through 6.10.11, all *accessory buildings* are subject to the requirements of Section 6.5.

6.11 Temporary Buildings

- 6.11.1 A *temporary building* or *structure* shall not be used as a *dwelling* unit.
- 6.11.2 A trailer or *recreational vehicle* may be used as a *dwelling* only on a transitory basis and when located in a *campground*.
- 6.11.3 A *temporary building* or *structure* may be erected for construction purposes on a *lot* being developed for a period not to exceed the duration of such construction.
- 6.11.4 The erection of one fabric covered *structure* (as temporary carports, for example) on each *lot* for a maximum of 120 days in each calendar year is permitted
- 6.11.5 Except for *temporary buildings* or *structures* covered in 6.11.2 through 6.11.4:
 - (a) Application shall be made in writing to the *Building Inspector* for a permit to erect a *temporary building* or *structure*; and
 - (b) At the expiration of a permit such *temporary building* or *structure* shall be removed and the site thereof restored as nearly as possible to its former conditions.

6.12 Projections

- 6.12.1 Except in C2 (General Commercial), C3 (Service Commercial), C7 (Core Business), and M *zones*, certain architectural elements are permitted to project the specified distance into the *required yards*, as follows:

(a) into required front, rear and *side yards*:

Projection	Distance
Steps and wheelchair ramps	not restricted
Eaves and gutters	0.9 m (3 ft)
Cornices and sills	0.6 m (2 ft)
Bay windows and hutches	0.9 m (3 ft)
Chimneys and other heating and ventilating equipment	0.9 m (3 ft)

(b) into required front or *rear yards*:

<u>Projection</u>	<u>Distance</u>
Cantilevered balconies and sunshades	1.25 m (4.1 ft)
<i>Open porches</i>	1.85 m (6.0 ft)
<i>Marquee</i>	1.85 m (6.0 ft)
Canopy	1.85 m (6.0 ft)

(c) into *side yards*:

<u>Projection</u>	<u>Distance</u>
Cantilevered balconies and sunshades	the lessor of 50% of the required <i>side yard</i> or 1.25 m (4.1 ft)
<i>Open porches</i>	the lessor of 50% of the required <i>side yard</i> or 1.85 m (6.0 ft)
<i>Marquee</i>	the lessor of 50% of the required <i>side yard</i> or 1.85 m (6.0 ft)
Canopy	the lessor of 50% of the required <i>side yard</i> or 1.85 m (6.0 ft)

6.12.2 Notwithstanding 6.12.1, where a *side yard* is less than 1.5 m (4.9 ft) no projection shall project over 50% of a required *side yard*.

6.12.3 Permitted equipment for dispensing flammable or combustible liquids or gas may be located in a required front or *side yard*, provided that no part of any such pump island shall be closer than 4.5 m (14.8 ft) to any front or *side lot line*.
Notwithstanding 6.12.1 and 6.12.2, a canopy may be erected over any such pump island provided only that it projects not closer to any *lot line* than 50% of the distance between the pump island and the *lot line*.

6.12.4 In *zones* where no yard is required and where the width of the public right-of-way is not less than 10 m (32.8 ft), certain architectural elements may project over the public right-of-way, provided that such architectural elements are located at or above a minimum height above *grade*, as specified in the following:

Projection	Maximum Permitted Projection Distance into R-O-W		Minimum Height Above <i>Grade</i>	
Cornice	0.6 m	(2 ft)	3.65 m	(12 ft)
Eave	0.6 m	(2 ft)	3.65 m	(12 ft)
Gutter	0.6 m	(2 ft)	3.65 m	(12 ft)
<i>Marquee</i>	1.85 m	(6 ft)	2.75 m	(9 ft)
Canopy	1.85 m	(6 ft)	2.75 m	(9 ft)
Sunshade	1.85 m	(6 ft)	2.75 m	(9 ft)

6.13 Swimming Pools

- 6.13.1 Detached and enclosed swimming pools shall be subject to the requirements established in Section 6.10 for *accessory buildings*.
- 6.13.2 Swimming pools shall be located not less than 2.0 m (6.6 ft) from any *lot* line.
- 6.13.3 Unenclosed swimming pools shall be subject to the requirements established in Section 6.7.8, fencing of swimming pools.
- 6.13.4 No swimming pool shall be located within a *front yard*.

6.14 *Bed and Breakfast* and Guest House Operations

All *Bed and Breakfast* and Guest House establishments shall conform to the following:

- 6.14.1 The operation must be conducted in a single detached dwelling.
- 6.14.2 The operation must be conducted by permanent residents of the *dwelling*. Guest House operations may utilize a maximum of two (2) non-resident employees who are specifically employed to provide services required by the Guest House.
- 6.14.3 *Bed and breakfast* operations shall have a maximum of two (2) bedrooms for *bed and breakfast* accommodation, with not more than two (2) guests per room.
- 6.14.4 Guest House operations shall have a maximum of eight (8) *sleeping units* for *Bed and Breakfast* accommodations, being provided to a maximum of sixteen (16) guests in total.
- 6.14.5 Breakfast shall be the only meal permitted to be served to guests.
- 6.14.6 One (1) *off-street parking space* for each bedroom *used* for the operation must be provided.
- 6.14.7 Tandem parking may be *used* up to two (2) deep.
- 6.14.8 Guest houses shall provide a *landscaped buffer* along property lines abutting residential *uses*.

6.15 Home Occupations

- 6.15.1 A *Home Occupation* must be conducted entirely within the *dwelling* unit.
- 6.15.2 Notwithstanding 6.15.1, where the *Home Occupation* is urban *market gardening*, the regulations in Section 6.25 apply.

- 6.15.3 A *Home Occupation* shall involve no internal structural alterations to the *dwelling* unit and there shall be no exterior indication including storage of materials, other than signage, that the *building* is being utilized for any purpose other than that of a *dwelling* unit, and no *building, structure, fence* or enclosure, other than those in conformity with permitted residential *uses* in the *zone* in which it is located, may be erected.
- 6.15.4 *Home Occupations* shall not produce noise, vibration, smoke, dust, odour, litter or heat other than that normally associated with a *dwelling* unit, nor shall it create or cause a fire hazard, electrical interference or traffic congestion on the *street*. Specifically prohibited activities include *manufacturing, welding, vehicle or machinery repair* or any other light industrial *use*.
- 6.15.5 The *dwelling* unit must not be *used* as a warehouse or *retail* store.
- 6.15.6 The operation of a *Home Occupation* shall be limited to the following provisions:
- (a) Traffic related to the *Home Occupation use* is prohibited between the hours of 9:00 pm and 8:00 am, except for *Home Occupations* regulated by the *Community Care Facility Act* or related regulations;
 - (b) A maximum of one non-resident employee;
 - (c) Operator must hold a valid City of Port Alberni business licence;
 - (d) A *Home Occupation* must be licenced to and conducted by a permanent resident of the *dwelling* unit;
 - (e) In R, RR, or A *zones*, the following regulations also apply:
 - (i) Except for *Home Occupations* regulated by the *Community Care Facility Act* or related regulations, the *Home Occupation* maximum floor area must not exceed 40 m² (430.6 ft²);
 - (ii) One non-illuminated fascia sign, up to 0.2 m² (2.15 ft²) in area, is permitted;
 - (iii) One customer receiving service at any one time on the *lot*;
 - (f) In RM and MH *zones*, the following regulations also apply:
 - (i) A maximum floor area not to exceed 19 m² (204 ft²) per *dwelling* unit;
 - (ii) No signage pertaining to a *Home Occupation* shall be permitted;
 - (iii) No customer service shall be permitted in the residence where the *Home Occupation* is conducted;

- (g) Notwithstanding 6.15.6 (e)(iii) of this Bylaw, the operation of a Tutoring/Instruction Service as a *Home Occupation* shall be limited to a maximum of eight (8) students at any one time; and
- (h) In multi-unit residential zones, *home occupation* as a permitted use is restricted to *office* space.

6.16 Caretaker Accommodation

One (1) single detached dwelling unit for a caretaker or watchperson is permitted on a *lot* within C2, C3, C4, M, or P zones provided:

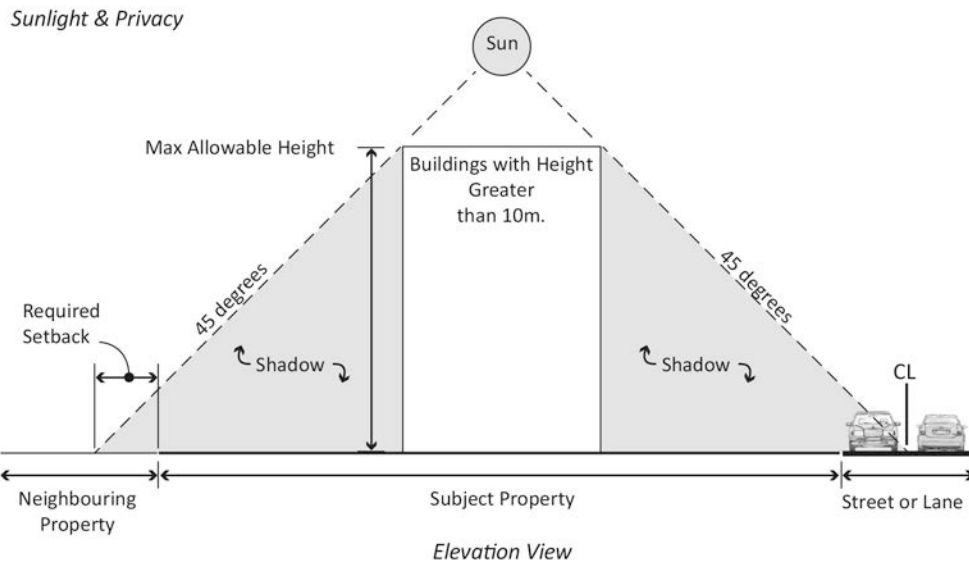
- 6.16.1 All applicable *building* and fire bylaws are met.
- 6.16.2 The *dwelling* shall be a maximum of 60 m² (645.9 sq ft).
- 6.16.3 The *dwelling* unit must be self-contained and separated from any commercial activities.
- 6.16.4 The caretaker's presence is necessary to the facility operation and/or public safety.

6.17 Floats and Wharves

- 6.17.1 Wharves, floats, piers and boat launching facilities constructed, leased, kept or maintained are permitted in any *zone* abutting the waterfront and subject to the approval of other Government Agencies having jurisdiction.
- 6.17.2 Floats, wharves, piers, and walkways shall be located within the boundaries of a lawful water lease area or licence of occupation area.

6.18 Sunlight Protection and Privacy

In the case of a *building* having a height greater than 10 m (32.8 ft) situated in an A, R, GH or P *zone*, no portion of such *building* or *structure* shall project above a plane defined by lines extending towards the *building* or *structure* from all points at ground level from the neighbouring property's required *setbacks* or along the centre line of any *street* or *lane* parallel to and abutting the northerly *lot* line of the site on which the *building* or *structure* is situated and inclined at an angle of 45 degrees to horizontal.



6.19 Minimum Dwelling Unit Width

- 6.19.1 The minimum *dwelling* unit width for all single or semi-detached dwellings shall be 5 m (16.4 ft) in width or depth, except for *mobile home* units located within the MH1 *Mobile and Modular Homes zone*.
- 6.19.2 Measurement of *dwelling* unit width shall be from the outside surface of an exterior wall and the centre line of a *party wall*.

6.20 Minimum Setback from Provincial Highway No. 4 (Johnston Road)

Development immediately adjacent to Provincial Highway No.4 (Johnston Road and River Road) requires approval of the Ministry of Transportation and Highways for purposes of legislation under their jurisdiction.

6.21 Adult Retail Store

Adult retail stores shall not be located within 0.5 km radius of a daycare, school or church.

6.22 Accessory Dwelling Units

6.22.1 *Secondary suites*

May be located in any single detached, semi-detached or townhouse on the following conditions:

- (a) May not exceed 40% of the habitable floor space of the building, whichever is less;
- (b) Must be fully contained within the principal residence which is a single real estate entity;
- (c) Must be provided with a parking space additional to the standard parking space requirements for the residence as per section 7 of this bylaw; and
- (d) The principle dwelling is permanently occupied.

6.22.2 *Carriage Houses*

May be located on a lot with a single detached dwelling on the following conditions:

- (a) Is not located on a lot that contains another *accessory dwelling unit*;
- (b) Is provided direct access to a roadway or laneway or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the *carriage suite* parking area to the entrance of the *carriage suite* when direct access to the *carriage suite* from a roadway or laneway is not provided;
- (c) Is not located in the required front yard setback area or in front of the principal dwelling;
- (d) Meets minimum side yard setback requirements of the applicable zone;
- (e) May be located in the required rear yard setback;
- (f) No portion of the *building* is located within 1 m of a rear lot line;
- (g) Does not exceed a maximum height of the principal building;
- (h) Does not contain a gross floor area (excluding a first-storey garage) greater than 40% of the gross floor area of the single detached dwelling, up to a maximum of 90 m²;
- (i) Must have a minimum of 18 m² of *useable open space*; and
- (j) Provides for parking in accordance with Section 7.

6.22.3 *Garden Suites*

May be located on a lot with a single detached dwelling on the following conditions:

- (a) Is not located on a lot that contains another *accessory dwelling unit*;
- (b) Is provided direct access to a roadway or laneway, or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the *garden suite* parking area to the entrance of the *garden suite* when direct access to the *garden suite* from a roadway or laneway is not provided;

- (c) Is located in a rear yard;
- (d) Meets minimum side yard setback requirements of the applicable zone;
- (e) May be located in the required rear yard setback;
- (f) No portion of the *building* is located within 1 m of a rear lot line;
- (g) Does not exceed a maximum height of 8 m;
- (h) Does not contain a gross floor area greater than 40% of the gross floor area of the single detached dwelling, up to a maximum of 90 m²;
- (i) Must have a minimum of 18 m² of *useable open space*; and
- (j) Provides for parking in accordance with Section 7.

6.23 Market Gardens, Urban

An *urban market garden* shall be permitted in all *zones* provided that:

- 6.23.1 The total area which may be under cultivation on any given parcel shall not exceed more than 600 m² in area except where the *lot* size is greater than 2,400 m², in which case an *urban market garden* shall not exceed 25% of the *lot area*.
- 6.23.2 Production shall be limited to the growing and harvesting of fruits, vegetables and edible plants, but specifically excludes the growing of mushrooms.
- 6.23.3 On-site sales of edible plants shall be permitted within roadside stands for products grown on site provided that:
 - (a) the size of the roadside stand does not exceed a *Gross floor area* of 9 m²;
 - (b) on-site sales and roadside stands are limited to no more than 120 days within a calendar year; and
 - (c) the roadside stand is located on the property and does not impede sight lines from the driveway.
- 6.23.4 No artificial lighting shall be *used*.
- 6.23.5 No pesticides or herbicides shall be *used*.
- 6.23.6 No uncomposted manure shall be *used*.
- 6.23.7 The *market garden* does not create noise, dust, vibration, odour, smoke, glare, fire hazard, or any other hazard or nuisance, to any greater or more frequent extent than that usually experienced in the applicable *zone* under normal circumstances wherein no *market garden* exists.
- 6.23.8 An *urban market garden* shall not be permitted where a property has farm status classification, as defined under the *BC Assessment Act*.

6.24 Animals in Single *Detached Residential Zones*

Animal control in Port Alberni shall be in accordance with the Bylaw No. 4593, Animal Control and Pound Bylaw, 2006 (as replaced or amended from time to time), and the following regulations:

- 6.24.1 The keeping of male *poultry* is prohibited, except on ALR lands or on parcels greater than 2,000 m² (21,528 sq ft) in area.
- 6.24.2 The keeping of female *poultry* is prohibited on *lots* less than 350 m² (3,767 sq ft) in area.
- 6.24.3 The keeping of up to six (6) female *poultry* in enclosed runs is permitted on *lots* less than 2,000 m² (21,528 sq ft) but more than 450 m² (4,844 sq ft) in size. When the *lot* is less than 450 m² (4,844 sq ft), no more than four (4) female *poultry* may be kept.
- 6.24.4 Runs shall provide at least 0.8 m² (8.5 sq ft) of space per bird and coops of at least 0.2 m² (2 sq ft) of space per bird.
- 6.24.5 A *building* or *structure* used for the keeping of *poultry* must not be located in the *front yard*, and must be located at least 3 m (10 ft) from any *lot* line.
- 6.24.6 The keeping of bees on *lots* less than 600 m² (6,458 sq ft) in area is prohibited.
- 6.24.7 The keeping of bees is permitted to a maximum of 2 hives of bees on *lots* between 600 m² and 929 m² (10,000 sq ft) in area, and a maximum of 4 hives of bees on *lots* over 929 m² (10,000 sq ft) in area.
- 6.24.8 Beehives are restricted to *rear yards*.
- 6.24.9 A beehive will be located a minimum of 7.5 m (25 feet) away from the neighbouring property line.
- 6.24.10 The beehive entrance will be directed away from the neighbouring property and situated behind a solid *fence* or *hedge* that is 1.8 m (6 feet) in height running parallel to the property line.
- 6.24.11 All persons wishing to keep bees must be registered with the BC Ministry of Agriculture, and abide by the beekeeping regulations as specified in the provincial *Bee Act* and other related legislation.
- 6.24.12 These regulations do not apply to properties with farm status classification under the BC Assessment Act.

6.25 Cannabis Retail Store operations

All Cannabis Retail Stores shall conform to the following:

- 6.25.1 A Cannabis Retail Store is not permitted within 300 metres of the nearest property line of a site containing a school.
- 6.25.2 A Cannabis Retail Store is not permitted in conjunction with any other use.

6.26 Cannabis Production facilities

All Cannabis Production facilities shall conform to the following:

- 6.26.1 Any operational Cannabis Production Facility must be regulated, approved and licensed by Health Canada. A City Business License is also required for operations.
- 6.26.2 A Cannabis Production Facility is not permitted within 300 metres of the nearest property line of a site containing a school, licensed daycares, or another Cannabis Production Facility.
- 6.26.3 If zoned favorably, a Cannabis Production Facility may operate a cultivation, processing, and retail use in conjunction on site. A Cannabis Production Facility is not permitted in conjunction with any other use.
- 6.26.4 A Cannabis Production Facility must be built to contain odor, noise, light and glare within the facility as to avoid adverse effects that impair the use, safety or livability of adjacent properties.
- 6.26.5 Any Cannabis Production Facility must obtain a Development Permit from the City. Architectural, landscaping, signage, and lighting plans are required to be submitted in order to be considered for approval.
- 6.26.6 A Cannabis Production Facility must limit their hours of operation to occur between 8:00 am and 8:00 pm.

6.27 Useable Open Space

- 6.27.1 All multi-unit development must provide usable open space.
- 6.27.2 All usable open space must meet the following:
 - (a) Usable open space must be an unobstructed area or areas, available for safe and convenient *use* by all the *building's* users and occupants, having no dimension less than 5.25 m (17.2 ft) and no slope greater than 10 percent.
 - (b) Usable open space shall exclude areas *used* for off-*street* parking, off-*street* loading, service driveways, public walkways, and required *front yards*.
 - (c) Not more than half of the useable open space required for any *dwelling* unit may include roof garden areas where no dimension is less than 5.25 m (17.2 ft), private balconies where no dimension is less than 1.5 m (4.9 ft) and private patios where no dimension is less than 2.4 m (7.9 ft).

- 6.27.3 Notwithstanding the provisions of 6.27.2, useable open space within a RM-1 zoned property shall be provided on the lot of not less than 45 m² (484.4 ft²) for each dwelling unit containing 3 or more bedrooms, and not less than 28 m² (301.4 ft²) for each dwelling unit of smaller size
- 6.27.4 Notwithstanding the provisions of 6.27.2, *useable open space* within a RM-2 or 3 zoned properties shall be provided on the *lot* of not less than 45 m² (484.4 ft²) for each *dwelling* unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling* unit of smaller size.

6.28 Density Bonusing

- 6.28.1 The purpose of the following density bonusing provisions pursuant to section 482 of the LGA are to support the development of:
- Universally Accessible housing units as per 482 (b)
 - Affordable housing units as per 482 (b)
 - Provision of amenities 482 (a)
- 6.28.2 On lands with an RM zone and the following Density Bonusing is available as follows:
- (a) For each ten percent (10%) of the *dwelling* units constructed using universally accessible design standards and elevators are provided the floor area ratio may be increased by 0.1
 - (b) For each ten percent (10%) of the *dwelling* units that are designated as affordable the permitted the floor area ratio may be increased of 0.1
 - (c) Where greater than seventy-five (75%) of the required *off-street* parking is provided *underground* or enclosed underneath the principal *building*, the floor area ratio may be increased by 0.1
- 6.28.2.1 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5.
- 6.28.2.2 Where density bonusing is to be sought under 6.28.2 (b) above, a housing agreement is required as outline under section 483 of the *Local Government Act*.
- 6.28.3 On lands zoned C-7 the following Density Bonusing is available as follows:
- (a) A 0.5 increase in FAR where a minimum of one *storey* or sixteen and one-half percent (16.5%) of the *gross floor area* of the *building* is used for commercial purposes;
 - (b) A 0.5 increase in FAR where greater than seventy-five percent (75%) of the required parking is provided *underground* or enclosed underneath the principle *building*;

- (c) A 0.1 increase in FAR for each (10%) of the *dwelling* units are constructed as *accessible* and where elevators are provided to all *storeys* in the *building*
- (d) A 0.1 increase in FAR for each ten percent (10%) of the *dwelling* units are designated as affordable
- (e) A 0.5 increase in FAR where a common meeting room or amenity room containing a minimum of 22 m² (235 ft²) is provided.

6.28. 3.1 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5 for a maximum FAR of 3.5.

6.28.3.2 Where density bonusing is to be sought under 6.28.3 (d) above, a housing agreement is required as outline under section 483 of the *Local Government Act*.

6.29 Shipping Containers

- 6.29.1** Use of land for the placement of shipping containers is permitted only in M zones, except where authorized by 6.29.3.
- 6.29.2** A shipping container shall only be used to store materials or products that are incidental to the operation of a business or facility located on the parcel and shall not be used for mini-storage.
- 6.29.3** A shipping container may be used for the temporary storage of tools and materials on a property other than an M zone, for the construction or maintenance of a building or structure for which a required building permit has been obtained and remains active. Upon completion of construction the container must be removed with 14 days.
- 6.29.4** No shipping container may be located in the setback area, as specified by the applicable zone, or within 3 m of any lot line adjoining an R, RM, or MH zone.

7. Parking and Loading Regulations

7.1 Applicability

- 7.1.1** Where any development takes place on any *lot*, *off-street* parking and loading areas shall be provided and maintained in accordance with the regulations of this Section.
- 7.1.2** A change in *use* or modification of a *building, structure* or *lot* shall result in a recalculation of parking and loading requirements in accordance with this section, which may result in requirements for additional *parking spaces* to be provided.
- 7.1.3** No *off-street* parking is required in the C7 (Core Business) *zone* except for:
- (a) *shopping centres*,
 - (b) food stores having a maximum *retail* floor space of greater than 400 m² (4305.7 ft²),
 - (c) residential *dwelling* units, which require 0.5 *parking spaces* per *dwelling* unit, and
 - (d) *hotels*.
- 7.1.4** No *off-street* parking is required in the W1 Waterfront Commercial *zone*.

7.2 General

- 7.2.1** All *off-street* parking facilities or loading areas in excess of the requirements of this Bylaw shall conform to the regulations set forth in this Bylaw.
- 7.2.2** Where a *use* is not specifically mentioned or defined, the required *off-street parking spaces* for that *use* shall be the same as for a similar *use*.
- 7.2.3** *Off-street* loading areas shall not be considered as nor calculated as *off-street* parking facilities.
- 7.2.4** Where more than one *use* is located on a *lot* or involves collective parking for more than one *building, structure* or *use*, the total number of spaces shall be the sum of the various classes of *uses* calculated separately, and a space required for one *use* shall not be included in calculations for any other *use*.
- 7.2.5** In the C7 (Core Business) or W2 (Waterfront Industrial) *zones*, *off street* parking shall be permitted on the same *lot* or on a different *lot*, provided that:

- (a) the different *lot* is not more than 150 m from the off *street* parking use it serves, measured as the shortest *accessible* walking route; and
- (b) a covenant pursuant to Section 219 of the *Land Title Act* is registered against the property containing the parking to ensure the required parking is provided.

7.3 The Use of Parking Facilities

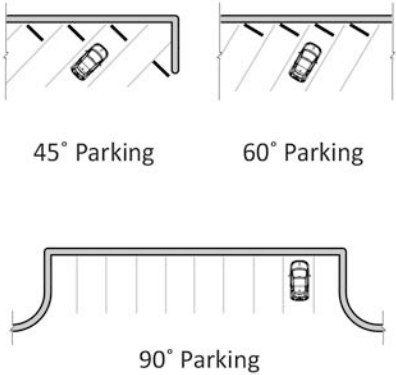
All required off-*street parking spaces* shall be *used* only for the purpose of accommodating the vehicles of clients, customers, employees, members, visitors, residents or tenants who make *use* of the principal *building* or *use* for which the parking area is provided, and such parking area shall not be *used* for off-*street* loading, driveways, *street* access, *access aisles*, commercial repair work or display, sale or storage of goods of any kind.

7.4 Development and Maintenance Standards

- 7.4.1 All off-*street parking spaces* shall comply with the minimum dimensions set forth below:
- 7.4.2 Where a *parking space* abuts a *fence*, wall or other *structure* along its length, the width of the *parking space* shall be increased by 0.3 m (1 ft) along any side that abuts such *fence*, wall, *building* or other *structure*.
- 7.4.3 All off-*street parking spaces* shall have clear access to *access aisles*.
- 7.4.4 Minimum *access aisles* widths shall be:

Parking Angles

Parking Angle	Width of Aisle
up to 45°	3.7 m (12.1 ft)
46° to 60°	5.2m (17 ft)
61° to 90°	6.7 m (22 ft)



- 7.4.5 *Access aisles* that are intended for two way traffic flow shall be not less than 6 m (19.7 ft) in width.

- 7.4.6** All *parking lots* shall be provided with adequate vehicle stops and curbs in order to retain all vehicles within the parking area, and to ensure that any *fences, walls, hedges, landscaped areas or buildings* will be protected from any vehicles *using the parking lot*.
- 7.4.7** The *parking lot* of any development that is required to provide more than eight (8) *off-street parking spaces* shall be paved or covered with some other hard, durable and dust-free surface.
- 7.4.8** All *parking lots* that are required to be paved or covered with some other hard surface shall have all *parking spaces* marked with painted lines and traffic flow directions clearly marked.
- 7.4.9** Any lighting *used* to illuminate any *parking lot* shall be arranged so that all direct rays of light are reflected upon such parking area and not on any adjoining property.
- 7.4.10** Where more than ten (10) parking spaces are required, up to twenty percent (20%) of the required *parking spaces* may be small car *parking spaces*. Any small car *parking space* shall be clearly marked as such. For R and MH1 *zones*, one (1) of the required *off-street parking spaces* shall be a small car *parking space*.
- 7.4.11** All *parking lots* and loading areas shall be graded and drained to ensure the proper disposal of all surface water.
- 7.4.12** Except for single and semi-detached residential dwellings, *parking lots* shall be designed such that individual *parking spaces* do not have direct access to any *street*. For the purposes of this provision, a *lane* shall not be considered to be a *street*.
- 7.4.13** The location of *street* access to or from an *off-street parking lot* shall be subject to approval by the *City Engineer*.

7.5 Accessible Parking Requirements

- 7.5.1** For all RM residential *buildings*, one (1) accessible *parking space* shall be provided for each *dwelling* unit designed to be *accessible*.
- 7.5.2** Where twenty (20) or more *off-street parking spaces* are required for a *building* or *structure*, accessible parking shall be provided as follows:
- (a) 1 accessible *parking space* for the first twenty (20) required *off-street parking spaces*; and
 - (b) 1 accessible *parking space* for each additional fifty (50) required *off-street parking spaces* or portion thereof.
- 7.5.3** All accessible *parking spaces* shall:

- (a) meet the minimum accessible *parking space* dimensions as set out in 7.4.1. and shall be subject to the approval of the *Building Inspector*;
- (b) be clearly identified as an accessible *parking space*; and
- (c) be conveniently located to an *accessible* entrance to the *building, structure or use*.

7.5.4 Each accessible *parking space* provided shall count as one of the total number of required off-street *parking spaces*.

7.6 Measurement

7.6.1 Where *gross floor area* is used as a unit of measurement for the calculation of required *parking spaces*, *gross floor area* shall include the floor area of *accessory buildings* and *basements*, except where they are used for parking, heating or storage.

7.6.2 Where the number of employees is used as a unit of measurement, the number of employees shall mean the greatest number of persons at work during any season of the year.

7.6.3 Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each 0.5 m (20 inches) of width of such seating accommodation shall be counted as one seat.

7.6.4 Where the calculation of parking requirements results in a fractional value, the number of required *parking spaces* shall be rounded up to the nearest whole *parking space*.

7.7 Location and Siting of Loading Facilities

7.7.1 Off-street loading areas shall not be located within a required *front yard*.

7.7.2 Off-street *loading spaces* shall be designed and located to prevent any vehicle using such spaces from encroaching on a public right-of-way.

7.7.3 The location of *street* access to or from any off-street loading area shall be subject to approval by the *City Engineer*.

7.7.4 Where a *lot* is 15 m (49.2 ft) or greater in width and has a *rear yard* which adjoins a constructed public *lane* for a distance of not less than 15 m (49.2 ft), the *rear yard* may serve as a *loading space*.

7.7.5 Where a lot is less than 15 m (49.2 ft) in width and has a rear yard which adjoins a constructed public lane, the rear yard may be

utilized in conjunction with the rear yard of an adjoining lot as a loading space.

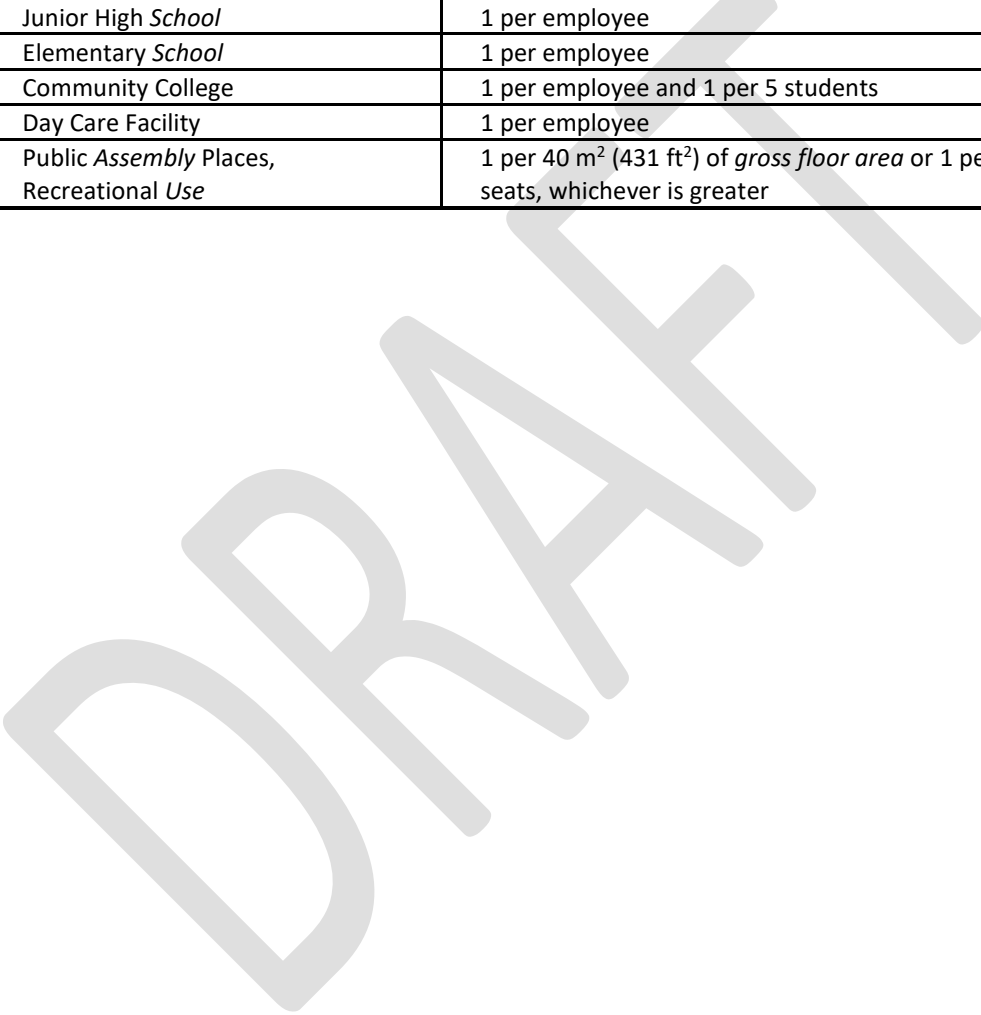
7.8 Required Amount of Off-Street Loading

- 7.8.1** For the purposes of 7.8, *gross floor area* shall include the floor area of *accessory buildings* and *basements*, except where they are used for parking, heating, or storage.
- 7.8.2** Where there is more than one *use* or tenant in a *building* or *lot* and all such *uses* and tenants have adequate access to common loading facilities, the required off-street loading shall be determined by calculating the requirements of the sum of the *gross floor area* of the different *uses* and/or tenants.
- 7.8.3** For *retail*, industry, warehouse and other similar *uses*, not less than 1 off-street loading space shall be provided for every 2000 m² (21,529 ft²), or portion thereof, of *gross floor area*.
- 7.8.4** For an *office building*, place of public *assembly*, hospital, institution, *hotel*, *club* or *lodge*, auditorium, *public utility*, *school*, or other similar *uses*, not less than 1 off-street loading space shall be provided for every 3000 m² (32,293 ft²), or portion thereof, of *gross floor area*.

7.9 Required Amount of Parking

Residential Use	Required Parking Spaces
Single detached dwelling	2 parking spaces plus 1 extra parking space where the home is operating as a provincially licensed Group Home
Semi detached dwelling	4
<i>Suites or carriage house</i>	1 space per unit
<i>Supportive housing</i> , and <i>Community Care Facilities</i> with a maximum of 4 residents	1 space per 4 resident rooms, plus the single <i>detached dwelling</i> requirements
<i>Bed and Breakfast</i>	1 per guest room, plus the single <i>detached dwelling</i> requirements
<i>Community care facility</i> ; Seniors housing	1 space per 3 resident rooms or <i>dwelling</i> units, plus 15% of total number of rooms designated as visitor and staff parking
Mobile-Home, Modular-Home	2 per unit
Multi-residential dwellings	1.25 per <i>dwelling</i> unit
<i>Dwelling Unit</i> in Commercial Zones*	1.25 per <i>dwelling</i> unit

*For C7 (Core Business) zone requirements, see Section 7.1.4 and 5.24.3(e)	
Boarding, Lodging House	1 per <i>dwelling or sleeping unit</i>
Institutional Use	Required Parking Spaces
Hospital, Extended Care Housing for Seniors, Personal Care Homes	1 per 2 employees and 1 per 5 beds
<i>Place of Worship</i>	1 per 10 seats plus 1 per 20 m ² (215.3 ft ²) of floor area used for <i>offices, recreation or assembly</i>
Senior High <i>School</i>	1 per employee and 1 per 10 students
Junior High <i>School</i>	1 per employee
Elementary <i>School</i>	1 per employee
Community College	1 per employee and 1 per 5 students
Day Care Facility	1 per employee
Public <i>Assembly Places, Recreational Use</i>	1 per 40 m ² (431 ft ²) of <i>gross floor area</i> or 1 per 4 seats, whichever is greater



Commercial Use	Required Parking Spaces
<i>Cannabis Production Facility</i>	<i>1 per employee or 1 per 190 m² (2045 ft²) of gross floor area, whichever is the greater</i>
<i>Public Utility Office</i>	1 per employee
<i>Public Service Office</i>	1 per 35 m ² (377 ft ²) of <i>gross floor area</i>
Gasoline Service Station and Motor Vehicle Repair Shop	1 per 2 employees plus 2 per service bay
<i>Retail Store</i>	1 per 30 m ² (323 ft ²) of <i>retail floor area</i>
<i>Convenience Store</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Furniture Store	1 per 200 m ² (2153 ft ²) of <i>retail floor area</i>
<i>Shopping Centre</i> (containing more than 10 stores)	1 per 17 m ² (183 ft ²) of gross leasable floor space
Automobile Sales and Service	1 per 70 m ² (753 ft ²) of <i>gross floor area</i> plus 1 per service bay plus 1 per 2 employees
<i>Office</i>	1 per 35 m ² (377 ft ²) of <i>gross floor area</i>
Bank or Other Financial Institution	1 per 45 m ² (484 ft ²) of <i>gross floor area</i>
Laundromat	1 per 20 m ² (215 ft ²) of <i>gross floor area</i>
<i>Personal Service Shop</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Medical and Dental <i>Office</i> or Clinic	1 per 35 m ² (484 ft ²) of <i>gross floor area</i>
<i>Veterinary Office</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Funeral Home	1 per 4 seats
<i>Hotel, Motel or Motor Hotel</i>	1 per unit and 1 per 5 seats in a restaurant and the like or bar and the like
Nightclub, Lounge, Public House, <i>Drive-Through</i> and <i>Drive-In</i> Restaurant	1 per 5 seats 10 minimum for drive-in facility
Warehouse Facility	1 per 200 m ² (2153 ft ²) of <i>gross floor area</i>
Motion Picture Theatre	1 per 10 seats
Billiard and Pool Hall	1 per table
Bowling Alley	3 per lane
<i>Amusement Establishment</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Golf Course	40 spaces per 9 holes
Marina	1 per employee plus 1 per 3 berths
Health and Fitness Facility	1 per 15 m ² (161 ft ²) of <i>gross floor area</i>
Restaurant	1 per 4 seats
Industrial Use	Required Parking Spaces
<i>Cannabis Production Facility</i>	<i>1 per employee or 1 per 190 m² (2045 ft²) of gross floor area, whichever is the greater</i>
<i>Manufacturing and Industrial Use</i>	1 per 3 employees or 1 per 100 m ² (1076 ft ²) of <i>gross floor area</i> , whichever is the greater
<i>Medical Marihuana Facility</i>	1 per employee or 1 per 190 m ² (2045 ft ²) of <i>gross floor area</i> , whichever is greater
<i>Mini-storage Facility</i>	1 per 200 m ² (2153 ft ²) of <i>gross floor area</i>
Wholesaling	1 per 200 m ² (2153 ft ²) of <i>gross floor area</i>
Storage Area or Yard	1 per 200 m ² (2153 ft ²) of <i>lot area</i>

8. Comprehensive Development Zones

Comprehensive Development zones are usually site specific and often create a package of Zoning standards unique to that site.

CD1 – Comprehensive Development – Uplands Phase 2 – Burde Street

- 8.1.** The purpose of this one is to provide for varying lots sizes, for single detached dwellings, and to retain and preserve the environmentally sensitive area of the site.

8.1.1 Permitted Uses

Principal Uses

Single detached dwelling
Parks and playgrounds
Natural areas

Accessory Uses

Bed and breakfast
Home occupation
Secondary suite
Supportive housing

8.1.2 Site Development Regulations

Minimum Lot Area

<i>Single detached dwelling</i>	350 m ²	(3,767 ft ²)
<i>Single detached dwelling with Bed and breakfast</i>	600 m ²	(6,458 ft ²)
<i>Single detached dwelling with Secondary suite</i>	600 m ²	(6,458 ft ²)
<i>Single detached dwelling with Supportive housing</i>	600 m ²	(6,458 ft ²)

Minimum Frontage

<i>Single detached dwelling</i>	10 m	(32.6 ft)
<i>Single detached dwelling with Bed and breakfast</i>	15 m	(49.2 ft)
<i>Single detached dwelling with Secondary suite</i>	15 m	(49.2 ft)
<i>Single detached dwelling with Supportive housing</i>	15 m	(49.2 ft)

Minimum Setbacks

<i>Front Yard</i>	7.5 m	(24.6 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.0 m	(16.4 ft)
<i>Rear Yard</i>	9.0 m	(29.5 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.5 m	(18.0 ft)
<i>Side Yard</i>	1.5 m	(4.9 ft)

Maximum Coverage

	40%
OR on lots less than 600 m ² (6,458 ft ²)	50%

Maximum Floor Area Ratio

	0.5 m	
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)
Maximum Number of Principal <i>Building Storeys</i>	2.5	
Maximum Number of <i>dwelling units</i> per lot	2	

OR on lots less than 600 m² (6,458 ft²)1**8.1.3** Conditions of Use

- a) Notwithstanding the provisions of 8.1.2:
 - i. On a corner lot, the side yard by the flanking street must be not less than 3.5 metres (11.5 ft.) wide.
 - ii. For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 metres (9.8 ft.) for one side yard.
- b) For supportive housing, the maximum number of persons in care shall not exceed four (4)
- c) Only one of the three (3) following accessory uses is permitted on any lot: bed and breakfast OR secondary suite OR supportive housing.
- d) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a highway other than a lane is 5.8 metres (19 ft.).
- e) The Principal Uses 'Parks and Playgrounds' and 'Natural areas' are permitted only on property owned by the City of Port Alberni.

8.1.4 Fencing and Signage of Environmentally Sensitive Areas

- a) A minimum fence height of 1.8 m (6ft) shall be required along all residential property boundaries adjacent to environmentally sensitive areas and shall be designed to protect those areas
- b) Facing each residential lot, standard signage shall be required to identify environmentally sensitive areas

**CD2 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL
INFILL – 4738 Athol Street**

8.2 The purpose of this zone is to provide for rental-oriented multi-family in-fill development in the Uptown neighbourhood at 4738 Athol Street.

8.2.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.2.2 Site Development Regulations

Minimum Lot Area	443 m2	(4,768 ft2)
Minimum Frontage	12 m	(39.4 ft)
Maximum Coverage	58%	
Minimum Setbacks:		
Front yard	3.5 m	(11.5 ft)
Rear yard	5.0 m	(16.4 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	1.34	
Maximum Height, Principal Building	13.7 m	(45.9 ft)
Maximum Number of Principal Building Storeys	3	

8.2.3 Conditions of Use

- (a) Occupancy of dwelling units is restricted to Residential Rental Tenure.
- (b) Notwithstanding any other provision of the Bylaw, on-site parking shall be provided at a rate of one (1) space per dwelling unit.
- (c) Notwithstanding any other provision of the Bylaw, up to two (2) parking spaces may be Small Car parking spaces.
- (d) Notwithstanding any other provision of the Bylaw, the amount of useable open space required shall be 169 m2.
- (e) Notwithstanding any other provision of the Bylaw, the amount of useable open space required may consist exclusively of roof garden areas, private balconies, and private patios.
- (f) Permanent roof top structures are not permitted except where required for access.
- (g) Home occupation as a permitted use is restricted to office space for a business which is lawfully carried on at another location.

***CD3 – COMPREHENSIVE DEVELOPMENT – MULTI FAMILY RESIDENTIAL
INFILL – 4835 & 4825 BURDE ST. AND 3614 & 3618 5TH AVE.***

8.3 The purpose of this zone is to provide for in-fill development of multi-family residential rental units.

8.3.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.3.2 Site Development Regulations

Minimum Lot Area	789.7 m ²	(8,500 ft ²)
Minimum Frontage	20.7 m	(68.0 ft)
Maximum Coverage	50%	
Minimum Setbacks:		
Front yard	3 m	(9.84 ft)
Rear yard	8 m	(26.25 ft)
Side yard (to street or neighbour)	5 m	(16.4 ft)
Side yard (to Lane)	2 m	(6.56 ft)
Maximum Floor Area Ratio	1.0	
Maximum Height, Principal Building	12.5 m	(41.0 ft)
Maximum Number of Principal Building Storeys	3	

8.3.3 Conditions of Use

- (a) Occupancy of dwelling units is restricted to *Residential Rental Tenure*.
- (b) Notwithstanding any other provision of the Bylaw, on-site parking shall be provided at a rate of one (1) space per dwelling unit.
- (c) Notwithstanding any other provision of the Bylaw, up to eight (8) parking spaces may be Small Car parking spaces.
- (d) Groups of multiple family dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- (e) Notwithstanding any other provision of the Bylaw, useable open space may be provided in a required front yard.
- (f) Home occupation as a permitted use is restricted to office space for a business which is lawfully carried on at another location.
- (g) Notwithstanding Section 6.8.2, waste bins must be screened on three sides at a height not less than 1.5 m and not more than 1.85 m.

Schedule A: Zoning Map

DRAFT



CITY OF
PORT ALBERNI



ZONING BYLAW MODERNIZATION PUBLIC FEEDBACK SURVEY REPORT

RESULTS

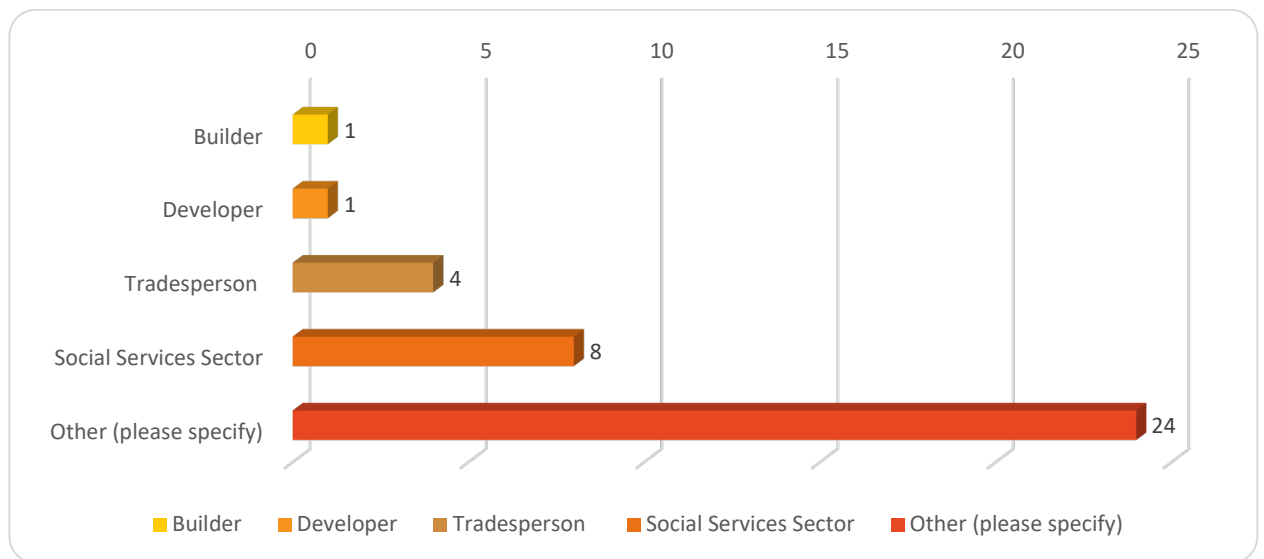
- 40 people completed the Zoning Bylaw Survey
- Survey was open between March 17 - 27, 2023

ANALYSIS

Overall, there was a majority of support for each section presented for feedback. The section that was not as strongly supported as others was the General Regulations section. This section proposes to clarify requirements for shipping containers on private property. Staff have responded to each of the comments provided by participants.

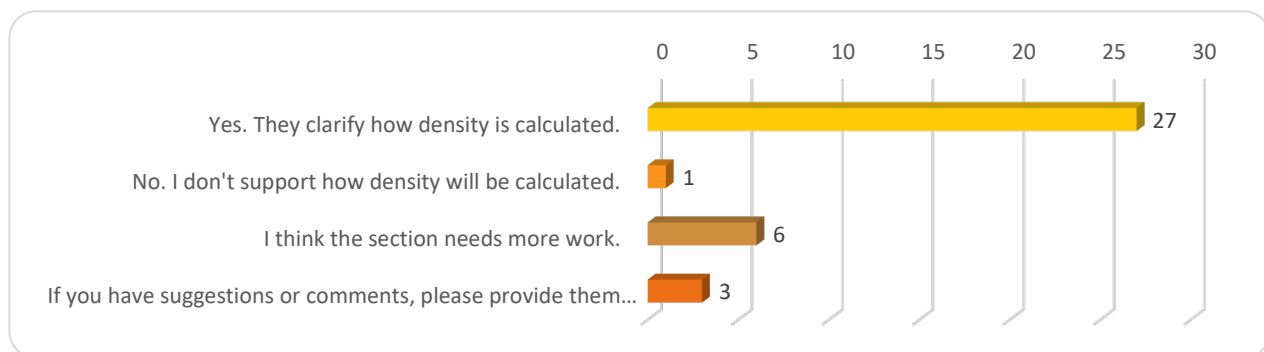
INDUSTRY PARTICIPATION AND RESIDENCE

90% of the respondents are from Port Alberni.



SECTION 3 – USER GUIDE AND ADMINISTRATION

The proposed density calculation changes were clear for the majority of participants.



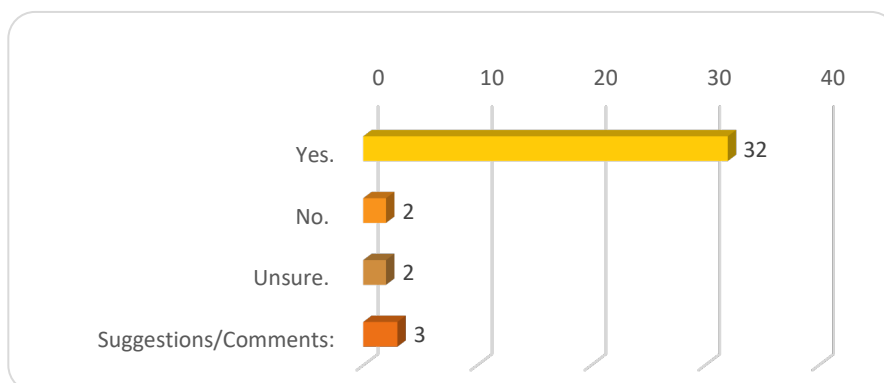
Comments

Three comments were provided by respondents. *Italicized text are responses from staff.*

- Single detached home designation should be abolished as has been done in many cities to ensure this low-density form of housing is phased out in time.
 - *Thank you for this comment. We recognize that planning practices are moving in this direction and this will be noted for the more comprehensive review.*
- Why are secondary suites not included in calculation of density considering use of water, power, waste pick up, parking, effects on air quality, etc.
 - *Historic capacity modelling has used larger number of occupants per household. Current household occupant numbers have decreased (for example from 4 people to household to approximately 2 people per household today). Therefore, there is no increase to additional suites being added. The addition of secondary suites also assists with providing an affordable type of housing.*
- Many different ways to calculate and define density, which is such an important definition as density can't be varied. I didn't see density in the list of definitions being updated. Is it also being updated in addition to this new section being added? I've also seen it worded this way: Where the calculation of allowable density results in a fractional unit, any fraction that is: a. less than one-half (0.5) shall be disregarded; and b. one-half (0.5) or greater shall be considered equivalent to one. Not sure if this wording is quite there yet, but I'll leave it with the team to determine.
 - *We acknowledge this method has been used for some municipalities. We have proposed that if it is fractional, it will be rounded up the nearest whole unit to simplify implementation.*

SECTION 4 – NEW DEFINITIONS

NEW definitions have been added to the proposed Zoning and include: Accessory Dwelling Unit, Affordable Housing, Ambulance Station, Animal Shelter, Carriage House, Emergency Shelter, Extreme Weather Shelter, Fire Hall, Garden Suite, Garden Centre, Household, and Market Housing.



82% of participants support the addition of the NEW definitions

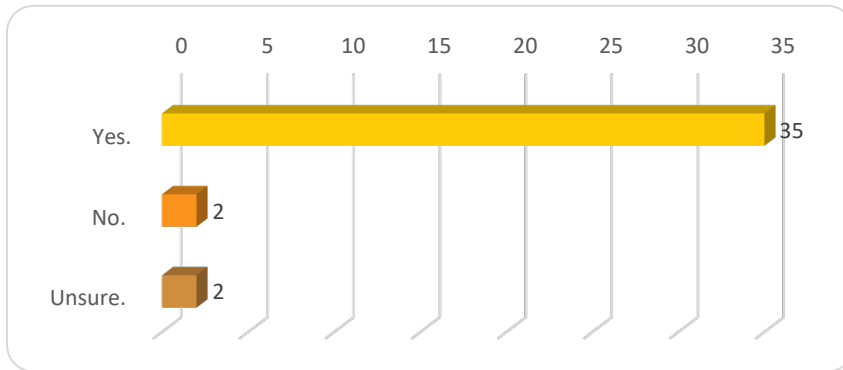
Comments

Three respondents provided comments:

- Carriage house should NOT be confined to strictly a dwelling above a garage. With the height restrictions we have very few will be eligible.
 - *The residential zones permit a 10 metre building height and this will allow for construction of a carriage house.*
- The two shelter definitions need 'homeless' replaced with 'homelessness' and the household definition should read 'up to 5 people'.
 - *Thank you for this comment. The definitions have been revised.*
- What if CMHC or BC Housing updates their definition of affordable housing, and you've included their exact definition, then you'd need to amend the Zoning Bylaw. Do most other Zoning Bylaws include this exact, specific definition?
What do “spaces” mean in extreme weather definition?
There are many different ways to define GFA. Could also add to clarify if basements are included? There are also different ways to measure (ie. from outer wall or from interior finished surfaces, etc.). Do definitions consider the BC Building Code? I've also seen decks, attics, and other areas/items excluded. For multi-family are common stairwells and corridors excluded?
Not sure all those exclusions need to be listed in FAR.
Hotel: could clarify on the same lot, and not for residential use?
Household: end after single group?
Lot coverage: how are buildings/structures measured?
Modular home could be shortened. Look at other LG examples.
 - *Flexibility has been written into the proposed definitions to allow for any changes to other agencies' definition changes. "Subject to change by BC Housing or CMHC"*

SECTION 4 – ADDED DEFINITIONS

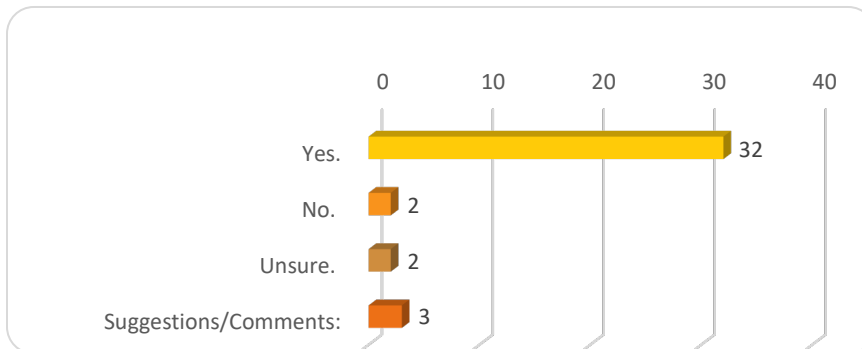
Several topics are mentioned in the existing Zoning Bylaw 4832 but not defined. The following definitions are proposed to be ADDED: Helipad; Lot Coverage; Marina; Police Station; Printing, Publishing and Allied Industry; Professional Service; Restaurant; Subsidized Housing; Theatre; and, Wholesale.



90% of respondents supported the proposed ADDED definitions

SECTION 4 - UPDATED DEFINITIONS

Several definitions have been updated to reflect current legislation and context. UPDATED definitions include: Accessory Building; Dwelling Unit; Floor Area, Gross; Floor Area Ratio; Hotel; Housing Agreement; Live-Work; Mobile Home; Modular Home; Parking Space; Personal Service; Principal Use; Recreational Vehicle; School; Secondary Suite; Supportive Housing; Transitional Housing; and, Useable Open Space.



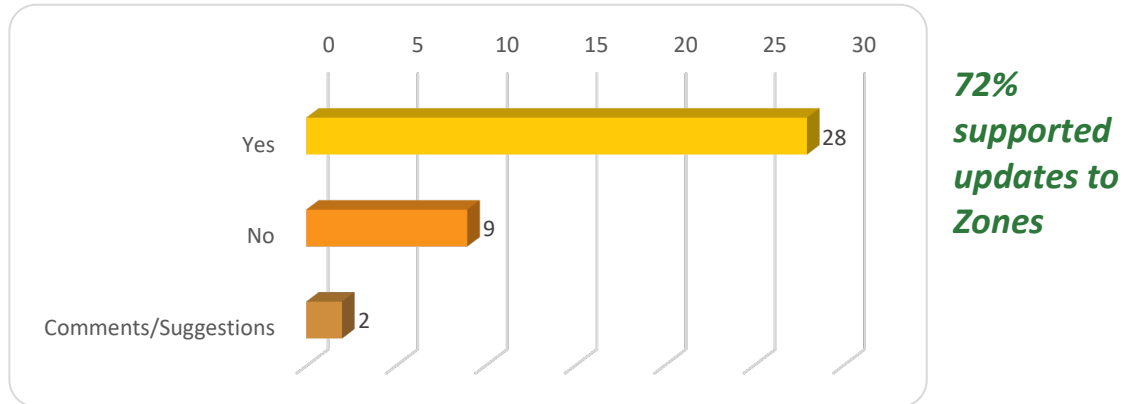
84% of respondents support the UPDATED definitions.

Comments

- Hotel - kitchen units - are they allowed? Fridge/Coffeemaker/Microwave or is this restricted to motels due to the Fire Departments ability to access should there be a cause?
 - *Under the proposed definition, a hotel can still have a fridge, coffee maker or microwave*
- "Mobile homes" are not necessarily 'mobile' after being located in one place for a number of years. Redefinition of the term is required.
 - *Mobile homes are defined based upon construction specifications and noted in the definition. How they are placed on the property determines if they are permanent or not.*

SECTION 5 - ESTABLISHMENT OF ZONES

Section 5.5 Permitted in all Zones has been updated to include daycare as a permitted use.



Comments

Two comments were provided by respondents:

- Yes, but is in home daycare limited to a maximum number of children as per provincial licensing?
 - *The daycare would have to meet the provincial requirements for operating and require a business licence.*
- Does this mean you can have Daycare in an industrial zone (Light & Heavy Industry)? Not sure about safety in these areas (Fire/police/ambulance) for accessibility.
 - *The idea is for the employer to be able to provide a safe place for a daycare should they wish to offer this service for their employees. Any daycare would have to meet provincial health and safety requirements to obtain a business licence.*

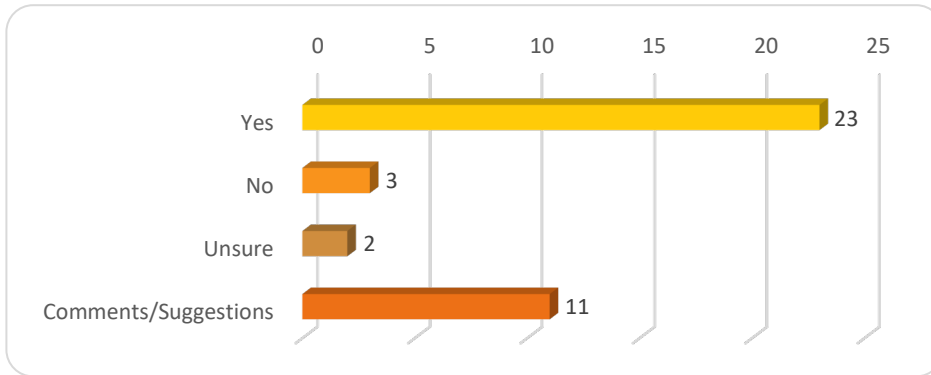
SECTION 6 - GENERAL REGULATIONS NEW SECTIONS

NEW sections to General Regulations proposed include:

6.22.2 Carriage Houses - added to enable Carriage Houses on property according to conditions.

6.22.3 Garden Houses - added to enable Garden Houses on property according to conditions.

6.29 Shipping Containers - provides basic regulation for Containers (commonly referred to as shipping container, or sea cans.). Placement limited to industrial zones unless used for storage during construction in accordance with a Building Permit.



59% of participants supported the NEW General Regulations changes.

Comments

This topic received several comments and suggestions:

Shipping Containers

- With the changes to Containers, they should be allowed on any property. They are used for storage, etc. As long as they are in the back yards, anyone should be able to have a container.
 - *Storage containers are not a building, and are not considered an accessory dwelling unit as defined in the Zoning Bylaw.*
- I don't think sea cans should be removed from residential properties. Treated as any other accessory structure. Make sure setbacks and percentage of properties are followed of course. But seems like a affordable and sustainable structure. While also recycling something that might have been melted down and repurposed into something that might end up not getting used or added to the landfill.
 - *Storage containers are not a building, and are not considered an accessory dwelling unit as defined in the Zoning Bylaw.*
- Other municipalities allow containers permanently. Can some stipulation such as additional siding be considered?
 - *While some municipalities may allow permanent containers in Industrial zones with landscaping and treatments like siding and roofs, these would be defined in a Development Permit Area (DPA). Staff will review this in the Comprehensive Zoning Bylaw update after the new Official Community Plan has been adopted.*
- In other communities such as Vancouver, sea cans are used for accommodation. Will this not be a viable option in Port Alberni?
 - *Containers are not considered a residential structure under the BC Building Code. Any adaptations to them must be undertaken with a code compliance professional and are usually temporary in nature for emergency shelter. The*

City of Vancouver is under a Charter and has different authorities than the City of Port Alberni has under the Local Government Act.

- Many areas are now using Containers as a cost-effective way of building homes and businesses. Why is it being limited to industrial zones?
 - *Containers are considered to be a non-habitable structure and are intended for storage, as such meet the definition of an Industrial use.*
- Not sure what the issue with containers is. Self storage is at a premium in town if you can even get it. I know several people who need temporary storage solutions like when someone has a complex move or needing to store things for a business coming in to town. Moveable containers seem like a good system, less carbon intensive than building a storage building, portable. Why not just make placement rules like with trailers which are everywhere (with people living in them)?
 - *Proposed regulations would allow a container to be used for construction with a Building Permit.*
 - *Containers are not habitable buildings.*
- I support the carriage house and garden suite definitions but containers are an economical, long lasting, rodent-, bear- and rain-proof option for storage...they should be allowed indefinitely if clad and roofed in appropriate materials to make them look like approved accessory buildings (i.e. sheds or garages).
 - *Please see above responses.*

Density and Carriage Houses, Garden Suites

- This effort to increase density in town is long overdue and brings us in line with modern thinking and land use
 - *Thank you for your comment.*
- It would be great to know what zones these helpful housing additions will be applied to
 - *They will be applied to R1, R2 and R3 zones.*
- The current wording limits a carriage house or garden suite to only 422 s.f. when a merely 1056 s.f. bungalow currently exists on the lot as the single detached dwelling in an R1 zone. Such lot is a narrow lot with only 44' of frontage but more than ample length to provide a rear garden suite or carriage house with 633 s.f. (50% more) habitable living space with laneway access. Please amend the wording to consider lots and their layout individually in determining appropriate maximum gross square footage of additional dwellings (garden or carriage) on same.
 - *There have been adjustments made to minimum lot size, setbacks, and lot coverage to create flexibility in dwelling layouts in R1, R2, and R3. This is to encourage gentle infill.*
 - *The 40% limit to gross floor area is to ensure the garden house or carriage suite remains accessory to the principal building, and is not a second house. Staff will reevaluate during the comprehensive Zoning Bylaw update after the new Official Community Plan has been adopted.*

- The carriage houses and garden houses seem wordy and complicated. Any way to simplify? Shipping containers are becoming a very hot topic. I'd check recent updates or proposed updates to other LG ZBs to see if any other things should be considered. Agree not to permit in Residential zones, except during construction with a BP.
 - *Thank you for your comment we will review to see if we can simplify given legislative requirements.*

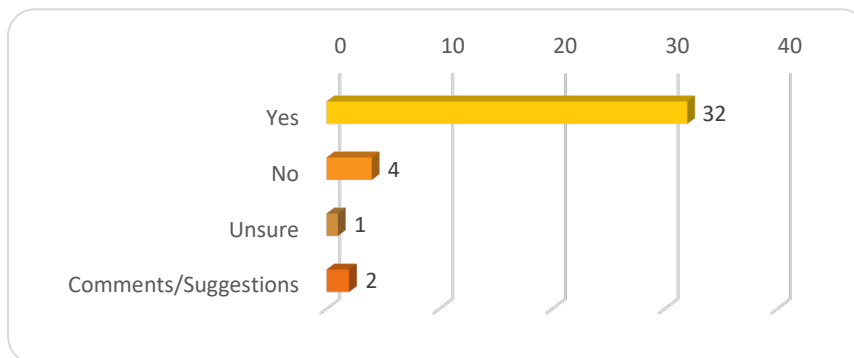
SECTION 6 - GENERAL REGULATIONS - UPDATED SECTIONS

UPDATED General Regulations proposed include:

6.15.6 Home Occupation - to permit business conducted entirely online. Relevant to business licensing.

6.22.1 Secondary Suites - to provide for greater flexibility and opportunities for gentle infill within the community. Allow for the diversification of housing rental and aging in place options. Allow for mortgage helpers for first time home buyers.

6.28 Density Bonusing - to reflect the legislative best practice for density bonusing. To create greater clarity for the administration of regulations.



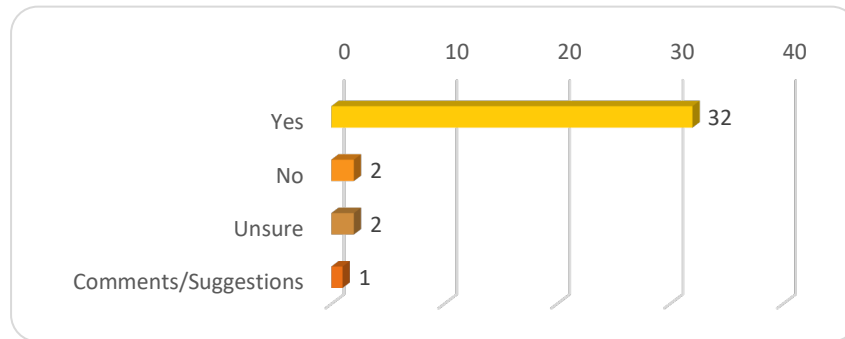
82% of respondents support the UPDATED General Regulations changes

Comments

- Could it become problematic to permit secondary suites in all townhouses, or should there be a maximum number per development? Best to check other LG examples.
 - *The British Columbia Building Code permits secondary suites in townhouse and duplex dwelling units ONLY if it's a single real estate entity, which means it would have to be subdivided and individual titles raised according to the Code. This will limit where secondary suites can be introduced.*

HOUSEKEEPING

Housekeeping changes are proposed to clean up the bylaw, provide consistency and alignment across multiple sections of the bylaw.



87% of respondents supported the housekeeping changes

Comments

- I do agree with updates to remove "family dwelling".
 - *Thank you for your comment.*

The following additional comments were provided by respondents to the Zoning Bylaw Survey:


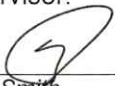

- There should be more clarity on zoning permissions for short term (ie air bnb rentals.)
 - *Staff will be working on this issue as part of the comprehensive zoning bylaw update after the new Official Community Plan is adopted.*
- Open up small artist and hobby welders from home
 - *Thank you for this comment, there are BC Building code considerations for this use that must be considered in the Home Occupation definition.*
- Property taxes are high enough as it is - use these \$\$\$\$ on upgrades to City infrastructures like street repair and not on a Quay to Quay pathway!!
 - *Thank you for your comment.*
- The section on occupants of a single family dwelling is not inclusive of unmarried couple and/or roommate situations and should be readjusted.
 - *The definition reflects this.*
- Am pleased to see that this has started outside of the OCP and sensibly enough is separated from it. Much of this is long overdue housekeeping in nature after all we need carriage homes
 - *Thank you for your comment.*
- Parking requirements need be reviewed as there is a shift to less reliance on the automobile and more reliance on public transit.
 - *Yes, many cities are exploring this concept in reforming zoning bylaws, and staff will be looking at this in the comprehensive zoning bylaw update after the new Official Community Plan is adopted.*
- Great to see updates related to housing typologies such as carriage houses and garden houses. Please provide details to the group real public about the applicable zones.

- *Thank you for your comment.*
- Allow 5 story plus on lower argyle
 - *Thank you for your support*
- Not sure of the wording. Is it women "Feeling Abuse" of "Fleeing Abuse"
 - *Thank you for your comment*
- No suggestions just felt the adjustments were well thought out considering where housing considerations need to go. Also support residential infill and it, in my opinion, would be workable and acceptable to many in the community. Well done!
 - *Thank you for the support.*
- Again, I would strongly suggest removing future zoning for and phasing out all Single Family Residential Zoning (including R1, R2 and R3)
 - *Thank you for your comment we will consider in the comprehensive zoning bylaw update and as part of the OCP update.*
- Just to say that I am all for increasing density. However density growth must be balanced by increased protection of natural areas and open recreational space. It's what makes the Alberni Valley special, it's good to remember this as we grow.
 - *This will be considered in the OCP update to establish development permit areas that will limit development.*
- I am very strongly against any reduction of setbacks, lot size and any further densification in zone R1.
 - *Thank you for your comment.*
- Lets ban Airbnb, we have a housing crisis here as well as everywhere else these days. Housing should be for single's and families to live in, not for short term rentals. There are hotels and motels for that.
 - *We will be looking at short term rentals in the comprehensive zoning bylaw update.*
- Maybe double check on areas on updating Bylaws instead of completely changing it maybe revamp the byelaw a bit since it hasn't been updated since 1976 in some areas slightly add new features and don't completely change the law in rule areas that haven't.
 - *Thank you for your comment.*
- I agree to density and increasing legal housing, but removing the clause that home owners must reside on site will result in the deterioration of the community. I also dislike daycares being able to operate in residential zones.
 - *Thank you for your comment.*
- Thanks for this, it's a great start to have a more current, easier to read/understand Zoning Bylaw.
 - *Thank you for your support.*
- Also, for multi-family density by floor area, this makes me think of the micro suite (and tiny house) trend which seems like it could be strategically applied by developers in a bylaw such as this. Micro housing offsets some quality of life aspects onto municipal services, is this bylaw ready for that?
 - *This modernization of the zoning bylaw is not considering Micro housing and this will be discussed with the OCP update and the future comprehensive zoning bylaw.*
- I work in green tech graphics and the trend as we get to net-negative energy over the years has been towards increasingly detailed calculators, higher data density.

Depending on how long this bylaw is supposed to last, it seems important to ensure these equations are detailed which can lead to more accuracy in assessing success.

Thank you for your comment.

Date: June 19, 2023
 File No: 3360-20 2846 4th Ave
 To: Mayor and Council
 From: M. Fox, CAO
 Subject: **DEVELOPMENT APPLICATION – OCP and Zoning Bylaw Amendments at 2846 4th Avenue, Port Alberni**
 LOT 6 BLOCK 57 DISTRICT LOT 1 ALBERNI DISTRICT PLAN 197-B (PID: 000-845-795)
 Applicant: Woodward’s Village Inc.

Prepared by:  Brian McLoughlin, Manager of Planning	Supervisor:  Scott Smith, Dir. of Development Services Deputy CAO	CAO Concurrence:  M. Fox, CAO
---	---	--

RECOMMENDATION[S]

1. THAT “Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023” be read a third time.
2. THAT “Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023” be read a third time.
3. THAT “Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5078.
4. THAT “Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5079.

PURPOSE

To consider Official Community Plan (OCP) amendment bylaw 5078, and Zoning amendment bylaw 5079 that would enable a four-unit townhouse development at 2846 4th Avenue. The proposal includes a new *TH1 Townhouse Multi-family* zone that would create opportunities for ‘missing middle’ housing in the Southport Neighbourhood, along with OCP design guidelines to regulate this form of development.

BACKGROUND

Zoning Bylaw 2014 No. 4832 regulations are not aligned with the dimensions of many “historically created” lots in the Southport area. Specifically, lot sizes and frontages are too small to permit development without a variance or rezoning application. This is a barrier to housing development, and places greater administrative burden on staff and Council. The subject property at 2846 4th Avenue is an historic lot (44’ x 125’), and staff have worked with the applicant on options for multi-family townhouse development. There are approximately 341 lots in the City with similar 44’ x 125’ dimensions. All but one (1) of these lots is located in the Southport area, with 80 located within the Uptown District.

Subject Property and Site Context

The subject property is located at the southern edge of the Uptown District where land use transitions from commercial to residential. The property is currently vacant, but was formerly a commercial parking lot.

Location	On the east side of 4 th Avenue mid-block between Mar Street and Montrose Street.
Current Land Use	General Commercial
Current Zoning	C7 Core Business
Proposed Land Use	Multi-family Residential
Proposed Zoning	TH1 Townhouse Multi-family
Total Area	511 m2 (5,500 ft ²)
Official Community Plan (OCP)	<ul style="list-style-type: none"> • Schedule A - Land Use Map • Schedule B - Development Permit Areas Map • Section E Implementation – 1.0 Development Permit Areas • Section D Plan Policies – 4.0 Residential • Section D Plan Policies – 4.3 Multi-family Residential (MFR)
Relevant Guidelines	<ul style="list-style-type: none"> • Uptown District Revitalization Strategy

Figure 1 – Subject Property Map



ALTERNATIVES/OPTIONS

1. THAT “Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023” be read a third time.

THAT “Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023” be read a third time.

THAT “Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5078.

THAT “Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5079.

2. Council may defeat third and final readings which means the application does not proceed.

IMPLICATIONS

Supporting the proposed bylaw amendments would enable a four-unit townhouse building at 2846 4th Avenue, and create a new standard zone for townhouse development in Port Alberni. The proposed TH1 zone is an option for infill development on historic properties that cannot be developed under existing Zoning Bylaw regulations.

Enabling townhouse infill development will increase the variety of available housing in Port Alberni. The proposed amendments also align with the Government of BC’s *Homes for People* action plan announced on April 3, 2023 that will reduce barriers to developing small-scale multi-unit homes. The Province will introduce legislation this year with changes to zoning that will allow 3 – 4 units on traditional single-family detached lots.

The new OCP (in progress) will add more policy specific to “missing middle” housing and townhouse development, and will guide how the TH1 zone is applied in the future.

COMMUNICATIONS

At the Regular meeting on April 24, 2023 Council gave 1st and 2nd Readings to the amending bylaws, and advanced the bylaws to a Public Hearing. The Public Hearing was held on May 23, 2023.

Public Hearing

Prior to the Public Hearing, staff completed all required statutory notifications including mailed letters to all owners and occupants of property within 75 metres of the subject property as specified in *Development Application Notice Bylaw No. 4614*. Notices were also placed in the newspaper as required by sections 465 and 466 of the *Local Government Act (LGA)*. Eighty-four (84) letters were mailed and four (4) letters of correspondence were received in response to the Public Hearing notice.

The Public Hearing was attended by residents who stated concerns regarding the development and how it may impact their properties. Details are in the attached Public Hearing Minutes. Below is a summary of concerns:

- Housing tenure (rental occupancy vs owner occupancy)
- Privacy, including screening/fencing on the south property line;
- Parking, including the size of spaces, laneway access, and use of the street;
- Building height, and the style of roof;
- Solid waste collection.

Staff Notes:

- The Zoning Bylaw and OCP development permit area guidelines contain requirements for site access, parking, and screening which will be addressed in greater detail during the Development Permit review process;
- Building form and character, including the roof style, will be reviewed for the Development Permit according to the multi-family development guidelines in Section E of the OCP;
- The applicant has committed to updating the site plan with fencing at the south property line to enhance screening;
- Additional analysis of vehicle movements regarding the laneway and parking spaces will be required during Development Permit review.

BYLAWS/PLANS/POLICIES

1. Official Community Plan Bylaw No. 4602

Below is a summary of proposed amending bylaw No. 5078:

- a) Change the OCP land use designation of 2846 4th Ave from ‘General Commercial to ‘Multi-Family Residential’.
- b) Change the Development Permit Area of 2846 4th Ave from ‘No. 2 Commercial Development’ to ‘No.1 Multiple Family Residential’ in the OCP.
- c) Add new townhouse design guidelines to the text of ‘Development Permit Area No.1 Multiple Family Residential’.

2. Zoning Bylaw 2014 (Bylaw No. 4832):

Below is a summary of proposed amending bylaw no. 5079:

- a) Add new ‘TH1 Townhouse Multi-family’ zone text to *Section 5 – Establishment of Zones*.
- b) Change the classification of 2846 4th Ave from ‘C7 Core Business’ to ‘TH1 Townhouse Multi-family’ on the Zoning Bylaw map.

3. Uptown District Revitalization Strategy (UDRS):

Proposed TH1 zone aligns with the following objectives of the UDRS:

1.12	<i>Economic Development: “Prioritize density in new housing developments to promote walkability and local shopping”.</i>	<ul style="list-style-type: none"> • <i>Increase the number of people living in proximity to the commercial areas in Uptown</i>
-------------	--	--

The application also aligns with *Poverty Reduction* opportunities identified by the UDRS regarding the following (p. 15):

- *More housing diversity*
- *Increase in housing options*
- *City pursues innovative affordable housing development and protects existing affordable housing stock*

SUMMARY

Staff recommend Official Community Plan Amendment Bylaw No. 5078, and Zoning Amendment Bylaw No. 5079 be given third reading and final adoption.

The proposed amendments to the OCP and *Zoning Bylaw No. 4832* would enable a four-unit townhouse at 2846 4th Avenue. The proposal includes a new *TH1 Townhouse Multi-family* zone, and additional townhouse design guidelines in the Multi-Family Development Permit Area. The proposed amendments align with the following City policy:

- OCP Section D: 4.3.4 on re-designation of lands as Multi-Family Residential.
- *Uptown District Revitalization Strategy* objectives for housing affordability and economic development.
- Council's strategic priority 5.1.2 of fostering a complete community by encouraging infilling of vacant lots.

The proposal will also enable more 'missing middle' housing and infill development to align with the Government of BC's *Homes for People* action plan and forthcoming housing legislation.

ATTACHMENTS/REFERENCE MATERIALS

- Public Hearing Minutes | May 23, 2023
- Staff Report to Council | April 6, 2023

C: *D. Monteith, Interim Director of Corporate Services*
A. McGifford, Director of Finance

PUBLIC HEARING REPORT
Tuesday, May 23, 2023 @ 6:00 PM
In the City Hall Council Chambers | 4850 Argyle Street, Port Alberni, BC

PRESENT: Mayor S. Minions
Councillor D. Dame
Councillor J. Douglas
Councillor D. Haggard
Councillor C. Mealey
Councillor T. Patola
Councillor C. Solda

Staff: S. Smith, Director of Development Services | Deputy CAO
D. Monteith, Interim Director of Corporate Services
B. McLoughlin, Planner II
S. Darling, Deputy Director of Corporate Services

Gallery: 7

CALL TO ORDER & APPROVAL OF THE AGENDA

The meeting was called to order at 6:00 pm.

MOVED AND SECONDED, THAT the agenda be approved as circulated.

CARRIED

Chair Minions noted that the Public Hearing is held pursuant to section 464, 465 and 466 of the *Local Government Act*. Chair Minions then invited the Interim Director of Corporate Services to provide a summary of the application.

1. Description of the Application:

The Interim Director of Corporate Services provided a summary of the application as follows:

The applicant has applied to change the land use designation and zoning of the property located at 2846 4th Avenue to enable a four-unit townhouse with a new TH1 Townhouse Multi-Family zone.

The proposed bylaws are:

- i. "Official Community Plan Amendment (2846 4th Avenue), Bylaw No. 5078, 2023".

If amended, this bylaw changes the:

- Land use designation of 2846 4th Avenue from 'General Commercial to 'Multi-Family Residential';
- Development Permit Area of 2846 4th Avenue from 'No. 2 Commercial Development' to 'No.1 Multiple Family Residential' in the OCP; and
- Adds new townhouse design guidelines to the text of 'Development Permit Area No.1 Multiple Family Residential'.

- ii. "Zoning Amendment (2846 4th Avenue), Bylaw No. 5079, 2023".

If amended, this bylaw:

- Adds new 'TH1 Townhouse Multi-family' zone text to Section 5 – Establishment of Zones; and
- Changes the classification of 2846 4th Avenue from 'C7 Core Business' to 'TH1 Townhouse Multi-family' on the Zoning Bylaw map.

2. Background Information from the Development Services Department:

Planner II provided background information regarding the proposed amendments by way of summarizing the report of May 15, 2023.

3. Correspondence:

- Email dated May 11, 2023 from P. Day
- Email dated May 15, 2023 from C. Berry

4. Late Correspondence Regarding the Matter:

- Letter dated May 23, 2023 from G. DiRocco
- Letter dated May 23, 2023 from Le Fevre & Company [Applicant]

5. Questions/Comments from Council:

Questions from Council included the following:

- Spoke to the correspondence submitted by G.DiRocco regarding concerns including privacy issues, fencing, potential to shift walkway to allow set back in parking spaces as requested.

Privacy fencing is included in the plans. In addition to fencing, there may be room for the applicant to plant landscaping that will mature to create additional privacy. The walkway is located on the north side of the property to get the width required for accessibly and emergency access.

- 10ft fence has been requested, 6ft is standard.
Best practice is to maintain standard fence height and use trellis, landscaping, trees, etc. to add additional privacy in locations other than property line.

- What development is possible in this location otherwise?
Assuming the current property was consolidated with neighbouring properties and density bonusing conditions were met, the current C7 zone permits up to a six-storey building with a lot coverage approaching 90 percent.

- Will the units be rentals or sales?
No information from the applicant at this time if the development will be purpose built or a strata development. There is no 'Rental Only' Zoning condition imposed by the City.

- Who will provide waste collection?
Multi-family developments are responsible for contracting waste collection. Site plans include bins at the rear of building to be collected by a private contractor.

- Turning radius in alley?
A review of vehicle movements and access will take place at the Development Permit stage.

- **Parking?**
Number of stalls is 1.25 per unit which is the standard for multi-family development in the Zoning Bylaw. Street parking on 4th Avenue would be used beyond that.
- **Access into units through laneway or 4th Avenue?**
Pedestrian access from 4th Avenue. Vehicle access is through laneway. Parking in laneway is not permitted.
- **Will laneway be paved?**
Applicant will be required to conduct improvements but details not yet determined. Will be reviewed by Engineering Department at Development Permit stage.
- **TH1 Zone new to City, have you seen this done in other communities?**
The Zone is new to Port Alberni. Was created by looking at townhouse regulations in other communities with more well-developed regulations, scaling it for Port Alberni, and making it compatible with single-family neighbourhoods.
- **Does the parking standard vary in proximity to transit?**
Modern best practices consider this. TH1 zone keeps parking at the full 1.25 spaces per unit because it is intended for integration with single-family neighbourhoods.
- **Driveway access into old parking lot – eliminated for more street parking down 4th Avenue?**
Access to legal laneway that crosses the parking lot to the north is not part of current development site.
- **Table 2 | Height of building. Proposed height 8.19 metres. TH1 Zone max 10 metres.**
Correct, proposed height is under the maximum permitted by zone.
- **Is it still 2-hour parking in that area?**
Would need to confirm with Bylaw Services and Engineering Department to address time limited street parking as an operations issue.
- **Is public input sent to the applicant?**
Staff summarizes the information submitted for the applicant's review.

6. Questions/Comments from Public:

G. DiRocco

Inquired whether the development is a low or hi-value townhouse, will units be rent or own, pitch of roof line, laneway access and parking.

Intent is to create missing middle-income housing market. Not low-barrier or luxury. No requirement to be rent-only so the City will not regulate that. The current design is what will be constructed. Open to modification at Development Permit stage however with the cost of architecture and design, applicants are less likely to change their plans after zoning approval. Parking to be tested and proved at Development Permit stage. Parking could be adjusted as the applicant has not built to max footprint so there is room to adjust the site plan. Zoning Bylaw requires a parking stall to be wider if located next to a fence or wall (ie. property line).

J.V. King

What is the current lots size and proposed unit size? Design guidelines.– any notion to move beyond step 5 or net zone requirements and are units built for accessibility of seniors or wheelchairs?

Lot size is 522 metres/5500 square feet. TH1 Zone, 500 metres square. Units are 2 storey, 2 bedrooms. Sleeping quarters are located on the second floor. Have requested applicant provide accessibility at ground floor but otherwise not presently accessible. Design guidelines will be established within the Official Community Plan review and updated with regards to climate change initiatives, beyond step five we still need to have that conversation with the community.

G. Mead

If changes to the design are made, will area residents be made aware?

Following the public hearing and once the bylaws are adopted, there is no further opportunity for public input. The applicant will be required to meet additional guidelines during the development permit process.

L. MacDonald

What if someone parks in front of my garage or gate in the laneway?

Parking is not permitted in the laneway and therefore would become a bylaw enforcement issue.

G. DiRocco

Parking must be suitable or people will not use.

7. Closing Remarks from the Chair:

I would like to remind those present that once the Public Hearing has closed, members of Council may not, as a group or as individuals, receive any further oral or written presentations on this matter, including what might be perceived as informal discussions immediately after the termination of this meeting. I ask all parties to comply with this.

Before closing the Public Hearing, Chair Minions called three times for any further speakers on any of the matters contained in the proposed bylaws.

Chair Minions called the first time for any further input from the public.

Chair Minions called for a second time for input from the public.

S. MacDonald

Hopes that the applicant considers the public input provided regarding amendments to the design.

L. MacDonald

How is it going to affect the value of surrounding property?

Typically, new development increases value.

G. DiRocco

There is a proposed additional 4-unit development to be constructed mirroring the present development – is there another lot between that 2nd proposed unit and Mar Street as far as the potential of a 3rd unit?

Applicant owns a number of lots, but no application presently submitted. Another rezoning process would be undertaken at that time.

Councillor Douglas left the meeting at 7:11 pm and returned at 7:14 pm.

Chair Minions called for a third time for input from the public.

There being no further speakers, Chair Minions declared the Public Hearing closed.

8. Termination of the Public Hearing:

MOVED and SECONDED, THAT this Public Hearing terminate at 7:15 pm.

CARRIED

Donna Monteith
Interim Director of Corporate Services

Date: April 6, 2023
 File No: 3360-20 2846 4th Ave
 To: Mayor and Council
 From: M. Fox, CAO
 Subject: **DEVELOPMENT APPLICATION – OCP and Zoning Bylaw Amendments at 2846 4th Avenue, Port Alberni**
Lot 6 Block 57 District Lot 1 Alberni District Plan 197-B (PID: 000-845-795)
Applicant: Woodward’s Village Inc.

Prepared by:  B. McLoughlin Planner II	Supervisor: M. Wade Manager of Planning	Director: S. Smith Dir. of Development Services Deputy CAO	CAO Concurrence:  M. Fox, CAO
--	--	--	--

RECOMMENDATION[S]

1. THAT “Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023” be now introduced and read a first time.
2. THAT “Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023” be now introduced and read a first time.
3. THAT “Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023” be read a second time.
4. THAT “Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023” be read a second time.
5. THAT the amending bylaws No.’s 5078 and 5079 be advanced to a Public Hearing on Tuesday May 23, 2023 at 6:00 pm.

PURPOSE

To consider Official Community Plan (OCP) amendment bylaw 5078, and Zoning amendment bylaw 5079 that would enable a four-unit townhouse development at 2846 4th Avenue. The proposal includes a new *TH1 Townhouse Multi-family* zone that would create opportunities for ‘missing middle’ housing in the Southport Neighbourhood, along with OCP design guidelines to regulate this form of development.

BACKGROUND

Zoning Bylaw 2014 No. 4832 regulations are not aligned with the dimensions of many “historically created” lots in the Southport area. Specifically, lot sizes and frontages are too small to permit development without a variance or rezoning application. This is a barrier to housing development, and places greater administrative burden on staff and Council. The subject property at 2846 4th Avenue is a historic lot (44’ x 125’), and staff have worked with applicant on a path forward that creates options for multi-family townhouse development. There are

approximately 341 lots in the City with the same 44’ x 125’ dimensions. All but one of these lots are located in the Southport area, with 80 located within the Uptown District.

Subject Property and Site Context

The subject property is located at the southern edge of the Uptown District where land use transitions from commercial to residential. The property is currently vacant, but was formerly a commercial parking lot.

Location	On the east side of 4 th Avenue mid-block between Mar Street and Montrose Street.
Current Land Use	General Commercial
Current Zoning	C7 Core Business
Proposed Land Use	Multi-family Residential
Proposed Zoning	TH1 Townhouse Multi-family
Total Area	511 m2 (5,500 ft ²)
Official Community Plan (OCP)	<ul style="list-style-type: none"> • <i>Schedule A - Land Use Map</i> • <i>Schedule B - Development Permit Areas Map</i> • Section E Implementation – 1:0 Development Permit Areas • Section D Plan Policies – 4:0 Residential • Section D Plan Policies – 4:3 Multi-family Residential (MFR)
Relevant Guidelines	<ul style="list-style-type: none"> • Uptown District Revitalization Strategy

Figure 1 – Subject Property Map



Figure 2 - OCP Land Use Map

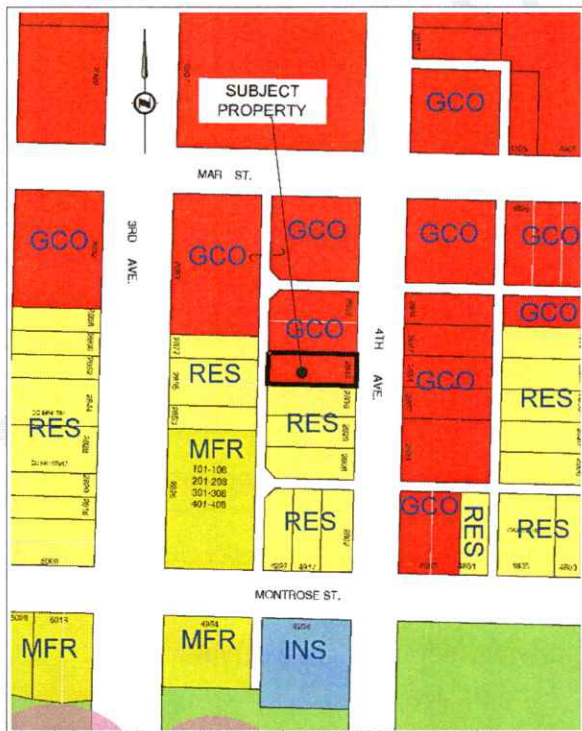
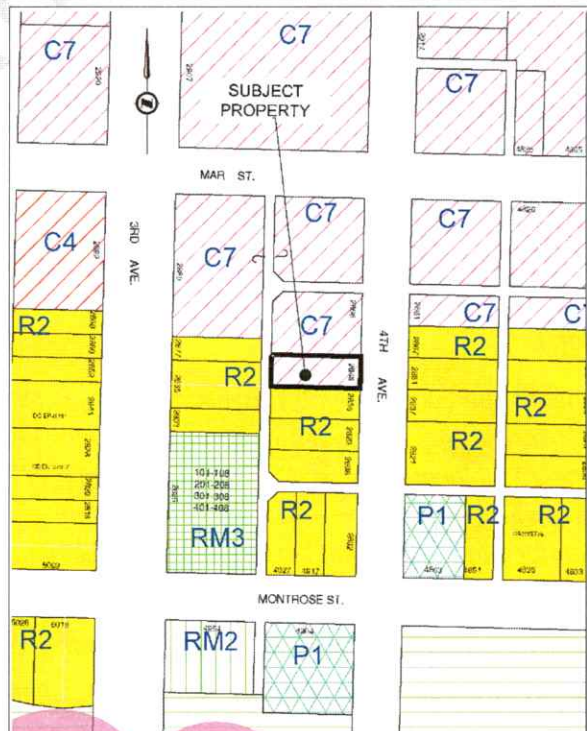


Figure 3 – Zoning Map



ALTERNATIVES/OPTIONS

1. THAT “Official Community Plan Amendment (2846 4th Avenue), Bylaw No. 5078, 2023” be now introduced and read a first time.

THAT “Zoning Amendment (2846 4th Avenue), Bylaw No. 5079, 2023” be now introduced and read a first time.

THAT “Official Community Plan Amendment (2846 4th Avenue), Bylaw No. 5078, 2023” be read a second time.

THAT “Zoning Amendment (2846 4th Avenue), Bylaw No. 5079, 2023” be read a second time.

THAT the amending bylaws No.’s 5078 and 5079 be advanced to a Public Hearing on Tuesday May 23, 2023 at 6:00 pm.

2. Council may decline to give first reading which means the application does not proceed.
3. Council may by resolution provide alternate direction to staff.

ANALYSIS

The application proposes amendments to the OCP and Zoning Bylaw that would change the land use of 2846 4th Avenue from *General Commercial* to *Multi-Family Residential*, and rezone the property from C7 to TH1 *Townhouse Multi-Family*. The new townhouse zone would be an option for development on 44’ x 125’ lots characteristic of the Southport area. New design guidelines would also be added to the OCP to guide townhouse development.

OCP and Guidelines for Designation of lands as Multi-Family Residential

OCP Section D: Policies - 4.3 *Multi-family Residential (MFR)* outlines Council policy for multi-family residential development. Section 4.3.4. specifies criteria Council may consider when re-designating lands to *Multi-Family Residential*:

1. Should be within walking distance (approximately 800 metres) of commercial, recreational, public/institutional nodes, or community scale parks;
2. Should be located on or in proximity to major collectors or arterial roads in order reduce traffic impacts on local roads;
3. An adequate transition between lower density housing, and compatibility with adjacent land uses must be provided.

Additionally, OCP Section D: Policies - 4.0 recognizes that multi-family development will typically occur “within or adjacent to established single-family residential neighbourhoods” (p. 35).

Staff reviewed the proposed development utilizing these criteria, and are satisfied it aligns with OCP Council policy:

- The development is located on the edge of a single-detached residential neighbourhood, and within 150 metres walking distance to the Uptown commercial area.
- The development is located on 4th avenue with convenient access to 3rd Avenue which is an arterial road.
- The Multi-Family Residential use is compatible with the adjacent Residential uses to the south. Vacant commercial lands are to the north.
- Density and height of the proposed development forms an adequate transition between single detached homes and the C7 commercial lots to the north.
- The maximum density and building height of the proposal match existing low density residential (R1, R2, R3) and multi-family residential zone (RM1) massing.

OCP Development Guidelines for Townhouses

Current multi-family development guidelines are located in Section E: Implementation of the OCP. The guidelines are intended to control the form and character of multifamily development “to ensure an appropriate fit with the adjacent neighbourhood” (Section D 4.3.3). Design guidelines are applied by staff during the Development Permit process.

The current OCP development guidelines are not adequate to regulate townhouse design. Additional guidelines are proposed as an amendment to the OCP with this application (attached). The draft townhouse design guidelines address access, open space, and landscaping requirements specific to townhouse development. These are based on best practices and examples from other municipalities.

Zoning Analysis

The intent of the rezoning application is to address current minimum lot size and frontage requirements in the Zoning Bylaw that are barriers to gentle in-fill housing. The application will enable townhouse development, and create opportunities for small-scale infill on 340 existing lots in Southport

In the current Zoning Bylaw the C7, R2, and RM1 zone frontage and lot area regulations prevent redevelopment on the subject property. A new townhouse zone gives the applicant an option for developing the property, and provides an option for future development on similar lots. The Zoning Bylaw modernization also addresses this issue for single detached and duplex buildings by reducing the R2 and R3 requirements to match existing lot sizes.

Staff support rezoning the subject property to a multi-family use because the location supports walkability, and added density will benefit the commercial neighbourhood. Additionally, the proposed TH1 zone would provide much needed ‘missing middle’ housing, while forming a transition between the single-detached housing to the south and the commercial neighbourhood to the north. The current C7 Core Business zoning is not necessary to preserve in this location given the dimensions of the property, and the quantity of commercial land in Uptown and the Southport neighbourhood.

TH1 Townhouse Multi-family Zone

In drafting the TH1 zone, staff researched townhouse zones and guidelines from other municipalities with a similar context. The full zone text is included in the attached bylaw. Table 2 also contains a comparison between the TH1 zone, the current proposal, and other low-density zones.

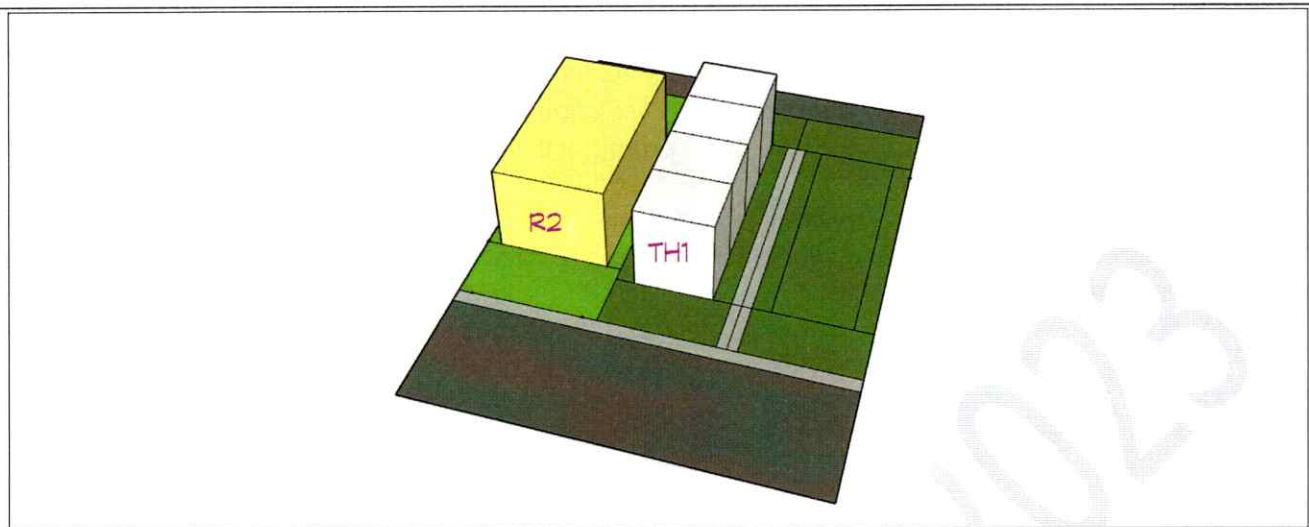
Staff Notes:

- TH1 zone is comparable to the RM2 ‘medium density’ multi-family zone, but with a limit on height matching the R1 and R2 zones.
- Massing of the TH1 zone is comparable to a single detached dwelling (Figure 4).
- Setbacks are designed to be compatible with adjacent residential (R) zones for a suitable transition between single detached dwellings and townhouses.
- Zone permits floor area ratio (FAR) of 1.0 to allow different townhouse building types which staff have tested. This allows flexibility and variation in design.
- Open space requirements match existing multi-family zones, but may be provided entirely as private space.
- Required parking is equal to existing zones (1.25 per unit), but allows 100% Small Car spaces.
- Zone conditions allow a side yard adjacent to a lane to be reduced to 1 m.
- Zone specifies minimum building facing distance for shadows/sunlight according to building height.

<i>Site Regulations</i>	<i>2846 4th Ave (proposed)</i>	<i>TH1 Zone (proposed)</i>	<i>R2 (Single detached)</i>	<i>RM2</i>
Min. Lot Area	511 m ²	500 m ²	500 m ²	840 m ²
Min. Frontage	13.4 m ²	13 m ²	15 m	25 m
Min. Setback (front)	6 m	6 m	7.5 m	6 m
Min. Setback (rear)	11.35 m	6 m	9 m	9 m
Min. Setback (south)	2.48 m	2.0 m	1.5	5 m
Min. Side Setback (north)	3 m	3.0 m*		
Max. Building Height	8.19 m	10 m	10 m	12.5 m
Max. Floor Area Ratio	0.595	1.0	0.5	0.8
Max. Lot Coverage	42%	55%	40%	50%

*side setback increased to 3 m for access with building perpendicular to street

Figure 4 – Zone Massing Comparison



Development Site Plan

The proposed development is a four-unit townhouse sited perpendicular to 4th Avenue. The applicant has submitted a site plan meeting the requirements of the TH1 zone (Figure 5). The townhouse building is sited with dwelling entrances facing north, with a shared walkway along the property line. The walkway connects 4th Avenue to the rear lane, where parking and waste bins will be located. The intent is that the lane will be used by residents for parking access.

The site is designed to be the first phase of a two-phase development. A second building to the north is intended to mirror the first so they face across the shared walkway. However, the applicant has not yet applied to rezone the second property, and to achieve an adequate walkway width it must be constructed over both parcels. Therefore, the City will require a covenant be registered on the second property to ensure access, and to guarantee the next phase is compatible with the current proposal.

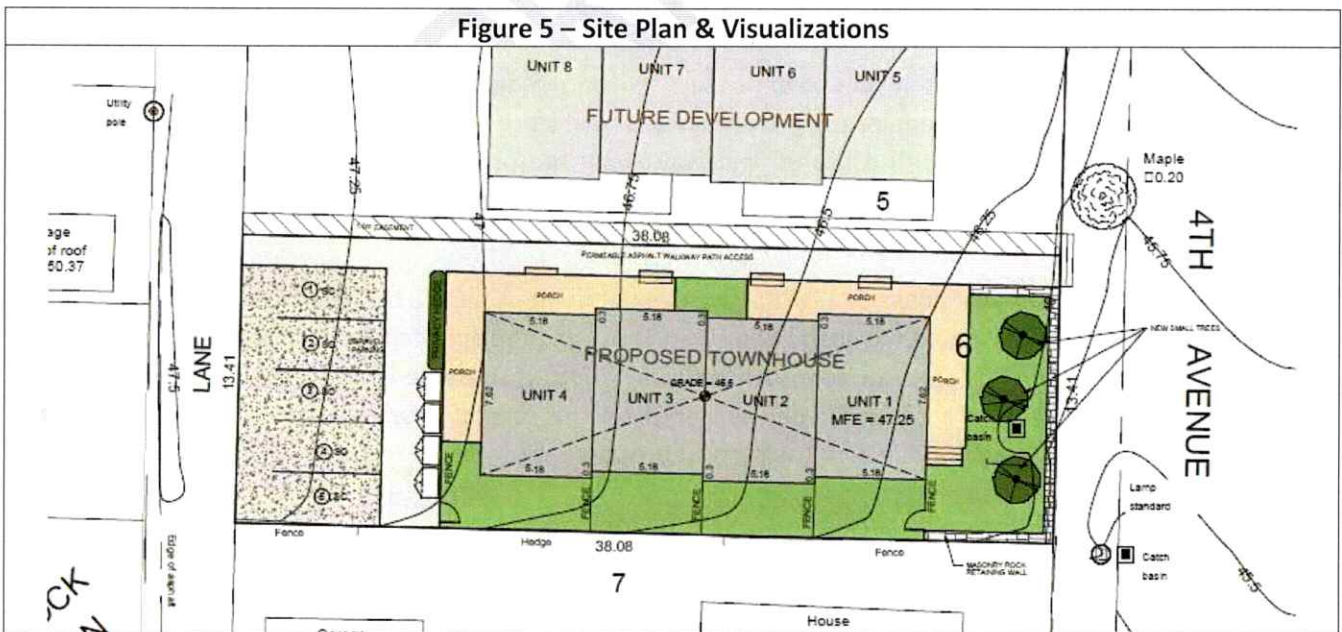
Development Review Committee and Referrals

The staff Development Review Committee, and external referrals, identified a need for infrastructure improvements to support access, emergency services, waste collection and utilities. The applicant will be responsible for the cost of designing and constructing all improvements including water and sewer services if required. The staff Development Review Committee provided the following preliminary comments:

- Laneway improvements may be required for access and parking.

- Engineering supports parking access from the lane.
- Walkway should be designed to permit emergency access
- City will not provide curbside waste collection service as the development is multi-family residential.
- New fire hydrant may need to be installed (to be confirmed during Building Permit).

Following comments by the DRC, the applicant updated their plans to ensure a minimum clear path width adequate for emergency services and accessibility. The applicant also agreed to a covenant securing the path on the neighbouring property.





IMPLICATIONS

Supporting the proposed bylaw amendments would enable a four-unit townhouse building at 2846 4th Avenue, and create a new standard zone for townhouse development in Port Alberni. The proposed TH1 zone is an option for small-scale infill development on historic properties that cannot be developed under existing Zoning Bylaw regulations.

Enabling townhouse infill development will increase the variety of available housing in Port Alberni. The proposed amendments align with the Government of BC's *Homes for People* action plan announced on April 3, 2023 that will reduce barriers to developing small-scale multi-unit homes. The Province will introduce legislation this year with changes to zoning that will allow 3 – 4 units on traditional single-family detached lots.

The new OCP (in progress) will add more policy specific to “missing middle” housing and townhouse development, and will guide how the TH1 zone is applied in the future.

COMMUNICATIONS

Advisory Planning Commission

The development application (ZON22-11) was presented to the Advisory Planning Commission at their meeting on February 16, 2023. The Commission was unable to make quorum so no motion could be made, however staff collected feedback from members in attendance.

- Members expressed concern regarding the accessibility of the townhouse units (front porch/stairs).
 - Applicant confirmed it was not their intent to create a fully accessible development.
 - Staff confirmed there are no provisions in the Zoning Bylaw to require this.
- Members expressed support for the proposed new zone and the potential to encourage opportunities for ‘gentle infill’ projects that would create density in the Uptown District.

OCP Amendment Pre-Engagement

In accordance with Section 475 of the *Local Government Act* (LGA), the City provided an additional opportunity for input to those whose interests may be affected by the application. This is required for all OCP amendments. City staff mailed letters to all owners and occupants of property within 75 metres as specified in *Development Application Notice Bylaw No. 4614*. A total of 84 letters were mailed, and 4 responses received. A summary of feedback is below:

Areas of Support

- More housing in Port Alberni.
- Improving an “unattractive” vacant site.
- Increased density in the Uptown Area (from a business owner).

Areas of concern:

- Lack of a privacy fence/wall between neighbouring house.
- Increased noise.
- Laneway traffic and unwanted behavior in the area.

The applicant has confirmed they will address concerns by updating their plans to show privacy fencing/screening during the Development Permit process.

If Council chooses to advance the application to a Public Hearing staff will proceed with all required statutory notices. This will include notification to owners and occupants within 75 metres as per section 5 of the City’s *Development Application Notice Bylaw No. 4614*, and notice in the newspaper as required by sections 465 and 466 of the *Local Government Act*.

BYLAWS/PLANS/POLICIES

1. Official Community Plan Bylaw No. 4602

Below is a summary of proposed amending bylaw No. 5078:

- a) Change the OCP land use designation of 2846 4th Ave from ‘General Commercial to ‘Multi-Family Residential’.
- b) Change the Development Permit Area of 2846 4th Ave from ‘No. 2 Commercial Development’ to ‘No.1 Multiple Family Residential’ in the OCP.
- c) Add new townhouse design guidelines to the text of ‘Development Permit Area No.1 Multiple Family Residential’.

2. Zoning Bylaw 2014 (Bylaw No. 4832):

Below is a summary of proposed amending bylaw no. 5079:

- a) Add new 'TH1 Townhouse Multi-family' zone text to *Section 5 – Establishment of Zones*.
- b) Change the classification of 2846 4th Ave from 'C7 Core Business' to 'TH1 Townhouse Multi-family' on the Zoning Bylaw map.

3. Uptown District Revitalization Strategy (UDRS):

Proposed TH1 zone aligns with the following objectives of the UDRS:

1.12	<i>Economic Development: "Prioritize density in new housing developments to promote walkability and local shopping".</i>	<ul style="list-style-type: none"> • <i>Increase the number of people living in proximity to the commercial areas in Uptown</i>
------	--	--

The application also aligns with Poverty Reduction opportunities identified by the UDRS regarding the following (p. 15):

- *More housing diversity*
- *Increase in housing options*
- *City pursues innovative affordable housing development and protects existing affordable housing stock*

SUMMARY

The City has received an application for amendments to the OCP and *Zoning Bylaw No. 4832* that would enable a four-unit townhouse development at 2846 4th Avenue. The proposal includes a new *TH1 Townhouse Multi-family* zone, and additional townhouse design guidelines in the Multi-Family Development Permit Area. The new zone is an option for development on historically created lots in the Southport neighbourhood, which cannot be developed under the lot size and frontage regulations of existing zones.

Staff support the proposed amendments as they align with OCP policy under Section D: 4.3.4, and the *Uptown District Revitalization Strategy* objectives for housing affordability and economic development. The proposal also aligns with Council's strategic priority 5.1.2 of fostering a complete community through the in-fill of vacant lots, and will enable more 'missing middle' housing. Enabling small-scale multi-unit infill development also aligns with the Government of BC's *Homes for People* action plan and forthcoming housing legislation.

Staff recommend Official Community Plan Amendment Bylaw No. 5078, and Zoning Amendment Bylaw No. 5079 be given first and second readings, and that Council advance the application to a Public Hearing on Tuesday May 23, 2023.

ATTACHMENTS/REFERENCE MATERIALS

- Draft Townhouse Design Guidelines
- TH1 Zone Example Formats & Buildable Area
- Development Plans
- Draft “Official Community Plan Amendment (2846 4th Avenue), Bylaw No. 5078, 2023”
- Draft “Zoning Amendment (2846 4th Avenue), Bylaw No. 5079, 2023”

C: *D. Leurebourg, Director of Corporate Services*
A. McGifford, Director of Finance
R. Dickinson, Director of Engineering

RCM APRIL 24, 2023

CITY OF PORT ALBERNI

BYLAW NO. 5078

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN
FOR THE CITY OF PORT ALBERNI

The Municipal Council of the City of Port Alberni in Open Meeting Assembled Enacts as follows:

1. Title

This Bylaw may be known and cited for all purposes as "**Official Community Plan Amendment (2846 4th Avenue) Bylaw No. 5078, 2023**".

2. Official Community Plan Map Amendments

Respecting Lot 6, Block 57, District Lot 1, Alberni District, Plan VIP197B (PID: 000-845-795) located at **2846 4th Avenue**, and shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw, the following amendments apply:

2.1 **Schedule A (Land Use Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended to change the designation on the property from 'General Commercial' use to '**Multi-Family Residential**' use.

2.2 **Schedule B (Development Permit Areas Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended by removing the property from 'Development Permit Area No. 2 (General Commercial)' and by adding the property into '**Development Permit Area No. 1 (Multiple Family Residential)**'.

3. Official Community Plan Text Amendment

Schedule One" that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended as follows:

3.1 By adding the following to: Section E, Implementation, 1.1 Development Permit Area No. 1 – Multiple Family Residential,

"iv) Townhouses – Additional guidelines:

1. *Privacy screening must be considered including fencing and landscaping:*

- a) *between units to enhance privacy and the quality of open space.*
- b) *along the exterior property boundaries and buildings on adjacent properties.*

2. *On-site parking shall be located in a rear yard with access from a lane.*

- a) *Where a property does not have lane access, or where topography prevents parking in the rear yard, parking may be provided in a front yard with access from the street.*

- b) *Where parking is located in a front yard, landscaping must be considered to support drainage and reduce impervious surfaces.*
3. *Detached parking garages shall be sited in a rear yard with direct access to a lane.*
4. *All dwelling units shall be connected to on-site parking via pathways.*
5. *All dwelling units shall have access to private amenity space located at-grade and not facing the street.*
- a) *For a stacked townhouse unit located above the first storey this space may be provided as a private balcony or roof terrace.”*

READ A FIRST TIME this 24th day of April, 2023.

READ A SECOND TIME this 24th day of April, 2023.

A PUBLIC HEARING WAS HELD this 23rd day of May, 2023.

READ A THIRD TIME this day of 2023.

ADOPTED this day of , 2023.

Mayor

Corporate Officer

CITY OF PORT ALBERNI

BYLAW NO. 5079

A BYLAW TO AMEND PORT ALBERNI ZONING BYLAW 2014, NO. 4832

The Municipal Council of the City of Port Alberni in Open Meeting Assembled Enacts as follows:

1. Title

This Bylaw may be known and cited for all purposes as “Zoning Amendment (2846 4th Avenue) Bylaw No. 5079, 2023”.

2. Zoning Text Amendments

2.1 Adding the following text to Establishment of Zones Section 5.1:

“TH1 – Townhouse Multi-Family”

2.2 Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended by adding the following text under Section 5:

TH1 – TOWNHOUSE MULTI-FAMILY

5.35 The purpose of this zone is to provide for small-scale multi-family residential townhouse development.

5.35.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

5.35.2 Site Development Regulations

Minimum Lot Area	500 m ²	(5495 ft ²)
Minimum Frontage	13.0 m	(42.6 ft)
Maximum Coverage	55%	
Minimum Setbacks:		
<i>Front yard</i>	6 m	(16.4 ft)
<i>Rear yard</i>	6 m	(19.7 ft)
<i>Side yard</i>	2.0 m	(8.2 ft)
Maximum Floor Area Ratio	1.0	
Maximum Height, Principal Building	10 m	(32.8 ft)

5.35.3 Conditions of Use

- (a) Notwithstanding any other provision of the Bylaw, *useable open space* shall be provided on the *lot* of not less than 45 m² (484.4 ft²) for each *dwelling* unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling* unit of smaller size.
- (b) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required may consist exclusively of private patios, porches, balconies, or roof terraces.
- (c) The minimum side yard requirement shall be reduced to 1 m for a side yard abutting a constructed lane for the entire length of the lot line.
- (d) For multiple family dwellings where a building is sited perpendicular to the street, the minimum side yard requirement shall be increased to 3 m for a side yard where primary access to dwelling units is provided.
- (e) Principal access to each dwelling unit shall be from an outdoor area, except where a stacked townhouse unit requires access from a hallway or stairwell leading directly to an outdoor area.
- (f) A continuous building frontage shall not exceed 60 m in length.
- (g) Groups of multiple family dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- (h) Minimum facing distance between buildings:
I. Building height under 8.5 m: 6.0 m
II. Building height 8.5 m to 10 m: 7.5 m
- (i) The maximum number of *multiple family dwellings* permitted within a building is eight (8).
- (j) Notwithstanding any other provision of the Bylaw up to one-hundred (100) percent of required on-site parking may be provided as *Small Car* spaces.
- (k) Where on-site parking is accessed from a driveway directly onto a street:
I. Minimum driveway width is 3.0 m.
II. Minimum 6.0 m separation is required between individual driveways.
- (l) Where a walkway is the primary access to all dwelling units, a minimum clear path width of 2.1 m is required.
- (m) Garbage bins, receptacles or storage areas must not be located in a front yard.

3. Zoning Map Amendments

- 3.1 The property legally described as Lot 6, Block 57, District Lot 1, Alberni District, Plan VIP197B PID: 000-845-795, and located at 2846 4th Avenue, as shown outlined in heavy black line on Schedule A attached hereto and forming part of this bylaw, is hereby rezoned from 'C7 Core Business' to 'TH1 Townhouse Multi-Family' zone.
- 3.2 Schedule "A" (Zoning District Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME this 24th day of April, 2023.

READ A SECOND TIME this 24th day of April, 2023.

A PUBLIC HEARING WAS HELD this 23rd day of May, 2023.

READ A THIRD TIME this day of , 2023.

ADOPTED this day of , 2023.

Mayor

Corporate Officer

RECEIVED

JUN 01 2023

CITY OF PORT ALBERNI

Council
 Mayor
 CAO
 Finance
 Corporate Services
 Agenda
File # 0390-20-UBCM

Economic Development
 Engineering/PW
 Parks, Rec. & Heritage
 Development Services
 Community Safety
 Other _____

RCM June 26, 23

From: MUNI UBCM Meeting Requests MUNI:EX <MUNI.UBCM.MeetingRequests@gov.bc.ca>
Sent: May 24, 2023 10:48 AM
To: MUNI UBCM Meeting Requests MUNI:EX <MUNI.UBCM.MeetingRequests@gov.bc.ca>
Subject: 2023 UBCM Convention – Meeting Requests with Premier Eby and Provincial Cabinet Ministers and the Minister of Municipal Affairs

This message is being sent by the Ministry of Municipal Affairs (MUNI) to all Union of BC Municipalities (UBCM) Mayors and Regional District Chairs on behalf of the Honourable David Eby, Premier, and the Honourable Anne Kang, Minister of Municipal Affairs.

Subject: 2023 UBCM Convention – Meeting Requests with Premier Eby and Provincial Cabinet Ministers and the Minister of Municipal Affairs
Intended Recipient(s): Mayors/Regional District Chairs/Islands Trust Chair/CAOs and cc: general emails and administrative support staff
Attachments: Two (2) plus message below

If you have received this message in error, please forward it to the appropriate person in your office.

MESSAGE:

Please see the attached letters from Premier Eby and Minister Kang regarding this year's UBCM Convention. These letters outline the process for requesting a meeting with the Premier and Cabinet Ministers.

Further details on the process for requesting meetings with provincial ministries, agencies, commissions, and corporations (MACC) staff will be sent by MUNI staff.

For requesting meetings with the Premier and Cabinet Ministers (not including Minister of Municipal Affairs) please use the online form at:

<https://UBCMreg.gov.bc.ca>

Invitation code: **MeetingRequest2023** (is case sensitive)

If you have questions, please contact the Premier's UBCM Meeting Request Coordinator, Marlène Behrens by email at: UBCM.Meetings@gov.bc.ca or by phone at: 250 213-3856.

Please note as in previous years, meetings with the Minister of Municipal Affairs are scheduled directly with that ministry.

ENTERED

REGULAR COUNCIL AGENDA - JUNE 26, 2023

192

For requesting meetings with the Minister of Municipal Affairs, please use the online form at:

<https://www.civicinfo.bc.ca/UBCMMeetingRequest/MUNI>

If you have questions, please contact the UBCM MUNI Minister's Meeting Coordinator, Katie Carrothers by email at: MUNI.UBCM.MeetingRequests@gov.bc.ca or by phone at: 236 478-0537.

Thank you.

Note: Contact information is provided by CivicInfo BC. To ensure you receive all relevant communications please ensure the contact information for your organization is updated regularly.



May 24, 2023

Ref: 272632

Dear Mayors and Regional District Chairs:

It is my pleasure to write to you as the Minister of Municipal Affairs regarding the process for requesting a meeting with me, or provincial staff, during the upcoming 2023 UBCM Convention taking place from September 18–22, 2023 in Vancouver, B.C.

You will receive a separate letter from the Honourable David Eby, Premier, containing information about the online process for requesting a meeting with the Premier or other Cabinet Ministers.

If you would like to meet with me, please complete the online request form at [MUNI Minister's Meeting](#) and submit it to the Ministry of Municipal Affairs by **June 30, 2023**. Meeting dates and times will be confirmed in late August. I will do my best to accommodate as many meeting requests as possible. If I am unable to meet with you, arrangements may be made for a meeting post-Convention.

To get the most out of your delegation's meeting with me, it continues to be helpful for you to provide as much detail as possible in the online form on topics you wish to discuss. Providing this information in advance gives me a better understanding of your delegation's interests and our discussion can be more productive.

Ministry staff will email you shortly with the Provincial Appointment Book. This document lists all ministry, agency, commission, and corporation (MACC) staff available to meet with delegates at Convention, as well as details on how to submit an online staff meeting request.

While this will be my first UBCM Convention as Minister responsible for local government, my background has focused on community, as a three-term Burnaby City Councillor and a teacher in the Burnaby school system. I understand the importance of these opportunities to connect in person and have enjoyed meeting with many communities during my first six months in this portfolio to hear more about challenges and accomplishments. I look forward to continuing these meetings this summer and at Convention. As partners, we can build vibrant and healthy communities.

Sincerely,

Anne Kang
Minister

pc: Honourable David Eby, Premier
Jen Ford, President, Union of BC Municipalities

Ministry of Municipal Affairs

Office of the Minister

Mailing Address:
PO Box 9056 Stn Prov Govt
Victoria BC V8W 9E2
Phone: 250 387-2283
Fax: 250 387-3312

Location:
Parliament Buildings
Victoria BC V8V 1X4

<http://www.gov.bc.ca/muni>



May 24, 2023

Dear Mayors and Regional District Chairs:

The 2023 Union of British Columbia Municipalities (UBCM) Convention will be held in Vancouver from September 18-22. As we prepare for the upcoming convention, my caucus colleagues and I are looking forward to meeting and working with you to continue building strong, sustainable and vibrant communities throughout our province.

We all have a role to play in finding ways to ensure our communities thrive, and UBCM provides a wonderful opportunity to listen to one another, share ideas and find new approaches. With local, provincial, federal and First Nations governments working together, we can continue to build a better BC and ensure high-quality and affordable housing for all.

If you would like to request a meeting with me or one of my Cabinet colleagues, please register online at <https://ubcmreg.gov.bc.ca/> (live, as of today). Please note that this year's invitation code is **MeetingRequest2023** and it is case sensitive. The deadline to submit your meeting requests is June 30, 2023. If you have any questions, please contact UBCM.Meetings@gov.bc.ca or phone 250-213-3856.

I look forward to once again being part of your convention, meeting with many of you and exploring ways that we can partner together to address the urgent need for housing and other common issues.

Sincerely,



David Eby, KC
Premier

2023 UBCM Convention

Ministries

The BC Public Service is divided into ministries. Each ministry is responsible for a specific area of public policy, government function or service delivery. In advance of discussions regarding meeting requests for the 2023 convention, a listing of Ministries has been provided. Those Ministries that have been bolded note topics that Council may wish to consider for a meeting request.

Agriculture and Food

Attorney General

Children and Family Development *[Grant received supporting the City's new 88 licensed child care space facility, from the Childcare BC New Spaces Fund]*

Citizens' Services

Education and Child Care

Emergency Management and Climate Readiness

Energy, Mines and Low Carbon Innovation

Environment and Climate Change Strategy

Finance

Forests *[Private managed forest lands review update]*

Health *[BC Emergency Health Services & Demands of Local Governments, Doctor Shortages]*

Housing *[update]*

Indigenous Relations & Reconciliation

Jobs, Economic Development and Innovation *[Industry update]*

Labour

Mental Health and Addictions *[Mental Health and Addictions, Opioid Crisis]*

Municipal Affairs *[Sustainable Industrial Taxation]*

Post-Secondary Education and Future Skills

Public Safety and Solicitor General [RCMP]

Social Development and Poverty Reduction

Tourism, Arts, Culture and Sport

Transportation and Infrastructure *[Traffic Volume, Highway upgrades, and alternative route solutions]*

Water, Land and Resource Stewardship

JUN 20 2023

CITY OF PORT ALBERNI



Western Vancouver Island Industrial Heritage Society



- Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other _____
- File # 8100-01 RCM June 26/23

Dear Mayor Sharie Minions and Members of the City Council,

I am writing to you today on behalf of the Alberni Pacific Railway, requesting your kind consideration in obtaining liquor sales approval for the upcoming #7 Steam Locomotive Festival.

The Alberni Pacific Railway will be having our “#7 Steam Locomotive Festival” on August 6th, 2023, at the Alberni Pacific Railway Roundhouse (3551 Harbour Road). This festival is to celebrate the Return to Steam of the #7 1929 Baldwin Steam Locomotive, after a multi-year rebuild project. The event will run from 10:00am to 5:00pm and will feature several displays and activities for all ages. In addition, the #7 Steam Locomotive will be steamed up outside for display, and tours of the APR Roundhouse will take place inside. Dog Mountain Brewing will be on site selling their “#7 Steam Beer” with licenced servers. We will also be showcasing our 2024 Business Plan at this event.

We understand and respect the importance of adhering to all applicable laws, regulations, and policies governing the sale and consumption of alcoholic beverages. Rest assured, we are committed to implementing strict measures to ensure responsible alcohol service, including employing certified and trained servers, implementing age verification protocols, and promoting responsible drinking practices throughout the event. Additionally, we will cooperate fully with law enforcement agencies to maintain public safety and order.

We kindly request your support in granting a temporary liquor sales approval for the duration of the #7 Steam Locomotive Festival on August 6. Approval of this, along with the Special Event Permit would authorize the sale and consumption of alcoholic beverages within the designated area of the Alberni Pacific Railway Roundhouse property, in compliance with all relevant regulations and licensing requirements.



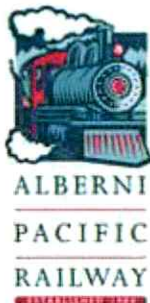
Western Vancouver Island Industrial Heritage Society



We are confident that with your support, the #7 Steam Locomotive Festival will to be a tremendous success and a highlight of our community's calendar. We are more than willing to provide any additional information or address any concerns that you may have regarding our request.

Thank you for your time, consideration, and dedication to serving our community. We eagerly await your favorable response, and we look forward to collaborating with you to create an unforgettable and enjoyable #7 Steam Locomotive Festival for all attendees. You are of course invited and we would be delighted to see you there.

Yours sincerely,



Richard Spencer Manager

Alberni Pacific Railway

www.ihsportalberni.ca

Cell: (250) 735-5440

Office: (250) 723-4285

3250A 9th Ave. Port Alberni, BC, V9Y 4T2



ENTERED

RECEIVED

JUN 13 2023

CITY OF PORT ALBERNI

Minister of Fisheries, Oceans and the Canadian Coast Guard



Ministre des Pêches, des Océans et de la Garde côtière canadienne

June 13, 2023

Her Worship Sharie Minions
Mayor of Port Alberni
c/o Ms. Annie O'Connor
< annie_oconnor@portalberni.ca >

- Council
 - Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other
- File # RCM June 26/23
0400-20-DFO

Dear Mayor Minions:

Thank you for your correspondence of February 8, 2023, regarding funding for the removal of ghost gear and abandoned aquaculture sites. I regret the delay in responding.

I appreciate your words of support for the work of Fisheries and Oceans Canada (DFO) and its partners to address the issue of ghost gear, which includes debris from abandoned aquaculture sites. As you are aware, Canada is taking action on plastic waste and pollution across the country, as outlined on the [Canada's Zero Plastic Waste Agenda](#) webpage. It includes the [Ocean Plastics Charter](#) and a Canada-wide [Strategy on Zero Plastic Waste](#).

Since its launch in 2019, DFO's Ghost Gear Program has supported the following: the inclusion of mandatory reporting of lost (and subsequently retrieved) fishing gear across all commercial fishing licences in Canada; improved data collection from harvesters and authorized ghost gear retrievers; and launched the first funding program in the world dedicated to the reduction of ghost gear. In 2020, the [Ghost Gear Fund](#) was launched as part of the Government of Canada's broader commitment to support national and international efforts to reduce plastics in our oceans. Under the Ghost Gear Program, this fund has been providing support to projects taking action to reduce plastic in the marine environment through gear removal, responsible disposal, acquisition and piloting of innovative gear technology, and international leadership. To date, this fund has provided \$26.7 million in funding for 91 projects, both domestically and internationally, and supported the retrieval of 1,641 tonnes of ghost gear, including 323 km of rope. A total of 1,498 retrieval trips have recovered 16,242 units of lost gear, with 573 units of gear successfully returned to harvesters.

From 2020 to 2023, the Ghost Gear Fund provided support to 19 projects in the Pacific Region. This support has included investments in central and west coast Vancouver Island. A number of groups received funding to conduct ghost gear retrieval work and pilot innovative technologies to assist in retrieval. Moreover, this fund supported the establishment of marine debris drop-off recycling depots in Ucluelet and Cumberland. Funding was also provided to local harbours, including Ucluelet Harbour Authority and Port Alberni Port Authority.

Through this funding, DFO has worked to establish the capacity for future sustainable management of ghost gear. If new funding opportunities become available, eligibility criteria will

.../2

Canada

REGULAR COUNCIL AGENDA - JUNE 26, 2023

ENTERED

199

I (a)

be posted on the [Ghost Gear Fund webpage](#). Current funding (\$30 million to be spent between 2022–2024) was specifically allocated to address areas in Atlantic Canada and Eastern Quebec that were affected by Hurricane Fiona.

DFO's Ghost Gear Program will continue to work on broader initiatives to address ghost gear in Canada. This includes the following: improving the Fishing Gear Reporting System, improving awareness of the system to increase use by harvesters, implementing a regulatory review to ensure impediments to ghost gear retrieval are addressed to strengthen preventative measures in Canadian fisheries, encouraging the uptake of more sustainable gear by harvesters, reviewing gear types used in fisheries on an area-by-area basis, and reviewing current fisheries management practices to determine options for modernizing and strengthening best practices to reduce gear loss. Each of these components will support the development of a Canadian ghost gear action plan by 2027.

DFO recognizes that debris from aquaculture sites is an important issue. The [marine finfish aquaculture conditions of licence](#) and [shellfish aquaculture conditions of licence](#) include requirements to have infrastructure and equipment capable of withstanding oceanographic and meteorological conditions. Farm operators must conduct regular inspection of their infrastructure and equipment and are responsible for ensuring that debris from facilities is collected, or treated and disposed of, appropriately.

According to the conditions of licence for shellfish aquaculture operators, the onus is on the licence holder to prevent pollution. New shellfish aquaculture conditions of licence directly address marine plastic debris and ghost gear by supporting lost gear identification, polystyrene (such as Styrofoam) pollution reduction, and regular clean-ups of licensed facilities. These conditions work to support government priorities and commitments, specifically under the modernized *Fisheries Act*, G7 Ocean Plastics Charter, the Canadian Council of Ministers of the Environment's Zero Plastic Waste Action Plan (Phase II), and the Global Ghost Gear Initiative.

The shellfish conditions of licence require aquaculture licence holders to perform regular seafloor inspections. The licence holders must remove and dispose of debris, permanently label all equipment and aquaculture gear for easy identification, and remove exposed foam used for floatation. Licence holders had to be in compliance by April 1, 2023.

The decommissioning of a facility is overseen by the Province of British Columbia and Transport Canada, in accordance with tenure agreements and navigational authorizations. As part of the Province's decommissioning process, licence holders must submit a decommissioning report to the Province of British Columbia; for marine fish farms, this includes a video survey of the seabed under and around the farm site. DFO reviews the decommissioning report and provides advice to the Province. Only when the Province is satisfied that the tenure has been left in a clean, sanitary, and safe manner will the tenure be released. Further information on the Province's decommissioning process can be found in BC's [Land Use Operational Policy](#). In addition to the Province's decommissioning process, aquaculture facilities are subject to requirements of the *Canadian Navigable Waters Act*, and their removal may require Transport Canada approval, so that potential impacts to navigation can be mitigated.

.../3

I note your call to address these issues through the [Blue Economy Strategy](#) (BES). The Department is moving forward with a number of initiatives and investments aimed at growing Canada's blue economy and supporting stable, prosperous fisheries on the west coast. These include the implementation of the [modernized Fisheries Act](#) and work to inform the development of a BES for Canada. DFO and the Treasury Board of Canada Secretariat recently concluded a process to obtain input from all interested parties on the Blue Economy Regulatory Review. I have forwarded your letter so that your comments and views on the BES will be taken into consideration. Please visit the [Blue Economy Regulatory Review](#) webpage for details.

Thank you for writing and for your continued support for the prevention, mitigation, and remediation of fisheries-related marine debris and ghost gear. We look forward to collaborating with you as the Ghost Gear Program advances its work on policy and regulatory changes that will support Canada's position as a leader in ghost gear reduction. I encourage you to visit the program's webpage regularly to see advancements being made in Canada.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'JM', with a long horizontal flourish extending to the right.

The Honourable Joyce Murray, P.C., M.P.

c.c.: The Honourable Omar Alghabra, P.C., M.P.
Minister of Transport
The Honourable Nathan Cullen, M.L.A.
British Columbia's Minister of Water, Land and Resource Stewardship



Our File No. 0400-20-DFO

February 8, 2023

The Honourable Joyce Murray, MP
 Minister of Fisheries, Oceans and Canadian Coast Guard
 by email: DFO.Minister-Ministre.MPO@dfo-mpo.gc.ca

Dear Ms. Murray

Re: Call to Action – Ghost Gear, ALDFG, and Abandoned Aquaculture Sites

This letter comes as an invitation, an opportunity, and a Call to Action. We would like to begin this letter by expressing our gratitude to the Department of Fisheries and Oceans for their financial and developmental support of projects nation-wide that support the retrieval and disposal of abandoned, lost, and otherwise discarded fishing gear (ALDFG or Ghost Gear). With Canadian fisheries in both the Atlantic and the Pacific having recently been impacted by severe weather, these events highlight the continuing and growing importance of the Ghost Gear Fund to responding not only to historical ALDFG, but also to climate-related disasters to ensure that steps taken to protect and restore sensitive marine environments and species are not lost. One positive from the Hurricane Fiona and the atmospheric river flooding of the Fraser River, was the collective rise in Canadians' awareness of the impacts of ALDFG, leading to increased support for the work that DFO and partners are doing to address ghost gear.

The Ghost Gear Fund is an invaluable resource, catalyzing powerful actions across the country to reduce plastics in the marine environment. These funds are a major contributor towards solving Canada's plastic pollution crisis, supporting pragmatic solutions which retrieve and dispose of ghost gear responsibly, procure and pilot technologies and support international leadership. It has brought hope and opportunity through the creation of a circular plastic economy that has put Canada at the forefront of responsible industrial gear and marine debris plastic management.

ALDFG and abandoned aquaculture across the Province of British Columbia have been identified by host First Nations, Transport Canada, and the Department of Fisheries and Oceans as major concerns to marine health that require immediate attention and remediation. However, understanding the full impact caused by ALDFG and abandoned aquaculture sites is not yet fully understood.

What is known is that the retrieval of ALDFG and the dismantling and removal of abandoned aquaculture sites has been instrumental in remediating the detrimental impacts on migratory corridors for wild salmon, improved eelgrass beds, and regenerated life in important salmon rearing estuaries. Most importantly, this large-scale remediation work has brought employment opportunities to Indigenous communities and returned stewardship opportunities to those with deep seated knowledge of these lands and waters. Past Ghost Gear Funds have led to the development of industry-leading best practices in survey and retrieval methodologies, OH&S

standards and procedures, and dedicated training and apprenticeship opportunities producing a highly skilled and knowledgeable work force in many First Nation's and coastal communities.

Despite all the hard work that has been accomplished, there is still much more work to be done. Not only in the collection of harmful abandoned and derelict gear, but also in the efforts required to develop responsible provincial and nationwide disposal and recycling guidelines that go above and beyond current industry standards.

With incoming legislation that requires the removal of outdated aquaculture tenures, the Ghost Gear Fund provides the resources to ensure that this large-scale removal of infrastructure includes support for the management of the end of life. The funding also ensures that those businesses impacted by the legislation acknowledges their inclusion and sustainability and have resources that accommodate the variety of scale and sizes of their enterprises.

The undersigned represent a comprehensive coalition of support that has been garnered across the province of British Columbia, which contingent on 2023-2024 and beyond funding opportunities, have both the expertise and capacity to begin necessary work remediating critical habitats and operationalizing end-of-life waste management to support Canada growing the Blue Economy. The undersigned are actively advocating for this work, and are calling for urgent attention to the following call to action:

1. Continue to flow funding opportunities to reputable organizations and entities across the Province of British Columbia using funding mechanisms such as the Ghost Gear Fund to retrieve and remove and dispose ALDFG and abandoned aquaculture sites.
2. Commitments to long-term funding opportunities that allow the completion of work-ready remediation projects from the survey stage to the completed remediation stage are required.
3. Implement Large-Scale Coastal Remediation into Canada's Blue Economy as a long-term solution to Climate Change and damage caused by hundreds of years of commercial and industrial environmental use.
4. Continue to invest in end-of-life mechanisms to ensure that the materials collected during retrieval and remediation of ALDFG, and abandoned aquaculture sites are managed responsibly and entered into systems which are founded on the principles of the circular economy.

Thank you for the on-going support from the Ministry of Fisheries, Oceans and Canadian Coast Guard and your consideration as we look forward to continuing this imperative work together.

Yours truly,
CITY OF PORT ALBERNI



Sharie Minions
Mayor

c. Captain J. Temple, Coastal Restoration Society
C. Dubois, Ocean Legacy Foundation

J:\EFS\0100_0699 Administration\0400 Cooperation_Liaison\0400_20 British Columbia Government\DFO - Fisheries And Oceans Canada\2023_02_08_DFO_CTA_Ghost Gear_ALDFG_Abandoned Aquaculture Sites.Docx

RECEIVED

JUN 15 2023

CITY OF PORT ALBERNI

- Council
 - Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other *CR Snellin 2023*
- File # 4010-01

From: Mark Zenko <Mark_Zenko@portalberni.ca>

Sent: June 15, 2023 1:44 PM

To: [REDACTED]

Cc: Sara Darling <sara_darling@portalberni.ca>; Donna Monteith <Donna_Monteith@portalberni.ca>

Subject: Response to Letter to City Council

Dear Ms. Van Viegen

I'm responding to your letter to City Council regarding your recent experience at the Public Safety Building. I would like to start by apologizing for this department not being more responsive to your need to feel safe within your community. We could and should have addressed your concerns more actively and I have since had conversation with the team at the Public Safety Building on how we can be more responsive to the concerns you have raised. My understanding of the plans for the building when the name *Public Safety Building* was selected was to be a facility for not just Bylaw Enforcement and Community Policing, but also available to RCMP members who were seeking an alternate but secure space to conduct their business as well as other community organizations engaged in addressing social issues. To those ends, now in our six month of occupancy, we are having some success. Two community groups meet monthly in our boardroom, several RCMP members have visited the facility and have been encouraged to make use of the space whenever needed, and outreach workers from the local community organizations have dropped in on several occasions to partner with the Bylaw Enforcement Officers. We are striving to live up to the name of the facility and always looking for ways to better improve public safety and your feedback has been valuable to keep us on that track.

Regarding the issue of open substance use in public spaces, this is very much a live issue in all communities in the province. You are correct about the public consumption of alcohol being unlawful but unfortunately there is currently no equivalent legislation for substances. There seems to be growing pressure on the Provincial Government to address this issue but I cannot speculate on when or if that might happen. In the absence of legislation, many City Councils have looked at creating bylaws to regulate this activity. At the most recent Port Alberni Council Meeting (June 12th), a notice of motion was made proposing a request for City staff to draft a bylaw to address consumption of illicit substances in public spaces.

To keep apprised of any progress on that motion and other City business, we invite and encourage you to follow Council meetings which take place on the 2nd and 4th Monday of each month at 2:00 pm in City Hall, Council Chambers. Meetings are also livestreamed on the City's website at www.portalberni.ca and are available for viewing at a later date. Further, should you wish to receive Council meeting summaries you may subscribe here <https://portalberni.ca/council-agendas-minutes> to have them sent directly to your inbox.

Like many other communities, we are experiencing very challenging times with the two prominent social issues of substance use and homelessness. The team at Bylaw Enforcement Services is committed to working with City Council, the public, and other community partners to maximize the tools within our authority and mandate to minimize the community impact of these issues. Thank you sharing your voice and we look forward to your attendance at the Public Safety Building in the future.

Sincerely,

Mark Zenko
Acting Manager of Community Safety

From: [REDACTED]

Sent: Wednesday, June 7, 2023 1:30 PM

To: Cindy Solda <cindy_solda@portalberni.ca>; Dustin Dame <Dustin_Dame@portalberni.ca>; Debbie Haggard <debbie_haggard@portalberni.ca>; John Douglas <John_Douglas@portalberni.ca>; Charles Mealey <Charles_Mealey@portalberni.ca>; Todd Patola <Todd_Patola@portalberni.ca>

Cc: Sharie Minions <sharie_minions@portalberni.ca>; Josie Osborne, MLA for Mid Island-Pacific Rim <info@bcndp.ca>; gord.johns@parl.gc.ca

Subject: Public Safety Building on 3rd Avenue, Port Alberni

Dear City Councillors:

I am writing with concern to the safety in the 3rd avenue area. A few weeks back I arrived to work at 8:30 am to find a person using drugs in the parking lot of my place of employment. This situation made me feel very uneasy as one never knows what can happen when a person is under the influence of substances. During one of my breaks, I walked to the Public Safety Building to lodge my concern. At this time I was advised the building isn't for those types of situations. The building houses the office of the By-Law Enforcement and Community Policing has an office there as well. I was further advised that parking lots are privately owned and police should be contacted for these concerns, as this a public safety office and is not within their jurisdiction.

So, what does public safety actually mean? I am the public and I have a right to feel safe. I am not too concerned whose jurisdiction it is to remove the unhoused doing drugs in a parking lot. I feel it needs to be done. It was my understanding this Public Safety Building was to protect the public by providing services, not just a fancy office for Bylaw and Community Policing (which I am also told is not within their jurisdiction to ask people doing drugs to move along). My 7% property tax increase should address these types of concerns.

I am requesting further investigation into what this office means to the "public." There should be many services offered by this office. If someone walks in who feels threatened, a phone call to another authority for help should be done on their behalf. A taxi ordered, safe place to sit, a bathroom to use, a bottle of water for someone on a hot day, and yes, a community policing officer available to help. That would be a much better use of my tax paying funds for a building labeled, "Public Safety."

Since the governments have decriminalized small amounts of all drugs, there will be more of these situations arising. There seems to be an idea that folks are permitted to use drugs whenever and wherever they wish, including public streets and parking lots. That simply is not true. People are not permitted to have an open bottle of alcohol in public, but, it is not illegal to possess alcohol and the very same is true for these smaller amounts of drugs. A message needs to get out that drug use in public is illegal. Furthermore, the unhoused and addicted have a place to go for their drug use, it shouldn't be happening on 3rd avenue. However, I am told this facility is only open for 12 hours per day. Perhaps the city needs to advocate for a 24 hour opening which could help keep them in a safer area and also keep general public safe.

On that day I arrived to work with someone using drugs in the parking lot, I did not feel safe and I felt more unsafe after being told our Public Safety Building was not really for the public. I am requesting better services with this building, and, more attention to what is happening in the 3rd avenue area.

Thank you,
N [REDACTED] van Viegen

PS: Since this concern is due to Unhoused people and drug use, I've also CC MLA Josie Osborne and MP Gord Johns.

RECEIVED

JUN 22 2023

CITY OF PORT ALBERNI

From: S [redacted] Recksiedler [redacted]
Sent: Wednesday, June 7, 2023 11:18 AM
To: Corporate Services Department <corp_serv@portalberni.ca>
Subject: Time for another hwy access

- Council
 - Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other _____
- File # 1340-20-Cameron Lake Bluffs

Good morning,

We are overdue in fighting for an alternate access to and from Port. A route thru Horne Lake Rd makes total sense and it is time to act. We can't keep being held hostage every time there is a problem causing hwy 4 closures.

This should be top priority and council should be actively fighting for it! Council, regional district, highways, prov gvmt, forestry, all need to step up!

Mosaic keeping gates closed is not and should not be acceptable!!!

Get on it please!

Regards,

S [redacted] Recksiedler

RECEIVED

JUN 22 2023

CITY OF PORT ALBERNI

From: D [redacted] McConnell [redacted]
Sent: Wednesday, June 7, 2023 8:08 PM
To: John Douglas <John_Douglas@portalberni.ca>
Subject: Second Exit Highway Access Needed Out of Port Alberni

- Council
 - Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other
- File # 7340-20-CLB *Row June 26, 23*

Hello John,

The need for a second exit highway access out of Port Alberni had never been more evident than it is at present with the on-going forest fire at Cathedral Grove blocking traffic coming and going around the lake. There is only one way in or out; effectively trapping us on whichever side we happen to be on at the time, with no alternative route.

This has been the topic of ongoing conversation for many years with 'all talk and no action" to date. The present forest fire is a warning of what dire straits we may face at a time when an unexpected natural disaster strikes and we are totally unprepared with no alternate escape route available out of Port Alberni to the other side.

A sound warning system by itself is not going to save our lives when citizen have to evacuate out of Port Alberni and there is no alternative route to use, such as is now.


This is the time to act before another, perhaps worse disaster, affects the Alberni Valley when residents need a secondary highway system in place to use as an escape route.

It's time that Victoria be made to realize the necessity of another highway route in and out of Port Alberni for the good of all people.

Respectfully,

V. and D. [redacted] McConnell
[redacted]

Date: June 14, 2023
 File No: 1880-23-SOFI
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Statement of Financial Information - Year Ending December 31, 2022

Prepared by: <i>ANDREW MCGIFFORD</i> Director of Finance	Supervisor: <i>M. FOX</i> CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
--	---	--

RECOMMENDATION

THAT Council approve the statements and schedules included in the Statement of Financial Information for 2022, prepared to comply with the Financial Information Act, as outlined in the report from the Director of Finance dated June 14, 2023.

PURPOSE

To provide Council with the annual report in order that Council can receive and then approve the Statement of Financial Information [SOFI] for the year ended December 31, 2022.

BACKGROUND

Pursuant to Section 2 of the Financial Information Act, the Local Government must prepare a Statement of Financial Information. The format is prescribed by regulation pursuant to Section 3 of the Financial Information Regulation. The requirement that Council must approve the statement is prescribed by Section 9(2) of the Financial Information Regulation.

Attached is a copy of the Statement of Financial Information including all statements and schedules that are required for submission.

ALTERNATIVES/OPTIONS

Not applicable.

ANALYSIS

Not applicable.

IMPLICATIONS

The Statement of Financial Information must be approved and submitted to the Ministry of Municipal Affairs by June 30, 2023.

COMMUNICATIONS

The SOFI report will be posted to the City's website.

BYLAWS/PLANS/POLICIES

Not applicable.

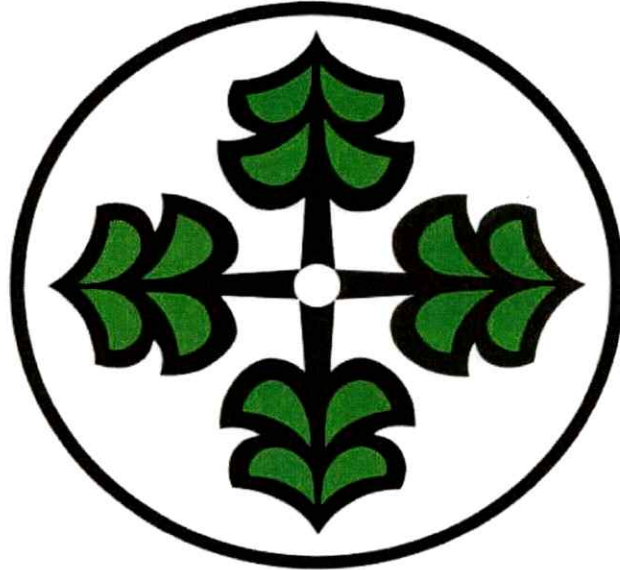
SUMMARY

Staff are requesting Council's approval of the Statement of Financial Information for the year ending December 31, 2022 in order to meet legislated requirements of the *Financial Information Act* by the submission deadline of June 30, 2023.

ATTACHMENTS/REFERENCE MATERIALS

- Statement of Financial Information - year ending December 31, 2022

J:\Common\A_Items_for_Agenda\Reports for Approval\Regular Council\2023-06-26\2023_Annual_SOFI_report.docx



CITY OF PORT ALBERNI
STATEMENT OF FINANCIAL INFORMATION
FOR THE YEAR ENDED DECEMBER 31, 2022

**CITY OF PORT ALBERNI
STATEMENT OF FINANCIAL INFORMATION
FOR THE YEAR ENDED DECEMBER 31, 2022**

INDEX

Management Report	3
Auditor Report.....	4
Consolidated Statement of Financial Position.....	6
Consolidated Statement of Operations.....	7
Consolidated Statement of Change in Net Financial Assets.....	8
Consolidated Statement of Cash Flow.....	9
Notes to Consolidated Financial Statements.....	10
Schedule 1: Tangible Capital Assets.....	25
Schedule 2: Segmented Information.....	26
Schedule 3: Debt.....	27
Schedule 4: Tax Levies and Grants in Lieu of Taxes	28
Schedule of Remuneration and Expenses of Elected Officials.....	29
Schedule of Employee Remuneration and Expenses.....	29
Statement of Severance Agreements.....	31
Schedule of Payments to Suppliers of Goods and Services.....	32
Schedule of Payments for Grants or Contributions.....	34
Schedule of Debt Guarantee or Indemnity Agreements.....	36
Statement of Financial Information Approval.....	37

**CITY OF PORT ALBERNI
MANAGEMENT REPORT**

The Financial Statements contained in this Statement of Financial Information under the *Financial Information Act* have been prepared by management in accordance with Canadian public sector accounting standards, and the integrity and objectivity of these statements are management's responsibility. Management is also responsible for all the statements and schedules, and for ensuring that this information is consistent, where appropriate, with the information contained in the financial statements.

Management is also responsible for implementing and maintaining a system of internal controls to provide reasonable assurance that reliable financial information is produced.

Council is responsible for ensuring that management fulfils its responsibilities for financial reporting and internal control and exercises this responsibility through the Audit Committee of Council. The Audit Committee meets with management four times a year, and the external auditors once a year.

The Director of Finance has the responsibility for assessing the management systems and practices of the corporation.

The external auditors, MNP LLP, conduct an independent examination, in accordance with generally accepted auditing standards, and express their opinion on the financial statements. Their examination does not relate to the other schedules and statements required by the Act. Their examination includes a review and evaluation of the corporation's system of internal control and appropriate tests and procedures to provide reasonable assurance that the financial statements are presented fairly. The external auditors have full and free access to the Audit Committee of Council and meet with it on a regular basis.

On behalf of the City of Port Alberni



Name Andrew McGifford, CPA, CGA
Title * Director of Finance
Date Wednesday, June 14, 2023

* For municipalities, the officer assigned responsibility for financial administration signs
 Prepared pursuant to Financial Information Regulation, Schedule 1, section 9

To Mayor and Council of the City of Port Alberni:

Opinion

We have audited the consolidated financial statements of the City of Port Alberni (the "City"), which comprise the consolidated statement of financial position as at December 31, 2022, and the consolidated statements of operations and accumulated surplus, change in net financial assets and cash flows and related schedules 1 to 4 for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the consolidated financial position of the City as at December 31, 2022, and the results of its consolidated operations, changes in its net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Consolidated Financial Statements section of our report. We are independent of the City in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Matter

Our audit was performed for the purpose of forming an opinion on the consolidated financial statements taken as a whole. The current year's supplementary information, including schedules 5 to 11, have been presented for purposes of additional analysis. We do not express an audit opinion on schedules 5 to 11 because our examination did not extend to the detailed information therein.

Other Information

Management is responsible for the other information, consisting of an annual report, which is expected to be made available to us after the date of this auditor's report.

Our opinion on the consolidated financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the consolidated financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the consolidated financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

When we read the annual report, if we conclude that there is a material misstatement therein, we are required to communicate the matter to those charged with governance.

Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the City's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the City or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the City's financial reporting process.

Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the City's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the City to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the City to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Nanaimo, British Columbia

May 15, 2023

MNP LLP

Chartered Professional Accountants

MNP
LLP

**CITY OF PORT ALBERNI
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
As at December 31, 2022**

	2022	2021 <i>(Restated – Note 3)</i>
FINANCIAL ASSETS		
Cash and cash equivalents	\$ 7,991,832	\$ 12,720,513
Investments (Note 4)	22,523,849	20,240,566
Accounts receivable (Note 5)	6,523,388	6,344,112
Inventory for resale	48,064	68,959
Investment in government business enterprise (Note 6)	2,741,214	1,200,374
	<u>39,828,347</u>	<u>40,574,524</u>
FINANCIAL LIABILITIES		
Accounts payable and accrued liabilities (Note 7)	11,702,153	8,454,469
Deferred revenue (Note 8)	6,927,513	5,487,474
Refundable deposits	1,250,752	1,052,203
Long-term debt (Note 9, Schedule 3)	12,999,838	13,479,858
	<u>32,880,256</u>	<u>28,474,004</u>
NET FINANCIAL ASSETS	<u>6,948,091</u>	<u>12,100,520</u>
Commitments and Contingencies (Note 15)		
NON-FINANCIAL ASSETS		
Inventory of supplies	648,291	518,079
Prepaid expenses	237,277	139,175
Tangible Capital Assets (Note 12, Schedule 1)	152,396,484	143,828,035
	<u>153,282,052</u>	<u>144,485,289</u>
ACCUMULATED SURPLUS (Note 13)	<u>\$ 160,230,143</u>	<u>\$ 156,585,809</u>

Approved on behalf of the City



Andrew McGifford
Director of Finance

The accompanying notes are an integral part of these consolidated financial statements.

CITY OF PORT ALBERNI
CONSOLIDATED STATEMENT OF OPERATIONS AND ACCUMULATED SURPLUS
As at December 31, 2022

	Budget (Note 17)	2022	2021 <i>(Restated – Note 3)</i>
REVENUE			
Taxation (Schedule 4)	\$ 25,807,573	\$ 25,801,595	\$ 24,818,993
Sale of services	10,895,776	12,702,238	11,318,533
Other revenue from own sources	1,215,805	1,325,296	1,230,103
Investment income	280,000	623,066	257,138
Grants and transfers (Note 14)	1,289,287	3,989,808	3,722,439
Recognition of development cost charges (Note 8)	-	-	165,907
Gain (loss) on disposal of tangible capital assets	-	(121,662)	(145,806)
Income (loss) from investment in government business enterprise (Note 6)	-	1,840,840	(11,949)
	<u>39,488,441</u>	<u>46,161,181</u>	<u>41,355,358</u>
EXPENSES			
General government services	\$ 4,120,603	\$ 4,942,535	3,942,558
Protective services	13,151,470	13,741,231	13,855,830
Transportation services	4,688,694	6,589,825	6,375,826
Environmental health services	1,561,354	1,419,096	1,226,059
Environmental and economic development	1,806,952	1,910,139	1,456,896
Recreation and cultural services	6,428,759	7,910,255	6,846,620
Water utility	1,926,171	2,836,808	2,480,389
Sewer utility	1,847,201	3,165,385	2,166,413
Other	-	1,573	21,736
	<u>35,531,204</u>	<u>42,516,847</u>	<u>38,372,327</u>
ANNUAL SURPLUS	3,957,237	3,644,334	2,983,031
Accumulated surplus, beginning of year	156,585,809	156,585,809	153,602,778
ACCUMULATED SURPLUS - END OF YEAR	<u>\$ 160,543,046</u>	<u>\$ 160,230,143</u>	<u>\$ 156,585,809</u>

The accompanying notes are an integral part of these consolidated financial statements.

CITY OF PORT ALBERNI
CONSOLIDATED STATEMENT OF CHANGE IN NET FINANCIAL ASSETS
As at December 31, 2022

	Budget (Note 17)	2022	2021 <i>(Restated – Note 3)</i>
ANNUAL SURPLUS	\$ 3,957,237	\$ 3,644,334	\$ 2,983,031
Acquisition of tangible capital assets	(9,801,296)	(14,443,697)	(16,436,118)
Amortization of tangible capital assets	-	5,615,585	4,598,806
Loss (gain) on disposal of tangible capital assets	-	121,662	145,806
Proceeds from sale of tangible capital assets	-	138,000	15,000
	<u>(5,844,059)</u>	<u>(4,924,116)</u>	<u>(8,693,475)</u>
Acquisition of supply inventory	-	(648,291)	(475,837)
Acquisition of prepaid expenses	-	(237,277)	(273,226)
Consumption of inventory of supplies	-	518,079	490,306
Use of prepaid expenses	-	139,176	242,899
	<u>-</u>	<u>(228,313)</u>	<u>(15,858)</u>
CHANGE IN NET FINANCIAL ASSETS	(5,844,059)	(5,152,429)	(8,709,333)
Net financial assets, beginning of year	12,100,520	12,100,520	20,809,853
NET FINANCIAL ASSETS - END OF YEAR	<u>\$ 6,256,461</u>	<u>\$ 6,948,091</u>	<u>\$ 12,100,520</u>

The accompanying notes are an integral part of these consolidated financial statements.

**CITY OF PORT ALBERNI
CONSOLIDATED STATEMENT OF CASH FLOWS
As at December 31, 2022**

	2022	2021 <i>(Restated – Note 3)</i>
Cash provided by (used in):		
OPERATING ACTIVITIES		
Annual surplus	\$ 3,644,334	\$ 2,983,031
Non-cash items		
Amortization of tangible capital assets	5,615,585	4,598,806
Loss on disposal of tangible capital assets	121,662	145,806
Loss (income) from investment in government business enterprise	(1,840,840)	11,949
Actuarial adjustment	(115,769)	(99,821)
Inventory of supplies	(130,212)	(42,242)
Prepaid expenses	(98,103)	134,050
Changes in working capital balances		
Accounts receivable	(179,276)	212,058
Inventory for resale	20,895	(16,100)
Accounts payable and accrued liabilities	3,247,684	2,318,950
Deferred revenue	1,440,039	994,603
Refundable deposits	198,549	737,871
	<u>11,924,548</u>	<u>11,978,961</u>
CAPITAL ACTIVITIES		
Acquisition of tangible capital assets	(14,443,697)	(16,436,118)
Proceeds from sale of tangible capital assets	138,000	15,000
	<u>(14,305,697)</u>	<u>(16,421,118)</u>
INVESTING ACTIVITIES		
Dividend from government business enterprise	300,000	300,000
Change in investments	(2,283,283)	6,246,582
	<u>(1,983,283)</u>	<u>6,546,582</u>
FINANCING ACTIVITIES		
Repayment of long-term debt	(364,249)	(364,249)
	<u>(364,249)</u>	<u>(364,249)</u>
CHANGE IN CASH AND CASH EQUIVALENTS	(4,728,681)	1,740,176
Cash and cash equivalents - beginning of year	<u>12,720,513</u>	<u>10,980,337</u>
CASH AND CASH EQUIVALENTS - END OF YEAR	\$ 7,991,832	\$ 12,720,513

The accompanying notes are an integral part of these consolidated financial statements.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

1. General

The City of Port Alberni (the "City") is a municipality in the Province of British Columbia and operates under the provisions of the Community Charter. The activities of the City are carried out through the following funds: General Revenue Fund, General Capital Fund, Reserve Funds, Water Revenue Fund, Water Capital Fund, Sewer Revenue Fund, and Sewer Capital Fund.

In December 2009 the City of Port Alberni incorporated a company known as Alberni Valley Community Forest Corporation. The City retains full ownership of the company. Alberni Valley Community Forest Corporation general operations include forestry and business activities associated with forestry including harvesting and selling timber and non-timber forest products.

2. Significant Accounting Policies

The consolidated financial statements of the City are prepared by management in accordance with Canadian public sector accounting standards as recommended by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants of Canada. Significant accounting policies are as follows:

Reporting entity

The consolidated financial statements reflect the assets, liabilities, revenues, expenses, and accumulated surplus of the City. Inter-departmental balances and transactions have been eliminated.

The City's business partnership, the Alberni Valley Community Forest Corporation, which is owned and controlled by the City but not dependent on the City for their continuing operations, are included in the consolidated financial statements using the modified equity method.

Under the modified equity method, the accounting policies for the wholly owned subsidiary are not adjusted to conform to those of the city. The Alberni Valley Community Forest Corporation reports under International Financial Reporting Standards. The City's investment in this entity is recorded at acquisition cost and is increased for the proportionate share of post-acquisition earnings and decreased by post acquisition losses and distributions received.

The City administers certain trusts on behalf of external parties which are excluded from the financial statements.

Basis of Presentation

The consolidated financial statements include various Funds, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations. Funds currently in use are:

General Funds account for all financial resources except those required to be accounted for in another fund. The General Revenue Fund is the City's operating fund including collection of taxation, administering operations, roads, policing, fire protection etc. Balances are described in Note 13, including General Funds held for Operations and for Capital.

Equity in tangible capital assets accounts for all capital assets and unfunded work-in-progress of the City and offset by long-term debt and investment in capital assets.

Reserve Funds account for activities within designated funds established for specific purposes with the approval of the Ministry of Community Development. The funds are governed by bylaws defining their purpose and are funded primarily by budgetary contributions from the General Revenue Fund plus interest earned on the fund balances.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

2. Significant Accounting Policies *(continued from previous page)*

Water and Sewer Funds account for operations that are financed and operated in a manner similar to private business operations, where the intent is that costs of providing the services on a continuing basis be financed through user charges. Balances are described in Note 13, including Water and Sewer Funds held for Operations and for Capital.

Basis of accounting

The City follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and/or the creation of a legal obligation to pay.

Revenue recognition

Taxes are recognized as revenue in the year they are levied. Taxes may be adjusted by the Province by way of supplementary roll adjustments through the BC Assessment appeal process. Levies imposed by other taxing authorities are not included as taxes for municipal purposes. Charges for water and sewer usage, solid waste collection and recreation programs and admissions are recorded as sales of service and are recognized as revenue when the service or product is rendered by the City. Development contributions are recorded as contributed tangible capital assets at their fair value on the date of contribution. Other revenue is recorded when performance of services is complete, amounts are measurable, and collectability is reasonably assured. Income from investments in government business enterprises is recorded using the modified equity method based on the annual earnings from the government business enterprise for the year.

Government transfers

Government transfers are recognized as revenues when the transfer is authorized and any eligibility criteria are met, except to the extent that transfer stipulations give rise to an obligation that meets the definition of a liability. Transfers are recognized as deferred revenue when transfer stipulations give rise to a liability. Transfer revenue is recognized in the statement of operations as the stipulation liabilities are settled.

Deferred revenue

Deferred revenue includes non-government grants, contributions and other amounts received from third parties pursuant to legislation, regulation and agreement which may only be used in certain programs, in the completion of specific work, or for the purchase of tangible capital assets. In addition, certain user charges and fees are collected for which the related services have yet to be performed. Revenue is recognized in the period when the related expenses are incurred, services performed, or the tangible capital assets are acquired. Development cost charges are amounts which are restricted by government legislation or agreement with external parties. When qualifying expenditures are incurred development cost charges are recognized as revenue in amounts which equal the associated expenses.

Investments

Investments are recorded at cost, adjusted for amortization of premiums or discounts over the term of the investments on a straight-line basis. Provisions for losses are recorded when they are considered to be other than temporary. Investment income is reported as revenue in the period earned. When required by the funding government or related act, investment income earned on deferred revenue is added to the investment and forms part of the deferred revenue balance. Investment income is allocated to various reserves and operating funds on a proportionate basis.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

2. Significant Accounting Policies *(continued from previous page)*

Cash equivalents

Cash equivalents include short-term highly liquid investments with a term to maturity of 90 days or less at acquisition.

Debt

Debt is recorded net of principal repayments and actuarial adjustments.

Employee future benefits

The City and its employees participate in a Municipal Pension Plan. The Plan is a multi-employer contributory defined benefit pension plan. Payments in the year are expensed. Sick leave benefits and retirement severance benefits are also available to the City's employees. The costs of these benefits are actuarially determined based on service and estimates of retirement ages and expected future salary and wage increases. The obligation under these benefit plans is accrued based on projected benefit costs as employees earn the future benefits.

Non-financial assets

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

Tangible capital assets

Tangible capital assets are recorded at cost less accumulated amortization. Cost includes all costs directly attributable to acquisition, construction, or interest from financing of the tangible capital asset. Contributed tangible capital assets are recorded as revenue at fair value at the time of contribution. The useful life is applied straight line to calculate amortization at the following estimated useful lives:

Asset	Useful life - years
Land improvements	10 to 20 years
Buildings, including building components	25 to 40 years
Machinery and equipment	5 to 30 years
Engineering structures	30 to 75 years
Storm systems	45 to 75 years
Transportation systems	15 to 60 years
Water systems	8 to 75 years
Sewer systems	8 to 75 years

Amortization is charged annually, including in the year of acquisition and disposal. Assets under construction are not amortized until the asset is available for productive use.

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and are recorded as revenue.

The City has capitalized interest costs associated with the construction of tangible capital assets, during the period of construction only.

Natural resources that have not been purchased are not recognized as assets in the financial statements.

Works of art and cultural and historic assets are not recorded as assets in these financial statements.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

2. Significant Accounting Policies *(continued from previous page)*

Inventory

Inventory is recorded at the lower of cost and replacement cost, using the first in, first out method.

Use of estimates

The preparation of consolidated financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Significant estimates include assumptions used in estimating provisions for accounts receivable, inventory, accrued liabilities, performing calculations of employee future benefits and estimating the useful lives of tangible capital assets. Liabilities for contaminated sites are estimated based on the best information available regarding potentially contaminated sites that the City is responsible for. Developer contributions of tangible capital assets are recorded at the City's best estimate of fair value on the date of contribution, calculated using engineering plans and standardized item cost estimates. Actual results could differ from these estimates.

Refundable deposits

Receipts restricted by third parties are deferred and reported as refundable deposits under certain circumstances. Refundable deposits are returned when the third party meets their obligations, or the deposits are recognized as revenue when qualifying expenditures are incurred.

Liability for contaminated sites

A liability for remediation of a contaminated site is recognized at the best estimate of the amount required to remediate the contaminated site when contamination exceeding an environmental standard exists, the City is either directly responsible or accepts responsibility, it is expected that future economic benefits will be given up, and a reasonable estimate of the amount is determinable. The best estimate of the liability includes all costs directly attributable to remediation activities and is reduced by expected net recoveries based on information available at December 31, 2022.

At each financial reporting date, the City reviews the carrying amount of the liability. Any revisions required to the amount previously recognized is accounted for in the period revisions are made. The City continues to recognize the liability until it is settled or otherwise extinguished. Disbursements made to settle the liability are deducted from the reported liability when they are made.

In 2021, the City purchased multiple lots related to a former mill site (the Somass lands). The City is in the early stages of engaging environmental engineers to assess the amount of potential contamination on those lots and any required remediation associated with those lots. Any liability for contaminated sites is not currently estimable. When a reasonable estimate can be obtained, the City will record a liability at that time.

Reserve accounts

Reserves for future expenditures are non-statutory reserves, which represent an allocation of revenue for specific purposes.

Financial instruments

The City's financial instruments consist of cash and cash equivalents, investments, accounts receivable, accounts payable and accrued liabilities, refundable deposits, and long-term debt. Unless otherwise indicated, it is management's opinion that the City is not exposed to any significant interest, credit, or currency risks arising from these financial instruments.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

2. Significant Accounting Policies *(continued from previous page)*

Recent Accounting Pronouncements

PS 3280 *Asset Retirement Obligations*, issued August 2018, establishes standards for recognition, measurement, presentation and disclosure of legal obligations associated with the retirement of tangible capital assets and is effective for the City as of January 1, 2023. A liability will be recognized when, as at the financial reporting date:

- a. There is a legal obligation to incur retirement costs in relation to a tangible capital asset.
- b. The past transaction or event giving rise to the liability has occurred.
- c. It is expected that future economic benefits will be given up.
- d. A reasonable estimate of the amount can be made.

Liabilities are recognized for statutory, contractual or legal obligations associated with the retirement of tangible capital assets when those obligations result from the acquisition, construction, development or normal operation of the assets. The obligations are measured initially at fair value, determined using present value methodology, and the resulting costs capitalized into the carrying amount of the related tangible capital asset. In subsequent periods, the liability is adjusted for accretion and any changes in the amount or timing of the underlying future cash flows. The capitalized asset retirement cost is amortized on the same basis as the related asset and accretion expense is included in the Consolidated Statement of Operations.

Management is in the process of assessing the impact of adopting this standard on the City's financial results.

3. Change in accounting policy

Prior to December 31, 2022, the City recognized Federal gas tax revenue from the Community Building Reserve fund as funds were used on eligible projects and reported the unused funds as deferred revenue.

However, the City has changed the basis of recognition of the revenue from the Federal gas tax fund and is recognizing the revenue as received and accounting for the unused funds in a reserve. This accounting policy change has been made as the recognition of revenue as received better reflects the financial position of the City. The change in accounting policy is applied retrospectively and affected the consolidated statement of financial position as at December 31, 2021 and the consolidated statement of operations of the City of the fiscal year.

	Previously stated 2021	Adjustment	Restated 2021
<u>Consolidated Statement of Financial Position</u>			
Deferred revenue	\$ 9,299,524	\$ (3,812,050)	\$ 5,487,474
Accumulated surplus	152,773,759	3,812,050	156,585,809
<u>Consolidated Statement of Operations</u>			
Accumulated surplus, beginning of year	\$ 150,949,886	\$ 2,652,892	\$ 153,602,778
Grants and transfers	2,565,914	1,156,525	3,722,439
Investment income	254,505	2,633	257,138

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

4. Investments

Investments include funds invested in Guaranteed Investment Certificates and Money Market Funds with Raymond James and the Municipal Finance Authority of B.C. The investments are carried at market value which is equal to the carrying value. The investments have various maturity dates between April 2023 and October 2023 with a range of interest rates between 3.60% and 4.70%.

5. Accounts Receivable

	2022	2021
Property taxes	\$ 1,032,844	\$ 960,065
Federal government	270,485	139,540
General	5,220,059	5,244,507
	\$ 6,523,388	\$ 6,344,112

6. Investment in Government Business Enterprise

The investment in the Alberni Valley Community Forest Corporation (AVCFC) is reported as a government business enterprise (GBE) and accounted for using the modified equity method. Under this method, the government business' accounting principles are not adjusted to conform with those of the City and inter-corporate transactions are not eliminated. The City owns 100% of the issued and outstanding shares.

The AVCFC financial statements were prepared under International Financial Reporting Standards (IFRS).

The following table provides condensed supplementary financial information for the corporation at December 31, 2022:

	2022	2021
Financial position		
Assets	\$ 3,371,404	\$ 1,515,587
Liabilities	621,446	306,469
Equity	2,749,958	1,209,118
	3,371,404	1,515,587
Operations		
Revenue	3,809,975	1,950,627
Expenses	1,969,135	1,962,576
Net income (loss)	1,840,840	(11,949)
Summary of investment in GBE		
AVCFC shares	\$ 1	\$ 1
Accumulated earnings to date	2,741,213	1,200,373
	\$ 2,741,214	\$ 1,200,374

During the year the City received a dividend from AVCFC of \$300,000 (2021 - \$300,000)

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

7. Accounts Payable and Accrued Liabilities

	2022	2021
Other local governments	1,393,922	903,604
Trade accounts	7,667,583	5,002,228
Salaries and wages	238,966	269,467
Accrued debenture interest	82,071	82,071
Accrued employee benefits	2,319,611	2,197,099
	\$ 11,702,153	\$ 8,454,469

Employee future benefits

The City provides benefits for sick leave, vacation pay and certain retirement benefit arrangements to its employees.

a) Retirement benefit payments

The City provides retirement benefits to qualifying employees who cease employment with the City after a specified length of service. Retirement benefits are estimated for individual employees as per the appropriate collective agreement, based on estimated salary costs at the time of anticipated retirements, and discounting expected pay-outs over estimated years of service.

	2022	2021
Benefit liability – beginning of year	\$ 765,800	\$ 757,700
Add: current service costs	97,600	52,900
Interest on accrued benefit obligations	26,500	21,200
Amortization of actuarial loss	14,100	16,300
Less: Benefits paid	(135,500)	(82,300)
Benefit liability – end of year	768,500	765,800
Unamortized actuarial loss (gain)	112,700	126,800
Accrued benefit obligation – end of year	\$ 881,200	\$ 892,600

The retirement liability requires no contribution from the employees.

b) Accrued vacation liability

	2022	2021
Accrued vacation liability – end of year	\$ 1,160,211	\$ 1,165,399

c) Accumulated sick leave liability

The City provides benefits for sick leave to all its employees. Employees in the classification of CUPE and Firefighter accumulate sick leave on a monthly basis and can only use this entitlement for paid time off under certain circumstances. Sick leave is accumulated to a maximum as determined by the appropriate collective agreement. Sick leave for management employees does not accumulate. At December 31, 2022, this liability is estimated at \$278,200 (2021 - \$139,100).

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

7. Accounts Payable and Accrued Liabilities (continued from previous page)

d) Employee benefit obligations	2022	2021
Accrued benefit obligation	\$ 881,200	\$ 892,600
Accrued vacation payable	1,160,211	1,165,399
Accumulated sick leave liability	278,200	139,100
Total employee benefit obligations	\$ 2,319,611	\$ 2,197,099

8. Deferred Revenue

Capital grants are restricted to spending on capital project expenses. Other deferred revenue is not restricted.

	2022	2021 (Restated – Note 3)
Capital grants, opening balance	\$ 579,177	\$ 27,997
Capital grants, receipts	1,364,796	551,180
Capital projects recognized into revenue	(1,106,526)	-
Capital grants, ending balance	837,447	579,177
Property taxes	1,993,570	1,954,557
Other	918,695	1,064,621
Development cost charges (DCC's)	3,177,801	1,889,119
	\$ 6,927,513	\$ 5,487,474

Development cost charges (DCCs)

Opening balance	\$ 1,889,119	\$ 1,763,639
Add: DCCs received during the year	1,258,272	284,232
Less: Amount recognized as revenue	-	(165,907)
Add: Interest	30,410	7,155
	\$ 3,177,801	\$ 1,889,119

9. Debt

Debt Reserve Fund

The Alberni-Clayoquot Regional District (ACRD) obtains long-term debt, on behalf of the City, through the Municipal Finance Authority (MFA), pursuant to security issuing bylaws under the authority of the Local Government Act, to finance certain capital expenditures.

The MFA is required to establish a Debt Reserve Fund. Each regional district through its member municipalities who share in the proceeds of a debt issue is required to pay into the Debt Reserve Fund certain amounts set out in the debt agreements. The MFA pays into the Debt Reserve Fund these monies from which interest earned thereon less administrative expenses becomes an obligation to the regional districts.

It must then use this fund, if at any time there are insufficient funds, to meet payments on its obligations. When this occurs, the regional districts may be called upon to restore the fund.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

9. Debt (continued from previous page)

The loan agreements with the ACRD and the MFA provide that, if at any time the scheduled payments provided for in the agreements are not sufficient to meet the MFA's obligations in respect to such borrowings, the resulting deficiency becomes a liability of the City.

As a condition of the loan agreements, the City is obligated to provide security by way of demand notes and interest-bearing cash deposits (sinking fund balances) based on the amount of the debt. If the debt is repaid without default, the deposits are refunded to the City. The demand notes are held by the MFA and upon maturity of the debt, the demand notes are released. As of December 31, 2022, there are contingent demand notes of \$258,452 (2021 - \$258,452) that are not recorded in the City's financial statements.

Long-term Debt

All debenture debt is owed to the MFA and is reported at the gross amount. The City has no debt assumed by others on its behalf and has assumed no debt for others. Debenture debt by Bylaw is detailed on Schedule 3.

Principal payments on long-term debt as of December 31, 2022, for the next five years are as follows:

Long-term Debt	
2023	364,249
2024	364,249
2025	364,249
2026	364,249
2027	364,249
Total	\$ 1,821,245

Scheduled long-term debt repayments may be suspended in the event of excess sinking fund earnings within the MFA. Principal paid during the year was \$364,249 (2021 - 364,249). Total interest expense during the year was \$376,757 (2021 - \$380,470). Included in revenue is \$115,771 (2021 - \$99,821) of actuarial adjustments on the City's annual debt principal repayments invested by MFA. This annual investment income results in a reduction in the overall cost of borrowing.

10. Trust Funds

The City operates the cemetery and maintains a cemetery perpetual care fund in accordance with the Cremation, Internment and Funeral Services Act. The trust fund assets and liabilities are not included in the consolidated financial statements. As at December 31, 2022, the balance of funds held in trust was \$147,824 (2021 - \$158,296).

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

11. Municipal Pension Plan

The City and its employees contribute to the Municipal Pension Plan (a jointly trustee pension plan). The board of trustees, representing plan members and employers, is responsible for administering the plan, including investment of assets and administration of benefits. The plan is a multi-employer defined benefit pension plan. Basic pension benefits are based on a formula. As at December 31, 2021, the plan has about 227,000 active members and approximately 118,000 retired members. Active members include approximately 42,000 contributors from local governments.

Every three years, an actuarial valuation is performed to assess the financial position of the plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the plan. This rate may be adjusted for the amortization of any actuarial funding surplus and will be adjusted for the amortization of any unfunded actuarial liability.

The most recent valuation for the Municipal Pension Plan as at December 31, 2021, indicated a \$3,761 million funding surplus for basic pension benefits on a going concern basis.

The City of Port Alberni paid \$1,284,120 (2021 - \$1,315,157) for employer contributions while employees contributed \$1,125,857 (2021 - \$1,100,705) to the plan in fiscal 2022.

The next valuation will be as at December 31, 2024, with results available in 2025.

Employers participating in the plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the plan.

12. Tangible Capital Assets

Tangible capital assets are stated at their net book value.

	2022	2021
Land	\$ 10,083,413	9,800,514
Land Improvements	4,423,954	4,782,113
Buildings	16,220,457	15,946,183
Machinery and Equipment	6,615,726	5,240,978
Engineering Structures	2,937,959	2,987,771
Storm Drain Systems	16,224,163	16,953,329
Transportation Systems	7,315,290	7,546,554
Water Systems	24,060,860	22,556,290
Sewer Systems	57,179,718	21,287,124
Leased assets	68,889	68,889
	14,130,429	106,160,745
Work-in-progress: Assets under construction not being amortized	7,266,055	37,667,290
	\$ 152,396,484	143,828,035

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

12. Tangible Capital Assets *(continued from previous page)*

For more information on additions, disposals, and amortization, refer to Schedule of Tangible Capital Assets (Schedule 1).

There were no write-downs of tangible capital assets in 2022 (2021 - \$ nil). Contributed assets recognized in 2022 were nil (2021 \$ nil). Interest capitalized in 2022 was \$206,695 (2021 \$204,205). No amortization has been recorded on assets not in use in 2022.

13. Accumulated Surplus

Accumulated surplus consists of individual fund surplus and reserve funds as follows:

	2022	2021 <i>(Restated – Note 3)</i>
Operations		
General	\$ (21,169,541)	\$ (25,320,729)
Water	988,991	1,590,523
Sewer	(2,873,658)	(1,540,624)
	\$ (23,054,208)	\$ (25,270,830)
Capital		
General	\$ 26,772,224	\$ 28,289,990
Water	(1,547,745)	(591,048)
Sewer	(11,101,367)	(6,692,843)
	\$ 14,123,112	\$ 21,006,099
Equity in tangible capital assets		
General	\$ 64,848,542	\$ 61,165,297
Water	23,045,696	22,088,999
Sewer	51,502,409	47,093,885
	\$ 139,396,647	\$ 130,348,181
Reserves		
Reserve funds – statutory		
Parkland acquisition	\$ 300,029	\$ 293,368
Land Sale	90,937	90,400
	390,966	383,768
Reserve funds – restricted		
Equipment replacement	6,127,642	7,515,548
Carbon fund	352,066	305,119
Parks and recreation capital	2,511,997	2,373,963
Capital works	264,307	691,868
Community Building Reserve fund	3,115,328	3,812,050
Alberni Valley Community Forest Corporation reserve	598,452	297,868
	12,969,792	14,996,416
Reserve funds – unrestricted		
General fund – projects and purchases	2,789,069	3,354,050
Museum purchases	62,968	62,040
RCMP – contract surplus	1,149,327	2,408,962
McLean Mill projects	334,300	334,300
Water fund – projects and purchases	8,878,370	7,177,145
Sewer fund – projects and purchases	3,189,802	1,785,678
	16,403,834	15,122,175
Total reserves	29,764,592	30,502,359
	\$ 160,230,143	\$ 156,585,809

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

13. Accumulated Surplus (continued from previous page)

The COVID-19 Safe Restart Grant for Local Governments was provided to local governments to assist with the increased operating costs and revenue short-falls as a result of the COVID-19 pandemic. The COVID-19 Safe Restart Grant may be used towards specific eligible costs for funding such as addressing revenue short-falls, facility reopening and operating costs, emergency planning and response costs, bylaw enforcement and protective services, computer and other technology costs, and services for vulnerable persons.

The City of Port Alberni received \$3,536,000 in COVID-19 Safe Restart Grant in 2020 and reports the balance in the General fund – projects and purchases reserve.

	2022	2021
Opening balance	721,385	2,241,022
COVID-19 Safe restart grant received	-	-
Deductions:		
Parks and recreation revenue shortfall	(500,000)	(582,472)
Parks and recreation expenditures	-	(318,219)
COVID-19 costs	-	(493,930)
Technical upgrading and improvements	(81,856)	
BC transit revenue (net) shortfall (excess)	-	106,950
Community gaming funds shortfall	-	(231,966)
Closing balance of unspent funds	139,529	721,385

Community Building Reserve fund (Federal Gas Tax funds)

			<i>(Restated – Note 3)</i>
Opening balance	\$	3,812,050	\$ 2,652,892
Add: Funding received during the year		835,923	1,989,899
Less: Amount spent on projects		(1,573,570)	(833,374)
Add: Interest		40,925	2,633
	\$	3,115,328	\$ 3,812,050

Federal Gas Tax funding is provided by the Federal government. The use of funding is established by a funding agreement between the City and the Union of British Columbia Municipalities (UBCM). These funds may be used towards designated infrastructure projects that help communities build and revitalize public infrastructure supporting economic growth and a clean environment.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

14. Grants and Transfers

The City recognizes the transfer of government funding as revenue in the period received and when all related eligibility criteria and stipulations have been satisfied. The government transfers reported on the Consolidated Statement of Operations are:

	2022	2021
		<i>(Restated – Note 3)</i>
Operating Grants		
Provincial	1,810,600	1,699,488
Local	8,978	8,500
Capital		
Federal	2,165,480	1,989,899
Provincial	-	-
Total Government Grants and Transfers	3,985,058	3,697,887
Other Grants – Non-Government	4,750	24,552
Total Grants and Transfers	\$ 3,989,808	\$ 3,722,439

15. Commitments and Contingencies

- a) **Regional District Debt:**
Debt issued by the Regional District of Alberni Clayoquot is a direct joint and several liability of the District and each member municipality including the City.

- b) **Claims for damages:**
In the normal course of a year, the City is faced with lawsuits and other claims for damages of a diverse nature. At year end, the City's estimated exposure for such liabilities is not considered to be significant. The City carried general liability insurance with a private insurance carrier in the amount of \$5 million, plus an umbrella policy in the amount of \$45 million. When claims are paid the expense is charge to the General Government expense category.

- c) **Commitments:**
The City entered into a long-term contract with the Royal Canadian Mounted Police for the provision of police services effective April 1, 2012. Under the terms of this contract, the City is responsible for 90% of policing costs. The 2023 estimated cost of this contract is \$7,069,521 (2021 - \$6,898,403).

16. Comparative Figures

Certain comparative figures have been restated to conform with the current year's presentation.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

17. Budget

The budget data presented in these consolidated financial statements includes both operating and capital budgets. The City of Port Alberni budget was approved by Council on April 11, 2022, with the adoption of the Five-Year Financial Plan (2022-2026) Bylaw No 5045, 2022. The chart below reconciles the approved budget per the Financial Plan to the budget reported in these consolidated financial statements.

	2022 Budget
Consolidated Budgeted Surplus, per City of Port Alberni Financial Plan Bylaw No. 5023	\$ -
Add	
Acquisition of tangible capital assets	9,801,296
Contingency	200,000
Debt repayments	371,427
Transfers to reserves	3,170,118
Less	
Proceeds of borrowing	8,500,000
Transfers from surplus	1,085,604
Consolidated Budgeted Surplus, per Statement of Operations	\$3,957,237

18. Segmented Information

The City of Port Alberni provides a wide range of services to its citizens including police, fire, recreation, roads, sewer and water. For reporting purposes, the City's operations and activities are organized and reported by Fund as described in Note 1. Funds were created for the purpose of recording specific activities to attain certain objectives in accordance with special regulations, restrictions or limitations.

City services are provided by departments and their activities are reported in these funds. Certain departments that have been separately disclosed in the segmented information, along with the services they provide are as follows:

General government services

General government provides internal support services to Council and other departments who provide direct services to its citizens. General government consists of governance, corporate management and program support. Internal departments include Legislative (Council), Chief Administrator's Office, City Clerk's Department, Financial Services, Information Technology, and Human Resources.

Protective services - Police, Fire, and Building Inspection

The Royal Canadian Mounted Police is Canada's national police service. They are committed to preserving the peace, upholding the law and providing quality service in partnership with Canadian communities and for all Canadian citizens. The mandate of the Port Alberni Fire Department is to provide fire suppression services; fire prevention programs; training and education related to prevention, detection or extinguishment of fires.

CITY OF PORT ALBERNI
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the Year Ended December 31, 2022

18. Segmented Information (continued from previous page)

It is the mandate of the Building Inspection Department to provide building inspection services as set out in the building bylaw for residents and builders. Building inspection services are provided in order to assist residents and builders in constructing projects which meet minimum construction standards.

Transportation services

The Public Works Department is responsible for the delivery of municipal public works services related to the planning, development and maintenance of roadway systems, traffic control and street lighting.

Environmental health services

The function of environmental health services is to provide for the collection and disposal of solid waste as well as providing cemetery services to the citizens of Port Alberni.

Environmental and economic development

Environmental development provides services relating to planning, economic development and tourism. The Planning Department develops and administers land use regulations to ensure an orderly and well-planned community. Economic Development includes responsibilities for diversification of the economy through business retention, business attraction and marketing key properties owned by the City.

Recreation and cultural services

The mission of the Parks, Recreation and Heritage Department is to enrich the quality of life of residents and visitors. The parks, facilities, programs and services are designed and delivered to provide the greatest benefit to the community as a whole. The Museum Department works with the community to collect, document, preserve and present all aspects of the cultural heritage of the Alberni Valley and West Coast of Vancouver Island. Cultural services also contribute towards the information needs of citizens through the provision of library services in partnership with the Vancouver Island Regional Library.

Water utility

The Water Department provides for the supply and treatment of safe drinking water to the citizens of Port Alberni.

Sewer utility

The Sewer Department provides for the collection and treatment of wastewater.

The accounting policies used in these segments are consistent with those followed in preparation of the consolidated financial statements as disclosed in Note 2. For additional information see Segmented Information (Schedule 2).

CITY OF PORT ALBERNI
SCHEDULE 1: TANGIBLE CAPITAL ASSETS
As at December 31, 2022

	ASSETS			ACCUMULATED AMORTIZATION				NET BOOK VALUE 2022	NET BOOK VALUE 2021	
	Balance	2022 Additions	2022 Disposals	Balance	2022 Additions	2022 Disposals	Balance			
	December 31, 2021			December 31, 2022			December 31, 2021			December 31, 2022
Land	9,800,514	282,899	-	10,083,413	-	-	-	10,083,413	9,800,514	
Land Improvements	12,992,671	7,646	-	13,000,317	8,210,558	365,805	8,576,363	4,423,954	4,782,113	
Buildings	36,729,842	1,248,835	-	37,978,677	20,783,659	974,561	21,758,220	16,220,457	15,946,183	
Machinery & Equipment	15,767,346	2,239,523	(455,337)	17,551,532	10,526,368	776,855	(367,417)	10,935,806	5,240,978	
Engineered Structures	4,271,879	-	-	4,271,879	1,293,108	40,812	1,333,920	2,937,959	2,978,771	
Storm Drains	24,998,092	616,429	-	25,614,521	9,044,763	345,595	9,390,358	16,224,163	15,953,329	
Transportation	44,174,403	608,563	(44,028)	44,738,938	36,627,849	839,827	(44,028)	37,423,648	7,315,290	
Water	40,256,851	2,425,634	(108,510)	42,573,975	17,700,561	907,908	(95,354)	18,513,115	24,060,860	
Sewer	33,043,969	37,415,403	(679,493)	69,779,879	11,756,845	1,364,222	(520,906)	12,600,161	57,179,718	
Leased assets	1,425,000	-	-	1,425,000	1,356,111	-	1,356,111	68,889	68,889	
Work In progress	37,567,290	(30,401,235)	-	7,266,055	-	-	-	7,266,055	37,667,290	
	261,127,857	14,443,697	(1,287,368)	274,284,186	117,299,822	5,615,585	(1,027,705)	121,887,702	152,398,484	143,828,035

The accompanying notes are an integral part of these consolidated financial statements.

CITY OF PORT ALBERNI
 SCHEDULE 2: SEGMENTED INFORMATION
 As at December 31, 2022

	General Government	Protective Services	Transportation Services	Environmental Health Services	Environmental & Economic Development	Recreation and Cultural Services	Water Utility	Sewer Utility	Other Funds	Consolidated 2022	Budget 2022	(Note 13)
Revenue												
Taxes	\$ 25,802,595	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,802,595	\$ 25,802,575	
Sales of services	32,540	438,637	416,047	3,545,522	238,160	1,634,925	3,900,799	3,352,799	3,381,840	11,702,238	10,895,778	
Other revenue from own sources	445,414	526,410	-	34,840	153,474	-	37,048	32,442	114,789	1,225,968	1,231,809	
Investment income	351,416	-	1,226	-	-	-	49,711	18,089	162,594	622,066	280,000	
Grants	2,345,560	-	4,750	-	254,580	508,895	-	-	835,923	3,989,808	1,789,187	
Recognition of development cost charges	-	-	-	-	-	-	-	-	-	-	-	
Gain/loss on disposal of assets	-	-	-	-	-	-	-	-	-	-	-	
Income (loss) from investment in Government Business Enterprise	-	-	-	-	1,840,840	-	-	-	-	1,840,840	-	
Other	-	-	-	-	-	-	-	-	-	-	-	
Total revenue	29,085,645	955,037	422,023	1,600,871	2,587,454	2,123,820	4,027,508	3,203,330	2,174,493	48,581,161	39,438,441	
Expenses												
Salaries, wages, and benefits	2,318,955	3,229,650	2,780,520	540,948	858,850	4,171,948	788,983	505,214	-	17,247,875	18,344,643	
Debt servicing	21,501	81,287	-	-	-	22,458	44,518	47,838	-	217,452	265,370	
RCMP contract	-	6,043,880	-	-	-	-	-	-	-	6,043,880	6,053,092	
Grants	31,000	235,599	-	-	283,013	-	-	-	-	539,612	238,500	
Other contracts	170,578	-	998,778	-	50,920	-	-	-	-	3,220,074	1,323,539	
Goods and services	2,738,907	1,803,728	3,132,894	875,864	638,024	2,618,590	1,095,397	1,247,991	1,573	11,692,369	9,055,050	
	4,760,745	11,393,945	4,942,192	1,416,812	2,840,807	6,815,624	1,928,900	1,820,163	1,573	36,901,282	35,531,204	
Amortization	181,790	347,286	1,647,633	2,183	89,337	3,095,231	907,908	1,364,222	-	5,615,585	-	
Total expenses	4,942,535	13,741,231	6,589,815	3,419,026	1,910,199	7,910,125	2,836,808	3,185,583	1,573	47,516,847	35,531,204	
Annual surplus (deficit)	24,143,110	(12,786,194)	(6,167,802)	161,775	677,315	(5,786,435)	1,190,700	37,845	2,172,920	3,644,314	3,907,237	

	General Government	Protective Services	Transportation Services	Environmental Health Services	Environmental & Economic Development	Recreation and Cultural Services	Water Utility	Sewer Utility	Other Funds	Consolidated 2021	(Restated - Note 3)
Revenue											
Taxes	\$ 24,818,993	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,818,993	
Sales of services	354,235	377,888	116,292	944,657	277,440	492,645	3,903,025	3,441,930	1,015,594	11,218,533	
Other revenue from own sources	450,899	415,167	-	9,134	177,984	-	40,545	36,900	99,812	2,220,168	
Investment income	90,957	-	-	-	-	-	67,809	68,848	29,504	257,138	
Grants	852,778	-	17,547	-	198,004	664,416	-	-	1,889,899	3,722,439	
Recognition of development cost charges	-	-	-	-	-	-	-	75,000	-	353,907	
Gain/loss on disposal of assets	-	-	-	-	-	-	-	-	-	(145,808)	
Income (loss) from investment in Government Business Enterprise	-	-	-	-	(11,949)	-	-	-	-	(11,949)	
Other	-	-	-	-	-	-	-	-	-	-	
Total revenue	26,507,339	792,955	233,839	953,811	643,490	1,647,966	4,010,899	3,507,788	3,009,418	41,355,318	
Expenses											
Salaries, wages, and benefits	2,448,975	5,415,567	2,963,358	485,328	752,023	3,691,524	842,327	521,336	-	17,241,118	
Debt servicing	9,123	82,515	-	-	-	7,874	44,348	47,107	-	192,007	
RCMP contract	-	6,681,045	-	-	-	-	-	-	-	6,683,045	
Grants	4,300	-	-	-	318,408	-	-	-	-	312,709	
Other contracts	46,316	-	812,963	-	100,899	-	-	-	-	2,060,218	
Goods and services	1,232,470	1,401,769	906,277	737,548	706,513	2,033,443	711,129	1,083,739	21,736	8,366,414	
	3,941,184	13,948,676	4,782,598	1,223,876	1,887,564	6,628,074	1,628,074	1,651,772	21,736	33,775,521	
Amortization	201,374	371,954	1,589,228	2,183	89,237	1,093,779	852,315	516,641	-	4,598,806	
Total expenses	3,942,358	23,655,890	6,271,826	2,216,059	1,456,896	8,445,620	2,480,389	2,168,413	21,736	46,217,317	
Annual surplus (deficit)	22,565,081	(12,862,935)	(5,937,987)	(1,262,248)	(813,406)	(1,797,654)	1,530,510	1,339,375	2,987,682	(4,862,000)	

The accompanying notes are an integral part of these consolidated financial statements.

CITY OF PORT ALBERNI
 SCHEDULE 3: DEBT
 As at December 31, 2022

Security Issuing Bylaw	Purpose	Term in Years	Annual Interest Rate	Maturity Date	Original Issue	Balance Dec. 31, 2021	Principal Paid	Actuarial Recognized	Balance Dec. 31, 2022	Debt Reserve Cash Balance Dec. 31, 2021	Debt Reserve Income & Expenses	Debt Reserve Cash Balance Dec. 31, 2022
Long-term debt												
4575	General	25	1.75%	19-Apr-31	3,375,064	1,752,314	81,042	64,910	1,606,362	54,016	1,206	55,222
4807	General	30	3.00%	14-Oct-44	428,300	179,589	25,631	8,097	145,861	4,748	377	5,125
4846	General	20	2.20%	8-Apr-35	912,000	700,783	32,249	7,393	661,121	10,574	236	10,810
					4,715,364	2,632,666	138,922	80,400	2,413,344	69,338	1,819	71,167
4848	Water	30	2.20%	8-Apr-45	2,000,000	1,748,230	38,743	8,882	1,698,605	23,187	518	23,705
4807	Waste Water	30	3.00%	14-Oct-44	5,321,700	4,760,654	76,892	24,295	4,669,467	62,788	1,131	63,919
4939	Waste Water	30	1.45%	09-Apr-50	4,450,000	4,340,308	109,692	2,194	4,228,422	45,915	1,026	46,941
					9,771,700	9,100,962	186,584	26,489	8,887,889	108,703	2,157	110,860
					<u>16,487,064</u>	<u>13,479,858</u>	<u>364,249</u>	<u>115,771</u>	<u>12,989,838</u>	<u>201,228</u>	<u>4,494</u>	<u>205,722</u>

The accompanying notes are an integral part of these consolidated financial statements.

CITY OF PORT ALBERNI
SCHEDULE 4: TAX LEVIES AND GRANTS IN LIEU OF TAXES
As at December 31, 2022

	Budget (Note 17)	2022	2021
TAX LEVIES			
General purpose	\$ 24,812,227	\$ 24,788,520	\$ 23,849,068
Off-street parking	14,650	12,882	14,266
Utility	746,741	775,362	736,720
	<u>25,573,618</u>	<u>25,576,764</u>	<u>24,600,054</u>
Grants in lieu of taxes	233,955	224,831	218,939
Total Municipal Taxes	<u>25,807,573</u>	<u>25,801,595</u>	<u>24,818,993</u>
COLLECTIONS FOR OTHER GOVERNMENTS			
School Districts	5,040,892	6,637,778	6,003,287
Alberni Clayoquot Regional Hospital District	700,665	695,873	671,425
Alberni Clayoquot Regional District	1,372,574	1,595,707	1,462,475
B.C. Assessment	181,000	210,693	187,634
Vancouver Island Regional Library	804,622	839,444	804,622
Municipal Finance Authority	700	960	676
	<u>8,100,453</u>	<u>9,980,455</u>	<u>9,130,119</u>
Total Taxes Collected	<u>\$ 33,908,026</u>	<u>\$ 35,782,050</u>	<u>\$ 33,949,112</u>

The accompanying notes are an integral part of these consolidated financial statements.

SCHEDULE SHOWING THE REMUNERATION AND EXPENSES PAID TO OR ON BEHALF OF EACH EMPLOYEE

1. Elected Officials, Employees appointed by Cabinet and Members of the Board of Directors

Name	Position	Remuneration	Taxable Benefits & Other	Expenses
CORBEIL, RON	Elected Official	\$ 16,976.67	\$ 43.34	\$ 3,705.88
DAME, DUSTIN	Elected Official	\$ 2,575.03	\$ 15.51	\$ 550.21
DOUGLAS, JOHN	Elected Official	\$ 2,575.03	\$ 11.87	\$ 550.21
HAGGARD, DEBBIE	Elected Official	\$ 19,498.05	\$ 47.32	\$ 5,322.19
MEALEY, CHARLES	Elected Official	\$ 2,575.03	\$ 14.89	\$ 44.10
MINIONS, SHARIE	Elected Official	\$ 43,993.11	\$ 91.31	\$ 9,940.93
PATOLA, TODD	Elected Official	\$ 2,575.03	\$ 7.93	\$ 550.21
PAULSON, RON	Elected Official	\$ 16,976.67	\$ 3.74	\$ 3,665.78
POON, MAN SHUN HELEN	Elected Official	\$ 16,976.67	\$ 83.38	\$ 3,717.28
SOLDA, CINDY	Elected Official	\$ 19,498.05	\$ 91.31	\$ 3,560.76
WASHINGTON, DAN	Elected Official	\$ 16,976.67	\$ 83.38	\$ 2,844.31
Total: elected officials, employees appointed by Cabinet and members of the Board of Directors (A)		\$ 161,196.01	\$ 493.98	\$ 34,451.86

2. Other employees (excluding those listed in Part 1 above)

Name	Position	Remuneration	Taxable Benefits & Other	Expenses
ANDERSEN, DOUGLAS	Water System - Meters & Cross Connection	\$ 78,014.01	\$ 565.00	\$ 1,619.94
ARENTSEN, KEITH	LAN Administrator/Systems Operator	\$ 79,330.94	\$ 565.00	\$ 99.11
ARNETT, MIKE	Maintenance Co-ordinator	\$ 77,286.86	\$ 565.00	\$ -
BAKER, CHRIS	Manager of Community Safety	\$ 98,079.29	\$ 712.96	\$ 675.00
BERKE, KARRY	Sewer Chargehand	\$ 100,667.84	\$ 565.00	\$ 991.29
BISHOP, JUSTIN	Wastewater Systems Operator	\$ 78,968.24	\$ 565.00	\$ 100.00
BITTER, PETER	Accountant	\$ 75,932.28	\$ 565.00	\$ 525.00
BODIN, KRISTA	Manager of Human Resources	\$ 132,581.39	\$ 964.54	\$ 2,057.41
BOOTH, ANTHONY	Fire Fighter	\$ 108,687.07	\$ 736.40	\$ -
BOUCHARD, TORY	Superintendent - Fleet & Solid Waste	\$ 96,422.35	\$ 687.13	\$ 293.99
BOURGOIN, SHAWN	Manager of Recreation Services	\$ 95,702.55	\$ 696.20	\$ 902.02
BRITTON, SHAYLA	Stores Clerk	\$ 78,841.42	\$ 565.00	\$ 1,371.52
BURROWS, SCOTT	Fire Captain	\$ 138,617.18	\$ 916.83	\$ -
CAYER, CODY	Mechanic	\$ 74,992.58	\$ 503.00	\$ -
COLCLOUGH, BRANDON	Water System Technician	\$ 82,813.12	\$ 565.00	\$ -
COX, AARON	Firefighter	\$ 89,097.02	\$ 609.62	\$ -
CROSS, TRAVIS	Firefighter	\$ 115,826.85	\$ 770.23	\$ 701.60
CUSSON, DAVID	Manager of Community Policing	\$ 84,597.44	\$ 624.48	\$ -
DARLING, SARA	Deputy Director of Corporate Services	\$ 94,547.93	\$ 676.29	\$ 1,092.69
DEAKIN, PATRICK	Manager of Economic Development	\$ 108,918.92	\$ -	\$ 5,149.67
DICKINSON, ROBERT	Director of Engineering and Public Works	\$ 146,858.58	\$ 1,068.62	\$ 7,309.22
FINES, DERRIN	Firefighter	\$ 118,765.29	\$ 780.53	\$ -
FUDGE, NORMAN	Mechanic	\$ 78,607.05	\$ 665.00	\$ 127.00
GAGNON, MICHELLE	Administration Clerk - RCMP	\$ 76,861.09	\$ 565.00	\$ 702.44
GAUDET, KEVIN	Water System Technician	\$ 78,564.39	\$ 565.00	\$ -
GAUDREAU, ROBERT	Building Inspector	\$ 91,766.50	\$ 565.00	\$ 2,013.84
GIRI, AMARJEET	Waterworks Chargehand	\$ 87,978.51	\$ 565.00	\$ 981.49
GUERIN, ANDRE	Firefighter	\$ 140,943.09	\$ 916.83	\$ 1,132.22
HALEY, JOHN	Firefighter	\$ 147,651.08	\$ 916.83	\$ -
HALYCHUK, BENJAMIN	Firefighter	\$ 117,764.02	\$ 755.13	\$ -
HARDING, SHELLY	Museum Curator	\$ 76,137.73	\$ 565.00	\$ 110.00
HEIMAN, DAVID	Streets Chargehand	\$ 84,522.98	\$ 565.00	\$ -
HENGSPERGER, ZSOLT	Records Management Clerk - RCMP	\$ 75,470.13	\$ 565.00	\$ -
JUNGENKRUEGER, RODNEY	Residential Garbage Collector	\$ 75,818.44	\$ 565.00	\$ -
KLEYWEGT, BRIAN	Software Analyst	\$ 74,813.25	\$ 565.00	\$ 416.51
KRANEVELDT, ROBERT	Facilities Operations Supervisor	\$ 101,600.64	\$ 739.14	\$ -
LANDSVIK, ERIK	Gardener	\$ 78,543.70	\$ 565.00	\$ 137.94
LENNOX, MATTHEW	Utilities Superintendent	\$ 98,777.07	\$ 731.27	\$ 3,360.18
LEPINE, TREVOR	Wastewater Treatment Plant Technician	\$ 81,045.47	\$ 565.00	\$ -
LEYENAAR, CURTIS	Chargehand - Parks	\$ 81,577.92	\$ 565.00	\$ 1,153.00
LOW, CAILEAN	Firefighter	\$ 124,307.53	\$ 795.24	\$ 1,416.18
MACAULEY, ROSALYN	Deputy Director of Finance	\$ 105,169.97	\$ 764.77	\$ 5,252.08
MCCOOMBS, GERALD	Truck Driver	\$ 78,369.06	\$ 565.00	\$ 80.00
MCGIFFORD, ANDREW	Director of Finance	\$ 141,869.66	\$ 1,033.02	\$ 2,260.66
MCHALE, CONSTANTINE	Facilities Maintenance Technician	\$ 78,574.29	\$ 565.00	\$ 334.68
MCLOUGHLIN, BRIAN	Planner	\$ 79,722.24	\$ 565.00	\$ 1,508.00

Prepared under the Financial Information Regulation, Schedule 1, section 6(2), (3), (4), (5) and (6)

SCHEDULE SHOWING THE REMUNERATION AND EXPENSES PAID TO OR ON BEHALF OF EACH EMPLOYEE

Name	Position	Remuneration	Taxable Benefits & Other	Expenses
MIGUEZ, JOHN	Firefighter	\$ 119,561.90	\$ 755.13	\$ 1,343.60
NADIG, HERBERT	Fire Captain	\$ 146,655.45	\$ 754.40	\$ 1,164.74
NEEDHAM, AMY	Manager of Parks	\$ 102,569.18	\$ 740.05	\$ 1,343.69
OWENS, MICHAEL	Fire Chief	\$ 136,198.82	\$ 981.77	\$ 3,813.30
PATTERSON, CHARLES W	Deputy Fire Chief	\$ 126,819.12	\$ 927.07	\$ 1,766.61
PELECH, JEFF	Manager of Information Technology	\$ 114,345.55	\$ 830.34	\$ 3,432.45
PLEY, TIMOTHY	Chief Administrative Officer	\$ 188,780.13	\$ -	\$ -
PORTILA, LINDA	Senior Maintenance Worker	\$ 78,364.96	\$ 565.00	\$ 1,453.30
POVEY, BRIAN	Wastewater Systems Operator	\$ 79,412.84	\$ 565.00	\$ -
RITCHIE, IAN	Firefighter	\$ 140,466.55	\$ 916.83	\$ -
RITCHIE, MAX	Firefighter	\$ 89,282.44	\$ 615.68	\$ -
ROBERTS, JASON	Firefighter	\$ 111,149.73	\$ 750.77	\$ -
ROGERS, BRADLEY	Firefighter	\$ 110,535.47	\$ 755.13	\$ -
ROSE, BRENT	Firefighter	\$ 109,687.85	\$ 750.77	\$ -
RUEL, TYLER	Firefighter	\$ 83,580.05	\$ 619.73	\$ -
SCHWARZ, MIKI	Aquatics Programmer	\$ 76,036.95	\$ 565.00	\$ 119.02
SELVA, ANTHONY	Firefighter	\$ 98,745.45	\$ 683.20	\$ -
SEXTON, RYAN	Carpenter	\$ 79,199.16	\$ 665.00	\$ -
SLONSKI, TWYLA	Director of Corporate Services	\$ 141,869.47	\$ 1,033.02	\$ 653.57
SMITH, SCOTT	Director of Development Services/Deputy CAO	\$ 158,975.28	\$ 1,143.82	\$ 4,327.05
SMITH, KIRSTEN	Collections Curator	\$ 74,691.79	\$ 565.00	\$ 1,977.84
STELMACKER, JAMES	Mechanic	\$ 78,660.45	\$ 665.00	\$ -
STEPHEN, JOHN	Water System Technician	\$ 93,172.56	\$ 677.56	\$ -
THORPE, WILLA	Director of Parks, Recreation & Heritage	\$ 141,869.66	\$ 1,033.02	\$ 14,125.93
TOURANGEAU, BRENNAN	Firefighter	\$ 109,423.93	\$ 750.77	\$ -
TURNER, RYAN	Firefighter	\$ 109,071.98	\$ 750.77	\$ 1,382.93
WADE, MARIANNE	Manager of Development Services	\$ 78,093.61	\$ 550.55	\$ 5,582.68
WEENING, FRANK	Custodial Guard	\$ 76,949.67	\$ 200.00	\$ 100.00
WEILER, MARK	Carpenter	\$ 78,386.66	\$ 665.00	\$ -
WETMORE, DANIEL	Engineering Technologist	\$ 80,733.24	\$ 565.00	\$ 3,785.55
WIATR, ROMAN	Water System Technician	\$ 80,975.09	\$ 565.00	\$ 507.00
WONG, S. BOYD	Engineering Technologist	\$ 90,072.86	\$ 565.00	\$ 393.75
WRIGHT, CLINTON	Manager of Operations	\$ 100,726.43	\$ 815.23	\$ 938.84
ZAPLOTINSKY, BLADON	Firefighter	\$ 112,211.05	\$ 755.13	\$ -
Consolidated total of other employees with remuneration and expenses of \$75,000 or less		\$ 6,701,634.22	\$ 43,337.45	\$ 32,516.98
Total: Other Employees (B)		\$ 14,710,914.51	\$ 97,137.25	\$ 124,603.49

3. Reconciliation

Total remuneration - elected officials, employees appointed by cabinet and members of the Board of Directors (A)	\$	161,689.99
Total remuneration - other employees (B)	\$	14,808,051.76
Subtotal	\$	14,969,741.75
Reconciling Items		
Total per Statement of Revenue and Expenditure	\$	17,187,875.00
Variance Note 1	\$	(2,218,133.25)

NOTE 1

A formal reconciliation of the figures cannot be presented due to the functional reporting of expenditures.

The variance is due to the following reasons:

- the financial statement reports benefits as a percentage of salaries and wages whereas remuneration is the amount paid directly to the employee as defined in the Financial Information Regulation, Schedule 1, subsection 6(1).

CITY OF PORT ALBERNI
STATEMENT OF SEVERANCE AGREEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2022

There were zero (0) severance agreements under which payment commenced between the City of Alberni and its non-unionized employee during fiscal year 2022.

This statement is prepared under the Financial Information Regulation, Schedule 1, Subsection 6(7).

1. Alphabetical list of suppliers who received aggregate payments exceeding \$25,000

Supplier Name	Aggregate Amount Paid To Supplier
RECEIVER GENERAL FOR CANADA - REVENUE CANADA	4,190,741.71
RECEIVER GENERAL FOR CANADA - COMMISSIONER RCMP	4,127,516.56
REGIONAL DISTRICT OF ALBERNI CLAYOQUOT	2,949,526.79
PENSION CORPORATION	2,401,439.19
INDUSTRA CONSTRUCTION CORP	2,397,593.49
BOWERMAN CONSTRUCTION LTD	2,176,801.39
TRITECH GROUP LTD	1,853,458.73
MINISTRY OF PROV REVENUE	1,046,470.76
B C HYDRO & POWER AUTHORITY	981,867.50
VANCOUVER ISLAND REGIONAL LIBRARY	839,444.00
ALBERNI CLAYOQUOT REGIONAL HOSPITAL DIST.	695,873.00
COPCAN CIVIL LP	672,758.10
B C TRANSIT	664,051.66
LEUCO CONSTRUCTION INC	653,089.16
FORT GARRY FIRE TRUCKS	617,829.40
MKM PROJECTS LTD	545,714.47
ENEX FUELS LTD.	490,931.11
BRANDT TRACTOR LTD.	475,791.18
MUNICIPAL INSURANCE ASSOC OF BC	453,683.80
ASSOCIATED ENGINEERING (BC) LTD	449,129.30
WORKSAFE BC	440,256.91
PACIFIC BLUE CROSS	438,602.08
KENDRICK EQUIPMENT 2003 LTD.	437,483.94
ANDREW SHERET LIMITED	382,862.83
KOERS & ASSOCIATES ENGINEERING LTD	373,259.76
NCS FLUID SYSTEMS	349,999.65
BAILEY ELECTRIC CO LTD	318,001.72
BC EMPLOYER HEALTH TAX	274,371.41
DOROTHY CLARKSTONE IN TRUST	246,379.26
ANDERSON HILL LTD PARTNERSHIP	245,628.36
PATOLA, TODD	242,489.51
PWL PARTNERSHIP LANDSCAPE ARCHITECTS INC	236,732.56
B C ASSESSMENT AUTHORITY	210,692.61
MASTERCARD - DIR OF FINANCE	205,840.94
CO-OPERATORS, THE	192,457.03
0946982 BC LTD DBA ACE FLAGGING	184,857.30
FORTIS BC - NATURAL GAS	182,571.00
NORTH ISLAND COLLEGE	182,237.88
CANADIAN UNION OF PUBLIC EMPLOYEES	172,209.05
WAYMARK	170,801.24
FRED SURRIDGE LTD	169,652.88
COLUMBIA FUELS	167,707.63
ALBERNI VALLEY REFRIGERATION	156,680.82
KUU-US CRISIS LINE SOCIETY	152,244.00
JAMIESON, MICHELE	150,000.00
TIM PLEY & ASSOCIATES LTD	149,850.79
S P C A	147,539.52
CITY OF PORT ALBERNI	147,018.69
PORT ALBERNI PORT AUTHORITY	147,011.51
I C B C -Insurance Corporation of British Columbia	140,074.00
RAYNER BRACHT CONSTRUCTION	125,066.53
CRAIG'S ENTERPRISES	118,922.33
CENTRAL SQUARE	116,968.05

Supplier Name	Aggregate Amount Paid To Supplier
URBAN SYSTEMS LTD	115,635.53
ZINC STRATEGIES	111,720.00
FIRST GLASS LTD	110,604.39
RAM ROOFING	107,737.09
ADELHARDT CONCRETE PLUS	105,590.50
SHAW BUSINESS	103,512.26
MNP LLP	96,287.10
FOOTPRINTS SECURITY PATROL INC	93,060.54
ROCKRIDGE INDUSTRIAL SERVICES INC	91,766.86
METERCOR INC	90,912.09
MCELHANNEY CONSULTING SERVICES LTD.	86,233.95
M2 GREEN MECHANICAL LTD	85,666.13
BOULDER EXCAVATING LTD	85,360.99
MCCARTHY, JAMIE	83,184.24
ALBERNI PAVING & CONTRACTING LTD	82,578.37
BERK'S INTERTRUCK LTD	80,520.67
ENCORE BUSINESS SOLUTIONS INC	79,645.30
ITBLUEPRINT	77,294.35
ASLAN VENTURES INC	75,000.00
CANADIAN MENTAL HEALTH - PORT ALBERNI	74,003.96
TELUS MOBILITY CELLULAR INC	73,378.88
TELUS	72,954.34
PORT ALBERNI FIRE FIGHTERS ASSOC	71,909.00
WSP CANADA INC	71,672.99
COMMUNITY FUTURES DEVELOPMENT CORP	71,527.18
RICOH CANADA INC	70,838.06
WHITE PACIFIC AUTOMATION	69,927.99
TETRA TECH EBA INC	69,654.59
CIRCLE DAIRY 1987 LTD	68,210.95
DOLANS CONCRETE LTD	67,778.43
DB PERKS & ASSOCIATES LTD.	67,585.42
B PLETTI CONTRACTING, INC.	63,082.67
FRANK PLANNING COLLABORATIVE	62,822.39
1278881 BC LTD	62,383.57
LAFRENTZ ROAD MARKING	60,846.32
SALVATION ARMY	60,666.67
SOUTHSIDE AUTO SUPPLY LTD	58,396.95
QUADIENT	55,828.98
MINISTRY OF ENVIRONMENT	54,653.64
TOTEM TREE OPERATIONS	54,623.62
ITEL NETWORKS INC	53,461.29
PORT ALBERNI FRIENDSHIP CENTRE	53,230.00
OSPREY ELECTRIC LTD	51,312.73
HAS PAINTING	50,631.48
L B WOODCHOPPERS LTD	50,406.06
SOFTCHOICE CORP	49,576.82
BLACK PRESS GROUP	48,602.82
3D GEOMATICS INC	47,506.83
NOMAD TREE SERVICE	47,263.14
CDW CANADA	47,248.62
BRENNTAG CANADA INC.	45,149.11
BASRA, TEJ	45,000.00
BUNZL	44,842.04
JACK'S TIRE SALES & SERVICES LTD	44,809.96
ROLLINS MACHINERY LTD	44,795.04

Prepared under the Financial Information Regulation, Schedule 1, subsection 7

Supplier Name	Aggregate Amount Paid To Supplier
HAYLOCK BROS PAVING LTD	44,331.30
ISLAND KEY COMPUTER LTD	42,930.72
COLYN'S LANDSCAPING LTD	42,825.80
MCGILL & ASSOCIATES	42,289.72
ACCENT REFRIGERATION SYSTEMS	42,127.22
LONG VIEW SYSTEMS CORPORATION	41,878.57
M B LABORATORIES LTD	41,689.24
DUNCAN ELECTRIC MOTOR LTD	39,987.97
RELIANCE FOUNDRY	38,288.04
COLYN, WILLEM A	37,985.22
BEAVER CREEK HOME CENTRE	37,887.63
DAST WELDING INC	37,478.03
VIKING REINFORCING LTD	37,218.84
BANK OF NOVA SCOTIA	36,261.94
PACIFIC AUDIO WORKS	36,177.42
SHAW CABLE	35,533.35
WINDSOR PLYWOOD	34,126.32
URGEL'S AUTO COLLISION	33,842.93
A C E COURIER SERVICES	33,698.73
YOUNG, ANDERSON	33,165.01
ISLAND TIMBERFRAME	33,082.56
NATIONAL COLLECTIVE BARGAINING INSTITUTE	33,024.71
ORGANIZED CRIME AGENCY OF BC	32,827.32
GREGG DISTRIBUTORS (BC) LTD	31,575.15
UBCM - Union of BC Municipalities	30,970.17
BC HYDRO CAD - 130160	30,242.10
AGGRESSIVE TRUCK REPAIR	30,015.38
MCM FACILITATION & TRAINING	29,563.78
H2X CONTRACTING LTD	29,117.33
CLOVERDALE PAINT INC	27,343.84
STAPLES ADVANTAGE	27,113.68
SLOPESIDE MECHANICAL	27,104.91
ACKLANDS - GRAINGER INC	26,908.05
HANDY ANDY MAINTENANCE LTD	26,761.32
LOBLAW PROPERTIES WEST INC	26,554.40
COASTAL BRIDGE & CONSTRUCTION LTD	26,427.45
RG PORTFOLIO SERVICES INC	26,250.00
TSESHAHT FIRST NATION	25,000.00
Total aggregate amount paid to suppliers (A)	\$41,218,682.14

2. Consolidated total paid to suppliers who received aggregate payments of \$25,000 or less

(B)	\$2,787,008.23
-------	----------------

3. Total of payments to suppliers for grants and contributions exceeding \$25,000

ALBERNI VALLEY CHAMBER OF COMMERCE	245,079.86
Consolidated total of grants exceeding \$25,000.00	245,079.86
Consolidated total of contributions exceeding \$25,000.00	\$ -
Consolidated total of all grants and contributions exceeding \$25,000 (C)	\$245,079.86

Supplier Name	Aggregate Amount Paid To Supplier
4. Reconciliation	
Total of aggregate payments exceeding \$25,000 paid to suppliers (A)	\$ 41,218,682.14
Consolidated total of payments of \$25,000 or less paid to suppliers (B)	2,787,008.23
Consolidated total of all grants and contributions exceeding \$25,000 (C)	245,079.86
Reconciling items	
Total per Statement of Revenue and Expenditure	25,328,972.00
Variance Note 2	\$ 18,921,798.23

NOTE 2

A formal reconciliation cannot be presented due to the functional reporting of expenditures.

The variance is due to the following reasons:

- collections for others;
- payments made to suppliers for payroll purposes eg. Receiver General, Pension Corporation etc.;
- GST and HST are included in the payments to suppliers but is not included in the financial statement total.
- acquisition of capital assets
- amortization expense

CITY OF PORT ALBERNI

SCHEDULE OF DEBTS

FOR THE YEAR ENDED DECEMBER 31, 2022

Prepared Under the Financial Information Regulation, Schedule 1, Section 4

Information on all long-term debts for this organization is included in Note 8 and Schedule 3 to the Financial Statements.

SCHEDULE OF GUARANTEE OR INDEMNITY

FOR THE YEAR ENDED DECEMBER 31, 2022

Prepared Under the Financial Information Regulation, Schedule 1, Section 5

Information on all Guarantees and Indemnities for this organization is included in Note 15 to the Financial Statements.

**CITY OF PORT ALBERNI
FOR THE YEAR ENDED DECEMBER 31, 2022**

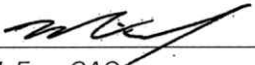
STATEMENT OF FINANCIAL INFORMATION APPROVAL

The undersigned, as authorized by the Financial Information Regulation, Schedule 1, subsection 9(2), approves all the statements and schedules included in this Statement of Financial Information, produced under the *Financial Information Act*.

Andrew McGifford, CPA, CGA
Director of Finance
June 26, 2023

Cindy Solda
Council Member on behalf of Council
Audit Committee Chair

Date: June 20, 2023
 File No: Legal File No. 757 [2240-20-757]
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: BC Transit Annual Operating Agreement [AOA] | 2023-2024 Amendment for Umo

Prepared by: <i>ANDREW MCGIFFORD</i> Director of Finance	Supervisor: <i>M. FOX</i> CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
--	--	--

RECOMMENDATION

THAT the Mayor and Corporate Officer be authorized to execute the amended BC Transit|2023 - 2024 Annual Operating Agreement between the City of Port Alberni and British Columbia Transit to reflect the changes required for Umo, the electronic fare collection system.

PURPOSE

To receive Council authorization to amend the BC Transit Annual Operating Agreement [AOA], covering the period ending March 31, 2024, as it relates to the adoption of the 30-Day Pass fare in place of existing monthly pass fare changes coming in September 2023 for Port Alberni in the new Umo electronic platform.

BACKGROUND

In 2023, BC Transit moved to an electronic fare collection system with the Umo fare technology platform in 30 transit systems across the province, including Port Alberni. Umo is being implemented to replace the existing, end-of-life fare collection equipment and technology and provide customers with new convenient ways to purchase and use their fares. Paper tickets will remain an option for the time being to be reviewed at a future date once Umo has been in place for a period of time in order to understand the impacts and need for this option moving forward. Cash will remain as a payment option for those riders that choose or need to use it.

ALTERNATIVES/OPTIONS

1. That the Mayor and Corporate Officer be authorized to execute the amended BC Transit|2023 - 2024 Annual Operating Agreement between the City of Port Alberni and British Columbia Transit to reflect the changes required for Umo, the electronic fare collection system.
2. That Council provide alternate direction, such as a change in the level of service.

ANALYSIS

Implementation of Umo will result in a marginal increase in transit fares for daily transit users as riders would be required to purchase an additional five days [30-day pass times twelve months equals 360 days] over a full year. There is added flexibility moving forward from monthly passes to 30-day fare passes, permitting users to purchase passes anytime during the month.

Umo will have a new dedicated customer support centre upon launch that will assist customers with addressing questions, managing their accounts, and resolving any issues. As it relates to its local government partners, BC Transit is seeking to introduce a universal fare refund policy for use with Umo.

IMPLICATIONS

The City of Port Alberni's *2023-2027 Financial Plan* includes provisions for the BC Transit AOA for 2023-2024 therefore there are no additional financial implications related to execution of the agreement.

COMMUNICATIONS

Following Council authorization, the amended agreement will be signed and forwarded to BC Transit.

BYLAWS/PLANS/POLICIES

Not applicable

SUMMARY

- The AOA is an annual agreement with BC Transit and has been in place for many years to deliver transit service in the City of Port Alberni.
- In 2023, BC Transit moved to an electronic fare collection system project with Umo fare technology platform in 30 transit systems across the province, including Port Alberni.
- Umo is being implemented to replace the existing, end-of-life fare collection equipment and technology and provide customers with new convenient ways to purchase and use their fares.
- Paper tickets will remain an option for the time being and reviewed at a future date once Umo has been in place for a period of time to understand the impacts and need for this option moving forward.
- Cash will remain as a payment option for those riders that choose or need to use it.

ATTACHMENTS/REFERENCE MATERIALS

- BC Transit Umo and Fare Policy Updates

Copy: D. Monteith, Interim Director of Corporate Services

J:\Finance\Director\Agenda Reports & Procedures\Dir Finance Council Memos\2023\BC_Transit_AOA_2023-24 Amendment UMO.docx



Umo and Fare Policy Updates

City of Port Alberni – May 5, 2023

BC Transit has prepared this report for both information and approval by the City of Port Alberni in efforts to prepare for the introduction of the Umo fare collection technology in the Port Alberni Transit System.

1. Project and Solution Overview

In 2023, BC Transit will enter the next phase of its Electronic Fare Collection System project by introducing the Umo fare technology platform in 30 transit systems across the province. The Umo solution, provided by Cubic Transportation Systems, is being implemented to replace the existing, end-of-life fare collection equipment and technology and provide customers with new convenient ways to purchase and use their fares. A suite of new payment methods will be introduced to replace current magstripe passes and paper tickets following the successful introduction of Umo. Importantly, cash will remain as a payment option for those riders that choose or need to use it.

With Umo, customers will be able to pay for their fare using a mobile app, that comes with additional features like trip planning and real-time bus location updates, or with a reloadable smart card that can be managed through a customer website or topped up at retail vendor locations. On the bus, new fare validators will be installed, and riders will present their mobile app or reloadable smart card for fare verification. In the near future, riders will also be able to tap their credit or debit card onboard to pay their fare when boarding. For BC Transit and its local government partners, Umo will be a new source of data on fare usage and transit ridership that will be used to inform future recommendations on fare policy and service delivery.

The customer experience with using Umo is at the centre of BC Transit's planning to introduce the new technology. As a part of this, BC Transit will be introducing a new dedicated Umo customer support centre upon launch that will assist customers with addressing questions, managing their accounts, and resolving any issues. As it relates to its local government partners, BC Transit is seeking to introduce universal fare





policies across the province to ensure that customers have the best possible experience and receive the maximum benefits of Umo regardless of where they use it.

2. Fare Policies – For Information

As part of Umo, BC Transit is introducing the following universal refund policy to provide a consistent customer experience and enable effective customer support through the dedicated call centre.

Refunds

Through reviewing existing refund policies in place across the province and researching examples of refund policies throughout the public transportation industry, BC Transit is adopting the following universal refund policy for use with Umo:

Full refunds are available for unused fare products purchased by the customer. No refunds for any partially used or expired fare products. Refunds available on stored value amounts of greater than ten dollars.

Importantly, product usage information is available through Umo and will be referenced as part of the verification of refund eligibility.

3. Fare Policies – For Approval

Similar to the section above, BC Transit is looking to introduce the following policies to provide an optimal customer experience within Umo. As these policies relate to items within the Annual Operating Agreement between BC Transit and the City of Port Alberni, these are being presented for approval.

30-Day Pass

To improve the customer experience within Umo, BC Transit is recommending that current calendar-based monthly pass products be converted to more flexible 30-day passes. For customers, the 30-day pass can be purchased and used at any time in the month, removing the need to wait for the start of a month as is the case with the current product. The 30-day pass can also be set up to be automatically repurchased to a customer's account, removing the need to repurchase a new pass monthly.





For the City of Port Alberni, the 30-day pass creates more opportunities for riders to transition to a product that will encourage increased transit ridership. It will also result in a marginal increase in transit fare revenues through the creation of an additional five days of pass revenue annually (30-day pass times twelve months equals 360 days). For the Port Alberni Transit System, the increase will be approximately an additional 0.65% of fare revenue annually.

4. Further Information

The following is provided as further information on changes to how fares are presented in Umo and the implications for current fare products.

Provision of Ticket Fares

To enable the current rider practice of purchasing their all-day fare on the bus, BC Transit will be utilizing the stored value feature in Umo, whereby customers would be capped at the DayPASS rate after being charged two single ride fares. The fare capping feature cannot be supported using pre-purchased products such as the ticket fare used currently. Due to this limitation, and in efforts to ensure that customers are always charged the best fare, BC Transit will not be including ticket fares as part of those made available in Umo. With this being the case, BC Transit has worked with City of Port Alberni staff to determine the impact of removing the ticket fare product all together from the fare structure. Based upon the discussions and current utilization of ticket fares, it is recommended that the existing paper ticket be retained until a point in time where usage is significantly lower and Umo is well established.





5. Updated Fare Structure

Port Alberni Transit System

Current Fare Types	New Fare Types in Umo
Cash	Stored Value (capped at DayPASS rate)
Tickets	Stored Value (capped at DayPASS rate)
DayPASS	Stored Value (capped at DayPASS rate)
Adult Monthly Pass	Adult 30-Day Pass
Youth/Senior Monthly Pass	Youth/Senior 30-Day Pass
College Semester Pass	College Semester Pass

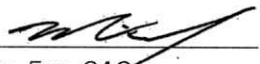
6. Recommendation

It is recommended that the City of Port Alberni:

1. Receive the following as INFORMATION:
 - a. Universal refund policy for use with Umo being:
 - i. Full refunds are available for unused fare products purchased by the customer. No refunds for any partially used or expired fare products. Refunds available on stored value amounts of greater than ten dollars.
2. APPROVE the following:
 - a. Adoption of the 30-Day Pass fare in place of existing monthly pass fare.



Date: June 21, 2023
 File No: 6240-20-KDR
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Kitsuksis Dyke Path – Financial Plan Amendment | Renewal

Prepared by: <i>ANDREW MCGIFFORD</i> Director of Finance	Supervisor: <i>MIKE FOX</i> M. FOX, CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  Mike Fox, CAO
--	---	--

RECOMMENDATIONS

THAT Council amend the “City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023” by allocating \$55,000 from the Canada Community-Building Fund to repair, resurface and renew sections of the Kitsuksis Dyke Walkway.

PURPOSE

To seek an amendment to the “City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023” to fund the repair, resurfacing and renewal of Kitsuksis Dyke Walkway project in 2023.

BACKGROUND

The Kitsuksis Dyke path is one of Port Alberni’s most popular urban walkways. Developed along both sides of Kitsuksis Creek, the paved path intersects both Blair Park and Spencer Park with many amenities including washrooms, playgrounds, green spaces, and picnic areas. At the north end of the trail a dirt path continues upstream to a small waterfall below the trestle over Kitsuksis Creek. Toward the south end, trail-goers can access Victoria Quay by crossing Highway #4 near the confluence with the Somass River.

This area is very popular with dog walkers who can also make use of the off-leash dog park located in the former baseball diamond adjacent to Beaver Creek Road.

ALTERNATIVES/OPTIONS

1. THAT Council amend the “City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023” by allocating \$55,000 from the Canada Community-Building Fund to repair, resurface and renew sections of the Kitsuksis Dyke Walkway.
2. That Council request additional information before amending the Financial Plan.
3. That Council provide alternate direction.

ANALYSIS

The Kitsuksis Dyke Path requires:

- The walkway requires approximately 9,000 ft² of repairs due to heaving and cracking from the roots of adjacent trees;

- The scope of these repairs are asphalt patches along various sections of the path, rather than complete replacement of the entire walkway;
- Work could be completed in summer 2023.

IMPLICATIONS

To complete this project the \$55,000 in funding recommends the use of the Canada Community-Building Fund as this is an eligible project and the City has uncommitted funding that will need to be used or committed by March 31, 2024. The City sourced three quotes [per Procurement Policy] from qualified contractors for the work and the lowest was provided Alberni Paving & Contracting Ltd. with the ability to complete the work in summer of 2023.

COMMUNICATIONS

Public notification regarding construction timing and impacts will be advertised via the City website and other means once scheduled.

BYLAWS/PLANS/POLICIES

- *“City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023”*


SUMMARY

The Kitsuksis Dyke Path is one of Port Alberni's most popular urban walkways. The funding source will be grant funding from the Canada Community-Building Fund and will allow the renewal to occur in the current year and support the utilization of the grant funding by March 2024.

ATTACHMENTS/REFERENCE MATERIALS

Not applicable.

Date: June 19, 2023
 File No: 2370-30-GMHP
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: **Boundary Extension | Johnston Road**

Prepared by: S. SMITH DIRECTOR OF DEVELOPMENT SERVICES DEPUTY CAO	Supervisor: M. Fox CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
--	--	--

RECOMMENDATION

That Council authorize staff to engage Urban Systems to conduct Phase 1 of the proposed boundary extension process for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street as reflected in the proposal dated May 19, 2023.

That Council amend the "City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023" Capital Plan, by allocating monies equally split between water and sewer reserves and contingency in 2023 in the amount of \$50,000 for the purpose of Urban Systems Inc. to conduct Phase 1 of the proposed boundary extension process for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street.

PURPOSE

To consider the next steps in the process in order for Council to decide on the request to incorporate seven properties within City boundaries.

BACKGROUND

The property owners of 4935 Broughton Street and 3386, 3376 Johnston Road have made a formal request, with the owners of four other properties expressing preliminary interest to join the City of Port Alberni. The subject properties are located at Eastern edge of the City and include; 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street as shown on the attached map.

The next step in a boundary extension process is for the City of Port Alberni is to prepare a boundary extension proposal. A significant component of the boundary extension proposal involves engagement on the proposal with the Tseshaht and Hupacasath First Nations, Alberni Clayoquot Regional District, Cherry Creek Improvement District, property owners and tenants of the effected properties. A gender-based analysis covering social related issues is also a requirement of the Province.

In any boundary expansion the City needs to look at full costs and effects on the City tax payer before moving forward. This includes cost on sewer and water capacity and the asset renewal cycle and costs. Without

understanding the full costs of an expansion, it is hard for Council to make an informed decision of including more land within the City boundary.

ALTERNATIVES/OPTIONS

Option 1 - That Council authorize staff to engage Urban Systems to conduct Phase 1 of the proposed boundary extension process for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street as reflected in the proposal dated May 19, 2023; and

That Council amend the “City of Port Alberni 2023-2027 Financial Plan Bylaw No. 5075, 2023” Capital Plan, by allocating monies equally split between water and sewer reserves and contingency in 2023 in the amount of \$50,000 for the purpose of Urban Systems Inc. to conduct Phase 1 of the proposed boundary extension process for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street.

Option 2 - THAT Council supports the consideration of the proposed boundary extension for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street and direct staff to undertake the required engagement.

Option 3 – Do not proceed with further work on the boundary extension and decline the request.

ANALYSIS

The properties in the proposed extension area have the potential for the extension of the municipal services and redevelopment opportunities. The costs to extend municipal services would be the property owners responsibility, however the City would assume the long-term responsibility for any infrastructure. Extension of City sanitary and storm sewer service would be required for any redevelopment of the lands in the proposed boundary extension area. The Cherry Creek Improvement District currently provides water service and fire protection to the proposed boundary extension area. If the boundary extension proceeds, discussion with the Improvement District regarding a change in water service will be required. The full cost for these lands to join in on all City services needs also to be decided and whether the City takes on the cost or passes these on to the lands that would be joining in to the City boundary.

With the current staffing commitments, the completion of the engagement work and the preparation of the boundary extension proposal will take a significant amount of time. In order to move the boundary extension process forward in a timely manner, staff have requested a proposal from a consulting firm to assist with the necessary work. The cost estimate has an up-set cost of \$50,000 to do the preliminary work for Council to make an informed decision. There would be additional costs if Council decides to move forward with the expansion and administration would seek further quotes to complete the work.

IMPLICATIONS

A boundary extension has a number of implications, such as future land use, infrastructure, taxation, and provision of services to the proposed boundary extension area. Funding for the project would be sourced from the Water and Sewer Infrastructure reserves, then the annual operating contingency totalling \$50,000 [\$16,667 each].

COMMUNICATIONS

A significant component of the boundary extension proposal involves engagement on the proposal with the Tseshaht and Hupacasath First Nations, Alberni Clayoquot Regional District, Cherry Creek Improvement District, property owners and tenants of the effected properties.

BYLAWS/PLANS/POLICIES

If the proposed boundary extension completed, the City of Port Alberni OCP and Zoning bylaws would require amendments.

SUMMARY

The City has received a formal request for a boundary extension from the property owners of 4935 Broughton Street and 3386, 3376 Johnston Road, with the owners of four other properties expressing preliminary interest to join the City of Port Alberni. Staff recommends consideration of the proposed boundary extension for 3386, 3376, 3344, 3330 and 3310 Johnston Road; 4930 John Street and 4935 Broughton Street, subject to Council receiving and approving a consultant proposal to assist in the boundary extension project.

ATTACHMENTS

- Proposal from Urban Systems to assist with Boundary Extension work dated May 19, 2023

C: *D. Monteith, Interim Director of Corporate Services*
A. McGifford, Director of Finance



May 19, 2023

File: 2432.0000.00

City of Port Alberni
4850 Argyle Street
Port Alberni, BC V9Y 1V8

Attention: Mike Fox, Chief Administrative Officer and Scott Smith, Director of Development Services/Deputy CAO

RE: Johnston Road - Potential Boundary Extension

Thank you for contacting Urban Systems to provide consulting services on a potential boundary extension for the City. The lands in question comprise six parcels located in the Cherry Creek Electoral Area 'F' of the Alberni-Clayoquot Regional District (ACRD). These lands are currently used for residential purposes with five parcels fronting Highway 4 (Johnston Road) having redevelopment potential and the sixth parcel currently functioning as a mobile home park. We understand that the City is seeking assistance in navigating the boundary extension process to potentially bring these parcels into Port Alberni's municipal jurisdiction. This work plan discusses the scope of work associated with undertaking a boundary extension exercise.

1.0 WORK PLAN

Based on our understanding of the City's needs and our knowledge of boundary extension processes, we propose three phases of work for this exercise:

1. **Initial Engagement and Currently Available Information Collection** – the purpose of this task is to identify and review existing information to help build an appreciation of the outstanding needs required to support a potential boundary extension, as well as present to Council any potential risks of moving forward with this process. Closure of these information gaps will be addressed in subsequent phases.

This phase will entail engaging with involved stakeholders (City Council, ACRD, Ministry of Transportation and Infrastructure, Ministry of Municipal Affairs, Tseshaht First Nation, Hupacasath First Nation, Cherry Creek Improvement District, and the property owners within the potential boundary extension area) to discuss each party's interest in the potential boundary extension area, identify items to be considered amongst the parties, and where applicable, better understand the current level of service provided to the area by the parties. We have budgeted for up to 5 meetings with these stakeholders to allow for plenty of time for discussion if needed. In addition, any **existing** information that will provide a more fulsome understanding of how the subject parcels may be integrated into the City's jurisdiction, as well as any gaps in information, will be identified. We may request information from the City such as as-built drawings and conduct a site visit to the area to help us better understand the existing infrastructure.

Key topics and questions that we seek to answer through this phase include:

1. Water and Sewer Utility Services:
 - i. What are the current service provisions within the potential boundary extension area, including technical specifications? What are these users currently paying for these services and through what financial/cost recovery method(s)?

- ii. What is known about each utility's capacity availability / issues that would impact servicing the potential extension area (both adjacent utility and off-site supply / treatment / conveyance and storage)?
 - iii. How ready are the City's utility models to assess the impacts of adding these additional demands to the networks?
 - iv. What do the existing service providers require to dissolve / transfer utility provisions to Port Alberni?
 - v. What is the condition of the existing utilities?
2. Road Network:
- i. What are the road extents that would be taken within City boundary? What is the condition of these roads?
 - ii. What are the specifications of these roads and what is required to bring these up to City standards?
3. Fire Protection Services:
- i. What is the current level of service provided to the extension area?
 - ii. What is the ability of the City to potentially provide a similar level of service (either with City department, or through service agreement with Cherry Creek Improvement District) to the extension area?
4. Other Service Provision:
- i. What other services are currently delivered to the area? (e.g. solid waste management, recreation, policing, building inspection, and development services)
 - ii. What level of service is provided? to How will provision of these services change if the area is brought into the City's jurisdiction?
5. Tax Rates:
- i. What are the current ACRD and Improvement District taxes and other fees / charges applicable to the extension area?
 - ii. What are comparable relevant Classes of property and rates within the City? Any comparison reviews of rates undertaken as part of this phase will not include a review of additional taxes or fees / charges which would likely be levied to the extension area property owners for water and sewer utility extensions, as the magnitude of costs will not be known at this time.
6. Land Use Management and Regulation:
- i. What is the current land use regime in the potential extension area (including land use designations)?
 - ii. How would the regime change if the area were brought into the City? Note that consideration of changes to the land use regime at this point would exclude what future City OCP / zoning designations may be applied.

7. Governance:

- i. What is the current local governance model in the potential extension area?
 - ii. How would this model change if an extension occurred?
2. **Technical Analysis** – we anticipate an analysis of the utility servicing needs to be conducted to determine any potential impacts on adding the subject lands to the City’s jurisdiction. The analysis will identify any infrastructure improvements that may be necessary and associated cost estimates. This phase will also entail analyses of the impacts to municipal service delivery (e.g. transportation, protective services), taxation, and land use management. Additional consultation with involved stakeholders will be necessary during this phase to discuss the results of the analyses and determine next steps.
3. **Formal Approvals** – a number of approval items must be completed to formalize a proposed boundary extension, including submission of the proposal to the Ministry of Municipal Affairs and Ministry of Transportation and Infrastructure. In addition, the opinions of residents and property owners within the potential extension area regarding their support for / opposition to the extension must be sought, and an alternative approval process or referendum must be held for electors within current City boundaries. We will work closely with the City during this phase to complete all necessary approvals processes.

We anticipate this exercise being a collaborative process with Staff, as such, we have not defined specific tasks associated with completing each phase of work to allow for flexibility to best suit the City’s needs. We are happy to restructure the proposed phases or further discuss with you what tasks may be anticipated for each phase of the process.

2.0 TEAM

The practitioners involved in initial conversations with City Staff on this exercise will formulate the key team for this project. These team members are as follows:

- Brittany Tuttle, RPP, MCIP, Community Planner
- Alex Kempa, EIT
- John Dumbrell, RPP, MCIP, Senior Consultant
- Mark Stafford, P.Eng.

Resumes for each team member highlighting project experience may be provided upon request.

3.0 FEES & SCHEDULE

We anticipate a budget \$40,000 - \$50,000 (with \$50,000 as an upset limit) to complete the first phase of work. This range is provided to allow for flexibility in the process in terms of meeting with stakeholders and staff, as well as reviewing additional information that may be uncovered along the way. Our fees are inclusive of standard disbursements and any associated expenses, such as travel to Port Alberni; however, please note that our fees do not include applicable taxes.

A breakdown of fees associated with the remaining phases of work will be provided once phase one is complete and the level of effort associated with phases two and three is known, particularly in relation to the level of technical analysis required for utilities and the level of consultation required amongst the stakeholders.

We are available to commence work on this exercise once authorization has been received from the City to proceed. We note that boundary extension processes can often be time-consuming exercises due to the number of stakeholders involved and the level of consultation required. As such, it is difficult to provide an estimate of the amount of time required to complete this exercise. Despite this, we believe it may be possible to undertake this work within a one-year period.

Thank you for contacting our team about this exciting opportunity. We look forward to collaborating with you on this exercise.

Sincerely,

URBAN SYSTEMS LTD.




Brittany Tuttle, RPP, MCIP
Community Planner



Alex Kempa, EIT
Water Engineering Consultant

Date: June 20, 2023
 File No: 3950-20-3008-1
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Council Bylaw Enforcement Policy 3008-1

Prepared by: <i>Donna Monteith</i> DIRECTOR OF CORPORATE SERVICES	Supervisor: <i>MIKE FOX</i> CAO	CAO Concurrence:  M. Fox, CAO
---	---------------------------------------	--

RECOMMENDATION[S]

THAT Council approve Policy 3008-1 "Bylaw Enforcement".

PURPOSE

The purpose of this report is for Council to consider approving the Bylaw Enforcement Policy as recommended by the Committee of the Whole on June 19, 2023.

BACKGROUND

At the May 15, 2023 and June 19, 2023 Committee of the Whole meetings, staff presented draft Bylaw Enforcement Policy 3008-01 for consideration. The Committee preceded to resolve as follows:

MOVED and SECONDED, THAT Committee of the Whole recommend Council approve Policy 3008-1 "Bylaw Enforcement".

ALTERNATIVES/OPTIONS

1. *Council approve the Bylaw Enforcement Policy as presented.*
2. *Council may make further recommendations to incorporate into the policy prior to approval.*

ANALYSIS

The goal of the Bylaw Enforcement program is to achieve voluntary compliance with reasonable standards through progressive enforcement. By clearly outlining enforcement priorities, Council can ensure that the City bylaw enforcement program is accomplishing Council's intentions. Once the enforcement focus is identified, City staff will create processes and internal policies to assist the implementation of the Bylaw Enforcement Policy.

This policy provides clear direction to enforcement staff on Council's strategy for enforcement, as well as outlining the progressive enforcement approach focusing on education first before taking further enforcement measures.

IMPLICATIONS

A bylaw enforcement policy is identified as a best practice for municipalities by the BC Ombudsperson. This is meant to be an overarching policy in alignment with the Corporate Strategic Plan, to guide our Bylaw Department activities. This helps efficiently use limited resources to ensure that the bylaw enforcement program best meets the needs of the community and the vision of Council.

COMMUNICATIONS

The policy will be made available on the City's website.

BYLAWS/PLANS/POLICIES

Draft Policy 3008-1 Bylaw Enforcement.

SUMMARY

The goal of the Bylaw Enforcement program is to achieve voluntary compliance with reasonable standards through a progressive enforcement approach involving increased public education and awareness of City regulations and the rationale for them. The purpose of the policy is to provide Council direction on priority bylaws and offences for bylaw enforcement to focus their time and resources.

ATTACHMENTS/REFERENCE MATERIALS

1. Draft Policy 3008-1
2. 2023-06-19 Report to Committee of the Whole
3. <https://bcombudsperson.ca/assets/media/Special-Report-No-36-Bylaw-Enforcement-Best-Practices-Guide-for-Local-Governments.pdf>
4. Policy Examples:
 - [City of Port Coquitlam](#)
 - [Regional District of Nanaimo](#)
 - [City of Duncan](#)
5. [2023 - 2027 Corporate Strategic Plan](#)

c: *M. Fox, CAO*
S. Smith, Director of Development Services | Deputy CAO
M. Zenko, Acting Manager of Community Safety

POLICY No. 3008-1 Bylaw Enforcement

Approved:

Resolution No.:

Date of Last Review:

CITY OF
PORT ALBERNI



1) POLICY STATEMENT

- 1.1 Municipal bylaws are enacted by the City, under the regulatory authority of the *Community Charter* and the *Local Government Act*.
- 1.2 The Bylaw Enforcement Policy aligns with the *Corporate Strategic Plan*, building a community where people feel safe, welcome and proud to live.
- 1.3 The goal of the Bylaw Enforcement Program is to achieve voluntary compliance with reasonable standards through a progressive enforcement approach involving increased public education and awareness of City regulations and the rationale for them.
- 1.4 The City has no duty to take enforcement action with respect to every contravention of every bylaw that may be occurring within its jurisdiction, allowing discretion based on need and urgency.

2) PURPOSE

- 2.1 The purpose of this policy is to provide guidance on the receipt of complaints and initiation of investigation and enforcement proceedings as they related to contravention of designated City regulatory bylaws.

3) SCOPE AND APPLICATION

- 3.1 The City's approach to bylaw enforcement, outside of health and safety violations and Council determined priorities, is primarily complaint based. The City does not have the resources to proactively monitor all areas of the City to confirm compliance with all potentially applicable bylaws.
- 3.2 It is the policy of the City of Port Alberni to refuse disclosure of complainant or responder information unless consent is obtained from the person who supplied the information or ordered to do so by a higher authority.
- 3.3 This policy applies to all staff engaged in bylaw enforcement activities on behalf of the City.

4) DEFINITIONS

- 4.1 Proactive Enforcement: Enforcement action taken on the initiative of a bylaw enforcement officer or other designated official that was not a response to a complaint.
- 4.2 Progressive Enforcement: Enforcement action on a continuum starting with education and awareness, progressing to verbal warning, written warning and stronger deterrents such as tickets (monetary penalty), or other means of forced compliance under the provisions of the *Community Charter*, where required.
- 4.3 Valid Complaint: complaint that describes the location and general nature of a potential bylaw contravention, which includes the complainant's name, address and telephone number, and which is not a vexatious complaint.
- 4.4 Vexatious Complaint: complaint that is made for retaliatory or bad faith purposes, or otherwise forms part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process.



5) POLICY

- 5.1 The primary goal of bylaw enforcement is to gain compliance with municipal bylaws through a tiered process by means of progressive enforcement.
- 5.2 In situations where compliance could cause hardship, staff will use discretion and undertake a reasonable and appropriate enforcement approach to achieve compliance over a longer time frame, as outlined in a compliance agreement taking all relevant factors into consideration.
- 5.3 Steps towards compliance begin with:
- a) Voluntary compliance on a case-by-case basis through education;
 - i. Verbal or written notice educating the offender about the offence and requesting voluntary compliance in a reasonable amount of time;
 - ii. Enforcement officers will seek an open dialogue, where possible to facilitate understanding and cooperation;
 - iii. The posting of signs may also be considered notice;
 - b) Formal written direction to comply by a specified date;
 - c) Formal inducements to comply including tickets and/or legal proceedings if voluntary compliance is not achieved;
 - d) Forced compliance through remedial action mechanisms or work done by the City at the expense of the offender.
- 5.4 Bylaw enforcement officers may not follow all steps to achieve compliance in every circumstance. For priority offences, offences with immediate risk of harm to health, safety or environment, or for repeat offences, bylaw enforcement may proceed to later steps in the compliance process outlined in Section 5.3.
- 5.5 As time permits, bylaw enforcement officers may take opportunities to educate people of bylaw infractions when they notice an offence in progress in order to prevent the potential escalation of the issue.
- 5.6 Enforcement priorities are as follows:
- a) Priority 1: Violations affecting public health and safety – identified by Valid Complaint or Proactive Enforcement.
 - b) Priority 2: Proactive enforcement of bylaws identified as Council priorities within this policy.
 - c) Priority 3: Level ii and iii Valid Complaints as staff resources allow.
- 5.7 The City's response to Valid Complaints will be prioritised according to the following levels:
- i. Risk of harm to public health, safety, or environment
The alleged bylaw violation may adversely impact the environment or public safety. These violations will be investigated and enforced as soon as possible given the availability of staff and other resources. Prior warning notices or education may not be appropriate or practical. Bylaw services staff will also take proactive enforcement action on violations that have public health or safety implications.
 - ii. Significant negative impact to adjacent properties or public property
The alleged bylaw contravention is significantly impacting adjacent properties in a negative manner, but it generally does not pose an immediate risk to the health or public safety of the community. Such violations will be causing, or have the potential to cause, some manner of personal harm, economic harm, or harm to the fair administration and well-being of the community if not stopped, or the ability of individuals to peacefully use and enjoy public property. The City's investigation and



enforcement of Priority 2 matters will most often be initiated in response to valid complaints received by the City. These will be investigated and enforced as staff resources allow. Investigating staff will focus on education and will provide opportunities to bring the property or situation into compliance that are appropriate in the circumstances, particularly with new offenders. In some cases due to the severity of the impacts, or for repeat offences, bylaw may take immediate enforcement action.

iii. General nuisance

The alleged bylaw contravention may be a matter that is a general community concern. These contraventions are less serious in nature and generally do not affect the health or public safety of the community. The City's investigation and enforcement of Priority 3 matters is initiated in response to complaints. Staff receiving a complaint will use discretion to determine whether there is sufficient geographic or other connection between the complainant and the location of the alleged violation to constitute a valid complaint. Investigating staff will focus on education and will provide opportunities to bring the property or situation into compliance that are appropriate in the circumstances. If a confirmed violation is minor in nature and/or if it appears the complaint may be a vexatious complaint or is part of a larger neighbourhood conflict, staff may conclude it is not in the City's or community's best interest to pursue the matter.

5.8 Offences on private property will not be proactively enforced unless:

- a) There is risk of harm to a person, neighbouring property, or the natural environment;
- b) The offence is a continuation of a previous offence;

5.9 Council may specify bylaws, sections of bylaws, or specific offences as priority enforcement areas for proactive enforcement. Council's priority bylaws for proactive enforcement are aligned with the *Corporate Strategic Plan*. These include, but are not limited to, parking enforcement, unsightly premises, property and boulevard maintenance, building without a permit, non-compliance use within zoning, littering and dumping, street storage, unlicensed vehicles on the streets, camping in public spaces, and signage. Council may also from time-to-time identify other bylaws, sections of bylaws, or specific offences for priority and proactive enforcement by way of resolution.

6) COMPLAINTS PROCEDURE

6.1 Complaints may be received in person, by phone, in writing or via email, and will be entered in the City's complaint database for tracking, follow-up and statistical information.

6.2 While all complaints will be received and logged, not all complaints will be investigated:

- a) Anonymous complaints will not be acted upon unless the alleged violation falls within the scope of Priority 1 or is something the City otherwise proactively enforces (e.g. parking, signs on public property); and
- b) Vexatious complaints will not be acted on.

6.3 Upon receipt of a valid complaint, enforcement staff in the appropriate department(s) or division(s) will be assigned to investigate in accordance with the priorities described in this policy.

6.4 Should a violation be confirmed, staff will exercise discretion to determine whether further enforcement is appropriate in accordance with the principles set out in this policy and, if enforcement is appropriate, the best method to gain compliance. Relevant considerations include, but are not limited to, the nature, number and duration of the violation(s); the current, short- and long-term impacts of the violation(s); the potential for precedent; and the resources available to resolve the matter. Enforcement staff with questions about the appropriate use of discretion should discuss with their supervisors and/or managers. Supervisory and management staff in the Legal and Bylaw Enforcement division are also available for assistance.



6.5 The City's bylaw enforcement resources are prioritized to ensure the timely receipt and investigation of complaints. It is not the City's practice to proactively provide follow-up information to complainants. Staff will respond to specific requests for information (subject to confidentiality requirements) as time permits.


Name
Title

Name
Title

DRAFT



Date: June 13, 2023
 File No: 3950-20-3008-1
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Council Bylaw Enforcement Policy 3008-1

Prepared by: Donna Monteith DIRECTOR OF CORPORATE SERVICES	Supervisor: MIKE FOX CAO	CAO Concurrence:  M. Fox, CAO
---	---------------------------------------	--

RECOMMENDATION[S]

THAT Committee of the Whole recommend Council approve Policy 3008-1 "Bylaw Enforcement".

PURPOSE

The purpose of this report is for Council to continue discussions regarding the City's approach to bylaw enforcement and provide general direction on enforcement priorities through a policy.

BACKGROUND

At the May 15, 2023 Committee of the Whole meeting, draft Bylaw Enforcement Policy 3008-01 was discussed. The Committee recommended Council direct that the policy be revised to incorporate the new *2023-2027 Corporate Strategic Plan* and further, that staff provide information relating to the composition and growth of the Bylaw Services department over recent years. At the June 12, 2023 Regular Council Meeting, Council referred the draft Bylaw Enforcement Policy 3008-01 to the June 19th Committee of the Whole meeting with the changes as directed above.

Originally, the City had one Bylaw Officer reporting to Development Services. With over 1000 bylaw files per year it was determined that there was a need to increase capacity in this area. In 2018, the Bylaw Services department was officially formed consisting of a Manager, two Bylaw Officers, a part time Parking Enforcement Officer, and a Clerk. In 2020, the Manager's position was renamed the Community Safety Manager who would also oversee the Community Policing Manager. At that time the Parking Enforcement Officer position was discontinued. In 2022, the Bylaw Department moved into the new Public Safety building with an annual budget of \$449,373. Over the last six years there have been a number of staff changes but not to the actual composition. The total amount of bylaw files processed stay steady at 1039 in 2022. Currently the department has an interim part-time Community Safety Manager, however the goal is to fill the position full time as budgeted. The full-time position will be renamed Manager of Community Safety and Social Development, demonstrating leadership in a collective impact network liaising with external agencies focused on health and social issues.

It is best practice for a municipality to clearly define its priorities and objectives of a bylaw enforcement program through a policy (see attached). The recently released *2023-2027 Corporate Strategic Plan* talks about building a community where people feel safe, welcome and proud to live. Staff considered several of the five key areas of focus in creating a policy to achieve this.

Responding to Demographic Change

- *1.4.1 Review existing plans and guiding documents. Develop new plans for current and future use that reflect current values*

Port Alberni is experiencing growth. The attraction of new businesses and residents, as well as tourism will change the demographics of the City over time. Creating a policy is an important step towards fulfilling this strategic focus. This Bylaw Enforcement Policy is designed to outline Council's priorities for the bylaw enforcement program, with the goal of achieving voluntary compliance. Using reasonable standards through a progressive enforcement approach involving increased public education and awareness of City regulations is current best practice and falls within the scope of this goal and strategy.

Enabling the New Economy

- *2.2 The economy grows with an emphasis on small business*
- *2.2.3 Encourage full use of commercial buildings aligning with community plans and bylaws*

Fair enforcement of parking rules in business zones is supportive of small business in that it facilitates customers ease of access. Although vacant commercial buildings tend to be a life and safety issue addressed by other departments, these properties should not be unsightly.

Provision and Maintenance of Quality Service

- *3.3 City provides quality services to residents*
- *3.3.2 City resources are available to facilitate the effective provision of services*

A thoughtful Bylaw Enforcement Policy contributes to ensuring quality service delivery. Having a full compliment of staff with guidelines to follow improve both the quality and effectiveness of services.

Fostering a Complete Community (Safe, Healthy, Inclusive)

- *5.1 The community is aesthetically appealing ... Citizens are proud of their community*

Complaints regarding property and boulevard maintenance, building without a permit, non-compliance use within zoning, littering and dumping, street storage, unlicensed vehicles on the streets, camping in public spaces, and signage are all examples of priorities that can support fostering a complete community.

As discussed at the previous meeting, the Policy provides guidance for bylaw officers to generally begin with dialogue and education, providing verbal or written notice of an infraction, then providing formal written notice and proceeding to formal inducements to comply (tickets, legal proceedings), or forced compliance where required. It also involves staff working with people using reasonable timelines and without causing undue hardship where possible to get them into compliance. For more

serious infractions, or repeat offences, staff are empowered to use discretion to gain compliance through formal notices, fines, or in extreme cases, forced compliance and remedial action mechanisms.

It should be noted that the City Bylaw Services department is not equipped, nor mandated to enforce every infraction of every bylaw. Therefore, it is equally important that staff are given appropriate guidelines to operate in and use their discretion, which is a core purpose of this enforcement priority policy.

When developing this policy, the following municipalities were identified and used in research and development of the draft:

- Coquitlam
- Duncan
- Regional District of Nanaimo

ALTERNATIVES/OPTIONS

1. *Committee of the Whole recommend Council adopt the Bylaw Enforcement Policy as revised and presented.*
2. *Committee of the Whole make further recommendations for Council to consider to incorporate into the policy.*

ANALYSIS

By clearly outlining enforcement priorities, Council can ensure that the City bylaw enforcement program is accomplishing Council's intentions. Once the enforcement priorities are identified, City staff will create processes and internal policies that will help the implementation of the overarching Council enforcement priority policy goals.

This policy provides clear direction to enforcement staff on Council's priority areas for enforcement, as well as outlining the progressive enforcement approach focusing on education first before taking further enforcement measures.

A bylaw enforcement policy allows Council to outline, in a public way, the goals of the local government's bylaw enforcement program and to set clear expectations and standards for bylaw enforcement. By addressing matters that frequently arise, a bylaw enforcement policy can promote the efficient use of resources.

IMPLICATIONS

A bylaw enforcement policy is identified as a best practice for municipalities by the BC Ombudsperson. This policy designates which offences and bylaws Council wants to focus bylaw enforcement efforts on. This helps efficiently use limited resources to ensure that the bylaw enforcement program best meets the needs of the community and the vision of Council.

COMMUNICATIONS

The policy will be brought to Council to be adopted and then will be made available on the City's website.

BYLAWS/PLANS/POLICIES

Draft Policy 3008-1 Bylaw Enforcement.

SUMMARY

The goal of the Bylaw Enforcement program is to achieve voluntary compliance with reasonable standards through a progressive enforcement approach involving increased public education and awareness of City regulations and the rationale for them. The purpose of the policy is to provide Council direction on priority bylaws and offences for bylaw enforcement to focus their time and resources.

ATTACHMENTS/REFERENCE MATERIALS

1. Draft Policy 3008-1
 2. <https://bcombudsperson.ca/assets/media/Special-Report-No-36-Bylaw-Enforcement-Best-Practices-Guide-for-Local-Governments.pdf>
 3. Policy Examples:
 - [City of Port Coquitlam](#)
 - [Regional District of Nanaimo](#)
 - [City of Duncan](#)
 4. [2023 - 2027 Corporate Strategic Plan](#)
- c: *Mike Fox, CAO*
S. Smith, Director of Development Services | Deputy CAO
M. Zenko, Acting Manager of Community Safety

Date: June 21, 2023
 File No: 5920-01
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: Sports Fields | Current Status and Long-Term Maintenance

Prepared by:  W. Thorpe Director of Parks, Recreation and Heritage	Supervisor: M. Fox Chief Administrative Officer	Supervisor:  Mike Fox, CAO
---	--	---

RECOMMENDATION

- a. THAT Council direct staff to obtain preliminary costs for the recommended capital projects for City-owned sports fields for Council consideration at a future Regular meeting.
- b. THAT Council direct staff to utilize a portion of the awarded Growing Communities Fund to complete a Parks, Recreation and Heritage master plan.

PURPOSE

To bring forward recommendations from the June 19th Committee of the Whole regarding City-owned fields.

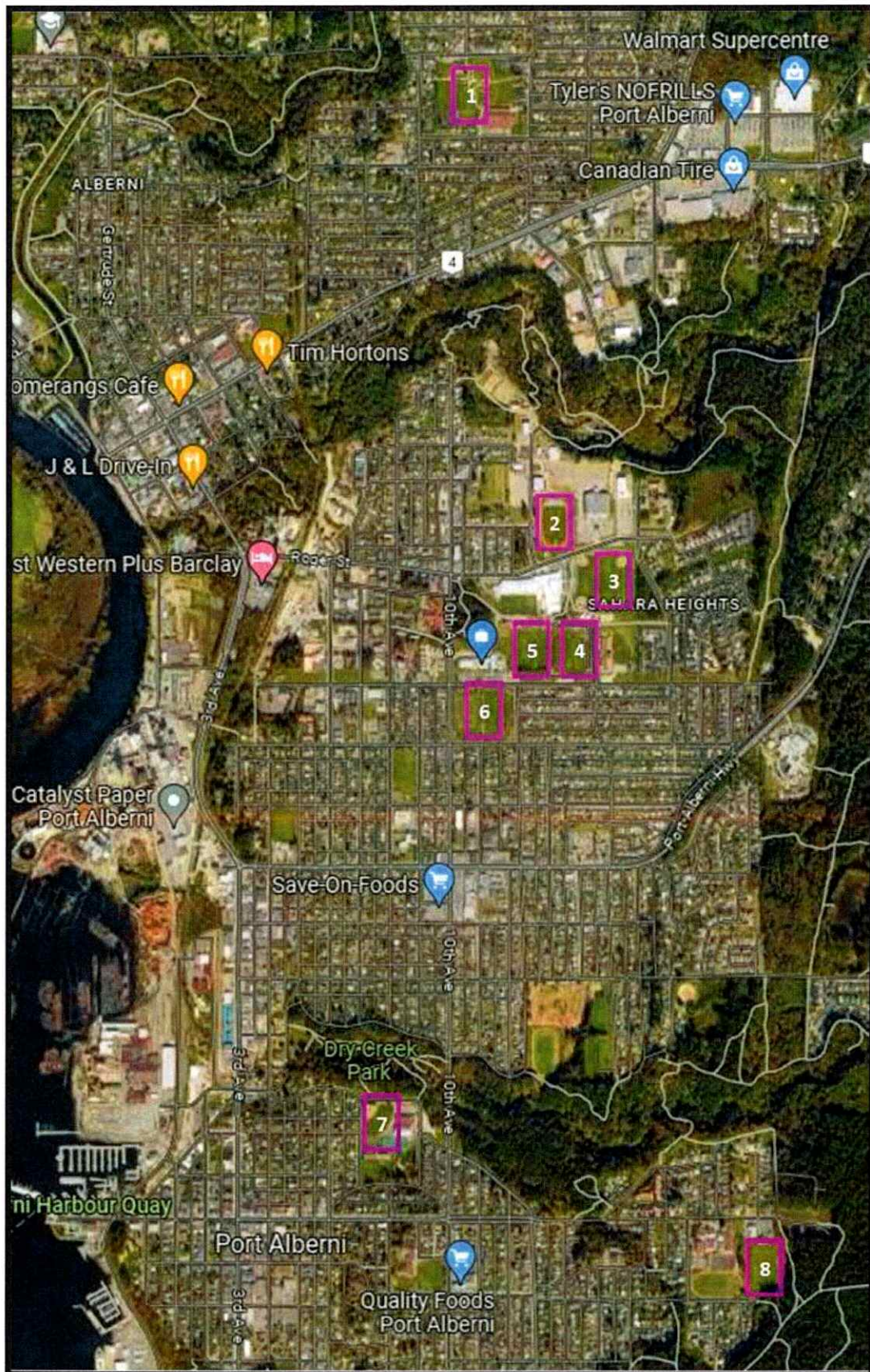
BACKGROUND

In recent months, Council passed two resolutions regarding City-owned fields:

- That Council direct staff to prepare a report regarding the status of City-owned ball fields. (R22-282)
- That Council direct staff to prepare a report outlining the future repair and maintenance requirements related to City fields, with a priority focus on those utilized by youth sport. (R23-59)

At the June 19th Committee of the Whole meeting, the Committee endorsed motions to be brought forward for Council consideration to direct that staff obtain preliminary costs for the recommended capital projects for City-owned sports fields for Council consideration at a future Regular meeting and to utilize a portion of the awarded Growing Communities Fund to complete a Parks, Recreation and Heritage master plan.

There are eight City-owned field locations in Port Alberni:



Map	Location Name	Primary User Group(s)
1	Klitsa (Lon Miles, Pee Wee, Mosquito, Tadpole)	Minor Baseball Sr. Men’s Baseball (Lon Miles)
2	Bob Dailey	Special Olympics Track & Field Summer Co-ed Soccer Minor Soccer Track Club
3	Echo Minor (4-plex)	Minor Softball Minor Soccer Okee Dokee/Funtastic Slo-Pitch Tournament
4	Echo Major (Wood)	Minor Softball 55+ Slo-Pitch Wednesday Slo-Pitch Minor Soccer Okee Dokee/Funtastic Slo-Pitch Tournament
5	Sweeney	Minor Softball Sunday Mixed Slo-Pitch Special Olympics Slo-Pitch Wednesday Slo-Pitch Minor Soccer Okee Dokee/Funtastic Slo-Pitch Tournament
6	Russell	Minor Softball Sunday Mixed Slo-Pitch Wednesday Slo-Pitch Okee Dokee/Funtastic Slo-Pitch Tournament
7	Recreation Park	Sr. Men’s Baseball 55+ Slo-Pitch Ladies Slo-Pitch Men’s Slo-Pitch
8	Rugby	Black Sheep

Though City crews prepare every field for play each spring and complete maintenance of each field throughout the year, this annual preparation has changed significantly over time, as the City’s resources and Council priorities have shifted. In addition, the City does not have an existing long-term maintenance plan for any location. To ensure our field facilities are viable in future years, it is imperative that the City develop a master plan.

In the fall of 2022, staff began developing a long-term maintenance plan by engaging a consultant to review field conditions and recommend future maintenance needs of each field. In the spring of 2023, staff reached out individually to the 15 organizations who represent the most frequent field user groups, to capture feedback about the current state of fields and user group preferences for long-term maintenance. In addition, the results of the field consultation were reviewed in-person with the six largest user groups to ensure alignment between the consultant’s findings and experiences of each organization.

Recommended capital projects:

Location	Project
Klitsa (Lon Miles)	Convert outfield from soil base to sand base, install drainage
	Install infield drainage and irrigation
Echo Minor (4 diamonds)	Install infield drainage
	Install drainage around perimeter of field
Echo Major (2 diamonds)	Install drainage around perimeter of field
Sweeney (2 diamonds)	Install drainage around perimeter of field
Russell (4 diamonds)	Install drainage around perimeter of field
	Replace cinder and install irrigation
Russell (Diamonds 2, 3, 4)	Install bleacher seating
Recreation Park	Repair and repaint grandstand (lead paint abatement)
	Convert outfield from soil base to sand base, install drainage
	Re-establish washroom facilities
Rugby	Re-establish drainage ditch
	Install bleacher seating
All fields	Purchase equipment (deep tine machine, thatching machine)

ALTERNATIVES/OPTIONS

1. Council direct staff to obtain preliminary costs for the recommended capital projects for Council’s consideration at a future Regular meeting and that Council direct staff to utilize a portion of the awarded Growing Communities Fund to complete a Parks, Recreation and Heritage master plan.
2. Council recommends alternate direction.
3. Council takes no action.

ANALYSIS

This recommendation of completing significant maintenance on City fields is a result of not having long-term plans in place. Developing a master plan for Parks, Recreation and Heritage will inform Council on future maintenance needs and will assist Council in determining what level of service to provide the community. The City was recently awarded \$5.2 million in the Growing Communities Fund; this fund could facilitate the creation of an appropriate Parks, Recreation and Heritage master plan. An estimated cost for the master plan is \$400,000.

IMPLICATIONS

Completing the recommended capital work listed in this report is likely to cost hundreds of thousands of dollars per field. If a soil-based field is converted to a sand base, that field would be unplayable for one year. Though unavailable for a single year, converted fields would not require future replacement.

COMMUNICATIONS

Staff will relay Council direction to all corresponding user groups.

BYLAWS/PLANS/POLICIES

Developing long-term maintenance plans for fields aligns with strategies within Council's 2023 – 2027

Corporate Strategic Plan:

- 2.1.1 Encourage tourism-related development and infrastructure.
- 3.1.1 Identify opportunities, establish priorities, engage the public and stakeholders, and move with purpose on the right projects.
- 3.3.2 City resources are available to facilitate the effective provision of services.
- 4.2.1 Develop and implement an asset management plan, including natural assets.


SUMMARY

The City of Port Alberni does not currently have master plans for any aspects of Parks, Recreation or Heritage, and the current resources for field maintenance do not meet the needs of our user groups. Staff suggest that the Council direct staff to obtain preliminary costs for the recommended capital projects for Council's consideration at a future Regular meeting, and direct staff to utilize a portion of the awarded Growing Communities Fund to complete a Parks, Recreation and Heritage master plan.

ATTACHMENTS/REFERENCE MATERIALS

N/A

Date: June 13, 2023
 File No: 1855-20-CGF
 To: Mayor and Council
 From: M. Fox, CAO
 Subject: Growing Communities Fund | Grant Priorities Plan

Prepared by: ANDREW MCGIFFORD Director of Finance	Supervisor: MIKE FOX CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
--	---	--

RECOMMENDATION

THAT the Committee of the Whole recommend Council direct staff to allocate Growing Communities funds in the amount of \$5,269,000 as follows:

- 20% of the funding to address information gaps in populating long-term financial planning for community growth and the City’s major assets.
- 80% of funding to set specific capital priorities based on the results of the long-term financial planning.

PURPOSE

To seek support from the Committee of the Whole [Cow] for the approach recommended by staff to allocate the Growing Communities Fund [GCF] based on two specific activities. One, use 20% of funding to inform the approach for identifying specific capital priorities by creating a robust long-term financial plan that focuses on community growth and sustainable Infrastructure. Two, use the completed long-term plan to set specific capital priorities with the remaining 80% of funds, capital projects through Council and the Financial Planning process.

BACKGROUND

In March 2023, it was announced that the City is the recipient of a \$5,269,000 grant under the Provincial GCF program. The Province provided a one-time total of \$1 billion in grants to all 188 BC municipalities and regional districts. Grants are distributed using a formula that adjusts for population size and per-capital population growth between 2016 and 2021, based on BC Stats. The principle objective of the GCF is to increase the local housing supply with investments in community infrastructure and amenities.

The funding provided should be limited to one-off costs needed to build required infrastructure and amenities rather than funding ongoing or operational activities. The funds are to be incremental to currently planned investments and should accelerate the delivery of capital projects.

Eligible costs are as follows:

- Public drinking water supply, treatment facilities and water distribution;
- Local portion of affordable/attainable housing developments;
- Childcare facilities;
- Municipal or regional capital projects that service, directly or indirectly, neighbouring First Nation communities;
- Wastewater conveyance and treatment facilities;
- Storm water management;
- Solid waste management infrastructure;
- Public safety/emergency management equipment and facilities not funded by senior level government;
- Local road improvements and upgrades;
- Sidewalks, curbing and lighting;
- Active transportation amenities not funded by senior level government;
- Improvements that facilitate transit service;
- Natural hazard mitigation;
- Park additions/maintenance/upgrades including washrooms/meeting space and other amenities; and
- Recreation-related amenities.

The following terms and conditions have been placed on the funds to ensure the optimal transparency of their use:

- The funds from the grant must be placed in a separate dedicated reserve fund established by bylaw [s. 188 of the *Community Charter* allows Council to establish a reserve fund, by bylaw, for a specified purpose and direct that money be placed to the credit of the reserve fund];
- The City must annually report on the use of money in this reserve fund over the calendar year, and the balance of the reserve fund at the end of the calendar year;
- This report must be included as a separate schedule to the annual audited financial statements;
- This annual reporting must continue until the reserve fund is completely utilized (i.e. drawn down to zero);
- Further to the financial reporting, an annual report that identifies work-related Housing Needs Reports and pre-zoning requirements, as applicable, is required;
- Requirements including parameters for public recognition of the funding related to projects. The province must be consulted prior to any proactive media events or news releases related to the project. Funded projects must also acknowledge the province's contribution through temporary and permanent on-site signage.

The provincial government anticipates that the funds will be expended within approximately five years of receipt.

ALTERNATIVES/OPTIONS

- 1) That the Committee of the Whole recommend Council direct staff to allocate Growing Communities funds in the amount of \$5,269,000 as follows:
 - 20% of the funding to address information gaps in populating long-term financial planning for community growth and the City's major assets.
 - 80% of funding to set specific capital priorities based on the results of the long-term financial planning.
- 2) The Committee seek additional information and then recommend alternative approach to fund capital projects.
- 3) The Committee proceed without allocation of planning funds and prioritize on an as needed basis.

ANALYSIS

The GCF is a great opportunity to support advancement in the City's asset management program. Understanding that the intent of the funds is supporting growth of the community, staff have considered the immediate and short term needs and provided a suggested path to advance asset management to support future growth of the community.

One of the City's Strategic Asset Management guiding principles is to create a holistic approach that considers interrelationships between City infrastructure and socio-culture, environmental, and economic goals. While there may have been specific studies and project plans undertaken over the years, never has there been a holistic planning approach. Obtaining critical information on the interrelationships of the City infrastructure is essential in the long-term financial plan process. Staff intend to obtain this information through completing a series of planning projects called "master plans". Master plans will provide the information required to complete a long-term financial plan which in turn, will then be the basis for prioritizing projects and provide the necessary information Council requires to make capital decisions presented during the budget process. Until the time plans are complete, staff are recommending that the City's portion of the Growing Communities Fund, \$5,269,000, be contributed to a Growing Community Fund Reserve and allocated out to be used under the following broad categories:

- 20% - Set funding aside to address the information gaps in populating the long-term financial asset needs for growth in the community.
 - \$1,053,800 [plus interest]
- 80% – To be used to fund capital projects reducing the infrastructure deficit related to community growth and projects identified as top priorities of Council.
 - \$4,215,200 [plus interest]

Specific planning projects include the following:

- *Mobility Master Plan* – listed as the "Road Networking Survey" in the 2023 Capital plan. The City's overall road network is considered poor as it relates to "Engineered expected life" due to the combined age of the consolidated infrastructure. The City will also consider a set design standard for streets.
- *Storm Infrastructure Master Plan* – this work will be completed with the Sanitary Infrastructure Master Plan. As environmental regulatory requirements improve there is increased expectations for detention

and treatment. At present, 97% of City stormwater released directly into habitat without detention or treatment. Municipal Nature assets need to be considered moving forward and evaluation of these assets will need to be considered in the planning processes.

- *Water and Sewer Infrastructure Master Plan* – These plans are not considered in the GCF funding request. Council direction over the past few years has been to separate the utilities to ensure that the services are funded through utility fees. These steps have occurred and master planning can be undertaken within the funds available in the Water and Sewer infrastructure reserves.
- *Parks, Recreation and Heritage Master Plan* – Plan[s] will support and roll up discussions related to a facilities condition assessment, fees and charges update, and a parks master plan. Creating a scope of work could consolidate works undertaken already, including the accessibility audit and then incorporate the long-term maintenance needs that user groups have brought forth. Staff will also seek the levels of service Council is prepared to support related to the Heritage services in the community moving forward.
- Other considerations within the master planning across all services include:
 - Determine level of service we want to provide and use for Asset Management;
 - Trails standards plan;
 - Urban forest management plan; and
 - Active transportation Plan.
- *Fire Services Master Plan* – As the community grows, service level commitments require strategic growth to our protective services including Fire. The fire service master plan will provide a guide to how growth could occur and what infrastructure would be required for a more densified community. When development requests are considered, the impact on fire commitments should be factored in and planning will provide that service lens. The community also needs to look at the urban interface on wild fires and how to move forward with fire smarting the City’s urban forest. Completion of the noted master plans will inform a reset and update of the Development Cost Charges bylaw [DCC]. A review of best practices including amenity agreements could be a consideration.

IMPLICATIONS

The financial implications of the allocation are currently not impacting the tax requisition of the City. Once the planning documents and condition assessments are complete, the long-term planning would then dictate the financial commitments needed and a strategic approach to addressing those needs would be considered by Council. The general allocation of planning funds for the GCF are as follows:

- Engineering & Public Works - \$500,000 [includes \$150,000 in the 2023 Capital Plan allocation]
- Parks, Recreation and Heritage - \$300,000
- Fire - \$100,000
- DCC update - \$150,000

The 2023-2027 Financial Plan already includes \$150,000 in the Engineering & Public Works Capital Plan [GCF funding], Parks, Recreation, and Heritage includes \$80,000 in the operational plan for facilities and parks planning.

COMMUNICATIONS

n/a

BYLAWS/PLANS/POLICIES

- *“City of Port Alberni 2023 – 2027 Financial Plan Bylaw No. 5075, 2023”*

SUMMARY

In March 2023, it was announced that the City is the recipient of a \$5,269,000 grant under the Provincial GCF program. The recommended approach is to allocate funding to the planning needs in order to provide good information to make good decisions in the long-term planning for growth in the City. Staff recommend utilization of the Growing Communities Fund by allocating funds into two broad categories that focus on infrastructure sustainability and community growth. First allocating 20% of the funding to addressing information gaps in populating long-term financial planning for sustainable infrastructure and community growth. This includes the creation of specific project plans that are to form the basis of the long-term planning. Second, allocating the remaining 80% of funding to set specific capital priorities based on the information provided in the long-term financial plan.

ATTACHMENTS/REFERENCE MATERIALS

- Growing Communities Fund award letter



March 16, 2023

Ref: 271994

Their Worship Mayor Sharie Minions
City of Port Alberni
4850 Argyle St
Port Alberni BC V9Y 1V8

Dear Mayor Minions:

The population of B.C. has increased consistently over the past decade and is projected to keep growing in the next 10 years. The provincial government understands the need to facilitate greater housing supply for our growing population. The province will support local governments in addressing the multiple funding and financing constraints to aid in the construction of infrastructure and amenities for all B.C. communities. Local governments' investment in core community infrastructure and amenities increases the amount of land that is ready to be developed to a higher density.

The Government of B.C. has invested considerable resources in infrastructure and amenities in the past 10 years and has strategically leveraged federal funding to that effect. More than \$1.6 billion in federal and provincial funding have been invested in our communities since 2018 through the Investing in Canada Infrastructure Program. However, as there is still more to be done for infrastructure and amenities, the provincial government is pleased to provide the Growing Communities Fund (GCF) for local governments province-wide.

As a one-time grant, the GCF will provide up to \$1 billion through direct grants to local governments to support all B.C. communities, with a focus on those communities that need to increase the pace and scale of housing supply. The principal objective of the GCF is to increase the local housing supply with investments in community infrastructure and amenities. Municipalities are encouraged to work closely with adjacent local First Nations, in recognition of the *Declaration on the Rights of Indigenous Peoples Act*, as this collaboration strengthens our communities and regions.

The funding provided through the GCF should be limited to one-off costs needed to build required infrastructure and amenities rather than funding ongoing or operational activities. These funds are to be incremental to currently planned investments and should accelerate the delivery of capital projects. Eligible costs are as follows:

- Public drinking water supply, treatment facilities and water distribution;
- Local portion of affordable/attainable housing developments;

.../2

Ministry of Municipal Affairs

Office of the Minister

Mailing Address:
PO Box 9056 Stn Prov Govt
Victoria BC V8W 9E2
Phone: 250 387-2283
Fax: 250 387-4312

Location:
Parliament Buildings
Victoria BC V8V 1X4
<http://www.gov.bc.ca/muni>

- Childcare facilities;
- Municipal or regional capital projects that service, directly or indirectly, neighbouring First Nation communities;
- Wastewater conveyance and treatment facilities;
- Storm water management;
- Solid waste management infrastructure;
- Public safety/emergency management equipment and facilities not funded by senior level government;
- Local road improvements and upgrades;
- Sidewalks, curbing and lighting;
- Active transportation amenities not funded by senior level government;
- Improvements that facilitate transit service;
- Natural hazard mitigation;
- Park additions/maintenance/upgrades including washrooms/meeting space and other amenities; and
- Recreation-related amenities.

Further to the above-noted capital costs, one-off costs can include:

- Costs of feasibility studies (including Infrastructure capacity assessment); other early-stage development work; costs of designing, tendering and acquiring land (where it is wholly required for eligible infrastructure projects); constructing eligible infrastructure projects; and, in limited situations, non-capital administrative costs where these are necessary, for example adding staff capacity related to development or to establish complementary financing for local government owned infrastructure or amenities.

I am pleased to advise you that the City of Port Alberni is the recipient of a \$5,269,000 grant under the Growing Communities Fund. This amount will be directly transferred to your local government by March 31, 2023.

Under part 7 of the Local Government Grants Regulations, the amount of the grant to each local government is set by the Minister of Municipal Affairs. The determination of this amount was based on a formula that applies to all municipalities.

This formula is based on three components: a flat funding amount, an “adjusted population” amount and a “population growth” amount. The flat amount is \$500,000. The “adjusted population” amount is \$365 per adjusted population. The population adjustment ensures smaller municipalities get a higher per capita share of funding despite larger municipalities receiving more funding in absolute dollars. The “population growth” amount is \$1,000 per capita population growth between 2016 and 2021.

.../3

As a condition of this funding, the grant must be placed in a segregated reserve fund established by bylaw under section 188 of the *Community Charter* for the Capital and Planning purposes of the GCF. This fund must be separate from other existing reserve funds. To ensure full transparency regarding the use of funds, your local government will be required to annually report on how it spends this grant. This will be part of the annual financial reporting required under section 167 of the *Community Charter*. Your local government will provide a schedule to the audited financial statements respecting the amount of funding received, the use of those funds and the year-end balance of unused funds. Your local government must continue to annually report on the use of grant money until the funds are fully drawn down.

Further to the financial reporting, an annual report that identifies work-related Housing Needs Reports and pre-zoning requirements, as applicable, is required. The province also encourages highlighting projects that align with provincial priorities such as CleanBC and childcare; as well as those that align with the province's Environmental, Social and Governance framework for capital projects.

Finally, requirements will include parameters for public recognition of the funding related to projects. The province must be consulted prior to any proactive media events or news releases related to the project. Funded projects must also acknowledge the province's contribution through temporary and permanent on-site signage. The provincial government anticipates that the funds will be expended within approximately five years of receipt.

If you have any questions or comments regarding this letter, please feel free to contact the Local Government Infrastructure and Finance Branch by email at: LGIF@gov.bc.ca. Further information on the program will be available on the following webpage: <https://www2.gov.bc.ca/gov/content/governments/local-governments/grants-transfers/grants/bc-s-growing-communities-fund>.

The province welcomes this opportunity to support the growth of the supply of housing throughout British Columbia. We believe that this funding will contribute to the capacity of B.C. local governments to provide critical services as our province and economy grows.

Sincerely,



Anne Kang
Minister

pc: Tim Pley, Chief Administrative Officer, City of Port Alberni
Andrew McGifford, Director of Finance, City of Port Alberni

Attachment with Example Calculation for a Municipality with 15,000 People

Population Range	From	To	Adjustment Factor
1. Very Small	0	2,000	100%
2. Small	2,001	5,000	80%
3. Small-Med	5,001	10,000	60%
4. Medium	10,001	20,000	40%
5. Large-Med	20,001	40,000	20%
6. Large	40,001	150,000	10%
7. Very Large	150,001	900,000	5%

To illustrate, for a city of 15,000 people, the adjusted population is:

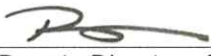
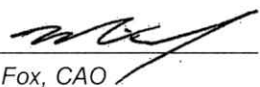
- For this first 2,000 residents, adjustment of 100% = 2,000 x 100% = 2,000
- For the next 3,000 (up to 5,000), adjustment of 80% = 3,000 x 80% = 2,400
- For the next 5,000 (up to 10,000), adjustment of 60% = 5,000 x 60% = 3,000
- For the last 5,000 (up to 15,000), adjustment of 40% = 5,000 x 40% = 2,000

Thus, the city of 15,000 people has an adjusted population of 9,400 (=2,000 + 2,400 + 3,000 + 2,000).

If the city grew by 4,500 people between 2016-2021, the total grant amount is calculated as follows:

Component	Calculation	Result
Flat Funding	\$500,000	\$500,000
Adjusted Population	= 9,400 x \$365	\$3,431,000
Population Growth	= 4,500 x \$1,000	\$4,500,000
Total Grant		\$8,431,000

Date: June 19, 2023
 File No: 1970-03
 To: Mayor & Council
 From: M. Fox, CAO
 Subject: **Permissive Tax Exemptions Policy**

Prepared by:  Deputy Director of Finance	Supervisor: ANDREW MCGIFFORD Director of Finance	CAO Concurrence:  M. Fox, CAO
---	--	--

RECOMMENDATION

THAT Council direct staff to proceed with establishing new Permissive Tax and Places of Public Worship Bylaws for the years 2024 to 2027 [4-year term] based on the Permissive Tax Exemption Policy dated June 10, 2019.

PURPOSE

To recommend the current Permissive Tax Exemption [PTE] policy in advance of the 2024 application process as per the recommendation of the June 19th Committee of the Whole.

BACKGROUND

The *Community Charter* provides the legislative authority for both permissive and statutory tax exemptions. *Section 224* of the *Community Charter* provides Council with the authority to grant PTE's for property that is owned by a charitable, philanthropic or other not-for-profit corporation and that is used for the purpose directly related to the organization.

In June 2019 Council reviewed and endorsed a new policy to guide both the process and Council's priorities for granting exemptions. A cap for overall value of exemptions was set at 1.15% of annual property tax revenues and criteria for exemption was established. In addition to the requirements of the *Community Charter*, Council included criteria that the land or buildings shall provide for at least one of the following:

- Athletic or recreational programs or facilities for youth;
- Services and facilities for persons requiring additional supports; mental wellness and addictions;
- Programming for seniors;
- Protection and maintenance of important community heritage;
- Arts, cultural or educational programs or facilities;
- Emergency and rescue services;
- Services for the public in a formal partnership with the City or
- Preservation to an environmental or ecologically sensitive area designated within the Official Community Plan

In addition to the criteria above, changes were made to the PTE's for public places of worship. A cap on PTE for land owned by public places of worship in excess of a one-half acre was added, this meant that no more than

one-half acre of land would be included in permissive exemptions after the 2019 tax year for public places of worship.

In 2023 a request for a ten-year PTE Bylaw for the Island Corridor Foundation [ICF] was approved [Bylaw No. 5069]. Provision in the current policy does not address a ten-year time frame, currently the policy provides only a four-year term. Council has an opportunity to review the terms for ICF rail and track corridor in the policy for 2025 and beyond if they wish to align the policy with the newly created bylaw.

The 2020-2023 Bylaw is now up for renewal. Permissive tax exemptions must be reviewed and approved by Council by the October 31st deadline each year as set out in Section 224 of the *Community Charter*.

At the June 19th Committee of the Whole meeting staff presented the policy and options and the Committee endorsed the recommendation that Council direct staff to proceed with establishing new Permissive Tax and Places of Public Worship Bylaws for the years 2024 to 2027 [4-year term] based on the Permissive Tax Exemption Policy dated June 10, 2019.

ALTERNATIVES/OPTIONS

- 1) That Council direct staff to proceed with establishing new Permissive Tax and Places of Public Worship Bylaws for the years 2024 to 2027 [4-year term] based on the Permissive Tax Exemption Policy dated June 10, 2019.
- 2) That Council to direct staff to amend the 2020 – 2023 Permissive Tax Exemption Bylaw and Places of Public Worship Exemption Bylaw to extend to 2024.

ANALYSIS

PTE is a means for Council to support organizations within the community which further Council's objectives of enhancing quality of life [economic, social, cultural] and delivering services economically, however, there is no obligation on the part of Council to grant exemptions.

Staff have undertaken a review of comparable municipalities PTE policies [schedule A]; which confirmed that the City's current Policy is robust and includes current best practices used by other municipalities making it suitable for application of the new 4-year term [2024-2027].

Should Council instead choose an amendment to the current 2020-2023 bylaws to extend to 2024, staff will ask that organizations reconfirm their eligibility to receive an exemption by July 31, 2023 and also invite new applications for consideration. In accordance with the PTE policy, staff will conduct a review of current PTE recipients as well as new applications for the 2024 tax year.

IMPLICATIONS

The four-year term on the current PTE bylaw ends December 31, 2023. A review of the current Permissive Tax Exemption policy dated June 10, 2019 in relation to comparable municipalities determined it continues to meet best practices and is suitable for application of the new 4-year term [2024-2027].

Creating a committee to review/update policy and application changes would push back the application and approval process which would not permit staff to approve tax exemptions by the October 31st deadline.

Amending the current bylaw to include the 2024 tax year would give Council more time to discuss whether

policy or application changes are required moving forward 2025 and beyond] and how the review would take place i.e. select committee.

COMMUNICATIONS

Public notice is provided in accordance with section 227 of the *Community charter*, allowing organizations who meet the criteria of the policy to apply for exemption additionally public notice is required before final adoption of the bylaw has taken place.

BYLAWS/PLANS/POLICIES

- *Permissive Tax Exemption Policy*
- *"Permissive Tax Exemption Bylaw, 2020, Bylaw No. 4997 and 4997-2"*
- *"Places of Public Worship Exemption, Bylaw No. 4998 & 4998-1"*

SUMMARY

The *Community Charter* provides the legislative authority for both permissive and statutory tax exemptions, Council has the ability to Grant Permissive exemption under section 224 of the *Community Charter*. The City's current PTE Bylaws will expire December 31, 2023 and Council will need to approve a new bylaw for years 2024 and beyond. Following a review of the current Permissive Tax Exemption Policy and ensuring it continues to align with best practices, staff are recommending establishment of new Permissive Tax and Places of Public Worship Bylaws for the years 2024 to 2027 [4-year term] based on the Permissive Tax Exemption Policy dated June 10, 2019.

ATTACHMENTS:

- *Schedule A: "Summary of Permissive Tax Exemption Policies as of 2023"*
- *Permissive Tax Exemption policy dated June 10, 2019*
- *Excerpt from the Annual Report summarizing 2022 Permissive Tax Exemptions*

c: *A. McGifford, Director of Finance*
D. Monteith, Director of Corporate Services

Summary of Permissive Tax Exemption Policies 2023											
	Port Alberni	Victoria	Courtenay	Parksville	Ladysmith	Campbell River	Duncan	Salmon Arm	Kelowna	North Vancouver	Vernon
Council responsible for approving policy	X	X	X	X	X	X	X	X	X	X	X
Council responsible for approving tax exemption requests annually	X	X	X	X	X	X	X	X	X	X	X
Finance Department is responsible for receiving and processing all PTE applications	Clerk's with support of Finance	X	X	Jointly Finance & Clerks	X	Clerk's with support of Finance	X	X	X	Staff with Community Services Advisory Committee	X
Finance Department is responsible for reviewing applications for PTE and making recommendations to Council	x	X	X	Jointly Finance & Clerks	X	CPC committee with support of Staff	X	X	X	Staff with Community Services Advisory Committee	X
CAP based on a percentage of tax levy	1.15%	1.60%	2%	\$225,000 max		1.70%		subject to budgetary constraints		0.60%	
PTE's from prior years will be proportionally reduced if total PTE's exceed current years budget	x	X		X		x				X	
Organizations MUST be a Registered Charity or Non-Profit Organization			x		X	x	X	X	X		
Term in years	4	3	1 & 5 & 10	3	3	5	1	3	1	3	3
Term in years: Churches, Private Schools & Hospitals	Churches in perpetuity, with amendments when required last written 2004				and			3	up to 5		
Term in years: Rail & Track	10	10	10	10	10	not specified	not specified	not specified	not specified	not specified	not specified
Organization must publically acknowledge exemption		X		X	"may"	x			"may"		"may"
Organization must be seen as working towards self-sufficiency - by seeking funding from other sources - or PTE may not be granted	x	X		X		x		X		X	
Exemptions will not be granted for land greater than normally required for off street parking, buffer zones or to make a reasonably shaped parcel	x	X		X		x					
PTE may not be granted if organization doesn't make use of volunteers to provide services		X		X						X	
Organizations that provide Liquor and/or meals services as their primary function and/or source of revenue are not eligible for PTE	x	x			X	x			X		
Evaluation Categories:											rates set annually
Special Needs & Supportive Housing	up to 100%	up to 100%	up to 100%	up to 100%		up to 100%				up to 100%	
Social Service Properties	up to 100%	up to 100%	up to 100%	up to 100%		up to 100%				up to 100%	up to 100%
Arts & Cultural facilities	up to 100%		up to 100%	up to 100%		up to 100%				up to 100%	up to 75%
Educational facilities	up to 100%	+ to % of provincial funding allocated based on Certificate of Group Classification issued by the Inspector of Independent Schools	up to 100%					up to 100%		up to 100%	up to 100%
Athletic or recreational facilities	up to 100%	up to 50%	up to 100%	up to 30% and up to 100% if meet other criteria				up to 100%		up to 100%	up to 75%
Affordable Rental Housing mention		x		seniors complex's only							
Places of Worship	up to 100%	up to 100%	up to 100%	up to 100% (and deemed necessary)		up to 100%				up to 100%	Max of 7x area of church building. Menus not eligible
Rail & Track property	up to 100%	up to 100%	up to 100%	up to 100%		up to 100%				up to 100%	
Benefits to community (priorities)											
provides recreational facilities for public use	X	X	X		X	X	X	X	X		X
provides recreational programs to the public	X	X	X		X	X	X	X	X		X
provides programs/facilities used by youth, seniors or other special needs groups	X	X	X		X	X	X	X	X		X
preserves heritage important to community charter	X		X			X					X
preserves an environmentally, ecologically significant area of the community	X		X		up to 30% - no public access & up to 100% with limited public access		X				
offers cultural or educational programs to the public which promote Community spirit, cohesiveness and/or tolerance	X		X			X					X
Offers services to the public in a formal partnership with the municipality	X		X		X	X	X		X		
Services & Activities should be equally available to all residents of the City		X		X	X	X	X		X		

TITLE: PERMISSIVE TAX EXEMPTION				
EFFECTIVE DATE: June 10, 2019	DEPARTMENT: Finance	AUTHORIZED BY: Council	REPLACES: June 25/13 May 25/04	PAGE 1 OF 3

PREAMBLE

Permissive tax exemption is a means for Council to support organizations within the community which further Council's objectives of enhancing quality of life (economic, social, cultural) and delivering services economically. The parameters will provide fair, consistent treatment and consideration for all applicants providing charitable and not for profit services for the benefit of the residents of the City of Port Alberni. After careful consideration of all applications Council may approve a full, a partial, or no tax exemption. This policy guides identification of organizations meeting Council's objectives

POLICY

1. Overall Amount

The total amount of revenue to be foregone by permissive tax exemptions will be set by Council during the development of the Five Year Financial Plan. Permissive tax exemptions approved in the current year for the subsequent tax year will not exceed 1.15% of the current year's total budgeted property tax requisition. The permissive exemption values will be calculated by using the current year's assessment multiplied by the current year's tax rates. In the case where the calculated permissive exemption values for the subsequent year exceed 1.15 % of the current year's tax requisition, all permissive exemptions will be proportionately reduced.

2. Process

Council will consider applications for permissive tax exemptions annually. The opportunity to apply will be advertised 2 times in the local newspaper and letters will be mailed to organizations having an exemption which will expire at the end of the current year so that they may apply for renewal.

Applications must be submitted on prescribed forms available from City Hall, to the Deputy Director of Finance, before August 1st of each year. The Deputy Director of Finance (or their designate) will review the applications for completeness, and arrange contact with applicants for addition information as necessary.

Application forms must be accompanied by:

- Copy of most current Notice to Reader financial statements prepared by an Accountant, or if a new applicant 3 years is required
- A copy of the most current Budget for the organization;
- Copy of state of title certificate or lease agreement, as applicable; and
- Site plan of subject property.

The Deputy Director of Finance will present a summary report of the applications, relative to the eligibility criteria, to Council for consideration.

3. Eligibility Criteria

- a. Application of this permissive tax exemption policy is subject to applicable provincial legislation. Applicants are encouraged to familiarize themselves with the legislation.
- b. In assessing the application of permissive tax exemption to the land or buildings occupied by a qualifying organization, Council will consider the following priorities for granting an exemption:

The land or buildings shall provide for at least one of the following:

- athletic or recreational programs or facilities for youth;
 - services and facilities for persons requiring additional supports; mental wellness and addictions;
 - programming for seniors;
 - protection and maintenance of important community heritage;
 - arts, cultural or educational programs or facilities;
 - emergency and rescue services
 - services for the public in a formal partnership with the City or;
 - preservation to an environmental or ecologically sensitive area designated within the Official Community Plan.
- c. The organization must be a Non-Profit or Registered Charity. Only that part of the property used for non-profit or charitable activities will be considered for exemption. Non-profit or Charitable organizations conducting retail and/or commercial activity including the sale of food and/or liquor, may not be eligible for tax exemption.
 - d. The organization must be seen to be working towards self-sufficiency by seeking funding from other sources, including grants from other levels of Government.
 - e. The organization may be required to show evidence of ongoing, active volunteer involvement
 - f. Applicants must show evidence of a clear mandate and competent administration.
 - g. All recipients of tax exemptions from the City of Port Alberni will be required to publicly acknowledge the exemption.
 - h. Where the land was provided by the City, consideration will be given whether the land was granted or otherwise provided by the City to the organization on the understanding that taxes would continue to be paid.
 - i. Exemptions will not be granted for land held for future development or land greater than normally required for off street parking, buffer zones or to make a reasonable shaped parcel. This includes all exemptions, including Places of Public Worship.

4. Duration of Exemption

Eligible organizations may be considered for tax exemptions exceeding one year (to a maximum of four years) where it is demonstrated that the services/benefits they offer to the community are of a duration equal or greater than the period of tax exemption.

Groups receiving a permissive tax exemption greater than one year in duration will be required to confirm their continued qualification for the exemption annually. It is not guaranteed that the exemption will continue for the term. An exemption can be adjusted based on new information.

For permissive tax exemptions exceeding one year in duration, the permissive tax exemption will be reconsidered if the status of the group or benefit to the community changes, with the intent of revoking the permissive tax exemption and/or requiring repayment of the taxes forgone.

5. Extent and Conditions

Council may at its discretion, reject any or all applications brought forward for consideration in any given year.

Council may designate only a portion of the land/improvements as exempted where the following circumstances exist:

- A portion of the land /improvements is used by the private sector and/or organizations not meeting Council's criteria;
- the applicant already receives a grant-in-aid or other benefit from the City;
- the area does not contribute to the community benefit; budget constraints as indicated in Section 1 of this policy.

PLACES OF PUBLIC WORSHIP EXEMPTIONS

Statutory exemptions are provided to buildings used for public worship, and land beneath the building.

All other land and buildings ancillary to the place of public worship are taxable unless a permissive tax exemption is granted by Council.

Where there is a residence located on the same property as a church, the residence and any ancillary buildings and the land upon which the residence and ancillary buildings actually stand, as well as any area of land deemed to be associated with the use and enjoyment of the residential and ancillary buildings shall be assessed and taxed as residential property.

Where the property on which a church is located exceeds .5 acres, the area of land exempt from taxation, including the statutory exemption, shall be .5 acres.

The Places of Public Worship Exemption Bylaw will be reviewed every four (4) years in conjunction with the term of the Permissive Tax Exemption Bylaw to ensure that the relevant exemptions remain applicable and if necessary to make recommendations to Council in regards to potential Bylaw amendments.

PERMISSIVE TAX EXEMPTIONS

Financial Statements

Under the provisions of Section 224 of the *Community Charter*, Council may, on or before October 31, exempt land and/or improvements from municipal property taxes for the next calendar year, subject to meeting certain requirements which in general, restrict exemption to non-profit organizations using the lands for specific non-profit purposes.

The *Community Charter* also provides for statutory (automatic) tax exemptions for a range of properties held or used by governments and public agencies, including places for public worship. These exemptions do not require Council authorization.

In 2022, Property Taxes foregone through Permissive Tax Exemptions equaled \$233,471.69.

REGISTERED OWNER	EXEMPTION
CHARITABLE OR NOT FOR PROFIT	
Alberni Community & Women's Services Society (2 properties)	\$6,126.97
Alberni Valley Alano Club	\$483.70
Alberni Valley Childcare Society (Stepping Stones Too)	\$5,405.91
Alberni Valley Rescue Squad	\$7,960.51
Bread of Life Centre	\$1,872.89
Canadian Mental Health Association, Port Alberni Branch (7 properties)	\$18,464.39
CTH Management Association (Kiwanis Hilton Children's Centre; 2 properties)	\$7,503.14
Hupacasath First Nation (Ooh-Ah-Tluk-Kuu-Wil Society)	\$9,451.30
Port Alberni Association for Community Living (6 properties)	\$22,434.07
Island Corridor Foundation	\$16,431.14

REGISTERED OWNER	EXEMPTION
Port Alberni Maritime Heritage Society (2 properties)	\$7,809.99
Portal Players Dramatic Society	\$3,977.36
Somass War Memorial Building Society (Royal Canadian Legion Branch 293)	\$1,218.57
ATHLETIC OR RECREATIONAL PROGRAMS YOUTH/SENIORS	
Alberni Athletic Association	\$19,322.34
Port Alberni Black Sheep Rugby Club	\$6,918.41
Port Alberni Gymnastics Association	\$13,561.82
Port Alberni Lawn Bowling Club	\$2,359.21
MUNICIPAL PROPERTY	
The Alberni Valley Bulldogs	\$1,236.05
Alberni District Fall Fair (2 properties)	\$10,887.09
Alberni Valley Curling Club	\$5,861.83
Alberni Valley Junior Baseball Association	\$102.76
Alberni Valley Minor Hockey Association	\$444.34
Alberni Valley Minor Softball	\$526.84

REGISTERED OWNER	EXEMPTION
Alberni Valley Youth Soccer Association	\$2,453.29
Community Arts Council of the Alberni Valley	\$4,336.31
Echo Sunshine Club	\$136.05
Mount Arrowsmith Skating Club	\$411.05
Tsunami Swim Club	\$246.05
Port Alberni Men's Slowpitch League	\$65.28
Western Vancouver Island Industrial Heritage Society	\$9,581.56
PARTNERING AGREEMENTS	
BC SPCA	\$26,110.49
Central Park - 'Gaiga Square'	\$1,606.58
Uchucklesaht Capital Assets Inc.	\$1,804.87
HOSPITAL/COMMUNITY CARE FACILITY/SENIORS	
Alberni-Clayoquot Continuing Care Society	\$2,589.34
Alberni-Clayoquot Continuing Care Society (Echo Village)	\$2,899.69
Alberni Valley Senior Citizens' Homes (Pioneer Towers)	\$1,267.06
Alberni-Clayoquot Continuing Care Society (Fir Park Village)	\$1,267.06
Alberni Valley Hospice Society (Hospice Centre)	\$5,450.78
Alberni Valley Hospice Society (Ty Watson House)	\$2,649.14

REGISTERED OWNER	EXEMPTION
PLACES OF PUBLIC WORSHIP	
Alberni Valley Christian Reformed Church	\$1,760.08
Alberni Valley Gurdwara Society	\$364.92
Alberni Valley United Church	\$1,399.60
Arrowsmith Baptist Church	\$741.18
BC Association of Seventh Day Adventist Church	\$1,102.89
Bishop of Victoria - Notre Dame Church	\$1,761.33
Church of the Nazarene (Canada Pacific District) Southside Community Church	\$353.76
Gateway Community Church	\$1,574.81
Glenwood Gospel Hall	\$1,460.42
Grace Lutheran Church	\$670.83
Horn of Oil Ministries	\$1,385.19
Jericho Road Church	\$412.82
Khalsa Diwan Society - Guru Nanak Sikh Temple	\$852.38
Lathom Road Gospel Hall	\$420.90
Pentecostal Assemblies of Canada (Elim Tabernacle)	\$690.73
Sri Sanatan Dharam Society	\$819.42
Trinity Anglican Lutheran Church	\$1,579.16

RECEIVED

JUN 13 2023

CITY OF PORT ALBERNI

- Council
 - Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other _____
- File # 0400-70-Tseshah *June 19/23 (CW)*

From: Ken Watts <KenWatts@tseshaht.com>

Sent: Saturday, June 10, 2023 3:52 PM

Subject: Re: DRAFT letter-Local, regional and First Nations governments calling upon Canada and BC to take action on firefight and create official alternative access road to West Coast as Cameron Lake Bluff fire carry's on

Hello local, regional and First Nations governments,

Thanks for the unified messaging today about visitors. In follow up to Friday's statement and the email previously sent, Tseshah believes we need to carry this momentum and unity into next week with the open letter (copied below to be inserted on a similar letterhead). We have support for the updated letter below from those in **bold and underlined**, and interest from those *italicized* below.

Tseshah would like for your support by Monday, June 12th and it be posted on Tuesday (if you need more time on Wednesday). Thanks

DRAFT

(OPTIONAL LOGOS)

June __, 2023

OPEN LETTER

RE: Local, regional and First Nations governments/organizations call upon Canada and BC to take action on firefighting and create official alternative access road to West Coast as Cameron Lake Bluff fire carry's on

Honourable Premier Eby

Prime Minister Justin Trudeau

Delivered by email

We the following local, regional and First Nations governments/organizations:

1. **Tseshaht First Nation**
2. ***Hupacasath First Nation***
3. City of Port Alberni
4. **Alberni-Clayoquot Regional District(ACRD)**
5. District of Tofino
6. ***District of Ucluelet***
7. Toquaht Nation
8. ***Yuulu?il?ath Government***
9. Ahousaht First Nation
10. **Tla-o-qui-aht First Nation**
11. Hesquiaht First Nation
12. Uchucklesaht Tribe
13. *Huu-ay-aht First Nation*
14. **Ditidaht First Nation**
15. **Nuu-chah-nulth Tribal Council**

want to thank all BC Wildfire/Forest Firefighters who are not only battling blazes locally in First Nations unceded territory, but across B.C. These individuals on the frontlines risk their lives daily for our health and safety. Kleco, Kleco.

Secondly, we as local, regional and First Nations governments/organizations are all calling upon the Province of British Columbia (BC) to contract the Coulson Aviation company to help fight not only the fire at Cameron Lake, but fires across BC immediately. It is disappointing to know a local company and its resources to help keep unceded First Nations territories and our citizens

safe; are not being utilized. Local, regional, First Nations governments/organizations continue to take a proactive role in protecting the hahoulthee of Nuuchahnulth First Nations Ha'wiih (hereditary chiefs' territory), most recently Tla-o-qui-aht First Nation fought a wildfire within their territory prior to emergency response arriving.

We look forward to seeing more investments including a contract with this local company as soon as possible helping protect our land, air, waters, people, and animals. While the company works in Alberta, across Canada and other countries across the world; we believe that utilizing all supports such as Coulson Aviation should occur immediately.

Finally, we now know the potential impacts the current Highway 4 closure around Cameron Lake due to the Cameron Lake Bluffs fire can have on our economy, food security, fuel, social and mental health. Therefore, we are calling upon both the Government of Canada and the Province of BC to make immediate investments in securing a permanent second access road into the City of Port Alberni as all our local, regional and First Nations governments/organizations rely on in all aspects of our life.

We are happy to meet with officials from your governments, as we believe now is the time for action. We look forward to your response regarding this urgent matter.

Kleco, Kleco

CC-
MLA and Minister Josie Osbourne

MP Gord Johns

BC Minister of Transportation and Infrastructure, Rob Fleming

BC Minister of Public Safety and Solicitor General, Mike Farnworth

Nuuchahnulth Tribal Council

Wahmeesh (Ken Watts)

Tseshah First Nation – Elected Chief Councillor

Email: kenwatts@tseshaht.com

Phone: [250.724.1225](tel:250.724.1225)

Cell: [250.720.6100](tel:250.720.6100)

Fax: [250.724.4385](tel:250.724.4385)



May 11, 2023

City of Port Alberni BC, V9Y 1V8 - Via email: corp_serv@portalberni.ca

Re: Request Committee of the Whole Meeting - The Poisoned Drug Crisis in Port Alberni

Dear City of Port Alberni Council:

We are requesting one hour at a Committee of the Whole meeting to allow the Port Alberni Community Action Team to present on the Poisoned Drug Crisis in our Community.

The 2022 Year-end [BC Coroner's numbers](#) (page 18) for Alberni/Clayoquot are devastating. Twenty-six People died in our region last year. These are the worse numbers ever reported for Alberni/Clayoquot. What is even more concerning is our death rate per population. Alberni/Clayoquot is the seventh highest in the Province! (75.1 per 100,000 population). That's a 104% increase since 2017 when we began tracking after the Poisoned Drug Overdose was declared a health emergency in BC.

Municipalities are key influencers in their regions, communities and with other levels of Government. For this reason, the City of Port Alberni plays a crucial role in responding to the Overdose Crisis.

- You can allocate resources. First, in partnership with the Community Action Team, and then by keeping the Overdose Crisis front and centre in our community.
- Secondly, by concentrating on advocacy/legal reform with other levels of Government, Health Authorities, and citizens.
- Finally, you actively leverage services within the city and our community. Most notable are the harm and stigma reduction strategies initiated by the municipality and regular, formal reporting to the citizens of the city of Port Alberni.

During our presentation, we'll cover the following. An overview of the Poisoned Drug Crisis in Port Alberni/BC/Canada. How we got here. Strategies -Enforcement versus People-Centred Policies. Evidence-based Harm Reduction, Stigma. Who is dying in Port Alberni and why? What You, The city can do – Our Asks

There will be time for questions. We actively encourage questions, especially the hard ones. Those are the questions everyone is thinking about but are hesitant to ask.

Sincerely,


R. Merk
Co-Chair
Port Alberni Community Action Team