



COUNCIL FOR THE CITY OF PORT ALBERNI

AGENDA PACKAGE

TUESDAY, NOVEMBER 12, 2013

CONTENTS

- **Meeting Schedule**
- **Regular Council Meeting**

**CITY OF PORT ALBERNI - MEETING SCHEDULE
TUESDAY, NOVEMBER 12, 2013**

4:00 pm	Special In-Camera Meeting <i>@ Committee Room</i>	CLOSED TO PUBLIC
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7:00 pm	Regular Council Meeting <i>@ Council Chambers</i>	OPEN MEETING
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DATES TO NOTE

Wed. Nov 13 10:00 am	Coffee & Conversation with the Mayor <i>@ Vancouver Island Regional Library</i>	OPEN MEETING
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Thurs. Nov 21 12:00 pm	Advisory Planning Commission Meeting <i>@ Committee Room</i>	OPEN MEETING
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Mon. Nov 25 4:00 pm	Audit Committee Meeting <i>@ Committee Room</i>	OPEN MEETING
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7:00 pm	Regular Council Meeting <i>@ Council Chambers</i>	OPEN MEETING
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AGENDA

REGULAR MEETING OF COUNCIL

**TUESDAY, NOVEMBER 12, 2013 AT 7:00 PM
IN THE CITY HALL COUNCIL CHAMBERS**

The following pages list all agenda items received by the deadline. 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 refer to the City's website www.portalberni.ca or contact the City Clerk phone: (250 720-2810) or email: davina_hartwell@portalberni.ca

PRESENT:

A. APPROVAL OF AGENDA (including introduction of late items)

The deadline for agenda items is 12 noon on the Wednesday before the scheduled regular meeting. Acceptance of late items is at the discretion of Council.

1. Late items identified by Councillors.
2. Late items identified by the City Clerk.

That the agenda be approved as circulated with the addition of late items as outlined.

B. ADOPTION OF MINUTES - Page 15

1. Regular Council Meeting held October 28, 2013 and Special Meeting of Council held on November 4, 2013.

PUBLIC INPUT PERIOD

An opportunity for the public to address Council on topics of relevance to City Council. A maximum of five speakers for no more than two minutes each will be accommodated.

C. DELEGATIONS

1. Lisa Jaster, Project Supervisor - Canada World Youth

To provide a presentation regarding the Canada World Youth team, the work they accomplished in Vietnam and projects identified for our community.

2. Bernadette Wyton, Air Quality Council

In attendance to discuss transition options for Air Quality Council Coordination.

3. Woodtech 21 - Protocol signed with North Island College

Gillian Trumper in attendance to provide information about their Protocol Agreement with North Island College.

D. PROCLAMATIONS

E. CORRESPONDENCE FOR ACTION

All correspondence addressed to the Mayor and Council by an identifiable citizen is included on an Agenda. Action items are those asking for a specific request of Council and will be provided a response.

1. Kuu-us Crisis Line Society - Page 30

Letter dated October 22, 2013 from Charlene Johnson, Event Coordinator at the Kuu-us Crisis Line Society, requesting sponsorship for their 15th Annual "Festival of Trees" held at the beginning of December.

Council direction requested.

2. Ann McIvor - Page 31

E-mail dated November 1, 2013 following up on Council direction to hold a public meeting to discuss the proposed Raven Coal Port. (Note: meeting planned to be held once application is available to the public).

That the email dated November 1, 2013 from Ann McIvor following up on Council direction to hold a public meeting to discuss the proposed Raven Coal Port, be received.

3. Evergreen Exhibitions - Page 33

Letter dated November 6, 2013 requesting permission to suspend a banner across 10th Avenue near Echo Center from April 28 to May 4, 2014 to promote the annual Spring Home Show at the Alberni Valley Multiplex.

That the letter dated November 6, 2013 from Evergreen Exhibitions Ltd. requesting permission to suspend a banner across 10th Avenue near Echo Centre from April 28 to May 4, 2014 to promote its annual Spring Home Show to be held May 2 to 4 at the Alberni Valley Multiplex, be received and the request approved.

F. INFORMATIONAL CORRESPONDENCE

Correspondence which provides information to Council but does not make a specific request or topics that are not relevant to city services and responsibilities are included.

1. Union of British Columbia Municipalities (UBCM) - Page 34

Member Release and Executive Summary dated October 30, 2013 regarding introduction of a Province Wide Call Answer Levy on wireless services to support and improve 911 services in British Columbia. (*Background Review Report in "Reading File"*).

2. Ministry of Finance, Gaming Policy and Enforcement Branch - Page 41

Letter dated October 28, 2013 advising of the \$113,939.07 payment to the City representing casino revenue for the period July 1 to September 30, 2013.

3. Office of the Premier - Page 43

Letter dated September 27, 2013 responding to the Mayor's letter dated September 10, 2013 (*attached*) regarding the cancellation of the Martin Mars Water Bomber (Flying Tankers) contract.

4. Island Health (Vancouver Island Health Authority) - Page 45

- News Release dated October 31, 2013 announcing an extensive public engagement process to renew its five year strategic plan.
- Public Service Announcement dated November 6, 2013 advising of BC Seniors' Fall Prevention Awareness Week (first week in November) which focuses on helping seniors stay independent and providing information to avoid falls.

**5. Association of Vancouver Island and Coastal Communities (AVICC)
- Page 52**

Information regarding the 2014 AVICC Annual General Meeting & Convention, the Resolutions Notice/Request for Submissions and the Call for Nominations for AVICC Executive. (*Note: Resolutions and Nominations deadline is February 24, 2014*).

6. Ministry of Advanced Education/Post-Secondary Funding and Corporate Finance Branch/Post-Secondary Finance - Page 59

Copy of a letter dated October 31, 2013 to the University of Victoria regarding grants-in-lieu of property taxes for public post-secondary institutions for 2013/2014 and advising that the 2012 amount for Port Alberni was \$211.

7. Port Alberni International Twinning Society - Page 61

Newsletter providing information regarding opportunities to be involved in Twinning with Port Alberni's Sister City, Abashiri, Japan.

8. Minister of Children and Family Development - Page 62

Letter dated November 1, 2011 acknowledging that November is "Adoption Awareness Month" and advising an information kit including posters and fact sheets can be found at <http://www.mcf.gov.bc.ca/adoption/index.htm>.

9. District of Lantzville - Page 64

Letter dated November 5, 2013 providing a resolution passed at its last Council meeting about the Island Corridor Foundation and Trail Establishment along the E & N Rail Corridor.

That Informational Correspondence items numbered 1 through 9 be received and filed.

G. UNFINISHED BUSINESS

Includes items carried forward from previous Council meetings.

1. Development Permit Application - 3684 - 3rd Avenue - Page 65

Tabled at the October 28, 2013 Regular Council Meeting pending a further independent third party review of the vehicle turn path.

That discussion regarding the proposed Development Permit Application - 3684 - 3rd Avenue, be lifted from the table.

Correspondence Received:

Sylvia Springer

E-mail dated October 29, 2013 opposing new liquor store.

Pete Milliken

Letter dated October 29, 2013 regarding delivery trucks and safety concerns and suggesting Council is underestimating the skills of professional drivers.

That the e-mail from Sylvia Springer dated October 29, 2013 and letter from Pete Milliken dated October 29, 2013, be received.

City Planner - Development Permit Application, 2684 - 3rd Avenue

Report dated November 7, 2013 providing further information with regards to issuance of Development Permit No. 13-03 to permit the construction of a new Liquor Retail Store and attaching a letter dated November 5, 2013 from Stantec Engineering, the independent engineering firm hired by the City to prove out the turning path for the delivery trucks, which recommends minor changes to the site plan.

That the report from the City Planner dated November 7, 2013, be received.

Motion tabled by Council is as follows. Council may pass the motion as is, or amend the motion to replace the site and landscape plans with the new plans dated November 6, 2013 submitted by the architect based on Stantec's recommendation.

Chopra/Cole

That Council for the City of Port Alberni approve Development Permit No. 13-03 and that the City Clerk be authorized to sign Development Permit No. 13-03 including the following Schedule B development plans:

- 1. Cover Page – Drawing A000 (dated August 26, 2013)*
- 2. Survey Plan/Context Plan – Drawing No. A150 (dated October 2, 2013)*
- 3. Site Plan – Drawing No. A151 (dated October 8, 2013)*
- 4. Landscape Plan – Drawing No. A152 (dated October 8, 2013)*
- 5. Floor Plan – Drawing No. A211 (dated October 2, 2013)*
- 6. Building Elevation / Building Section – Drawing No. A401 (dated August 26, 2013).*

H. BYLAWS

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

1. **Portion of Lane Closure Adjacent to 4508 Gertrude Street and Removal of Dedication Bylaw No. 4829**

The Bylaw was advertised by Public Notice in the AV Times and notice provided to adjacent property owners. There was no correspondence received regarding the Bylaw.

That "Portion of Lane Closure Adjacent to 4508 Gertrude Street and Removal of Dedication, Bylaw No. 4829", be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4829.

2. **"City of Port Alberni Revitalization Tax Exemption Program, Bylaw, No. 4824" - Page 77**

Schedule "B" Map amended to exclude City properties, Harbour Quay (including private properties) and lower Third Avenue.

That "City of Port Alberni Revitalization Tax Exemption Program, Bylaw, No. 4824", be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4824.

I. 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 November 12, 2013 be received and the cheques numbered _____ to _____ inclusive, in payment of accounts totalling \$_____, be approved.

2. City Planner - Advisory Planning Commission - Page 90

The summary report of the October 31, 2013 meeting of the Advisory Planning Commission is provided for Council's consideration of the following recommendations:

Development Application: Temporary Use Permit - 3868 Wood Avenue (Lot 1, District Lot 45, Alberni District, Plan 81430)
Applicant: H. and S. Rai:

1. *That Council for the City of Port Alberni deny the Temporary Use Permit for 3868 Wood Avenue.*
2. *That the property owner be required to have the trailers removed within 4 months.*

Development Application: Development Variance and Development Permits - 4616 Athol Street (Lot 1-3, Block 54, District Lot 1, Alberni District, Plan 197B)
Applicant: Raymond deBeeld Architect Inc., for Robin Gauthier dba 413549 BC Ltd.

1. *That Council for the City of Port Alberni proceed with the necessary Development Variance Permit to vary Zoning Bylaw 4395 as follows:*
 - a) *Vary Section 5.13 Projections for cantilevered balconies into a side yard by 3.55 metres to allow the setback to go from 3.75 metres to 0.2 metres;*
 - b) *Vary Section 5.13 Projections for cantilevered balconies into a front yard by 3.25 metres to allow the setback to go from 4.75 metres to 1.5 metres;*
 - c) *Vary Section 5.13 Projections for open porches into a front yard by 4 metres to allow the setback to go from 4.15 metres to 0.15 metres;*
 - d) *Vary Section 6.9.3 Bulk and Site Regulations for the Front Yard Setback from 6 metres to 1.5 metres, a variance of 4.5 metres;*

- e) *Vary Section 6.9.3 Bulk and Site Regulations for the North Side Yard Setback from 5 metres to 1.73 metres, a variance of 3.27 metres;*
- f) *Vary Section 6.9.3 Bulk and Site Regulations for the Rear Yard Setback from 9 metres to 2.9 metres, a variance of 6.1 metres;*
- g) *Vary Section 7.7 Required Amount of Parking from 30 parking spaces to 24 parking spaces, a variance of 6 parking spaces;*
- h) *Vary Section 7.2.7 Off-Street Parking (General Regulations for the Front Lot Line Setback from 1.5 metres to 0.6 metres, a variance of 0.9 metres;*
- i) *Vary Section 7.2.8 Off-Street Parking (General Regulations) for the Side Lot Line Setback from 1 metre to 0 metres, a variance of 1 metre;*
- j) *Vary Section 6.9.4 Conditions of Use Regulations for Useable Open Space from 432 m² to 197 m², a variance of 235 m²; for the property located at 4916 Athol Street.*

- 2. *That Council for the City of Port Alberni give notice of intent to consider the issuance of a Development Variance Permit for 4916 Athol Street.*

3. Director of Finance - Request for Proposal - Banking Services - Page 119
Report dated October 28, 2013 providing results of a Request For Proposal for Banking Services.

That the report from the Director of Finance dated October 25, 2013 outlining results of proposals received in response to the RFP for provision of Banking Services, be received and Council for the City of Port Alberni concur with the recommendation to award the City's Banking Services to BMO Bank of Montreal for a five year term commencing January 1st, 2014.

4. Administrative Assistant/Office Manager - Draft Federal Policy on Additions-to-Reserves - Page 121
Report dated November 1, 2013 responding to Council's request for information concerning the federal government's proposed changes to the "Policy on Additions to Reserve and Reserve Creation".

That the report dated November 1, 2013 from the Administrative Assistant/Office Manager be received.

5. City Manager - Financial Planning Processes & Schedule - Page 124

Report dated November 6, 2013 requesting Council's direction and approval regarding format and timing for the 2014-2018 Financial Planning process.

That Council for the City of Port Alberni direct staff to implement a Five Year Financial Plan development process generally as outlined in the City Manager's memo to Council of November 6, 2013.

6. City Planner - Building Standards Bylaw - Page 126

Report dated November 5, 2013 providing input received from the public regarding the draft Building Standards Bylaw.

That the report from the City Planner dated November 5th, 2013 reviewing input from the public with regards to the proposed Building Standards Bylaw be received, and that Council for the City of Port Alberni direct staff to proceed with the changes as outlined in the report and bring the proposed Building Standards Bylaw to Council's next regular meeting for consideration of introduction and three readings.

7. Current Status Report - Page 155

That the Current Status Report be received.

8. Managers' Monthly Reports

Providing information about current departmental operations.

Planning Department - Page 157

That the monthly report from the City Planner providing information about current departmental operations be received.

Engineering Department - Page 158

That the monthly report from the City Engineer providing information about current departmental operations be received.

9. Mayor's Report

Discussion regarding selection process for ACRD Director positions.

That the Mayor's report be received.

10. Regional District Report (Councillors Solda/McLeman)

That the Regional District report be received.

11. Councillors' Reports

That the Councillors' reports be received.

J. QUESTION PERIOD

An opportunity for the public and the press to ask questions of the Mayor and Council.

K. OTHER COMPETENT BUSINESS

An opportunity for the Mayor or Council to raise issues the result of the business of the meeting or to identify new items for subsequent meetings.

1. Council Portfolios - Page 159

That Council for the City of Port Alberni endorse a portfolio system for the coming year and that Council portfolios be confirmed and approved at the December 2nd Organizational Meeting.

2. Regular Meeting at ADSS

That Council for the City of Port Alberni direct staff to engage with administration of ADSS and SD 70 to set up a venue for holding a regular meeting of Council at ADSS prior to the end of the current school season.

3. Access to City Owned Property

That Council for the City of Port Alberni direct staff to contact the appropriate parties, including Island Timberlands and the Alberni-Clayoquot Regional District, to assist in securing safe and convenient access for the general public from Highway #4 west of the City boundary in to properties and right of ways currently owned by the City of Port Alberni in the area commonly referred to as "Hole in the Wall".

L. ADJOURNMENT

That the meeting adjourn at pm.

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD
MONDAY, OCTOBER 28, 2013 AT 7:00 PM
IN THE CITY HALL COUNCIL CHAMBERS**

PRESENT: Mayor Douglas, Councillors Chopra, Cole, Kerr McLeman, Solda and Washington

A. APPROVAL OF AGENDA (including introduction of late items)

Solda/Washington

That the agenda be approved as circulated with the addition of late items G.1 Peter Mugleston and H.1 Community Futures Alberni-Clayoquot.

Carried

B. ADOPTION OF MINUTES

Kerr/Solda

That the minutes of the Regular Council Meeting held on October 15, 2013, be approved.

Carried

PUBLIC INPUT PERIOD

Gayle Stephen-Player spoke on behalf of the Uptown Merchants and expressed appreciation of the time and consideration Council has spent with regards to uptown revitalization and supported incentives to improve the area.

Jim Sadlemeyer, Coordinator of Port Alberni Fairness Matters expressed concern on behalf of Unifor members with regards to the proposed revitalization bylaw and commented on liquor stores per capita in Port Alberni.

C. DELEGATIONS

1. Jim Sears, Chair, Alberni Valley Community Forest Corp.

Jim Sears, Chair; Chris Law and Chris Duncan, Directors and Shawn Flynn, Manager attended to present a cheque in the amount of \$50,000 as a second repayment towards funding provided during start-up of the corporation.

D. PROCLAMATIONS NIL

E. CORRESPONDENCE FOR ACTION

1. Canadian Union of Postal Workers (CUPW)

Solda/Kerr

That the letter dated October 14, 2013 requesting Council consider resolutions asking the Minister Responsible for Canada Post to use the upcoming review of the Canadian Postal Service Charter to focus on revenue-generating services, as well as to improve the Canadian Postal Service Charter and make the upcoming review of the Charter open to public input, be received and Council for the City of Port Alberni concur with the request.

Carried

2. Perry Bulwer

McLeman/Kerr

That the letter dated September 30, 2013 from Perry Bulwer suggesting that the Harbour View property would be better suited for summer outdoor concerts than on Argyle Street, be received.

Carried

3. Art Rave Society of Alberni

Kerr/Solda

That the letter dated October 11, 2013 advising that the Second Annual Art Rave Festival will be held on August 1 – 4, 2014, be received and Council for the City of Port Alberni support the event in principle.

Carried

4. Lefty Williams, Unity Celebrity Game 2013

McLeman/Cole

That the letter dated October 9, 2013 inviting a City representative to participate on their committee to consider disbursement of funds, be received and Council appoint Councillor Chopra to participate on their committee, if still required.

Carried

F. INFORMATIONAL CORRESPONDENCE

- 1. Ministry of Environment**
Letter dated October 11, 2013 responding to the Mayor's letter of August 21, 2013 regarding the remediation of lands and water lot at 3000 Harbour Road.
- 2. Ernie Sherman, Port Alberni Labyrinth Society**
Email dated October 15, 2013 expressing his dissatisfaction with Council's decision to forward his letter of July 23, 2013 requesting signage on the highway and hospital grounds indicating the location of the labyrinth to Vancouver Island Health Authority.
- 3. Vancouver Island Health Authority**
News release announcing that flu immunization clinics will open starting the week of October 28th and advising to check with local public health units or online at www.viha.ca/flu for the flu immunization schedule.
- 4. Perry Bulwer**
Letter dated October 15, 2013 commending Council on its vision of a proposed pathway along the Somass River and suggesting a Reconciliation Summer Festival in honor of indigenous people.
- 5. Alberni Valley Lions Club**
Letter dated September 18, 2013 thanking Councillors Solda, Chopra and Kerr for their participation in the Bullhead Derby during the 41st Annual Salmon Festival.
- 6. Paul Lawry**
Email dated October 19, 2013 expressing his gratitude for the help he received from the staff in the Engineering Department in locating and accessing grave sites in Greenwood Cemetery.
- 7. Jayla Waddell**
Email dated October 18, 2013 regarding interest in a Level 2 Culinary Arts Program at the Port Alberni campus of North Island College.
- 8. Islands Trust**
Email received dated October 21, 2013 providing a follow-up from a meeting about derelict vessels and docks with the Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations at the UBCM 2013 Convention.

9. **Dr. Shane Longman**

Email dated October 22, 2013 providing information on an upcoming fundraiser to assist Alberni Elementary School and challenging Port Alberni to match his 100th blood donation.

Solda/Washington

That Informational Correspondence items numbered 1 through 9, be received and filed.

Carried

G. **UNFINISHED BUSINESS**

1. **Development Permit Application - 3684 - 3rd Avenue**

McLeman/Solda

That discussion regarding the proposed Development Permit Application – 3684 – 3rd Avenue be lifted from the table.

Carried

Solda/Kerr

That the letter from Bunt and Associates dated October 16, 2013 providing an updated site plan addressing concerns on vehicle turning paths, be received.

Carried

Solda/Washington

That the email from Peter Mugleston dated October 25, 2013 suggesting issues relating to vehicle turning paths have not been adequately addressed, be received.

Carried

McLeman/Kerr

That Peter Mugleston be permitted to read aloud his email correspondence dated October 25, 2013.

Carried

The applicant, Bhagwant Mann, was also given the opportunity to address Council regarding vehicle turning paths and advised that with the removal of one handicap parking space there is adequate space for turning.

Chopra/Cole

That Council for the City of Port Alberni approve Development Permit No. 13-03 and that the City Clerk be authorized to sign Development Permit No. 13-03 including the following Schedule B development plans:

- 1. Cover Page – Drawing A000 (dated August 26, 2013)*
- 2. Survey Plan/Context Plan – Drawing No. A150 (dated October 2, 2013)*
- 3. Site Plan – Drawing No. A151 (dated October 8, 2013)*
- 4. Landscape Plan – Drawing No. A152 (dated October 8, 2013)*
- 5. Floor Plan – Drawing No. A211 (dated October 2, 2013)*
- 6. Building Elevation / Building Section – Drawing No. A401 (dated August 26, 2013).*

Solda/Kerr

That consideration of Development Permit 13-03 be tabled pending a further independent third party review of vehicle turning paths.

Carried

H. BYLAWS

1. “City of Port Alberni Revitalization Tax Exemption Program, Bylaw, No. 4824”

a) Input received from the public

- Peter Muggleston, Best Western Plus Barclay Hotel, expressing concern about the proposed bylaw in its present form
- Gary Lajeunesse, suggesting the bylaw should be for the rest of the City
- Richard Berg, requesting lower Third Avenue not be included in the Bylaw
- Richard Kudra, suggesting the bylaw is unfair
- Monica Kraus, suggesting the bylaw is unfair
- Dave Jarrett, opposing the bylaw
- Aaron Vissia, opposing the bylaw
- Teresa Bird, President, Alberni Valley Chamber of Commerce expressing concern about the proposed Bylaw in its present form and providing a number of suggestions.

- Jonathan Cross, Chair, Port Alberni Hotel Destination Marketing Association providing information regarding the voluntary 2% Destination Marketing Fee (DMF) being collected and administrated by the City's hotel community and suggesting the proposed bylaw will be devastating to Hoteliers.
- Jonathan Cross, President, PA Hospitality Inns Ltd. attaching his presentations to Council regarding the proposed Uptown Revitalization Tax Exemption Bylaw and providing suggestions for modifications.
- Chris Danroth/Pat Paiement, Westwind Beer and Wine Store objecting to the proposed bylaw as currently envisioned and suggesting tax giveaways are not good for the overall economy.
- Port Alberni Fairness Matters Petition submitted containing 450 signatures responding to statements around giving 10 year tax holidays for some new developments.
- Port Alberni Fairness Matters digital Petition submitted containing 78 signatures as well as comments for review.
- Bhagwant Mann, 0967022 BC Ltd. advising Council his development proposal for a liquor store on 3rd Avenue is not dependent on the Revitalization Tax incentive.

Solda/Kerr

That the correspondence and petitions received with regards to the proposed Uptown Revitalization Tax Exemption Bylaw, be received.

Carried

b) Late correspondence regarding the matter

McLeman/Washington

That the email from Lori Camire, Community Futures Alberni-Clayoquot dated October 28th, 2013 expressing support for the proposed revitalization tax exemption bylaw, be received.

Carried

c) Input from the Public

McLeman/Washington

That members of the public wishing to address Council regarding the uptown revitalization bylaw be permitted to speak for two minutes each.

Carried

Peter Muggleston, Best Western Barclay Plus, stated he is not 100% against the proposed bylaw but there are issues he feels need addressed so as not to cause ramifications in other areas. He suggested an impact study is required; an overall plan for growth; site specific zoning and exclusion of City property.

Gary Robertson, Third Avenue, noted the uptown merchants are working hard to improve their area and believe it can be revitalized. He understands the concerns of others and noted the exemption would be on improvements only.

d) Questions/direction from Council

McLeman/Solda

That third reading of "City of Port Alberni Revitalization Tax Exemption Program, Bylaw, No. 4824", be rescinded and amended to exclude all City owned property from Schedule B of the Bylaw.

Carried

Cole/Solda

That third reading of "City of Port Alberni Revitalization Tax Exemption Program, Bylaw, No. 4824" be further amended to redefine Schedule B boundaries to commercially zoned properties between Montrose and Dunbar, and 5th Avenue to Harbour Road.

Carried

McLeman/Solda

That "City of Port Alberni Revitalization Tax Exemption Program, Bylaw, No. 4824" be read a third time as amended.

Carried

2. "Portion of Lane Closure Adjacent to 4508 Gertrude Street and Removal of Dedication Bylaw No. 4829"

McLeman/Kerr

That the report from the City Clerk dated September 13, 2013, be received.

Carried

McLeman/Solda

That "Portion of Lane Closure Adjacent to 4508 Gertrude Street and Removal of Dedication Bylaw No. 4829", be now introduced and read a first time.

Carried

McLeman/Kerr

That "Portion of Lane Closure Adjacent to 4508 Gertrude Street and Removal of Dedication Bylaw No. 4829", be read a second time.

Carried

McLeman/Solda

That "Portion of Lane Closure Adjacent to 4508 Gertrude Street and Removal of Dedication Bylaw No. 4829", be read a third time.

Carried

McLeman/Solda

That staff be directed to advertise the City's intention to adopt "Portion of Lane Closure Adjacent to 4508 Gertrude Street and Removal of Dedication Bylaw No. 4829" at its November 12th, 2013 Regular meeting of Council in accordance with Community Charter provisions.

Carried

3. "Inter-Community Business Licence Bylaw, 2013, No. 4828"

Councillor Cole declared a perceived conflict of interest due to the nature of his business and left the meeting at 8:20 pm.

McLeman/Solda

That "Inter-Community Business Licence Bylaw, 2013, No. 4828", be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4828.

Carried

Councillor Cole returned to the meeting at 8:21 pm.

I. REPORTS

1. Accounts

Washington/Solda

That the certification of the Director of Finance dated October 28, 2013 be received and the cheques numbered 124856 to 125038 inclusive, in payment of accounts totalling \$1,173,935.12, be approved.

Carried

2. Economic Development Manager – Request for Proposals for the Marine Building at Alberni Harbour Quay

Solda/Kerr

That Council for the City of Port Alberni direct staff to issue the Request for Proposals for the Marine Building at Alberni Harbour Quay with submissions to be received by February 6, 2014.

Carried

3. Economic Development Manager – Request for Proposals for the Harbour View Property on Argyle Street and Kingsway Avenue

Kerr/Solda

That Council for the City of Port Alberni direct staff to issue the Request for Proposals for the Harbour View Property on Argyle Street and Kingsway Avenue with proposals received by February 6, 2014.

Carried

4. City Manager – Staff Engagement Process

Solda/Kerr

That the City Manager's report dated October 24, 2013 summarizing input provided by staff with regards to savings and efficiencies, be received and considered by both department heads and Council as part of the upcoming five year financial plan process.

Carried

5. Current Status Report

McLeman/Solda

That the Current Status Report be received.

Carried

6. Managers' Monthly Reports

RCMP Department

Solda/McLeman

That the monthly report from the RCMP providing information about current departmental operations, be received.

Carried

Parks and Recreation

*Solda/McLeman
That the monthly report from the Director of Parks and Recreation
providing information about current departmental operations, be received.
Carried*

Economic Development

*McLeman/Washington
That the monthly report from the Economic Development Manager
providing information about current departmental operations, be received.
Carried*

7. Mayor's Report

*Solda/Kerr
That the Mayor's report be received.
Carried*

8. Regional District Report (Councillor Solda/Councillor McLeman)

*McLeman/Kerr
That the Regional District report be received.
Carried*

9. Councillors' Reports

*McLeman/Kerr
That the Councillors' reports be received.
Carried*

J. QUESTION PERIOD

Gary Robertson, Third Avenue, commented on unused liquor licences and enquired if there was an opportunity for the City to bid on and hold licences until it is deemed they are more economically viable.

Peter Mugleston, Best Western Barclay Plus, enquired as to the City's consideration of site specific zoning to exclude former liquor store locations.

K. OTHER COMPETENT BUSINESS

1. *Kerr/McLeman*
That City staff be directed to investigate the costs of signage for the Labyrinth at West Coast General Hospital.
- Carried*

L. ADJOURNMENT

- McLeman/Kerr*
That the meeting adjourn at 9:10 pm.
- Carried*

Mayor



Clerk

J:\Clerks\Council\RegularCouncilMeetings\Minutes\Oct28_tf.doc

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD
MONDAY, NOVEMBER 4, 2013 AT 4:00 PM
IN THE CITY HALL COMMITTEE ROOM

Zoning Bylaw Review Project

City Council

Councillor Hira Chopra
Councillor Rob Cole
Councillor Cindy Solda
Councillor Wendy Kerr
Councillor Jack McLeman
Councillor Dan Washington
Mayor John Douglas

Staff

Scott Smith, MCIP, City Planner
C. Foden, Planning Technician
Ken Watson, City Manager

Guests

Dave Wiwchar

Introduction:

- Mayor John Douglas opened the meeting and thanked everyone for attending.
- The City Planner advised that the purpose of the meeting is to obtain direction from Council with regards to specific mapping questions, parking and Liquor, Beer and Wine store zone locations. The draft bylaw has been sent out to agencies for comment and the legal review has been completed.

Discussion:

1. Mapping

- a) The Greenwood Cemetery is proposed to be zoned P2 Parks and Recreation.

Chopra/Kerr

That the Greenwood Cemetery be zoned P2 Parks and Recreation by the draft Zoning Bylaw to be presented to the public for comment.

Carried

- b) 4340 Gertrude St (City owned land adjacent to the former Tidebrook site) is proposed to be zoned P2 Parks and Recreation.

Chopra/Kerr

That 4340 Gertrude Street remain commercially zoned by the draft Zoning Bylaw to be presented to the public for comment.

Carried

Page 1 of 4

Discussion on the motion focused on options for the site that would preserve green space for a walking corridor while remaining open to development options. The land is owned by the City which would allow for the negotiation of green space if the property is sold. Councilor McLeman asked that it be noted that he would support a walkway and support the securing of public access if the property was sold.

- c) 4811 Beaver Creek Road St (remainder of City owned land at Stirling Field) is proposed to be zoned C4 Highway Commercial.

Chopra/Solda

That 4811 Beaver Creek Road be zoned C4 Highway Commercial by the draft Zoning Bylaw to be presented to the public for comment.

Defeated

Discussion on the motion focused on the importance of the site within the scope of the Waterfront North Study. Councilor Solda and Councilor Kerr expressed strong opposition to moving ahead with a commercial designation on the site before the study is completed by the four partner agencies.

Council discussed the P2 Park designation and the flexibility of the zoning for future development or commercial operations that would be compatible with the goals of the Waterfront North Study. The protected riparian area is not impacted as it lies to the south of the site. It was agreed that the portion of the site that is currently zoned P1 Institutional should have a new designation.

McLeman/Kerr

That the portion of 4811 Beaver Creek Road that is currently zoned P1 Institutional District be zoned FD Future Development by the draft Zoning Bylaw to be presented to the public for comment.

Withdrawn by McLeman

The City Manager presented an option for the site that would see the retention of the C7 Commercial Recreation zone in the draft bylaw. Council agreed that due to the nature of the partnership and "in progress" status of the Waterfront North Study it would be best to leave the C7 Commercial Recreation Zone in the draft bylaw (it will have to be renamed because the draft bylaw already contains a C7 zone (C7 Core Business)).

Chopra/Solda

That the text of the C7 Commercial Recreation District be included in and renamed to C8 Commercial Recreation District in the draft Zoning Bylaw; and that 4811 Beaver Creek Road be zoned C8 Commercial Recreation District by the draft Zoning Bylaw to be presented to the public for comment.

Carried

Page 2 of 4

- d) Former Dry Creek Campground area is proposed to be zoned P2 Parks and Recreation.

Solda/Kerr

That portions of 3501 The Quadrant and City owned ravine to the north of Dunbar Street, zoned C5 Tourist Campground, be zoned P2 Parks and Recreation by the draft Zoning Bylaw to be presented to the public for comment.

Carried

- e) Upper Dry Creek area is proposed to be zoned P2 Parks and Recreation. Portions that are within the ravine and have the public trail access through them are currently zoned FD.

Chopra/Washington

That portions of City owned ravine adjacent to upper Dry Creek be zoned P2 Parks and Recreation by the draft Zoning Bylaw to be presented to the public for comment.

Carried

2. Parking for Secondary Suites

- The current bylaw does not allow parking in the front yard setback to be counted towards the parking requirements for a residence. It is proposed that this clause be removed from the draft bylaw. Parking spaces within the front yard setback will be counted towards the parking requirements for both secondary suites and any new home construction.

Cole/Washington

That parking spaces in the front yard setback count towards fulfillment of the parking requirements, for secondary suites and new home construction, by the draft Zoning Bylaw to be presented to the public for comment.

Carried

3. Site Specific

- Liquor, Beer and Wine Stores are currently permitted by site specific zoning.
 - Council was advised that the former Rusty Anchor Liquor, Beer and Wine Store no longer exists in the former Somass Hotel. The site specific zoning was removed.
- a) 4647 Johnston Rd. currently has site specific zoning to permit a Liquor, Beer and Wine Store. As the former store no longer exists it is proposed that the designation be removed from the site.

Solda/Kerr

That the site specific zoning that permits a Liquor, Beer and Wine Store on the property at 4647 Johnston Road be removed by the draft Zoning Bylaw to be presented to the public for comment.

Carried

- b) 5170 Argyle Street (King Edward Liquor Store/Port Pub) currently has site specific zoning to permit a Liquor, Beer and Wine Store. The liquor retail license is currently the subject of an application to relocate the license to a site at 3684 3rd Avenue. Direction from Council is requested. The new zoning bylaw will likely be adopted before final relocation of the license. If the license failed to relocate, the existing store would become non-conforming. The owner and the license holder would be contacted to advise them of the proposed change.

Solda/Kerr

That the site specific zoning that permits a Liquor, Beer and Wine Store on the property at 5170 Argyle Street be removed by the draft Zoning Bylaw to be presented to the public for comment.

Withdrawn by Councilor Solda

There was discussion on the motion and concern was expressed about putting the current location into a non-conforming state. The City Manager noted that Council could consider implementing a new policy that would direct staff to initiate a zoning amendment to delete the site specific zoning from a property after a liquor license is relocated.

Solda/Kerr

That the site specific zoning permitting a Liquor, Beer and Wine Store on property at 5170 Argyle Street remain intact in the draft Zoning Bylaw and; that staff be directed to draft a new policy, for Council's consideration, to require that the City initiate a zoning amendment to remove site specific zoning permitting Liquor, Beer and Wine Stores, from a site, if a liquor retail license has been relocated or if the business no longer exists.

Carried

4. Adjournment

Chopra/Solda

That the meeting be adjourned 5:10 pm.

Carried

Mayor

Clerk

October 22, 2013

City Hall

Dear Mayor Doulas – Davina Hartwell,

Tis the season to share the spirit of giving in the **15th annual Festival of Trees!** If you recall, the event happens at the beginning of December when local individuals, agencies, and businesses sponsor decorated Christmas trees to be donated to low-income families. The sponsorship fee of \$100 includes a cultured tree and stand. The sponsor provides the lights and decorations, which have to be waterproof since the trees will be put on display outside at our location of Johnston/Adelaide. The trees will be set up outside on December 7th and sponsors are asked to come on December 8th to decorate the trees. We realize that because of the busy time of year, some sponsors can't make it, so we can step in to decorate the tree in your absence. Others take this time to get together with staff and decorate while enjoying the refreshments and hot beverages that we provide. This is a high traffic location where the trees with sponsors' signs will be on display for a one-week period. On December 15th, Crisis Line volunteers and staff deliver the trees and decorations to local singles/families for their enjoyment during the holiday season.



The Crisis Line would also like to extend an invitation to you and your colleagues to nominate deserving families to receive a Christmas tree. Should your organization or business know of anyone that would benefit from this event, please first confirm that they would in fact like to receive a tree and then call the 24hr Crisis Line by *Dec 1st 2013*. Please provide a contact name and number so that the Crisis Line staff can get in touch with the family and arrange for their tree to be delivered on delivery day. *Please note that this is an annual event, and in ensuring that all interested parties can benefit, we would only like those people who have not previously received a tree in the past to do so this year.*

We welcome your consideration of this request and appreciate your assistance in ensuring that the holiday season is one that is enjoyed by all. We hope to hear from you soon by calling 24hours a day at 250-723-4050 or email kuu-homelessnessprogram@shaw.ca

Thank you for "helping us...to help others."

Happy Holidays,

Charlene Johnson
Event Coordinator

From: ann mcivor [mailto:annmcivor@shaw.ca]
Sent: Friday, November 01, 2013 4:33 PM
To: Davina Hartwell
Subject: Re: Raven Coal

Hi Davina,

Please forward this to the mayor and council:

Are going to have any kind of public meeting on the proposed Raven coal port, as proposed by councillor Jack McLelland some time ago.

I know the company's application was rejected but this is not a rejection of Compliance Coal's project, and they are currently working on the application for resubmission.

White rock is the latest city to oppose a coal facility.

<http://www.news1130.com/2013/07/30/white-rock-the-latest-city-to-oppose-coal-facility/?cid=dlvr.it>

It is time for us to officially do the same, as it seems the majority of residents oppose it under the terms.

I think council needs to know this also concerning Raven Coal:

Thier new CEO, who was welcomed with open arms, Stephen Ellis was Production Manager at the Pike River Coal Mine on November 19, 2010 when an underground methane gas explosion proved to be New Zealand's worst mining disaster in 96 years. In the end, on April 12, 2013, the New Zealand Herald reported that in a ruling of the Greymouth District Court, "Pike River Coal has been convicted of all [nine] charges arising from the November 2010 mining tragedy that killed 29 men."

This is not good. Corporate crime is on the rise and I think this is another telling move by the company as to their ethics.

I urge the mayor and all the city councillors to please read this article.

<http://tidechange.ca/2013/07/11/blood-on-the-coal/>

There is more info on the internet about the whole thing.

Thank you for your time and attention

Sincerely

Ann McIvor

On 2013-04-26, at 10:09 AM, Davina Hartwell <davina_hartwell@portalberni.ca> wrote:

Hi Ann

On behalf of Council, many thanks for your email requesting Council proceed with a meeting per their motion in February to discuss the proposed Raven Coal Project with various stakeholder groups.

ENTERED

The 30 day screening period currently underway is for working group members to assess completeness of the application with regards to topics and issues needing to be addressed. I have attached a copy of the City Manager's report to Council on April 22nd for your information. Council did pass a resolution that we start to work with the agencies identified in their February 25th motion to establish a date for a meeting to take place once the application is available to the public.

Regards
Davina

Davina Hartwell
City Clerk
City of Port Alberni
4850 Argyle Street
Port Alberni, BC V9Y 6A5
Tel. 250 720-2810
www.portalberni.ca



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Mayor and Council
City of Port Alberni
4850 Argyle St.
Port Alberni, BC
V9Y 1V8

November 6, 2013

Dear Mayor and Council,

On May 2-4, 2014 we will be holding the 25th Annual Spring Home Show in the Port Alberni Multiplex. As always, the show will be free to the public.

In order to help promote the event, we request your permission to suspend a banner across 10th Avenue near the Echo Centre. With your permission the banner will go up April 28 and come down on May 4, 2014.

The banner is of the highest quality and we carry five million dollars in liability insurance. Once again the City of Port Alberni will be named as the co-insured while the banner is up.

On behalf of the Port Alberni business community, thank you in advance for your help with this important community event.

Sincerely,

Sue Miller
Office Manager

ENTERED

■ ■ ■

Box 574 Parksville, British Columbia V9P 2G6 Phone 250-248-4440 or 800-471-1112 Fax 250-248-0640

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REGULAR COUNCIL AGENDA - NOVEMBER 12, 2013

33

E.B.



MEMBER RELEASE

October 30, 2013

TO: Mayor & Council | Chair & Board | Senior Staff
FROM: UBCM Secretariat
RE: **911 Services in British Columbia – Introduction of a Province Wide Call Answer Levy**

The purpose of this member release is to obtain further input from local government and to inform the members about a report that UBCM has prepared examining the issues surrounding the introduction of a uniform province wide Call Answer Levy (CAL) on wireless services to support and improve 911 services in British Columbia.

UBCM would request that you review the report and provide it with any comments or suggestions that you may have. The report provides a framework for introducing a province wide levy that would capture landlines and other electronic devices (i.e. cell phones, VOIP etc.) to support 911 services. We are using this opportunity to check in with the local government to ensure that is supportive of moving in this direction and would appreciate your views on this issue.

Attached is a copy of the report *"911 Services in British Columbia: Background Review in Relation to a Province-Wide Call Answer Levy"*. The report points out that the current 911 system in the Province was developed on a regional basis to meet local needs. The 911 emergency system is paid for by either a levy on landlines or by local property taxes.

The report examines three key issues:

1. How the 12 Public Safety Answering Points (PSAP) responsible for delivering the 911 system on a regional basis manage the 1.5 to 1.6 million calls it receives annually, the cost of the system, and some of the challenges it faces, such as gaps in coverage and abandoned calls.
2. How 911 systems operate in other jurisdictions when a CAL is in place and their legislative framework (Alberta, Saskatchewan, Quebec, New Brunswick, Prince Edward Island and Nova Scotia).
3. What factors would need to be considered if a CAL was introduced for all wireless devices that connect to 911 services in British Columbia, such as the type of legislation required, the scope of services that the 911 funding could be used for, and how the funds would be managed.

ENTERED

A number of service gaps and technological changes in the delivery of 911 services are identified in the paper. These changes will require new revenue sources to meet public demand (i.e. video, pictures, text etc.). An increasing number of calls for 911 emergency services are coming from cell phone users, a trend which is expected to grow in the future as consumers expand their use of wireless services. Cell phone and other wireless users presently do not directly contribute, like users of landlines, to the provision of 911 services in British Columbia.

UBCM has undertaken a review of this policy for three reasons. The first reason is that UBCM members have endorsed a number of resolutions requesting that the Province introduce legislation that would allow the implementation of a Province wide levy on wireless services to help pay for the delivery of 911 emergency services (2012-LR 1; 2011-B13; 2009-B10 and 2004-SR 1). The second reason is a Supreme Court of BC decision in July of 2012 (Canadian Wireless Telecommunications Association v. Nanaimo City) that quashed a City of Nanaimo Bylaw that required wireless service providers to pay a Call Answer Levy, a decision that highlighted the need for a solution to the problem so as to avoid future conflict in this area. Finally, UBCM received a letter from the Province that indicated that it was willing to work toward finding a solution to this issue.

UBCM has established a 911 Steering Committee made up of local government and provincial representatives to consider the issue. Ian MacDonald was hired to prepare a report on 911 services and to suggest a legislative framework to ensure that the resources are in place to improve the delivery of 911 services and to implement the next generation of 911 services (i.e. video, text messages etc.). Mr. MacDonald surveyed local governments that provide 911 services and prepared the background report that was sent out.

A workshop was held at the 2013 UBCM Convention to inform local government about the report that had been prepared and to discuss the future delivery and financing of 911 services in British Columbia.

UBCM would request that you provide any comments on the paper and your views on this issue by **November 29, 2013**.

Please forward your comments to Ken Vance at the UBCM Offices in Richmond at 604-270-8226 (ext. 114) or at kvance@ubcm.ca.

Executive Summary

In January 2013, a Steering Committee was formed comprising representatives of local government, the Union of British Columbia Municipalities and the Province, to examine the issues surrounding the introduction of a uniform, province-wide Call Answer Levy to support and improve 9-1-1 services in British Columbia. This background paper was commissioned by the UBCM in support of the Steering Committee's work. The paper examines how 9-1-1 services currently are delivered in the province, reviews call answer levy legislation and the operation of 9-1-1 services in other jurisdictions, and sets out a framework of the options and issues facing the introduction of a call answer levy in British Columbia.

9-1-1 services are an integral part of the province's emergency communications system. They are a front-end gating mechanism which connects the public to the correct emergency service dispatch agency. There are 12 Public Safety Answering Points which operate under local government authority and provide 9-1-1 services to most of the province.

The operation of 9-1-1 services, indeed, of all aspects of the emergency dispatch and communications system, is time-impacted and often life-critical. The system itself is inter-dependent and may be viewed as a continuum commencing from when a member of the public places a call to 9-1-1, where the call is assessed by the 9-1-1 operator and transferred to the relevant emergency dispatch agency, to the dispatch of emergency services and the operation of those services at the incident itself. A failure or delay at any point in this continuum will potentially affect how the entire system operates. Such failures or delays may increase the risk to life of both the public and emergency responders, or result in increased damage to property. Consequently, the entire system, from 9-1-1 services through to dispatch and the emergency radio system, needs to be resilient. It must operate to recognized standards, be adequately housed and staffed with properly trained personnel, and supported by carefully considered programs and processes for quality assurance/quality improvement, centre back-up and business continuity.

Research was conducted on the operation of the existing 9-1-1 system in British Columbia, and on the operation of similar systems in other jurisdictions, with a focus on Canadian provinces where provincial Call Answer Levies have been introduced. The B.C. research included two surveys: one for local governments which were responsible for providing 9-1-1 services; and the other to the 12 Public Safety Answering Points which actually operate the service. In addition, follow up telephone interviews and email exchanges were conducted with local government, RCMP and PSAP¹ personnel, all of whom willingly and generously assisted in providing data, information and insight.

9-1-1 Services in British Columbia

The existing 9-1-1 system has developed organically since its inception in the 1980s. Responsibility for the service lies with local government. Typically, this responsibility is met at

¹ A list of acronyms used is set out in Appendix A. Capitalized terms and acronyms used in the Executive Summary are defined in the body of the paper when they are first used.

the regional district level, though a number of municipalities either contract for, or directly provide the service as well. As technology has developed and improved, a number of local governments have banded together to coordinate the delivery of the service through a single centre. With current technologies, 9-1-1 services can be provided safely and effectively from distant locations.

9-1-1 services are available in most areas of the province, but there are still some unserved areas and some coverage gaps. Two regional districts – the Northern Rockies Regional Municipality and Central Coast Regional District – and one provincially governed region (the Stikine Region), lack any 9-1-1 service. Additionally, there is no 9-1-1 service in Skeena-Queen Charlotte Regional District outside of the City of Prince Rupert and District of Port Edward. Seven other regional districts reported coverage gaps, either in some electoral areas or on some First Nations reserves. As part of the move to a uniform, province-wide Call Answer Levy, it will be necessary to address the 9-1-1 service coverage gaps, which may involve some financial assistance for the unserved areas. More detailed investigation of coverage gaps also will be required, to assess the cost of service expansion and confirm the areas which still lack service.

The existing 9-1-1 system manages between 1.5 and 1.6 million calls annually. The cost of operating the existing system is in the range of \$12-13 million per year. All of the PSAPs have sought to address business continuity issues: every PSAP has back up and alternate power supplies for critical systems; 11 of 12 have designated fail-over centres and most of the PSAPs have back-up sites for their operations. Only half of the PSAPs, however, were able to confirm that their infrastructure was built to current post-disaster standards.

The 9-1-1 system faces various challenges. In addition to the coverage gaps noted above, the system is also struggling to deal with “Abandoned Calls”. These calls, which almost exclusively come from mobile phones, place significant strain on PSAP, dispatcher and police resources. In some jurisdictions, nearly a quarter of the calls for service for police involve follow-up on abandoned 9-1-1 calls. A formal study of the issue needs to be undertaken and a province-wide policy adopted on how such calls are treated, from PSAP through to police response. The issue also highlights the need for an effective, province-wide educational program aimed at the public, to reduce the number of “pocket dials” received by PSAPs.

The most significant development for 9-1-1 and dispatch services is the imminent advent of Next Generation 9-1-1. NG911 will involve moving PSAPs and Secondary Safety Answering Points to internet-protocol based systems. It will allow emergency communication centres to accept a broader range of connections and data sources – including text, video and pictures. Moving to NG911 will involve a substantive transformation of the existing systems used by emergency communication centres in the province, and will entail technological, operational, economic and institutional change. The system and equipment architecture for NG911 are still being developed, debated and reviewed. However, transitioning to the new systems will be a costly undertaking, in terms of capital investment as well as staffing and training issues. A “precursor” to NG911 is already on the horizon as the CRTC has mandated that carriers must

enable text connections to 9-1-1 services for the deaf, hard of hearing and speech impaired, by 2014.

The review showed that larger PSAPs tended to be more cost-efficient when measured on a “per-call” or per capita basis. Larger centres enjoy economies of scale which are significant. Cost efficient operation of the emergency communications system is important, to ensure that limited budgets are well invested. This reality, however, should not be viewed as a criticism of the existing system, given that it developed organically over the past 30 or so years. Indeed, local governments have worked hard to combine the delivery of the services in most areas of the province, as the technology enabling them to do so has become available. British Columbia compares well to most Canadian jurisdictions: given its geographic size and population, it already has a reasonably efficient PSAP footprint. On a *per capita* basis, Québec has nearly 60% more PSAPs, while Alberta has more than twice the number of that in British Columbia. The numbers are even more significant when compared to the Maritime Provinces and Ontario.² Improved efficiencies should still be encouraged, however, as it ensures that monies can be invested in improving the operation and resilience of the system, and enhancing service to the public.

9-1-1 Services and Call Answer Levies in Other Jurisdictions

A significant part of this review involved research into the operation of 9-1-1 systems and Call Answer Levy regimes in other Canadian provinces. Six other Canadian provinces have established, or are introducing, a province-wide CAL: Alberta, Saskatchewan, Québec, New Brunswick, Prince Edward Island and Nova Scotia. In five of those provinces, the CAL applies to all devices which can connect to 9-1-1 services; only Alberta has introduced a CAL which is limited to wireless devices. Each Canadian jurisdiction which has introduced a CAL has also either established procedures, guidelines and operational requirements for PSAPs, or has created a process for establishing them. Four of the six provinces also have introduced liability exemptions covering the operation of PSAPs.

The Maritime Provinces and Saskatchewan fundamentally approach 9-1-1 services as a provincial responsibility (even though service delivery everywhere but Prince Edward Island generally remains with local governments). In Québec and Alberta, 9-1-1 service delivery remains the responsibility of local governments – though Québec has taken the step of requiring that local governments make the service available (either directly or by contract) in most areas of the province.

In the Québec system, the provincial government set detailed requirements for PSAPs, ranging from location and infrastructure, to operational requirements, procedures and quality assurance processes. The allocation of funding from the CAL, however, rests with an agency which is operated by local government. That same agency is responsible for reviewing PSAP operations. In essence, though the province established the requirements, it gave control and

² The number of PSAPs in Ontario is not reported. An email from Inspector Paulo DaSilva of the York Regional Police, who responded to an information request placed to the Ontario 9-1-1 Advisory Board, indicated that there are “over 100” PSAPs in Ontario. Email from Insp. P. DaSilva, 8 July 2013.

oversight of the system to local government, which remains responsible for actual service delivery. An interesting feature of the Québec system, moreover, is that it strictly limits the amount of the funding available for “administration”: a maximum of 3% of the CAL funds can be spent by the responsible agency for its administrative overheads.

Other provinces (notably Saskatchewan, New Brunswick and Nova Scotia) have established committees comprising various stakeholders, including representatives of local government and PSAPs, and emergency services personnel, to develop and implement consistent policies, procedures and standards for their 9-1-1 services. In Alberta, which is in the process of introducing a new CAL and attendant standardized requirements for PSAPs, the principal responsibility lies with the Alberta Emergency Management Agency. The AEMA is seeking to coordinate policy development with local governments and PSAPs.

In four of the six Canadian jurisdictions, the permitted use of CAL funds is broader than a narrowly conceived view of 9-1-1 services. Nova Scotia, among other things, funds its poison control centre using CAL monies. New Brunswick recently broadened its definition of allowable expenditures to include the “coordination of emergency services” in the province, while Saskatchewan uses about half of the CAL funding to subsidize the connection of local government and provincial agencies (including fire departments and municipal workers) to the province’s emergency radio network. Québec utilizes a set allocation formula for distributing CAL funds to (or at the direction of) local governments. It does not actually limit or prescribe how those funds must be spent, though in practice, 96% of the funds are distributed directly to PSAPs.

Two other jurisdictions also were examined: Manitoba and the State of Kentucky. Manitoba has not introduced a provincial CAL. However, it has adopted a centralized approach to the establishment of standards governing PSAP operations and established a wide-ranging liability exemption for PSAP operations. The State of Kentucky, conversely, epitomizes the decentralized approach. With an area only one-third that of British Columbia and a smaller population, Kentucky supports 109 certified PSAPs, and more than 80 uncertified PSAPs, which are not tracked by any state agency. PSAP operation is a local government responsibility and is principally funded through a combination of landline CALs and property taxes. The state also has established a wireless CAL, which it uses to subsidize certified PSAPs and to regulate how those PSAPs manage wireless 9-1-1 calls. It is probably not surprising that the system suffers from significant efficiency issues and many local governments are struggling with funding problems.

Issues and Options for a Province-wide CAL in British Columbia

As a starting point it should be noted that this background paper assumes that a CAL will be imposed on all devices which connect to 9-1-1 services (including landline, wireless and Voice over IP). The CAL will be set at a uniform level and will be province-wide. The principal function of the CAL will be to fund 9-1-1 services, though the introduction of the new system should not result in any local government losing any amount of existing revenue which it currently raises from a landline (or, in the case of Prince Rupert, landline and wireless) CAL. In

other words, the CAL should provide at least the same existing level of funding to such jurisdictions.

Establishment of a CAL and related structures and processes, will involve senior legislation and related regulations. The legislation and regulations will need to address a range of issues, which are set out in greater detail in the body of the paper (including the scope of the CAL, liability issues, collection issues, processes etc.). In general, however, the three principal, interrelated issues which need to be addressed are: the allowable scope of expenditure of funds raised from the CAL; the method or process by which those funds will be managed and allocated; and the extent to which (and process by which) common standards and requirements for PSAP operations will be developed and implemented.

The paper does not seek to prejudge the appropriate scope for the application of CAL funds. That is a policy issue for local governments and the province, though a range of matters are identified which could be included as "in scope", on both a narrow conception of 9-1-1 services and a broader approach to the use of the funds. Simply put, however, the broader the scope of the CAL – the more elements of the emergency communications system that will be funded, in whole or in part, by this levy – the more complex the allocation process and the more complex the oversight and management of the system will become.

Certain issues or principles did emerge from discussion both with stakeholders during the research process, and through the review of an initial draft of the paper with the Steering Committee:

1. The CAL funding should only be applied to specific, agreed purposes, which should be clearly defined in the senior legislation;
2. The principle use of the funding will be "9-1-1 services";
3. Control over the allocation of CAL funding should remain with local governments;
4. The allocation process will likely involve both a metrics-driven formula and some form of grants process;
5. The allocation process will need to take into account existing funding and cost structures of local governments;
6. Any administration costs related to the oversight of the system (i.e., to manage the allocation process and any similar functions) should be strictly limited; and
7. Any standards or procedures which are established should be created through a consensus process involving relevant stakeholders – the costs of developing, implementing and meeting those standards must be factored into the CAL funding formula.

Finally, the legislation will also need to address the quantum of the administration fee which telecommunication companies will be permitted to charge for collecting and remitting the CAL. As a matter of principle, this fee should be set at a rate that is no more than the actual cost of collection. With a uniform levy across all devices, and a single point of remittance for CAL funds, the administration fee should be nominal, and certainly far less than the \$0.07 currently charged for the collection of landline CALs.



Know your limit, play within it.

October 28, 2013

File No. 65320/20
Cliff # 332480

Ms. Cathy Rothwell
Director of Finance
City of Port Alberni
4850 Argyle Street
Port Alberni BC V9Y 1V8
E-mail: cathy_rothwell@portalberni.ca

Dear Ms. Rothwell:

On behalf of the Minister of Finance, I am writing to inform you that \$113,939.07 will be transferred electronically to the City of Port Alberni the week of October 28, 2013. This represents your share of casino revenue for the period July 1 to September 30, 2013.

Detailed calculations are attached for your information. If you have any questions regarding the figures, or the method of calculation, please contact Norine Seabrook via email at: Norine.Seabrook@gov.bc.ca.

Sincerely,

John Mazure
Assistant Deputy Minister

Attachment

pc: Tom Williamson
Norine Seabrook

ENTERED

Ministry of Finance

Gaming Policy and
Enforcement Branch
Assistant Deputy Minister's
Office

Mailing Address:
PO BOX 9311 STN PROV GOVT
VICTORIA BC V8W 9N1
Telephone: (250) 387-1301
Facsimile: (250) 387-1818

Location:
Third Floor, 910 Government Street
Victoria, BC

Web: www.gaming.gov.bc.ca

Calculation of Quarterly Revenue

Port Alberni

This amount was calculated based on information received from the British Columbia Lottery Corporation (BCLC), showing the Slot Revenues, Expenses, and the Net Profits. These amounts are as follows:

Quarterly Payment – July 1, 2013 to September 30, 2013				
Casino	Slot Revenues	Expenses	Net Profit	CGC Share (10%)
Chances Rim Rock	\$1,935,077.19	\$795,585.77	\$1,139,390.74	\$113,939.07



RECEIVED

OCT 30 2013

CITY OF PORT ALBERNI

September 27, 2013

His Worship John Douglas
Mayor
City of Port Alberni
City Hall 4850 Argyle Street
Port Alberni, BC V9Y 1V8

Dear Mayor Douglas:

Thank you for your letter. I appreciate the time you have taken to share your concerns regarding the cancellation of the Martin Mars water bomber contract in Port Alberni. It is clear from your note that this is a very important issue for you, and on your behalf, I have sent a copy of your letter to the Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations, for his review and consideration as well. I can assure you that the Minister and his staff will provide you with a subsequent response at the earliest opportunity.

Thank you again for writing.

Sincerely,

Christy Clark
Premier

pc: Honourable Steve Thomson

ENTERED



COPY

CITY OF PORT ALBERNI

City Hall
4850 Argyle Street,
Port Alberni, BC V9Y 1V8
Telephone: 250-723-2146
www.portalberni.ca

Fax: 250-723-1003

September 10, 2013

The Honourable Christy Clark
Premier of British Columbia
PO BOX 9041 STN PROV GOVT
Victoria BC V8W 9E1

Dear Premier Clark:

It has come to the attention of our Council that the Wildfire Management Branch of the Ministry of Forests, Lands and Natural Resource Operations has declined a direct award contract to Coulson Flying Tankers for the 2014 wildfire season.

While we support open tendering processes for public service contracts we wish to express our concerns regarding the potential impacts of this decision on our community.

The Martin Mars water bomber is an iconic piece of our community's culture, history and economy. For decades the Philippine and Hawaii Mars airplanes have been a source of great pride for our residents, attracted tourists to our region and served as a catalyst for innovation and entrepreneurship in our traditional resource industries.

Since their acquisition in 2007, Coulson Flying Tankers have invested heavily in significant upgrades to bring the Mars to higher aviation and safety standards for modern-day firefighting. Their capability and performance appear to be at a very high standard and I understand has been recently confirmed through a third party evaluation.

While we are proactively working to increase the health and wealth of our community we remain 'in or near the bottom' of every ranking on socio-economic indicators tracked by the federal and provincial governments. The recent upgrades to the Mars bomber and the ongoing maintenance and operation at the local base have generated valuable employment and other economic benefits, benefits we don't want to see halted.

The potential loss of the Flying Tankers operation is a significant concern and has justifiably upset many in our community. Accordingly we ask that you fully consider our concerns and review this issue with the Minister of Forests. We thank you for attending to this and wish you all the best.

Yours Truly,
CITY OF PORT ALBERNI

ORIGINAL SIGNED BY

John Douglas
Mayor

J:\Clerks_Confidential\Administration\Mayor\Letters\2013\PremierClark_MartinMars_Coulson_Sept2013.docx

NEWS RELEASE

Islanders Invited to Help Shape the Future of Health Care

October 31, 2013

VICTORIA – Residents of Vancouver Island are being invited to help shape the future of health care as Island Health (Vancouver Island Health Authority) launches an extensive engagement process to renew its five-year strategic plan.

“We are embarking on a journey to fundamentally change and transform our approach to the health and care needs of our population,” said Dr. Brendan Carr, President and CEO of Island Health. “We need to put more energy into improving and enhancing both the physical and mental health of our population, focus on health promotion and disease prevention, make the most of evolving technology and ensure that we always make the best use of our resources.”

Island Health 2018, as the new Strategic Plan is being called, will serve as a road map for what the organization hopes to achieve over the next five years. Input from Island residents will help Island Health refine its direction and influence the new strategic plan.

“We are consulting extensively throughout the month of November,” said Dr. Carr. “The discussions will include our staff and clinicians, local governments, community groups and members of the public whose input will help guide decisions on how health care is developed and delivered across our region.”

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Over the past year, Island Health has analyzed and assessed environmental, population and service trends and forecasts. Through that process, some strategic themes emerged which were tested and refined with staff focus groups over the summer. These themes will lay the groundwork for discussion at the upcoming staff and community consultations.

The Island Health 2018 Strategic Plan is a high-level document that sets the direction for health care services across the health authority to the year 2018. Following the staff and public consultations in November, the plan will be finalized in February 2014 and will go to the Island Health Board for approval in March.

Island Health would like to hear your thoughts about the opportunities and challenges we are facing and about the emerging themes for the future direction of Island Health. Please help by visiting us online at http://www.viha.ca/about_viha/strategic_plan/.

Attachment (1): [Schedule of Community Consultations](#) (also posted on our [online events calendar](#))

MEDIA INQUIRIES:

South Island Media

Sarah Plank
Media Relations Manager
Manager
Phone: 250.727.4275
Email: sarah.plank@viha.ca

Central and North Island Media

Val Wilson
Regional Communications

250.739.6303
Email: valerie.wilson@viha.ca

November 2013 Island Health 2018 Consultation –
Schedule of Community Open Houses
ON NEXT PAGE



Community & Date	Community Open House
Comox Valley Tuesday, November 5th	5:30-7:30 pm Best Western Hotel 1590 Cliffe Avenue, Courtenay
Campbell River Wednesday, November 6th	5:30-7:30 pm Best Western Austrian Chalet 462 S Island Hwy, Campbell River
Parksville Thursday, November 7th	5:30-7:30 pm Parksville Community & Conference Centre 132 E. Jensen Ave, Parksville
Salt Spring Island Tuesday, November 12th	12:00-1:30 pm Mahon Hall 114 Rainbow Road, Ganges
Cowichan Valley Thursday, November 14th	6:30-8:30 pm St. John's Hall, 486 Jubilee Street, Duncan (Held in partnership with the Cowichan Communities Health  Network)
Port McNeill Monday, November 18th	5:30-7:30 pm Port McNeill Community Hall 1473 Broughton Blvd, Port McNeill
Port Hardy Tuesday, November 19th	5:30-7:30 pm Port Hardy Civic Centre 7400 Columbia St, Port Hardy
Port Alberni Thursday, November 21st	5:30-7:30 pm Echo Centre 4255 Wallace St., Port Alberni
Tofino Friday, November 22nd	12:00-1:30 pm Best Western Tin Wis 1119 Pacific Rim Hwy, Tofino
Nanaimo Monday, November 25 th	5:30-7:30pm Beban Park Recreation Centre 2300 Bowen Road, Nanaimo
Victoria – Downtown Tuesday, November 26th	5:30-7:30 pm Sandman Inn 2852 Douglas St, Victoria
Victoria – Sidney Wednesday, November 27th	5:30-7:30 pm Mary Winspear Centre 2243 Beacon Ave, Sidney
Victoria – Langford Thursday, November 28th	5:30-7:30 pm Fieldhouse, Juan de Fuca Rec Centre 1767 Island Highway, Colwood
Sooke Friday, November 29th	4:00-6:00 pm Sooke Community Hall 2037 Shields Road, Sooke

This Island Health news release has been sent to media, MPs, MLAs, mayors, Island Health leaders, foundations and regional hospital district chairs on Vancouver Island.

View online at viha.ca/news

PUBLIC SERVICE ANNOUNCEMENT

B.C. Seniors' Fall Prevention Awareness Week focuses on helping seniors stay independent

FOR IMMEDIATE RELEASE
November 6, 2013

VICTORIA - Did you know, falls account for 85% of all injuries among seniors in B.C. and are the main reason why older adults lose their independence? When seniors fall, the consequences can be serious. In fact, falls were the leading cause of injury deaths among B.C. seniors in 2010. Increased fall risk can occur for a variety of reasons, usually from a lack of balance or inability to recover balance due to age-related physical or mental health problems, impaired mobility or vision, a reaction to medication(s), or slip and trip hazards.

Falls usually happen at home, and women over 65 years are 2.3 times more likely to be hospitalized for a fall-related injury than men—many of these involve hip fractures. Nearly 1 in 10 hospitalizations among B.C. seniors were due to a fall last year and 40 percent of fall-related hospitalizations involved a hip fracture.

Approximately one quarter of older adults who live independently prior to a hip fracture may need to live in a facility for a period of time following a fall-related fracture. A contributing factor is that seniors may become afraid of falling, so they restrict their activities and this can lead to weak muscles, stiff joints and poor balance, resulting in more falls.

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The good news is that most falls are predictable and can be prevented by taking simple steps to reduce fall risk. To raise awareness about the importance of reducing falls and related injuries among B.C.'s aging population and to encourage leadership and collaboration across the province, BC supports seniors' fall prevention by proclaiming the first week in November as Seniors' Fall Prevention Awareness Week. This year's theme focuses on Vitamin D and how it can help reduce the risk for falls and fractures.

Are you or your family members at risk? Take the [online interactive survey](#) to find out.

DID YOU KNOW: having enough Vitamin D can help to reduce the risk of falls and fall-related injuries

- Vitamin D keeps muscles strong which is important for balance and mobility.
- Vitamin D helps calcium absorb into bones which keeps bones strong.
- [Eating foods rich in calcium and Vitamin D](#) will help protect against muscle weakness, which in turn will help prevent falls.
- Health Canada recommends that adults over [the age of 70 years take 800 units of Vitamin D per day](#). This amount of Vitamin D can be obtained from eating foods that contain Vitamin D and taking a Vitamin D supplement of 400 units per day. To help assess whether or not you are getting enough Vitamin D you can contact a Dietitian at HealthLinkBC through 8-1-1 or the Email a Dietitian service.

Here are some other key ways to prevent falls:

- Increase [physical activity and muscle strength](#).
- Improve [mobility and balance](#).
- Follow the [Canadian guidelines for calcium and vitamin D](#).
- Have regular [vision](#) check-ups and correct vision problems.
- Review all [medications](#) with a doctor or pharmacist.
- Reduce [trip and slip hazards](#) in the home or outdoors.

For more information on fall prevention:

- Visit B.C.'s Ministry of Health website:
<http://www.health.gov.bc.ca/prevention/fallprevention.html>
- Visit the SeniorsBC website: <http://www.seniorsbc.ca/fallprevention>
- Visit Island Health's newly updated Seniors Health website:
<http://www.viha.ca/seniors/>
- Download a copy of this year's [fall prevention poster](#)

South Island media inquiries

Sarah Plank
Media Relations Manager
Phone: 250.727.4275
Email: sarah.plank@viha.ca

Central and north Island media inquiries

Val Wilson
Regional Communications Manager
250.739.6303
Email: valerie.wilson@viha.ca

This Island Health public service announcement has been sent to media, MPs, MLAs, mayors, Island Health leaders, foundations and regional hospital district chairs on Vancouver Island.

View online at viha.ca/news



2014 AGM & CONVENTION

RESOLUTIONS NOTICE REQUEST FOR SUBMISSIONS

DEADLINE FOR RESOLUTIONS

All resolutions must be received in the AVICC office by: **FEBRUARY 24, 2014**

SUBMISSION REQUIREMENTS

Resolutions submitted to the AVICC for consideration shall be received as follows:

1. One copy of the resolution by regular mail to:
AVICC
525 Government Street
Victoria, BC
V8V 0A8

AND

2. One copy submitted electronically either through the online submission form or by email (submitting the resolution in MS Word is preferred):
 - a) Online Submission: (http://www.formstack.com/forms/ubcm-avicc_2014_resolutions)
 - b) Email to avicc@ubcm.ca (Word version of the resolution itself preferred)
- The resolution should not contain more than two "whereas" clauses; and
 - Background documentation must accompany each resolution submitted.

Sponsors should be prepared to introduce their resolutions on the Convention floor.

LATE RESOLUTIONS

- a. Resolutions submitted following the expiry of the regular deadline shall be considered "Late Resolutions" and shall comply with all other submission requirements, except that a copy of the resolution must be forwarded to the AVICC by the Wednesday noon preceding the date of the Annual General Meeting. This year's late resolution deadline is **April 9, 2014**.
- b. Late resolutions shall be available for discussion after all resolutions printed in the Resolutions Book have been debated.
- c. Late resolutions are deemed to be appropriate for discussion only if the topic is such that it has arisen since or was not known prior to the regular deadline date for submission of resolutions.
- d. In the event that a late resolution is recommended to be admitted for discussion AVICC shall produce sufficient copies for distribution to the Convention.



UBCM ASKS FOR RESOLUTIONS TO BE CONSIDERED BY THE AREA ASSOCIATIONS FIRST

UBCM urges members to submit resolutions first to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

A resolution should be submitted directly to UBCM only if the resolution addresses an issue that arises after the Area Association annual meeting. In this case, local governments may submit council- or board-endorsed resolutions to UBCM prior to June 30 each year. Should this be necessary, detailed instructions are available under the Resolutions tab on <http://www.ubcm.ca>.

UBCM RESOLUTIONS PROCESS

1. Members submit their resolutions to their Area Association for debate.
2. The Area Association submits the endorsed resolutions of provincial interest to UBCM.
3. The UBCM Resolution Committee reviews the resolutions for submission to the UBCM Convention.
4. Endorsed resolutions at the UBCM Convention are submitted to the appropriate level of government for responses.
5. Once the provincial responses have been conveyed to the UBCM they are forwarded to the sponsor for their review.

GUIDELINES FOR PREPARING RESOLUTIONS

The Construction of a Resolution:

All resolutions contain a preamble and enactment clause. The preamble describes *the issue and* the enactment clause outlines *the action being* requested. A resolution should answer the following three questions:

- What is the problem?
- What is causing the problem?
- What is the best way to solve the problem?

Preamble:

The preamble commences with a recital, or "WHEREAS", clause. This is a concise paragraph about the nature of the problem or the reason for the request. It should clearly and briefly outline the reasons for the resolution.

The preamble should contain no more than two "WHEREAS" clauses. If explaining the problem requires more than two preliminary clauses, then provide supporting documents to describe the problem more fully. Do not add extra clauses.

Enactment Clause:

The enactment clause begins with the words "THEREFORE BE IT RESOLVED". It must convey the resolution's intent, and should propose a specific action by AVICC and UBCM.

Keep the enactment clause as short as possible, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.

How to Draft a Resolution:

1. *Address one specific subject in the text of the resolution.*

Since your community seeks to influence attitudes and inspire action, limit the scope of a resolution to one specific subject or issue. Delegates will not support a resolution if the issues it addresses are too complex for them to understand quickly.

2. Use simple, action-oriented language and avoid ambiguous terms.

Explain the background briefly and state the desired action clearly. Delegates can then consider the resolution without having to parse complicated text or vague concepts.

3. Provide factual background information.

Even a carefully constructed resolution may not clearly indicate the problem or the action being requested. Where possible, provide factual background information to ensure that the "intent" of the resolution is understood.

Two types of background information help to clarify the "intent" of a resolution:

i Supplementary Memo:

A brief, one-page memo from the author, that outlines the background that led to the presentation and adoption of the resolution by the local government.

ii Council/Board Report:

A report on the subject matter, presented to council or board in conjunction with the resolution. If it is not possible to send the entire report, then extract the essential background information and submit it with the resolution.

Resolutions submitted without adequate background information will not be considered until the sponsor has been consulted and has provided documentation outlining the intent of the resolution.

4. Construct a brief, descriptive title.

A title assists to identify the intent of the resolution and eliminates the possibility of misinterpretation. It is usually drawn from the "enactment clause" of the resolution.

For ease of printing in the Annual Report and Resolutions Book and for clarity of intent, a title should be no more than three or four words.

5. Check legislative references for accuracy.

Where necessary, identify:

- The correct jurisdictional responsibility (e.g., ministry or department within the provincial or federal government); and
- The correct legislation, including the name of the Act.

6. Focus on issues that are province-wide.

The issue identified in the resolution should be relevant to other local governments across the province. This will support proper debate on the issue and assist UBCM to represent your concern effectively to the provincial or federal government on behalf of all BC municipalities and regional districts.

7. Avoid repeat resolutions.

In the past, Resolutions have often come back year after year on the same topic. Members and staff are encouraged to search the UBCM Resolutions database available through the website at www.ubcm.ca. Click on the Resolutions and Policy tab at the top of the page. It will be possible to locate any Resolutions on the same topic that have been considered in the past and what the response has been.

8. Ensure that your own local government's process for handling/approving of resolutions to AVICC/UBCM is followed.

UBCM GOLD STAR AND HONOURABLE MENTION RESOLUTIONS

The UBCM Gold Star and Honourable Mention resolution recognition initiative was launched at the 2003 UBCM Convention, and is intended to encourage excellence in resolutions drafting and to assist UBCM members in refining their resolutions in preparation for submission to the annual UBCM Convention.

To be awarded the UBCM Gold Star or Honourable Mention recognition, a resolution must meet the standards of excellence established in the following Gold Star Resolutions Criteria, which are based on the resolution:

1. Resolution must be properly titled.
2. Resolution must employ clear, simple language.
3. Resolution must clearly identify problem, reason and solution.
4. Resolution must have two or fewer recital (WHEREAS) clauses.
5. Resolution must have a short, clear, stand-alone enactment (THEREFORE) clause.
6. Resolution must focus on a single subject, must be of local government concern province-wide and must address an issue that constitutes new policy for UBCM.
7. Resolution must include appropriate references to policy, legislation and regulation.
8. Resolution must be submitted to relevant Area Association prior to UBCM.

If you have any questions, please contact Reiko Tagami by email at rtagami@ubcm.ca or by calling 604-270-8226 (extension 115).

MODEL RESOLUTION

SHORT TITLE: _____

Sponsor's Name _____

WHEREAS _____

AND WHEREAS _____

THEREFORE BE IT RESOLVED that _____

(Note: A second resolve clause if it is absolutely required should start as follows:)

AND BE IT FURTHER RESOLVED that _____

AVICC
525 Government Street
Victoria, BC V8V 0A8
Telephone: 250-356-5122 Fax: 250-356-5119
Email: avicc@ubcm.ca

AVICC AGM & Convention – April 11-13, 2014 – Qualicum Beach & Parksville



2014 AGM & CONVENTION

CALL FOR NOMINATIONS FOR AVICC EXECUTIVE

AVICC is the collective voice for local government on Vancouver Island, the Sunshine Coast, Powell River and the Central Coast. The membership elects directors during the Convention to ensure the directions set by the general membership are carried forward. The Executive also provides the direction for the Association between Conventions.

This circular is notice of the AVICC Executive positions open for nomination, the process and the procedures for nomination.

1. POSITIONS OPEN TO NOMINATIONS

The following positions are open for nomination:

- President
- First Vice-President
- Second Vice-President
- Director at Large (3 positions)
- Electoral Area Representative

2. NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

The candidate must be an elected official of an AVICC member and must be nominated by two elected officials of an AVICC local government member.

Background information that defines the key responsibilities and commitments of an AVICC Executive member is available on request from the AVICC Office and is published on the website at www.avicc.ca.

A nomination and consent form should be used for all nominations (also available by calling the AVICC Office or on the website at www.avicc.ca).

The Chair of the 2014 Nominating Committee will be Past President Joe Stanhope, Chair of the Nanaimo Regional District.

3. NEXT STEPS

It is part of the duties of the Nominating Committee to review the credentials of each candidate. A Report on Nominations including, at the candidate's option, a photo and 300-word biography will be prepared under the direction of the Nominating Committee and distributed in the AVICC Convention Newsletter.

**To Be Included In *The Report on Nominations*,
Nominations Must Be Received By
FEBRUARY 24, 2014**

AVICC AGM & Convention – April 11-13, 2014 – QUALICUM BEACH and PARKSVILLE

4. FINAL COMMENTS

The nomination process outlined above does not change the process whereby candidates can be nominated off the floor at the Convention. It does allow those that are interested in seeking office to be nominated in advance of the Convention with the "sanction" of a Nominating Committee and to have their biographical information published in the AVICC Convention Newsletter.

5. FURTHER INFORMATION

Copies of the "consent form" or duties of Executive members are available from the AVICC office or on the website at www.avicc.ca.

All other inquiries should be directed to:

**Past President Joe Stanhope, Chair
2014 Nominating Committee
c/o AVICC
525 Government Street
Victoria, BC V8V 0A8**

Phone: (250) 356-5122

Fax: (250) 356-5119

Email: avicc@ubcm.ca

NOMINATIONS FOR THE 2014-15 AVICC EXECUTIVE

We are qualified under the AVICC Constitution to nominate¹ a candidate and we nominate:

Name: _____

Local Gov't Position (Mayor/Councillor/Director): _____

Municipality or Regional District Represented: _____

AVICC Executive Office Nominated For: _____

Printed Name: _____ Printed Name: _____

Position: _____ Position: _____

Muni/RD: _____ Muni/RD: _____

Signature: _____ Signature: _____

CONSENT FORM

I consent to this nomination and attest that I am qualified to be a candidate for the office I have been nominated to pursuant to the AVICC Constitution². I also agree to provide the following information to the Chair, AVICC Nominating Committee (c/o AVICC Office) by **Monday, February 24, 2014**.

- 2"x3" Photo in digital format should be sent to avicc@ubcm.ca.
- Biographical information. The maximum length of such information shall be 300 words. If the information provided is in excess, the Nominating Committee Chair shall edit as required. A copy in Word format should be sent to avicc@ubcm.ca.

Printed Name: _____

Position: _____

Muni/RD: _____

Signature: _____

Date: _____

¹ Nominations require two elected officials of members of the Association.

² All nominees of the Executive shall be elected representatives of a member of the Association. Nominees for electoral area representative must hold the appropriate office.

**Return To: Past President Joe Stanhope, Chair, Nominating Committee, AVICC
525 Government Street, Victoria, BC V8V 0A8 or Fax: 250-356-5119**

AVICC AGM & Convention – April 11-13, 2014 – QUALICUM BEACH and PARKSVILLE



File: 66500-20/UVIC

October 31, 2013

Prof. Jamie Cassels
President and Vice-Chancellor
University of Victoria
PO Box 1700
Victoria BC V8W 2Y2

Dear Prof. Cassels:

I am writing with respect to the grants-in-lieu of property taxes for public post-secondary institutions for 2013/14. The amount the provincial government has approved is consistent with the grants provided in recent years for the municipalities hosting these institutions.

The amount for University of Victoria to transfer under the grant program for the 2012 tax year is as follows:

Municipality	Grant
District of Saanich	138,246
District of Oak Bay	58,004
District of North Saanich	1,742
City of Port Alberni	211
Total	\$198,203

The grant will be transferred to your institution on November 15, 2013. I would appreciate receiving notification from your institution once the funds have been transferred to the municipality noted above.

Your cooperation with the funding transfer is appreciated. Should you have any questions with respect to this letter, please contact me at (250) 356-7742.

Sincerely,

Donna Briedlander, CMA
Acting Director

pc: Distribution List follows

ENTERED

... /2

Ministry of
Advanced Education

Post-Secondary Funding
and Corporate Finance
Branch

Mailing Address:
PO Box 9878 Stn Prov Govt
Victoria BC V8W 9T6

Location Address:
1st Floor, 835 Humboldt Street
Victoria BC V8V 4W8

Post-Secondary Finance

Telephone: (250) 387-6190
Facsimile: (250) 952-6103

F.8.

pc: His Worship Mayor Frank Leonard and Members of Council
District of Saanich

His Worship Mayor Nils Jensen and Members of Council
District of Oak Bay

Her Worship Mayor Alice Finall and Members of Council
District of North Saanich

His Worship Mayor John Douglas and Members of Council
City of Port Alberni

Ms. Gayle Gorrill, Vice-President, Finance and Operations
University of Victoria

Mr. Blair Littler, Vice-President
Research Universities' Council of British Columbia

Mr. Colin Fowler, Acting Executive Director and Chief Financial Officer
Ministry of Advanced Education



**Port Alberni International Twinning Society
is excited to offer
Three Opportunities to be involved in Twinning with
Port Alberni's Sister City, Abashiri, Japan**

We are looking for:

- SD 70 students (grades 6-10) interested in joining the next delegation to Abashiri, Japan in July 2014, should attend the information session on **Wednesday, November 6 at 6:30 p.m. at Alberni Elementary School Library**-come in the front doors. Students will stay with a family in Abashiri, attend school and experience cultural activities before touring in Sapporo and Tokyo. Adult chaperones are also needed for this trip.
- High School Students interested in a 1-3 month student/home exchange to Abashiri, Japan in 2014-2015 please contact Laurie Morphet (info below).
- Adults who live in Port Alberni and surrounding area, who are interested to travel to Japan and visit/stay with our friends in Abashiri in July 2014 are asked to contact Laurie Morphet (info below). This group will also travel to other parts of Japan, depending on the interest of the group. (Adults only).

Expenses for all the trips are the sole responsibility of the student/adult. The Port Alberni International Twinning Society is supportive of group fundraising.

If you are interested in partaking in any of the above Twinning opportunities or becoming a Twinning member, please contact Laurie Morphet at lmorphet@sd70.bc.ca or at Alberni Elementary School 250-724-0623.

VIA E-MAIL

November 1, 2013

Ref: 214114

His Worship Mayor John Douglas and Council
City of Port Alberni
E-mail: citypa@portalberni.ca

Dear Mayor Douglas and Council:

November has been proclaimed as Adoption Awareness Month in British Columbia. During Adoption Awareness Month, the Ministry of Children and Family Development seeks to increase people's awareness about the adoption of children in foster care. It is an opportunity to encourage those looking to build their family to consider adoption. Single people, married couples and non-traditional families, from diverse backgrounds and life experiences, can all become adoptive parents to a child needing a loving home. Potential adoptive parents are ordinary people, living in neighbourhoods across our province, including in your community.

Currently, over 1,000 children and youth in government care are waiting for a permanent family. Some are part of a sibling group, some have special needs, and some are teens. Each and every one of them deserves a family to belong to, a place to grow up, assistance and advice with the challenges of adulthood, and somewhere to come back to for support.

Adoption Awareness Month provides an opportunity to celebrate the many families created through adoption in the province and to highlight the difference that a loving, stable family can make in the life of a vulnerable child or youth.

The Ministry of Children and Family Development (MCFD) has created an information kit, including printable posters, fact sheets, and the Provincial Proclamation to help raise awareness of adoption in your community. To access this information and to find out more about adoption and the celebrations throughout the province, I encourage you to visit the MCFD Web site regularly throughout November at:
<http://www.mcf.gov.bc.ca/adoption/index.htm>.

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You can join in the celebrations and help raise awareness of adoption in a number of ways, for example, by creating an adoption display in your office, using a copy of the Provincial Proclamation and Adoption poster. As well, there will be a variety of displays and events celebrating our adoptive families in communities across British Columbia. The Adoptive Families Association of British Columbia's representative for your area can provide you with more information on these events, or about adoption in general. Contact information for the Adoptive Families Association and the four licensed adoption agencies in British Columbia can be accessed at the following Web site: <http://www.mcf.gov.bc.ca/adoption/index.htm>.

If you are interested in learning more about adoption, please contact the MCFD's Deputy Director of Adoptions for your community. A list of contacts for MCFD Service Delivery Areas can be found at the MCFD Web site: <http://www.mcf.gov.bc.ca/adoption/index.htm>.

On behalf of the MCFD, thank you for helping us raise awareness about adoption and the loving homes it creates for British Columbia's children and youth.

Sincerely,

ORIGINAL SIGNED BY

Stephanie Cadieux
Minister of Children and Family Development



District of Lantzville

Incorporated June 2003

November 5, 2013

Island Corridor Foundation
P.O. Box 375 Stn A
Nanaimo, BC V9R 5L3

Attention: Graham Bruce, Chief Operating Officer

Dear Mr. Bruce

Re: Trail Establishment along E&N Rail Corridor

Please be advised that Council at its Regular Meeting held October 21, 2013 made the following resolution with regards to Island Corridor Foundation:

WHEREAS the Island Corridor Foundation is working to re-establish the passenger train service on the E&N railway; and

WHEREAS the E&N rail corridor has other important transportation and recreation values whether or not the passenger rail service is re-established at this time;

THEREFORE BE IT RESOLVED, that the District of Lantzville request that the Island Corridor Foundation work with all local governments and first nations along the route on the high priority of establishing bike and walking facilities along the entire length of the corridor without compromising future or existing rail services; and

BE IT RESOLVED, that the Island Corridor Foundation also seek senior government funding assistance for walking and biking facilities along the rail corridor; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to all local governments and first nations along the E&N railway corridor. **CARRIED**

Council urges the Foundation to continue with trail establishment along the corridor. Such facilities are important to the well-being of communities by providing family recreation and healthy activities.

Yours truly

Tamie Nohr
Deputy Director of Corporate Administration
District of Lantzville

File: 0360-20-ICF
Q: 2013\COUNCIL FOLLOWUP CORR\Oct 21_ICF_trail.docx
C: Mayor and Council
T. Graff, CAO
All Regional Districts, Municipalities and First Nations on the E&N Corridor

Phone: (250) 390-4006 Fax: (250) 390-5188
Email: district@lantzville.ca Website: www.lantzville.ca
P.O. Box 100, 7192 Lantzville Road, Lantzville, BC V0R 2H0



From: viola88 [mailto:viola88@shaw.ca]
Sent: Tuesday, October 29, 2013 9:57 AM
To: Davina Hartwell
Subject: email for all City Council/Mayor
Importance: High

Good morning Mayor and Council:

I was watching the Council meeting last night, October 28 and the lengthy discussion regarding the proposed liquor store on 3rd Ave and the problem re: trucking entering and exiting the property. I live on Victoria Quay and overlook the parking area's for the Liquor Depot and I see the problems they have .

I also want to make mention of the fact, that I heard no mention of last night, there can be more than 1 truck at a time pull in to unload, I see it every day. I have seen up to 3. I have called Cindy Solda to share this information.

I, for one do not support another liquor store. And support who last night said, "do we want Port Alberni to be known as the City with the highest liquor vendors per capita"? I think not!

I did not hear overwhelming support from council for another liquor store. Mr. Mayor I felt you were pushing your own agenda. I wonder how council got this far with this project? I was glad that the issued was tabled and perhaps council will use sober second thought, it is ok to disagree and say no to this project.

I will be watching. Thank you,

Sylvia Springer
4505 Victoria Quay #302
250-723-7185
viola88@shaw.ca

ENTERED

To mayor and council

october29th 2013

I have heard on numerous occasions council stating port alberni was open for business
But now we have two hotel owners holding up expanding the tax base by holding up the
Building and moving an existing liquor outlet with the following.

1. arguing about the tax break which last night the new owner said he would defer.
2. now the argument is the delivery trucks would have problems entering the drop off area and could cause safety concerns for pedestrians.

Today I watched a semi pull across 3rd ave. to back into the new drive in for delivery with no problems. Remember up until a few years ago semi trailers were backing across a full lane of traffic and a sidewalk to deliver to zellers on a daily basis with probably more people using that sidewalk on a daily basis than on lower 3rd ave. in a week, just maybe you are underestimating the skills of professional drivers.

You were elected to make decisions and not all are popular but equally important so I hope you will make a decision on facts instead of looking for a way out,

Pete Milliken
3622 15th ave.
Port alberni



ENTERED

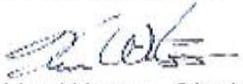


CITY OF PORT ALBERNI

PLANNING DEPARTMENT

TO: Ken Watson, City Manager
FROM: Scott Smith, City Planner
DATE: November 7, 2013

I concur, forward to next
Regular Council Meeting
for Consideration:


Ken Watson, City Manager

SUBJECT: Development Permit Application
3684 – 3rd Avenue (PID: 029-084-741)
Lot 1, District Lot 1, Alberni District, Plan EPP30558

Issue

To consider issuance of Development Permit No. 13 - 03 to permit the construction of a new Liquor Retail store.

Background

The project is a relocation of an existing liquor store license to a new building at 3684 3rd Avenue. This property went through a rezoning process for a Liquor, Wine and Beer Store and City Council gave final approval to a zoning bylaw amendment on December 29, 2009. The property is in Development Permit Area No. 2 (General Commercial). The Development Permit Area guidelines cover the form and character of the project. The intent of the Development Permit Area is to ensure a high quality and appropriate development.

Discussion

This Development Permit has been tabled twice mainly over concerns of the delivery truck on-site maneuvering. The applicant's architect has had two engineering firms (see attached letters) review his plans and they have concluded that the turning path presents no conflicts or operational issues.

City Council requested staff to have an independent engineering firm prove out the turning path for the delivery trucks. The City of Port Alberni hired Stantec Engineering and their letter report and plan are attached. Based on their analysis, Stantec is recommending some minor changes to the site plan. The architect has made those minor changes to the site and landscape plan (see attached).

Options

1. Approve Development Permit No. 13-03 as currently proposed.
2. Approve Development Permit No. 13-03 with the revised site and landscape plans.

Conclusions

The first option would approve the current plans in Development Permit No. 13-03 and would use the site plan and turning movement proposed by the architect and support by the two engineering firms hired by the applicant.

The second option would be to replace the site and landscape plans with the new plans dated November 6, 2013 in Development Permit No. 13-03 that the architect has submitted based on Stantec's recommendation.

City staff are supportive of either option.

The plans that have been submitted for the development permit, meet the intent of the guidelines. The Planning Department supports the issuance of the Development Permit to allow construction of the new CM Liquor Store at 3684 3rd Avenue.

Respectfully submitted,



Scott Smith, MCIP
City Planner



October 16, 2013

Jordan Kutev Architect
180 - 2250 boundary road

Burnaby BC
V5M 3Z3

Dear Jordan:

Re: CM Liquor Store, Port Alberni
Site Plan Review

The PDF site plan (dated Mar2013) addresses our previously expressed vehicle turning path concerns. Altered from the previous plan was the location of the Persons with Disability parking spaces. The turn paths as presented in the PDF document present no conflicts or operational issues.

We trust this will satisfy City staff. Should there be further questions, please do not hesitate to contact us at the number provided below.

Best regards,
Bunt & Associates

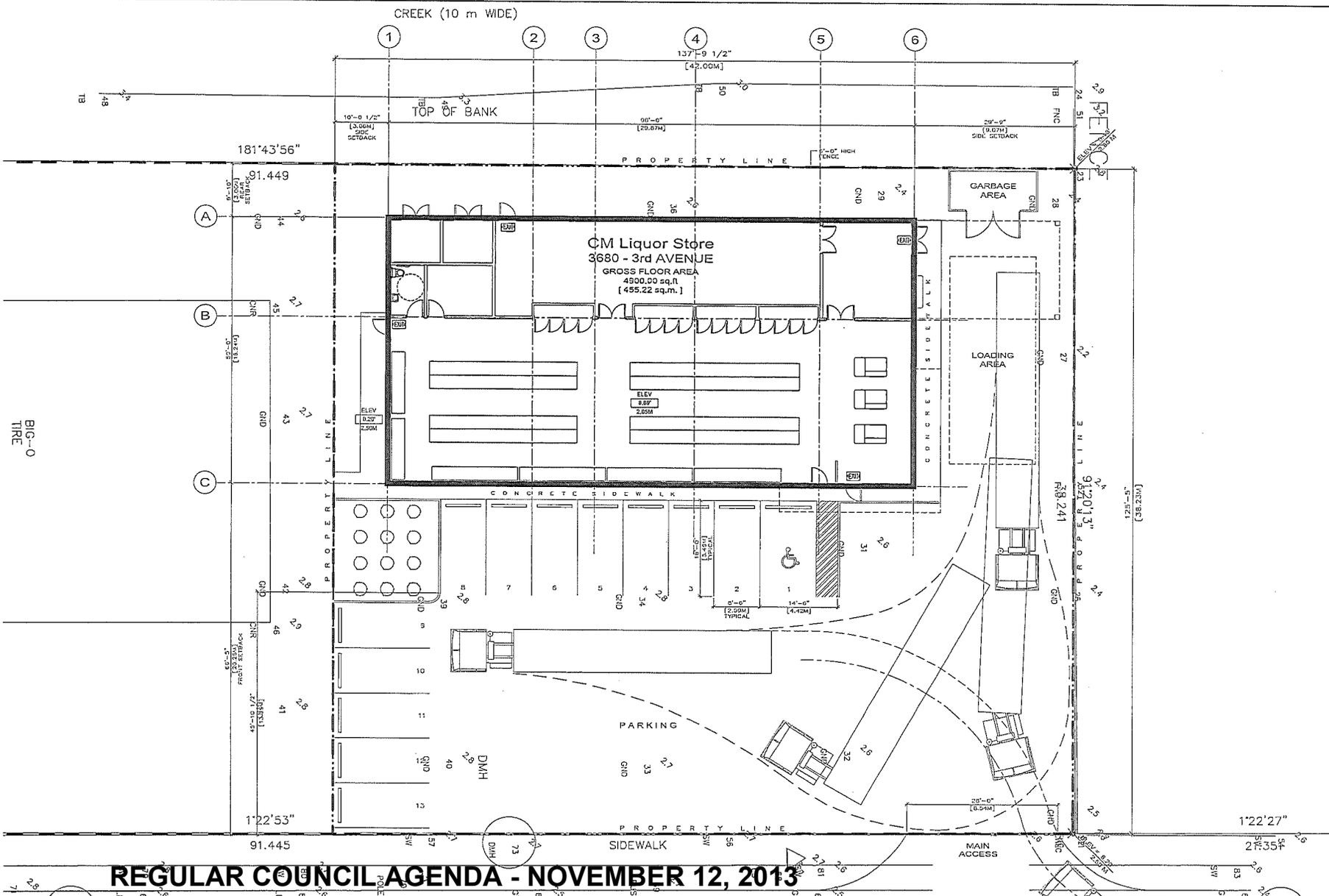
A handwritten signature in blue ink, appearing to read "Jason Potter", is located below the typed name.

Jason Potter, MSc, PTP
Transportation Planner

Bunt & Associates Engineering (BC) Ltd.

Suite 535 – 645 Fort Street, Victoria, BC V8W 1G2 Tel 250 592 6122 Fax 250 592 6135

Victoria Vancouver Calgary Edmonton www.bunteng.com



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NORTH

jordan kutey
architect inc

1 604 299 2022
2 604 299 3021
3 1800 294 6000
110 - 2720 Boundary Road
Burnaby BC V3N 3S3
www.jka.ca

PRIME CONSULTANT

CONSULTANT

NO	DATE	REMARKS
1	10 OCT 2013	ISSUED FOR COORDINATION

CM Liquor Store

3680 3rd Avenue
Port Alberni, British Columbia

SITE PLAN

FOR COORDINATION

October 31, 2013

Jordan Kutev Architect Inc.
#180 – 2250 Boundary Road
Burnaby, BC
V5M 3Z3

Attention: Jordan Kutev, M.Arch.

Dear Sir:

**Re: CM Liquor Store, 3680 – 3rd Avenue, Port Alberni
Vehicle Turning Path Review**

This is to confirm that we have received your March 2013 site plan drawing showing the turning movements of a WB-19 design vehicle on-site at the proposed CM Liquor Store development at 2680 – 3rd Avenue in Port Alberni.

We have reviewed the drawing and conclude that the turn paths present no conflicts or operational issues. We have also reviewed right turn access from 3rd Avenue into the site. A WB-19 design vehicle would require a wider access if it were to gain access from the curb lane; however, the common practice of delivery trucks utilizing the additional southbound lane for the right turn movements should be accepted. Widening the access for the low volume deliveries would be detrimental to pedestrian crossings and regular traffic flow.

We trust this meets your needs. Please contact the undersigned if you would like to discuss further.

Yours truly,

D.C. DEAN ASSOCIATES INC.



David Dean, P.Eng.

To: **Scott Smith, MCIP**
City Planner
City of Port Alberni
(250) 720-2808
File: 112311216.300

From: Tomasz Zolyniak
Victoria BC Office
Date: November 5, 2013

Reference: CM Liquor Store o Truck Turning Review

Stantec was retained by Scott Smith of the City of Port Alberni to perform a truck turning exercise to determine the feasibility of truck accessing and maneuver within a proposed development site (CMS Liquor Store). The site is located off of 3RD Avenue, between Redford Road and Bute Road.

A proposed layout of the development site was provided to Stantec in AutoCAD format, as seen in the attachment; WB-19 Swept Turn Path. The development site includes a proposed Liquor store, parking lot, and loading area.

AutoTurn 8.1 was utilized to model truck turning characteristics based on the following data.

- Modeled vehicle was the Transportation Association of Canada (TAC) WB-19 (20.7m vehicle length),
- Turning maneuvers were performed at slow speeds up to 1km/h,
- Maximum articulating angle between truck and trailer was 80°.

The intent of the exercise was to determine if it would be feasible for the modeled vehicle to enter the development site (forward entry) from 3RD Avenue and have sufficient space within the site to back up into the loading area.

The attached drawing depicts the trucks/trailer swept turn path. The hatched extents shown on the drawing represent the widest portion of the vehicle body as it executes various turning maneuvers.

It was determined that the Wb-19 would be able to enter the development site, perform several turning maneuvers, and ultimately reverse into the loading area. The following observations are presented as part of the review.

- The truck requires occupying stalls 9 and 10 as part of the maneuvering movement. If these two stalls are required, they may be able to be relocated by the south west corner of the proposed building (i.e. south of the parking stall designated for disabled persons).
- The truck swept path extends beyond the width of the main access. Widening the main access to the southern property line should provide sufficient additional width to allow the truck to stay within the access way. The additional width is approximately 0.75m.
- The truck will need to occupy a portion of the northbound inside lane prior to entering the development site.
- The truck will perform a multi-point turn within the parking area before backing up to the loading area.

Please feel free to contact the undersigned if you have any questions or comments.

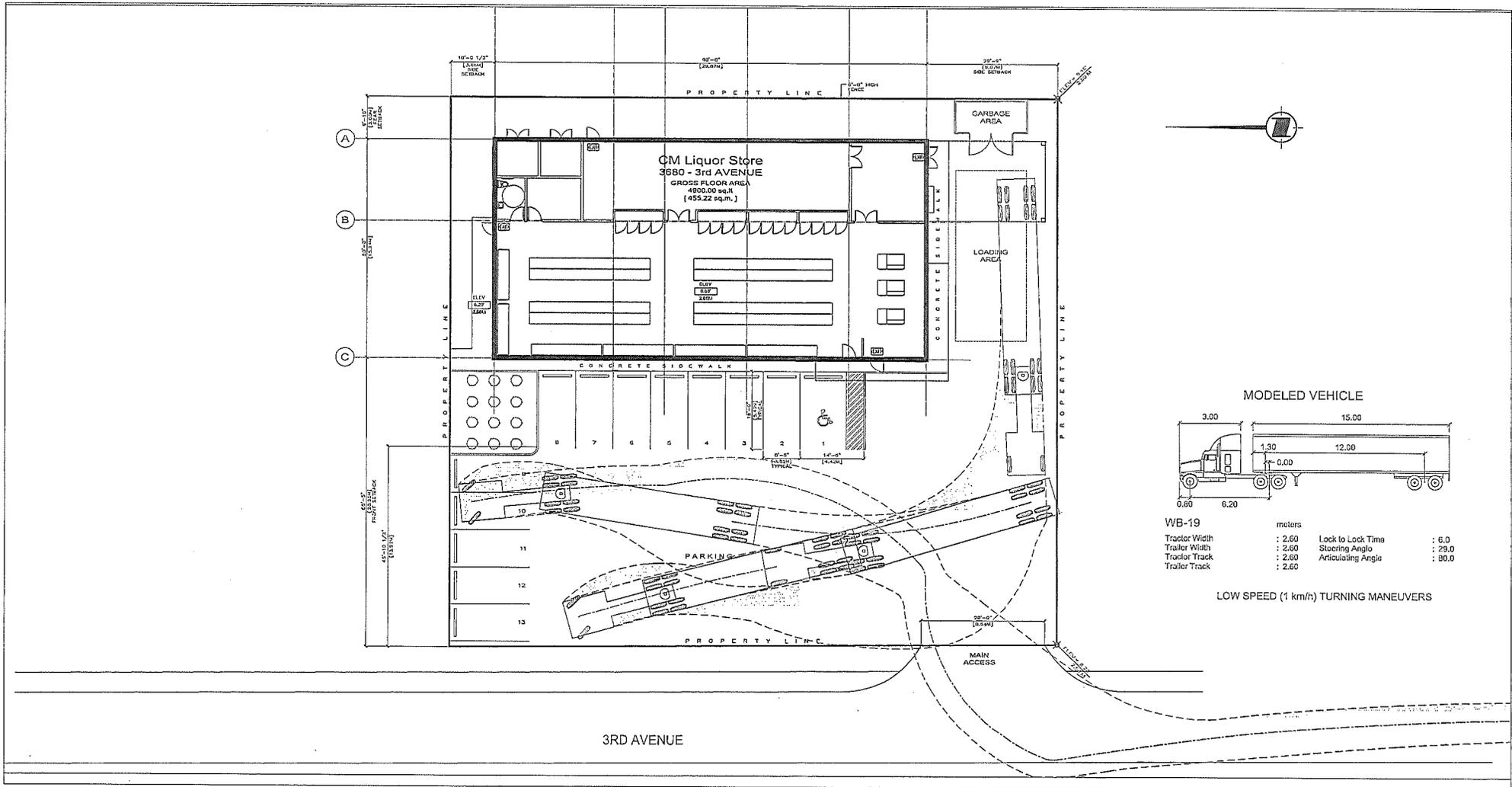


Tom Zolyniak, B.A.Sc.
Civil / Transportation EAT
Stantec
Phone: (250) 389-2364
Fax: (250) 382-0514
tomasz.zolyniak@stantec.com

Attachment: WB-19 Swept Turn Path - Drawing
c. Alan Ghanam, P.Eng.

Design with community in mind

toz \\cd\1208-104\workgroup\1123\active\112311216\transportation\task300\memo_toz_truck_turn20131105.docx



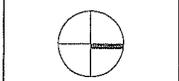
STANTEC

SCALE: 1:250 on 11x17 SHEET

WB-19 SWEEP TURN PATH

November 5, 2013

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NORTH
jordan kutev
 architect inc
 454 299 3022
 454 299 3023
 454 299 3024
 160-2218 Douglas Road
 Burnaby BC V5A 2S2
 www.jkai.ca

PRIME CONSULTANT
 CONSULTANT

NO	DATE	REMARKS
1	20/NOV/2011	RE-ISSUED FOR DEVELOPMENT PERMIT

RE-ISSUED FOR DEVELOPMENT PERMIT

CM Liquor Store

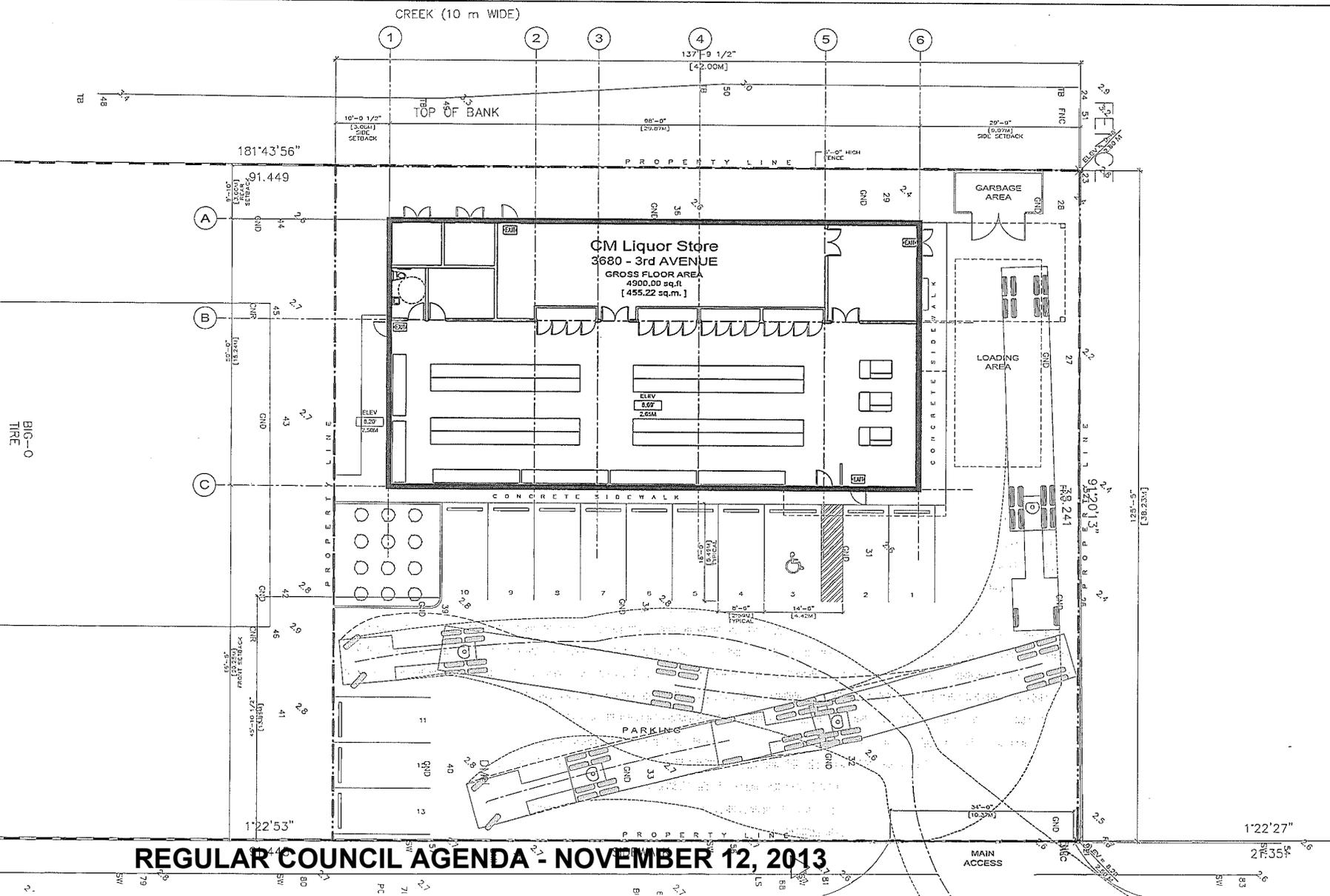
3680 3rd Avenue
 Port Alberni, British Columbia

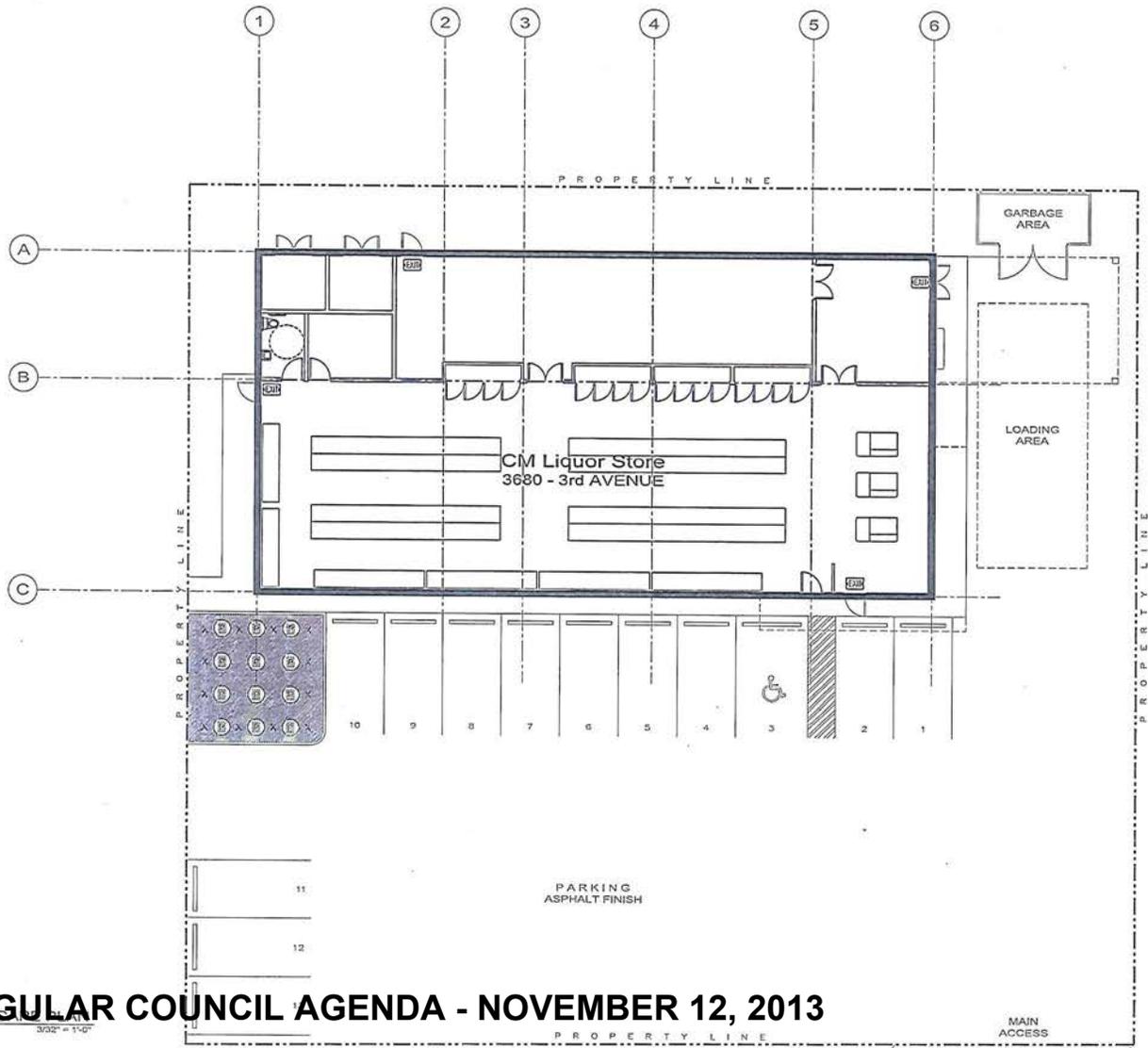
SITE PLAN

DEVELOPMENT PERMIT

75

A151





- PROJECT PLANT LIST**
- | CONF. SYM. | BOTANICAL NAME | COMMON NAME |
|------------|-------------------------------|-------------|
| P | BROADLEAF EVERGREENS IN SHUBS | |
| P 12 | PIRANGA LAURIFOLIATUS | OTTO LYNNEN |
| X | ASTRO | |
- GROUND COVER
-
- OTTO LYNNEN

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jordana kutev architect inc

1 604 299 2222
 2 604 299 2222
 3 info@jka.ca
 4 100 - 2222 BROADVIEW AVENUE
 5 Burnaby BC V5M 2G2
 6 www.jka.ca

PRIME CONSULTANT

CONSULTANT

SEAL

NO	DATE	REMARKS
1	22NOV2013	RE-ISSUED FOR DEVELOPMENT PERMIT

CM Liquor Store

3680 3rd Avenue
 Port Alberni, British Columbia

LANDSCAPE PLAN

DEVELOPMENT PERMIT

76

A152

CITY OF PORT ALBERNI

BYLAW NO. 4824

A Bylaw to Establish a Revitalization Tax Exemption Program.

WHEREAS under Section 226 of the *Community Charter*, Council may, by bylaw, establish a Revitalization Tax Exemption Program (RTEP);

AND WHEREAS Council wishes to establish a Revitalization Tax Exemption Program (RTEP) for a specific designated area;

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

1. **Title**

This bylaw shall be cited as "**City of Port Alberni Revitalization Tax Exemption Program, Bylaw No. 4824**".

2. **Definitions**

In this bylaw:

"Agreement" means a Revitalization Tax Exemption Agreement between the Property Owner of a Parcel and the City in the format attached to and forming part of this Bylaw as Schedule "A";

"Building Official" includes a person or persons designated by the City as a Building Inspector;

"Council" means the Council of the City of Port Alberni;

"Corporate Officer" means the person appointed under section 148 of the *Community Charter* as the Corporate Officer for the City;

"City" means the City of Port Alberni;

"City Planner" means the person appointed by the Council to direct the operations and programs of the City's Planning and Building Department

"Investment Threshold(s)" means the amount of capital investment required to be eligible to apply for the Revitalization Tax Exemption Program;

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway that is situated within the Revitalization Areas;

"Property Owner" means the registered owner in fee simple of lands within the City.

"Project" means a revitalization Project on a Parcel involving the construction of a new improvement or alteration of an existing improvement;

“Revitalization Areas” means areas that have been designated and defined in Schedule “B” which is attached to and forms a part of this bylaw;

“Revitalization Tax Exemption Program Application” means the application which is attached to and forms a part of this bylaw as Schedule “C”;

“Significant Development” means development that requires a capital investment that meets the minimum requirements as described in Schedule “A”, section 3.

3. **Revitalization Tax Exemption Program Objectives**

Pursuant to Section 226 of the *Community Charter*, the City of Port Alberni Council hereby establishes a Revitalization Tax Exemption Program (RTEP) as follows:

- a) The objectives of the RTEP are to stimulate growth and development in the commercial Uptown area of the City.
- b) The program is designed to encourage investment by commercial property owners to create new commercial space, new multi-family residential space, improve existing commercial buildings, improve existing multi-family residential buildings thus revitalizing and increasing the esthetic appeal of the Uptown.
- c) The RTEP is intended to accomplish these objectives by providing tax relief to Property Owners who undertake a significant development within the revitalization areas.

4. **Revitalization Tax Exemption Program Eligibility**

Property Owners are eligible to apply for the RTEP having satisfied the criteria as follows:

- a) Parcels that are eligible for the RTEP must fall within the *Revitalization Areas* (Schedule “B”).
- b) The terms and conditions upon which a tax exemption may be granted and a Tax Exemption Certificate, which is attached to and forms a part of this bylaw as Schedule “D”, may be issued, are defined in Schedule “A”.

5. **Revitalization Tax Exemption Program Exemption and Term**

- a) The amount and term of a tax exemption shall be calculated for each successful applicant on an individualized basis. The calculation methods are defined in Schedule “A”, section 3;
- b) The period of the tax exemption shall begin January 1st of the year in which the exemption first applies and terminate at the end of the 10th year or when the maximum exemption amount has been reached whichever first occurs.

6. Revitalization Tax Exemption Program Application

In order for a Parcel to be considered for a tax exemption, the Property Owner must:

- a) Submit a completed application package to the City by August 1st, prior to the year the exemption is being applied for and include the following:
 - i. Schedule "C" of the Revitalization Tax Exemption Program Application Form;
 - ii. A tax certificate verifying all taxes assessed, rates, charges and fees imposed on the Parcel have been paid, and, where taxes, rates or assessment are payable by installments, that all installments owing at the date of application have been paid;
 - iii. Schedule "A" the signed Agreement; and
 - iv. A certified copy of all applicable permits, including a building permit.

7. Revitalization Tax Exemption Certificate Cancellation

A Tax Exemption Certificate may be cancelled by Council, if in the opinion of Council, the Parcel improvements have not been maintained or have been altered so that they no longer comply with the requirements as set out in the original application as approved by the City.

8. Designated Municipal Officer

- a) The Corporate Officer for the City is the designated municipal officer for the purpose of section 226 (13) in the *Community Charter*.
- b) The Corporate Officer will receive applications and will review and have the authority to approve them according to the set criteria.

READ A FIRST TIME THIS 23RD DAY OF SEPTEMBER, 2013.

READ A SECOND TIME THIS 23RD DAY OF SEPTEMBER, 2013.

READ A THIRD TIME THIS 23RD DAY OF SEPTEMBER, 2013.

RESCINDED AND AMENDED THIS 28TH DAY OF OCTOBER, 2013.

READ A THIRD TIME THIS 28TH DAY OF OCTOBER, 2013.

FINALLY ADOPTED THIS _____ DAY OF _____, 2013.

Mayor

Clerk

SCHEDULE "A"

RTEP Bylaw

REVITALIZATION TAX EXEMPTION AGREEMENT (Pages 4 to 9)

THIS AGREEMENT dated for reference the ____ day of _____, 20__

BETWEEN:

(Name)
(Address)

(the "Property Owner")

AND

THE CITY OF PORT ALBERNI
4850 Argyle Street
Port Alberni, BC V9Y 1V8
(the "City")

GIVEN THAT:

- A. The Property Owner is the registered owner in fee simple of lands in the City of Port Alberni at <insert civic address> legally described as <insert legal description> (the **Parcel**);
- B. The City has under Bylaw 4824 established a revitalization tax exemption program in order to encourage development within a defined area of the City;
- C. The Property Owner proposes to make the alterations, upgrades and improvements described in the "**Project**" and the City has agreed to accept the Project under the program;
- D. The City and the Property Owner have agreed to enter into this Agreement to provide for the Property Owner's obligations regarding the Project and the City grants of a tax exemption, all in accordance with the terms and conditions set out herein.

Terms and Conditions

1. Property Owner Obligations

Throughout the term of the Tax Exemption, the Property Owner will:

- a) Use its best efforts to ensure that the Project is constructed, maintained, operated and used in a manner that will be consistent with and will foster the objectives of the RTEP.
- b) Ensure that the Parcel and the Project are used, operated and occupied in compliance with the permitted use and zoning for the Parcel under the "City of Port Alberni Zoning Bylaw 1998, No. 4395", as amended, consolidated or replaced from time to time;
- c) Operate, repair and maintain the Project and keep the Project in a state of good repair;
- d) Not allow any non-exempt property taxes due in relation to the Parcel to go into arrears or become delinquent;
- e) If the Parcel is sold during the term of the Tax Exemption, subject to Section 9 of this Agreement, ensure that the new fee simple owner(s) will be bound by the terms of this

- f) Upon completion of a sale of the Parcel, provide the City's Corporate Officer with a copy of the assignment of this Agreement, evidencing that the new fee simple owner has legally assumed the obligations under this Agreement.
- g) Complete or cause to be completed construction of the Project within one (1) year from the date of issuance of the building permit; in accordance with the building permit and the plans and specifications attached to Schedule "C";
- h) Ensure the completed Project will not deviate significantly from plans supplied to City staff at the time of application with compliance determined solely by the City Planner.

2. Conditions

The following conditions must be fulfilled before the City will issue a Certificate to the Property Owner:

- a) The Property Owner will obtain a Building Permit from the Building Official for the Project and submit a completed Revitalization Tax Exemption Program Application with all relevant attachments on or before August 1st in the year the Property Owner applies for the Tax Exemption under the Bylaw;
- b) The Property Owner will complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict accordance with the building permit and the plans and specifications attached hereto as a part of a completed City of Port Alberni Revitalization Tax Exemption Program Application and the Project must be officially opened for use by no later than one (1) year from the date of issuance of the building permit;
- c) The completed Project will not deviate significantly from plans supplied to City staff at the time of application with compliance determined solely by the City's Approving Officer.
- d) The Property Owner will provide the City with the following:
 - i. A copy of the Projects Building Permit providing the value of construction as determined by the Building Official;
 - ii. A certificate verifying taxes assessed, rates, charges and fees imposed on the Parcel have been paid, and, where taxes, rates or assessments are payable by installments, that all installments owing at the date of application have been paid; and
 - iii. All applicable fees as required under Bylaw 4824 and other applicable City of Port Alberni bylaws.

At any time, if the Property Owner breaches or does not fully satisfy any of the obligations and conditions in the Certificate or this Agreement, the City will provide notice of cancellation to the Property Owner.

3. Term and Calculation of Revitalization Tax Exemption

- a) The term of each tax exemption will be a maximum of ten (10) years and will not exceed 25% of the total project value and is ultimately dependent upon which component of the Revitalization Tax Exemption program the Property Owner is eligible for.
- b) Calculations are made for each component based on Investment Thresholds that the Property Owner must meet in order to be eligible for the tax exemption associated with each threshold. Project values are determined by the construction value that is determined by the Building Official in the calculation for the building permit fee.
- c) There are two main components to the City of Port Alberni Tax Exemption program.
 - (i) With a minimum \$1 million investment the Owner is eligible to apply for a 100% municipal tax exemption on the assessed value of improvements (buildings) for a maximum 10 year term. The accumulated exemption amount cannot exceed 25% of the total project budget.
 - (ii) With a minimum \$100,000 investment the Owner is eligible to apply for a 100% municipal tax exemption on assessed value improvements (buildings) for a maximum 5 year term. The accumulated exemption amount cannot exceed 25% of the total project budget.

4. Revitalization Tax Exemption Certificate

Tax Exemption Certificate may be issued once the following items have been submitted to the City and approved:

- a) The construction Project has been issued a final permit;
- b) The construction Project has a building permit issued from the City of Port Alberni, a copy of this permit with the Project values as determined by the Building Official with the calculations clearly visible;
- c) A tax certificate that all taxes assessed, rates, charges and fees imposed on the Parcel have been paid, and, where taxes, rates or assessment are payable by installments, that all installments owing at the date of application have been paid;
- d) All applicable fees as required under Bylaw 4824 and other applicable City of Port Alberni bylaws;
- e) An exemption certificate or cancellation does not apply to taxation in a calendar year unless the exemption certificate is issued or cancelled, as applicable, on or before October 31 in the preceding year.

5. Stratification

For currently stratified properties an exemption shall apply only to common areas where the Strata Corporation is the applicant.

if a Property Owner applies for an exemption and then stratifies a Parcel under the *Strata Parcel Act* the Tax Exemption shall apply only to common areas.

6. Cancellation

The City may cancel the Certificate:

- a) On the written request of the Property Owner; or
- b) At any time, if the Property Owner breaches or does not fully satisfy any of the obligations and conditions in the Certificate or this Agreement, as determined by the City acting reasonably, effective immediately upon delivery of a notice of cancellation to the Property Owner.

7. Recapture of Exempted Taxes

If pursuant to the terms and conditions specified in the Agreement or the Tax Exemption Certificate, the Tax Exemption Certificate is cancelled, the Property Owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City:

- a) An amount, as determined by the City, of municipal property taxes payable for the balance of the year, calculated pro rata based on the annual amount of municipal taxes that would have been payable but for the Tax Exemption; and
- b) Any amounts owing to the City will be deemed to be municipal property taxes and any such amounts that are not paid by December 31 of the taxation year in which they fall due will become taxes in arrears in the following year and collectable as taxes in arrears.

8. Notices

Any notice or other communication required or contemplated to be given or made by any provision of the Agreement shall be given or made in writing and delivered personally (and if so shall be deemed received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so shall be deemed delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as notice is addressed as follows:

To the Property Owner at the address given in Schedule "B", the Agreement:

And to the City at:

The City of Port Alberni
4850 Argyle Street
Port Alberni, BC V9Y 1V8

9. No Assignment

The Property Owner may not assign its interest in the Agreement except to a subsequent Property Owner in fee simple of the Parcel, and then only with the prior written consent of the City on conditions which may be determined at the sole discretion of the City.

10. Severance

If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that is invalid shall not affect the validity of the remainder of this Agreement.

11. Further Assurances

The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.

12. References

Every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.

13. No Right of Action

The Property Owner will have no cause of action for any losses incurred if this Agreement is found, for any reason, to be illegal, invalid or unenforceable by a court of competent jurisdiction and in the event of the finding of such illegality, invalidity or unenforceability, the Property Owner will be obligated to pay all municipal Parcel taxes which would otherwise have been payable by the Property Owner during the Term.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

The City of Port Alberni

City Clerk

(insert name of Property Owner, if a corporation or corporate body) by its authorized signatories:

Name and title

Name and title

Name of Witness

Name of Property Owner if an individual

Address of Witness

SCHEDULE "B" - CITY OF PORT ALBERNI REVITALIZATION AREAS



MS

COPY AVAILABLE

SCHEDULE "C"
RTEP Bylaw 4824

CITY OF PORT ALBERNI REVITALIZATION TAX EXEMPTION APPLICATION (Page 1 of 2)

*****Please Print*****

Application Process:

- Apply** for and **Receive** all applicable permits
- Apply for Revitalization Tax Exemption
- Administrative Review (Planner/Clerk)
- Decision: Approval Subject to Final Inspection
- Sign Agreement
- Project Final Inspection
- Signing of Agreement and Issuance of Tax Exemption Certificate

Business Name: _____

Business Owner: _____

Phone Number: _____

Fax Number: _____

E-Mail Address: _____

Mailing Address: _____

Business License Number: _____ Building Permit Number: _____

Legal Description: _____

PID# _____

Roll #: _____

Location of _____

Construction: _____

Description of Improvements (use back of page if necessary)

COPY AVAILABLE FOR PUBLIC INSPECTION

SCHEDULE "C"

RTEP Bylaw 4824

CITY OF PORT ALBERNI REVITALIZATION TAX EXEMPTION APPLICATION (Page 2 of 2)

Type of Construction:

- New Building
- Addition to Existing Building
- Renovation to Existing building

Intended Threshold

- Investment \$1 million +
- Investment \$100,000 +

Building Permit Number: _____

Building Permit Estimated Project

Value: _____

Start Date: _____

Completion Date: _____

Nature of Business:

Intended first year of tax exemption: 20____

If any of the above information needs to be treated as confidential, please indicate reasons:

Declaration of Applicant

I (We), _____ solemnly declare that all the above statements contained within the Application are true, and I make this solemn declaration conscientiously believing it to be true, knowing that it is the same force and effect as if made under oath, and by virtue of: "The Canada Evidence Act."

Dated: _____

Signature: _____

SCHEDULE "D"

RTEP Bylaw

TAX EXEMPTION CERTIFICATE

CITY OF PORT ALBERNI
BYLAW _____
Revitalization Tax Exemption

Date of Issuance: _____ Certificate Number: _____

Date of Expiry: December 31, 20_____

P.I.D _____ Roll # _____

Civic Address:

Legal Description:

Amount \$ _____

Term: _____

Issued by:

City Clerk
City of Port Alberni

This certificate is transferable with the sale of the Parcel.

This certificate may be revoked by City of Port Alberni at any time should Council determine that the Parcel improvements on which this certificate is based have not been maintained, or have been altered so that they no longer comply with the requirements of the Revitalization Bylaw provisions.



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on October 31, 2013
in the Committee Room at City Hall at 12:00 p.m.)**

Advisory Planning Commission

Chris Colclough (Chair)
Seva Dhaliwal
Vern Barnett
Wes Hewitt
Janice Johnson (Tseshah First Nation)
Randy Thoen (P.A.F.D. Liaison)
S. Sgt. Mike Coady - (R.C.M.P. Liaison)
Councillor Rob Cole (Alternate – Council)

Staff

Scott Smith, City Planner
Cara Foden, Planning Technician

Regrets

Shelley Chrest
Larry Ransom (S.D.70 Liaison)
Councillor Hira Chopra - (Council Liaison)
Linda Kelsall (Vice-Chair)
Jim Tatoosh (Hupacasath First Nation)

Guests

Raymond deBeeld - Applicant
Public - 0
Mayor John Douglas
Scott McKenzie, AV Times

Alternates (not in attendance)

John Bennie (Alternate S.D.70)



1. Adoption of August 29, 2013 Minutes

- The Minutes of the August 29, 2013 meeting of the Advisory Planning Commission were adopted. The City Planner reminded the Commission that only voting members are permitted to make and vote on motions.

(Hewitt / Barnett) CARRIED

2. DEVELOPMENT APPLICATION – Temporary Use Permit

3868 Wood Avenue – (PID: 026-760-878)
(Lot 1, District Lot 45, Alberni District, Plan VIP81430)
Applicant: H. and S. Rai

- The City Planner summarized his report to the APC dated October 24, 2013.
- The APC discussed the application with respect to the following:
 - The Commission discussed the recommendation that the RV trailers be removed from the site within 4 months. The period of time would give the owner ample time to comply with the notice period under the Residential Tenancy Act.
 - The number of RV's on the site has increased to 7 currently.



- The transient nature of the tenancies was sometimes problematic due to noise related disturbance for the adjacent residential neighbourhood.
- The applicant has applied for a Temporary Use Permit to allow Recreational Vehicles to be used as residential units on the site for the maximum period of three years and would be able to apply for a three year extension.
- R. Thoen, PAFD, advised the Commission that there are no Building or Fire Codes regulating the use of Recreational Vehicles for long term housing. They are not considered safe for residential use and there is no mechanism through which the City or the Fire Department could ensure that they are made safe for the proposed use and term.
- It was noted that CSA Certification does not provide for safe residential use and it is specifically noted in RV manuals that they are not intended for that purpose.

MOTIONS:

1. *The City of Port Alberni Advisory Planning Commission recommends to City Council that the City deny the Temporary Use Permit for 3868 Wood Avenue.*

2. *The property owner be required to have the trailers removed within 4 months.*

(Barnett / Hewitt) CARRIED

3. DEVELOPMENT APPLICATION – Development Variance and Development Permits

4616 Athol Street

(Lots 1-3, Block 54, District Lot 1, Alberni District, Plan VIP197B must be consolidated to create new legal parcel)

Applicant: Raymond deBeeld Architect Inc.

- The City Planner summarized his report to the APC dated October 24, 2013.
- The APC discussed the application with respect to the following:
 - The Commission asked if the size of the lot presented any issues with respect to accessing the site to fight a fire. R. Thoen, PAFD, advised the commission that the former building had been accessible from 3 out of 4 sides and that fighting the fire had not been difficult from an accessibility perspective. He noted that the proposed building would be built to much higher building code standards than the previous building had been and also that the proposed building would be set further back from the lane access than the previous building had been. The Fire Department is very supportive of the project and it is an improvement over the former building.
 - Open Space requirements were discussed. It was noted that the drawings in the report are conceptual and that Landscaping Plans and security will be required when the applicant applies for a Development Permit. The building design does include common indoor recreational space but that does not count towards fulfilling the Open Space requirements in the Zoning Bylaw resulting in the Variance request.

MOTIONS:

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw 4395 as follows:*
 - a. *Vary Section 5.13 Projections for cantilevered balconies into a side yard by 3.55 metres to allow the setback to go from 3.75 metres to 0.2 metres;*
 - b. *Vary Section 5.13 Projections for cantilevered balconies into a front yard by 3.25 metres to allow the setback to go from 4.75 metres to 1.5 metres;*
 - c. *Vary Section 5.13 Projections for open porches into a front yard by 4 metres to allow the setback to go from 4.15 metres to 0.15 metres;*
 - d. *Vary Section 6.9.3 Bulk and Site Regulations for the Front Yard Setback from 6 metres to 1.5 metres, a variance of 4.5 metres;*
 - e. *Vary Section 6.9.3 Bulk and Site Regulations for the North Side Yard Setback from 5 metres to 1.73 metres, a variance of 3.27 metres;*
 - f. *Vary Section 6.9.3 Bulk and Site Regulations for the Rear Yard Setback from 9 metres to 2.9 metres, a variance of 6.1 metres;*
 - g. *Vary Section 7.7 Required Amount of Parking from 30 parking spaces to 24 parking spaces, a variance of 6 parking spaces;*
 - h. *Vary Section 7.2.7 Off-Street Parking (General Regulations for the Front Lot Line Setback from 1.5 metres to 0.6 metres, a variance of 0.9 metres;*
 - i. *Vary Section 7.2.8 Off-Street Parking (General Regulations) for the Side Lot Line Setback from 1 metre to 0 metres, a variance of 1 metre;*
 - j. *Vary Section 6.9.4 Conditions of Use Regulations for Useable Open Space from 432 m² to 197 m², a variance of 235 m²;*

for the property located at 4916 Athol Street.
2. *That City Council give notice of intent to consider the issuance of a Development Variance Permit for 4916 Athol Street.*

(Hewitt / Barnett) CARRIED

4. Status Update – Current Projects - City Planner

- "Zoning Text Amendment No. T38 (4921 Bute Street – Medical Marihuana Facility), Bylaw No. 4825" has been given 3rd reading.
- Zoning Bylaw Review Project – A draft bylaw has been sent out for legal review. A public meeting will be held in November and once any changes have been made the formal Bylaw adoption process will begin.
- An RFP has been put out, by the Uchucklesaht Tribe, for renovations to the former Somass Hotel.
- Residential units in the remaining portion of the Beaufort Hotel may be approved for occupancy in the near future.

5. Other Business

6. Adjournment – The meeting adjourned at 1:00 p.m. The next regularly scheduled meeting will be **November 21, 2013** at 12:00 pm in the Committee Room at City Hall.

(Colclough / Barnett) CARRIED



City Clerk

Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: October 24, 2013

SUBJECT: DEVELOPMENT APPLICATION
Temporary Use Permit – 3868 Wood Avenue
Applicants: H. and S. Rai

ISSUE

The City has received an application for a Temporary Use Permit on 3868 Wood Avenue.

BACKGROUND

A Temporary Use Permit may do one or more of the following:

- Allow a use not permitted by a zoning bylaw;
- Specify conditions under which the temporary use may be carried on;
- Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

Early in 2013 City Council approved an amendment to the Official Community Plan to allow for consideration of Temporary Use Permits (TUP). For information the policy is as follows:

“TEMPORARY USE PERMITS

The Local Government Act (Section 921) allows a local government to issue a Temporary Use Permit. The permit may be issued for a three year term, with the possibility of a renewal for an additional three years.

Council Policy

- 1. Temporary Use Permits may be considered on all lands designated Industrial or Commercial on Schedule “A” (Land Use Map).*
- 2. The issuance of a Temporary Use Permit is intended to provide a short term opportunity for uses that either relocate or cease to exist within a maximum of a six year period.*
- 3. Ensure long term public policy for the area is not changed.*
- 4. Maintain a reasonable level of compatibility with the surrounding development.”*

The property at 3868 Wood Avenue currently has several recreational trailers on the site with people living in them. The property owner has not determined a long term use for the land and would like to continue to have the trailers on the site and has applied for a TUP for 8 sites for a 3 year term.

DISCUSSION

Surrounding use

The surrounding uses are a mix of commercial and residential. The Hospitality Inn parking lot is directly to the west and the Alberni Inn is directly south of 3868 Wood Avenue. To the north is single family residential. Across Wood Avenue to the east is a small mobile home park and the Reford Motor Inn. This portion of Wood Avenue is designated as a Collector Road in the Official Community Plan.

Official Community Plan Policy

The proposed temporary use of 3868 Wood Avenue for long term residential use of recreational trailers does substantially comply with the OCP policy for TUP. The trailers could be easily relocated and this temporary use would not negatively impact the long term use of the property. The level of compatibility with the surrounding area is likely open to different opinions. This property is in a transition area from the primarily commercial area on Redford Street to the fully residential area to the north. If the land is maintained to a high level and the trailers are cared for, some may consider the use compatible.

If on the other hand the land and trailers are not well maintained the nearby residential properties and the public may not see the use being compatible. A new solid fence along Wood Avenue would assist in improving the appearance of the property. Some lighting at the entrance to the property would also be an improvement in appearance and could add to the safety of the site.

Infrastructure

The Engineering department is recommending that each trailer be connected to the City water and sanitary sewer, with approved connections and installation of clean-outs at property line. The Engineering department would also like to have the on-site utilities documented, with verification of the size and condition of these services.

Recreational Trailers

Trailers and recreational vehicles are not intended, nor constructed for, long term residential use. Recreational trailers are not a form of housing and from a land use planning perspective the Planning department does not support a temporary use permit for this purpose.

CONCLUSIONS

In considering the Temporary Use Permit, the Advisory Planning Commission and City Council should consider whether this TUP is appropriate for the community.

Trailers and recreational vehicles are not intended for, nor constructed for, long term residential use. From a land use planning perspective the Planning department does not support a formal recognition of recreational trailers as a form of housing even under a TUP. The property owner should be given 4 months to have the trailers removed in order to provide the existing tenants adequate notice under the Residential Tenancy Act.

If the APC and City Council are supportive of the TUP, the Planning department would recommend the following conditions be required as part of the permit:

1. That each trailer site be connected to City services with proper connections and clean outs, approved by the City Engineer.
2. That the on-site utilities be documented.
3. Installation of a 1.25 metre high solid fence along Wood Avenue, except for the access.
4. That lighting be added at the entrance to the property.

RECOMMENDATION

1. *The City of Port Alberni Advisory Planning Commission recommends to City Council that the City deny the Temporary Use Permit for 3868 Wood Avenue.*
2. *The property owner be required to have the trailers removed within 4 months.*

Respectfully submitted



Scott Smith, MCIP
City Planner

Bylaw 4395

6.19 C4 - HIGHWAY COMMERCIAL DISTRICT

6.19.1 General Purpose

To establish and maintain areas offering a high level of visibility which provide services for vehicular traffic and tourists.

6.19.2 Permitted Uses

- Motels and Motor Hotels
- Gasoline Service Stations
- Car Washes
- Motor Vehicle Dealers
- Motor Vehicle Repair Shops
- # 4581 Mar 14-05 ~~Boat or Recreational Vehicle Sales~~
- # 4581 Mar 14-05 *Boat or Recreational Vehicle Sales & Repair*
- Household Appliance and Furniture Stores
- Convenience Stores
- Home and Auto Supply Stores
- General Merchandise Stores
- Garden Supply Shops
- Gift Shops
- Personal Services Shops
- Self-Service Laundries and Dry Cleaners
- Tourist Guide Services
- Restaurants including Drive-Thru, Drive-In and Take-Out
- Banks and Other Financial Institutions
- Accessory Buildings and Uses
- #4459 Oct 23-00 *Video Rental Stores*
- #4459 Oct 23-00 *Retail Stores*
- #4524 July 14-03 *Notwithstanding any provisions of this Bylaw, Liquor, Wine and Beer Stores is a permitted use of Lot 1, District Lot 45, Alberni District, Plan 50735 and Lot A, District Lot 1, Alberni District, Plan 33048.*

6.19.3 Bulk and Site Regulations

Minimum Lot Area	930 m ²	(10011 ft ²)
Minimum Frontage	30 m	(98.4 ft)
Maximum Coverage	40%	

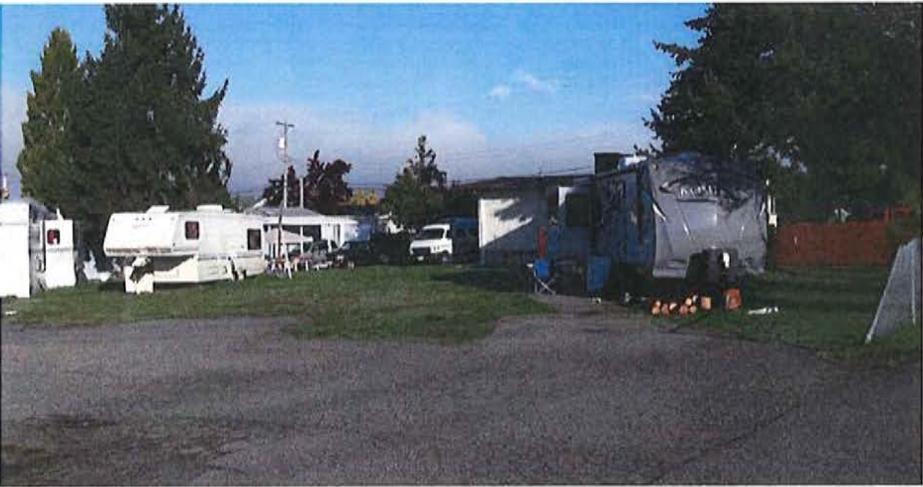
Bylaw 4395

Minimum Setbacks:		
Front Yard	9 m	(29.5 ft)
Rear Yard	6 m	(19.7 ft)
Side Yard	6 m	(19.7 ft)
Maximum Building Height	9 m	(29.5 ft)
Maximum Number of Principal Building Storeys	2	

6.19.4 Conditions of Use

Notwithstanding the provisions of 6.19.3,

- a) All business activity, including the servicing and repair of automobiles, shall be conducted within a completely enclosed building except for drive-in and drive-thru businesses, fruit and vegetable markets, ice dispensaries and vending machines, activities that are normally done a gasoline service pump, outdoor garden shops and parking and loading facilities.







CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: October 24, 2013

SUBJECT: DEVELOPMENT APPLICATION
Development Variance and Development Permit
4916 Athol Street – (PID's: 000-064-891, 000-063-924, and 000-065-374)
(Lots 1-3, Block 54, District Lot 1, Alberni District, Plan VIP197B)
Applicant: Raymond deBeeld, Architect, for Robin Gauthier dba 413549 BC Ltd.

ISSUE

At issue is the consideration of an application for a combined Development Variance Permit (DVP) and Development Permit (DP). The applicant is applying to vary zoning regulations to facilitate the redevelopment of the site of a former apartment building at 4916 Athol Street.

BACKGROUND

The original apartment building was 4 storeys with 26 rental units and was constructed in 1964. The former building was destroyed by fire on May 31, 2011 and subsequently demolished with the exception of the foundation and a covered parking area which did not require demolition. The applicant is proposing to build a very similar building to replace the one destroyed by fire. The new building is proposed to be 4 storeys with 24 residential rental units. This application is somewhat unusual as the owner is only trying to replace the building that was destroyed by fire with a similar size project. The bylaw regulations in place today are different than when the original building was constructed. Because the building was destroyed to more than 75% of its value the new building must comply with today's building code and local government bylaws.

There is an active rezoning application on the property to change the zone to the RM3 – Higher Density Residential District. The amending bylaw has been given 3rd reading and final adoption is only subject to lot consolidation, which should be completed shortly. The DVP is also subject to lot consolidation.

The Development Permit process will review the form and character of the project. This report covers only the requested variances to the Zoning Bylaw.

The following table summarizes the requested variances.

<u>Zoning Requirement</u>		<u>Regulation</u>		<u>Proposed</u>	<u>Variance</u>
Balcony projection (north side)	from	3.75 m	to	0.2 m	3.55 m
Balcony projection (east side)	from	4.75 m	to	1.5 m	3.25 m
Patio projection (east side)	from	4.15 m	to	0.15 m	4 m
Front Yard Setback (east side)	from	6 m	to	1.5 m	4.5 m
Side Yard Setback (north side)	from	5 m	to	1.73 m	3.27 m
Rear Yard Setback (west side)	from	9 m	to	2.9 m	6.1 m
Parking Spaces	from	30	to	24	6
Parking Lot Setbacks	from	1.5 and 1 m	to	0.6 and 0 m	0.9 and 1 m
Useable Open Space	from	432 m ²	to	197 m ²	235 m ²

DISCUSSION

Surrounding Area

The site is located on the southwest corner of 4th Avenue and Athol Street and would provide a higher density residential use appropriately located close to the Uptown commercial core. To the north across Athol Street there are several single family dwellings adjacent to a public hall (Chinese Canadian Society). East of the site the area is primarily residential use in the One and Two Family Residential District. To the south of the site there are three residential lots and then the Argyle Street and commercial Uptown core area. To the west are transitional office commercial uses fronting on the predominately commercial stretch of 3rd Avenue.

Balcony and patio projections

The Zoning bylaw allows for cantilevered balconies to project into a front or side yard setback by 1.25 metres and also allows patios (open porches) to project into a front yard setback by 1.85 metres. The cantilevered balconies facing Athol Street and 4th Avenue and the ground level patios facing 4th Avenue will require a variance to increase the allowable projection. A plan is attached that demonstrates this graphically. The patio and balcony variances are from the original zoning setback requirements.

Yard Setbacks

Although the building is designed to use Athol Street as a front entrance, the legal frontage is along 4th Avenue. The front, rear and one of the side yard setbacks will require variances, as noted in the table above, to accommodate the proposal. Although variances are required, all three of the proposed setbacks are an improvement from the previous building.

Parking

The Zoning bylaw requires 1.25 parking spaces per dwelling unit, totaling 30 for the proposed new building. A variance to allow 6 fewer parking spaces is required. The former layout had only 22 stalls for the old building with 26 units (0.85 per unit) while the new proposal is for 24 stalls (1.0 per unit). The site is located within walking distance of the urban amenities along Argyle, Third and Harbour Quay waterfront. Public transportation is close by. The design includes secure indoor parking for bicycles, scooters and medichairs on the lower level.

Parking lots in the multi-family zones have setback requirements from property lines. The bylaw requires parking lots to have a 1.5 metre setback from the front lot line. The parking lot is proposed to have a 0.6 metre setback from the 4th Avenue front lot line. This is similar to what was there before, but will have a landscaping strip between the sidewalk and the parking lot. The bylaw also requires parking lots to have a 1 metre setback from side lot lines. The parking lot is proposed to have a 0.0 m setback on the south side lot line. This is adjacent to a lane and is similar to the previous layout and should not have a negative impact.

Open Space

The multi-family zones in the Zoning Bylaw have an open space requirement that is based on the size and number of dwelling units. For the proposed building the required open space works out to 432 m² (4650 ft²). The definition of open space allows patios and balconies to count for no more than 50% of the space. The open space proposed for the project includes 230 m² of balcony and patio space and 82 m² of qualifying outdoor open space. After 50% of the patio and balcony area is deducted the total qualifying area is 197 m². A variance of 235 m² (2530 ft²) for the open space is required. The patios and balconies are larger than the previous building and although the interior recreation space does not officially count towards the useable open space, it does provide an area for social events and other activities.

CONCLUSIONS

The property at 4916 Athol Street was a 26-unit apartment building for many years until it was destroyed by fire. The proposed building will have 24-units and meet today's building code. The new building will provide good rental housing and will contribute to the revitalization of the Uptown.

Although the applicant is requesting a number of variances, the proposed building will be more compliant than the previous legal non-conforming building. The proposed variances will not result in an increase in density from the previous apartment building, but will in fact allow for a new building of a slightly smaller size. The Planning Department supports the issuance of a Development Variance Permit to allow for development of a replacement apartment building at 4916 Athol Street.

RECOMMENDATIONS

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw 4395 as follows:*

-
- a) *Vary Section 5.13 Projections for cantilevered balconies into a side yard by 3.55 metres to allow the setback to go from 3.75 metres to 0.2 metres;*
 - b) *Vary Section 5.13 Projections for cantilevered balconies into a front yard by 3.25 metres to allow the setback to go from 4.75 metres to 1.5 metres;*
 - c) *Vary Section 5.13 Projections for open porches into a front yard by 4 metres to allow the setback to go from 4.15 metres to 0.15 metres;*
 - d) *Vary Section 6.9.3 Bulk and Site Regulations for the Front Yard Setback from 6 metres to 1.5 metres, a variance of 4.5 metres;*
 - e) *Vary Section 6.9.3 Bulk and Site Regulations for the North Side Yard Setback from 5 metres to 1.73 metres, a variance of 3.27 metres;*
 - f) *Vary Section 6.9.3 Bulk and Site Regulations for the Rear Yard Setback from 9 metres to 2.9 metres, a variance of 6.1 metres;*
 - g) *Vary Section 7.7 Required Amount of Parking from 30 parking spaces to 24 parking spaces, a variance of 6 parking spaces;*
 - h) *Vary Section 7.2.7 Off-Street Parking (General Regulations for the Front Lot Line Setback from 1.5 metres to 0.6 metres, a variance of 0.9 metres;*
 - i) *Vary Section 7.2.8 Off-Street Parking (General Regulations) for the Side Lot Line Setback from 1 metre to 0 metres, a variance of 1 metre;*
 - j) *Vary Section 6.9.4 Conditions of Use Regulations for Useable Open Space from 432 m² to 197 m², a variance of 235 m²;*

for the property located at 4916 Athol Street.

2. That City Council give notice of intent to consider the issuance of a Development Variance Permit for 4916 Athol Street.

Respectfully submitted



Scott Smith, MCIP
City Planner

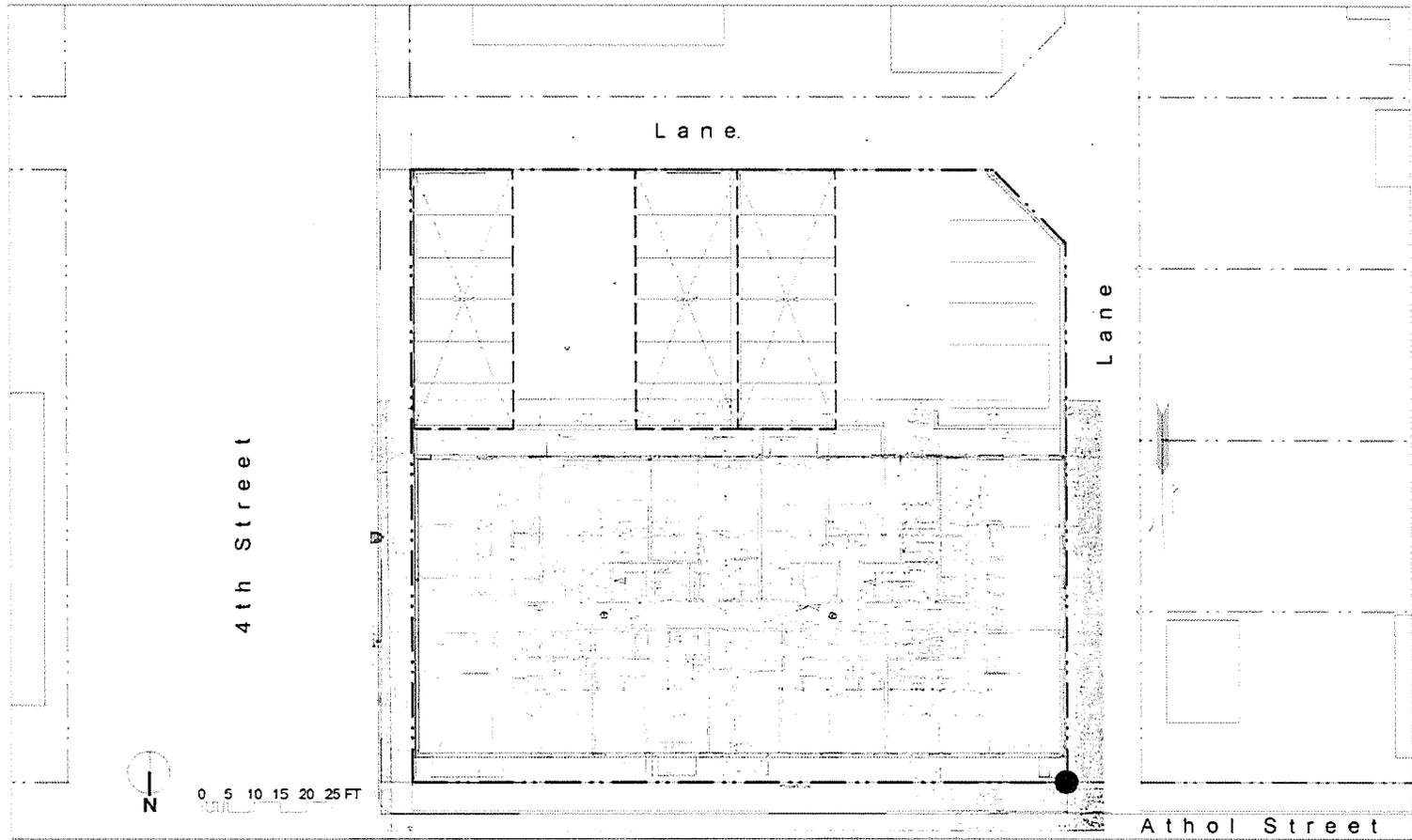


SUBJECT PROPERTIES - 4916 Athol St.



MANOR HOUSE APARTMENTS

October 7, 2013

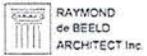
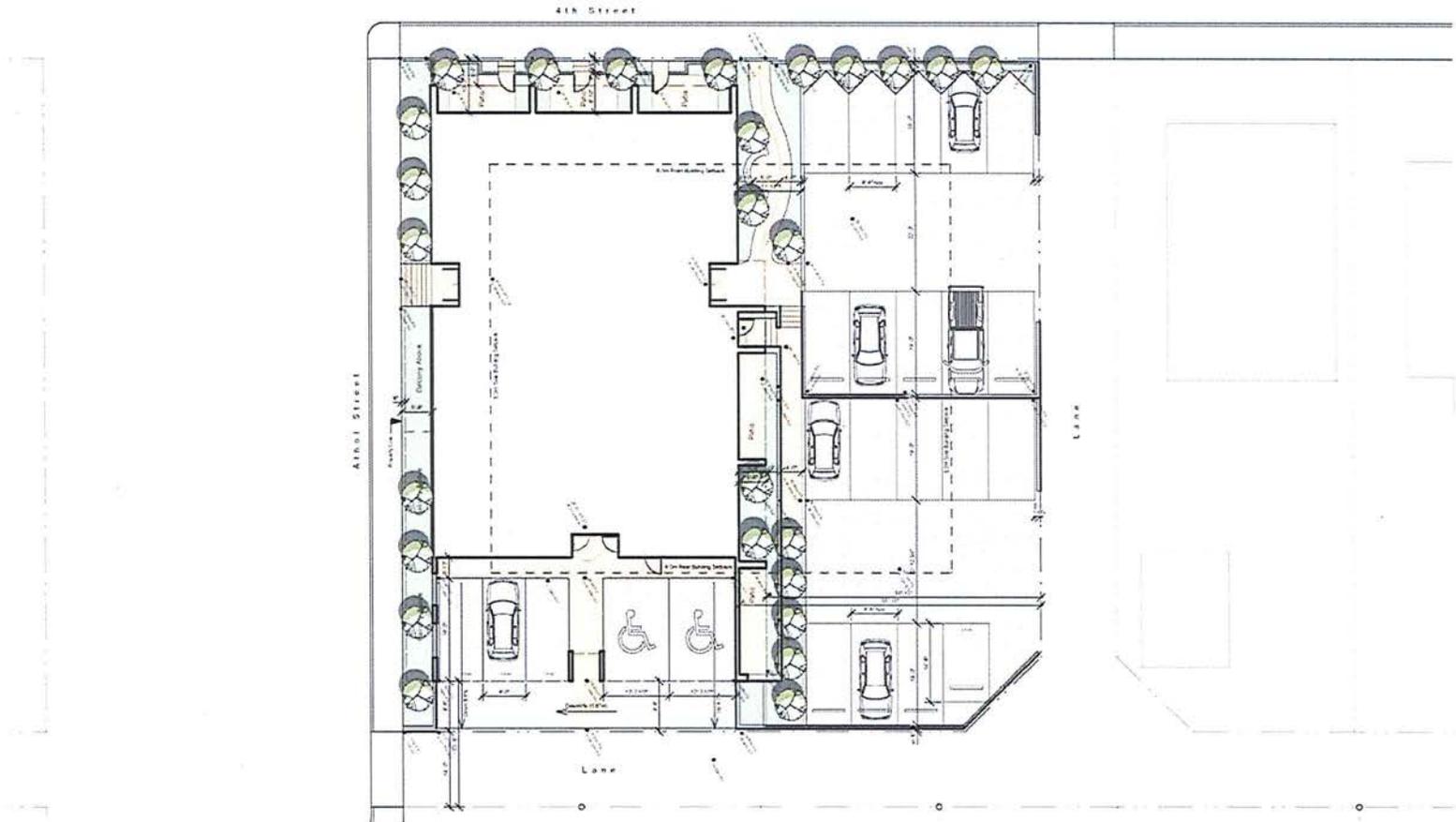


PLANNING DEPARTMENT
111 W. BROAD ST.
AMHERST, MA 01002

MANOR HOUSE APARTMENTS

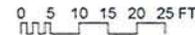
Original Building/ Site Plan

October 7, 2013



MANOR HOUSE APARTMENTS

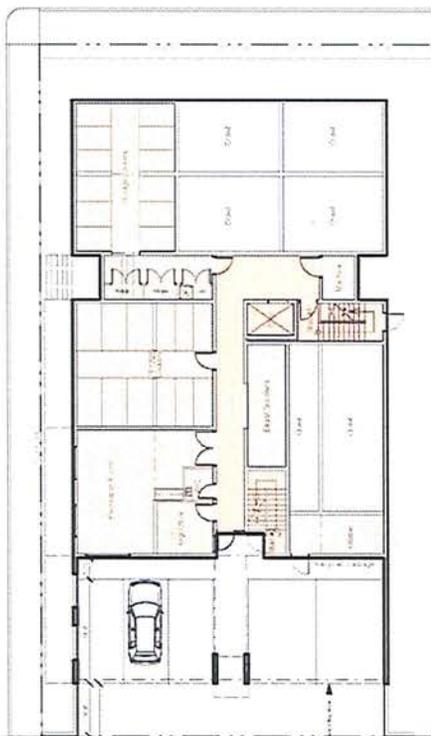
Site Plan



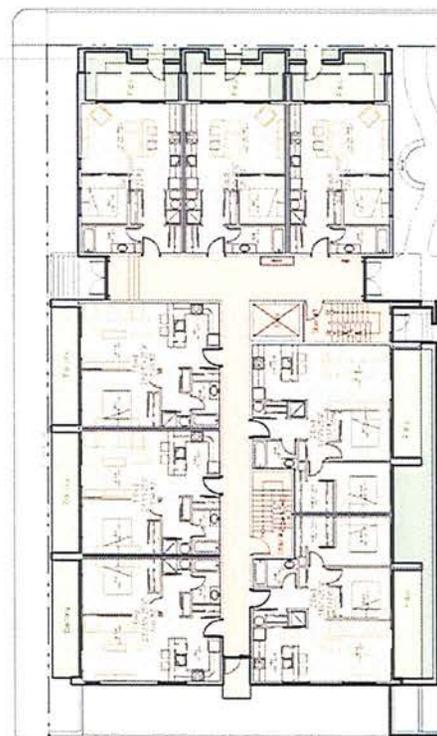
October 23, 2013

Project Description: Manor House Apartments Oct 7, 2013			
Civic Address	4316 Alder Street, Pptl Albem, DC		
Legal Address	Lot 1-3, Block 54, District of Columbia, District Plan VP1137B		
Zoning	RM3 Proposed (RM2 Former)		
Property Area	14,652 sq ft (1,361.2 sq m)		
Building Area (Gross)			
	Former RM2	Required RM3	Proposed
Floor L1	7,213 sq ft (670.11 sq m)	5,859 sq ft (544.32 sq m)	5,859 sq ft (544.32 sq m)
Floor L2	7,213 sq ft (670.11 sq m)	5,859 sq ft (544.32 sq m)	5,859 sq ft (544.32 sq m)
Main Floor L2	7,213 sq ft (670.11 sq m)	5,859 sq ft (544.32 sq m)	5,859 sq ft (544.32 sq m)
Sub Total P.A. FAR Calc	21,639 sq ft (2,010.32 sq m)	17,577 sq ft (1,632.96 sq m)	17,577 sq ft (1,632.96 sq m)
Floor L1	3,519 sq ft (324.93 sq m)	2,959 sq ft (274.9 sq m)	2,959 sq ft (274.9 sq m)
Total	25,158 sq ft (2,335.25 sq m)	17,562 sq ft (1,633.84 sq m)	20,536 sq ft (1,907.86 sq m)
Units			
1 Bed	3	0	0
2 Bed	16	6	6
3 Bed	3	3	3
1 Bed Small	0	0	0
Total	22	9	9
Zoning Requirements			
	Former RM2	Required RM3	Proposed RM3
Site Coverage	43%	50%	40%
Floor Area Ratio (FAR)	1.47	1.2 + bonus	1.2
Front setback (incl. incl. side)	5'-0"	10'-0" (6.9 m)	10'-0" (1.2 m)
Side setback (incl. incl. side)	5'-0"	16.4 ft (5.0 m)	10'-0" (1.2 m)
Side setback (incl. incl. side)	5'-0"	16.4 ft (5.0 m)	10'-0" (1.2 m)
Rear setback (incl. incl. side)	0'-0"	29.5 ft (9.0 m)	10'-0" (1.2 m)
Parking setback-recept. (CAM)	0	1m side	0
Building Height	40.32'	41 ft (12.5 m)	40.32' (12.5 m)
Number of Stories	4	4	4
Number of Units per Floor	6	1 unit per floor	1 unit per floor
Parking			
	Existing	Required	Proposed
Regular car (18'x11')	21 (17 existing)	25	21
Small car (17'x11')	3	6	1
Drop off	0	0	0
Handicapped (BCDC 3.9.3.4)	1	1	2
Total Parking (1.25 per Dwelling)	25	32	24 (17 existing)
Total Loading	0	0	0
Notes			
Site coverage includes setbacks			
parking stalls under building			
min. 22' wide drop area			
F.P.A. = Foot Square			
Height includes elevator shaft			
Plans created in ProCAD or AutoCAD with AutoCAD			

Project Data



Floor Plan L1



Floor Plan L2



MANOR HOUSE APARTMENTS

Floor Plans L1 & L2

October 7, 2013



NORTH ELEVATION

WEST ELEVATION

- Material Legend**
- 1. Green Painted Concrete
 - 2. Yellow Painted Concrete
 - 3. Brown Painted Concrete
 - 4. Concrete
 - 5. Glass
 - 6. Steel
 - 7. Wood
 - 8. Brick
 - 9. Stone
 - 10. Metal
 - 11. Painted Metal
 - 12. Painted Brick
 - 13. Painted Stone
 - 14. Painted Wood
 - 15. Painted Glass
 - 16. Painted Steel
 - 17. Painted Concrete
 - 18. Painted Brick
 - 19. Painted Stone
 - 20. Painted Wood
 - 21. Painted Metal
 - 22. Painted Glass
 - 23. Painted Steel
 - 24. Painted Concrete
 - 25. Painted Brick
 - 26. Painted Stone
 - 27. Painted Wood
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EAST ELEVATION



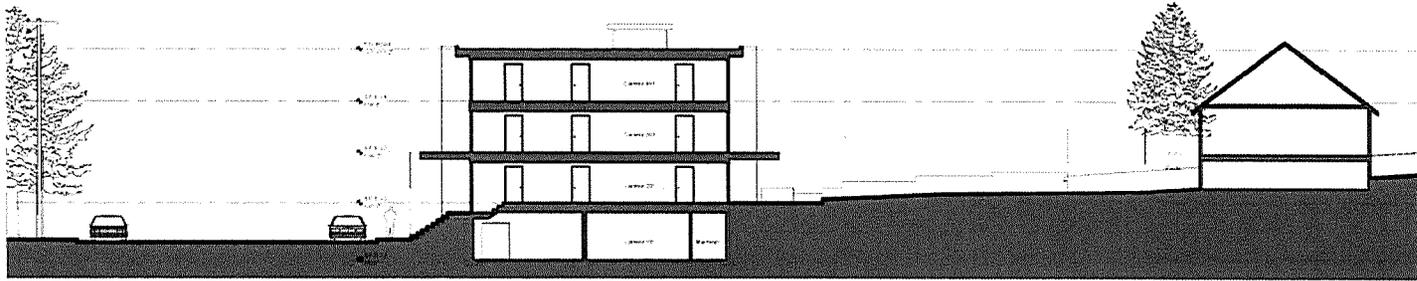
SOUTH ELEVATION



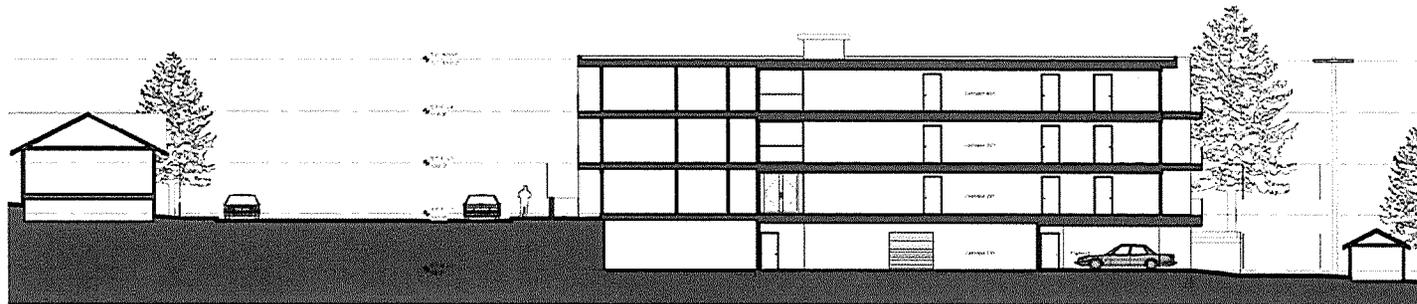
MANOR HOUSE APARTMENTS

Elevations

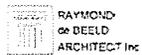
October 7, 2013



SECTION 1



SECTION 2

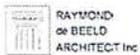


RAYMOND
& BEELD
ARCHITECT INC.

MANOR HOUSE APARTMENTS

Sections

October 7, 2013



MANOR HOUSE APARTMENTS

Perspective 1

October 7, 2013



MANOR HOUSE APARTMENTS

Perspective 2

October 7, 2013



MANOR HOUSE APARTMENTS

Perspective 3

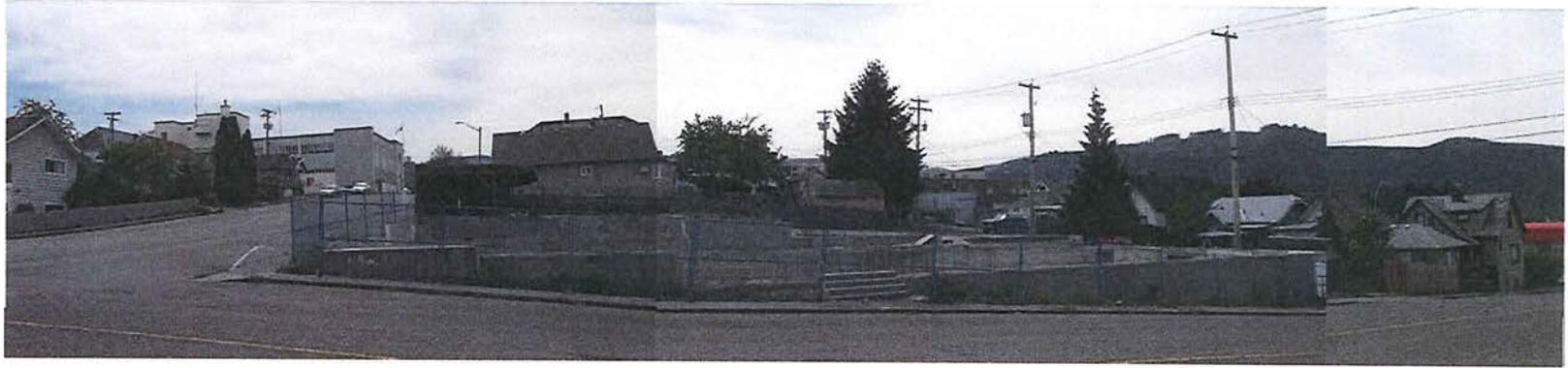
October 7, 2013



MANOR HOUSE APARTMENTS

Perspective 4

October 7, 2013

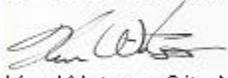




FINANCE DEPARTMENT

TO: Ken Watson, City Manager
FROM: Cathy Rothwell, Director of Finance
COPIES TO: Mayor and Council
Davina Hartwell, City Clerk
DATE: October 28, 2013

I concur, forward to next
Regular Council Meeting
for Consideration:


Ken Watson, City Manager

SUBJECT: Request For Proposal #02813 – Banking Services

Background

It has been the practice of the City of Port Alberni to issue Requests for Proposals for Banking Services approximately every five years. On August 15, 2013 the City issued a Request For Proposal for Banking Services to six financial institutions. The Proposal closed October 11, 2013 with submissions from the following:

- BMO Bank of Montreal
- TD Canada Trust
- Royal Bank
- Bank of Nova Scotia
- Coastal Community Credit Union

The following criteria (not in order of importance) were used to evaluate the five proposals:

- Banking professionals providing customer service;
- Municipal references;
- Basic requirements;
- Services costs for cash management services;
- General banking costs;
- Interest compensation/cost;
- Customer service;
- Innovative techniques in providing banking service.

Discussion

All of the proposals were comprehensive and well prepared, and offered excellent value for service. While products varied from institution to institution, BMO Bank of Montreal and Scotiabank both offered superior value for combined service costs and investment earnings. The decision to recommend one over the other came down to the not insignificant cost and time involved in

transitioning to a new banking service provider; and fees versus interest earnings on maintenance of a minimum aggregate balance.

The City of Port Alberni and BMO Bank of Montreal have had a successful business relationship for more than 46 years. Customer service from BMO's banking professionals has been exemplary, and their cash management services and technological advances competitive.

Recommendation

The Director of Finance recommends that the City of Port Alberni enter into a five year agreement for the provision of banking services with BMO Bank of Montreal beginning January 1, 2014 and expiring December 31, 2018. The following resolution is proposed:

That the report from the Director of Finance dated October 25, 2013 outlining results of proposals received in response to the RFP for provision of Banking Services, be received and Council for the City of Port Alberni concur with the recommendation to award the City's Banking Services to BMO Bank of Montreal for a five year term commencing January 1st, 2014.

Respectfully submitted,



Cathy Rothwell
Director of Finance



CITY OF PORT ALBERNI

CLERKS DEPARTMENT REPORT

TO: Ken Watson – City Manager
FROM: Jake Martens, Administrative Assistant/Office Manager
COPIES TO: City Clerk – Davina Hartwell
DATE: November 1, 2013

I concur, forward to next
Regular Council Meeting
for Consideration:


Ken Watson, City Manager

SUBJECT: Draft Federal Policy on Additions-to-Reserves

ISSUE:

At the October 15, 2013 Regular Meeting, Council requested that staff provide further information concerning the federal governments proposed changes to the 'Policy on Additions to Reserve and Reserve Creation'. This was in response to the letter dated October 8, 2013 from Delta Mayor Lois Jackson who expressed concerns with such changes and requested those cities with similar concerns contact the Minister of Aboriginal Affairs and Northern Development directly.

BACKGROUND:

The Additions to Reserve (ATR) process was developed in the early 1970's by the federal government to allow First Nations to create new reserves or add land to existing reserves. Since its creation there has been two revisions to the policy, in 1991 and then again in 2001.

The proposed changes are a result of multiple requests to the federal government that were brought to the attention of the Standing Senate Committee on Aboriginal Peoples'.

According to Aboriginal Affairs and Northern Development Canada (AANDC) the current draft policy aims to:

1. streamline the ATR proposal and remove duplication;
2. clarify roles and responsibilities; and
3. facilitate economic development.

The UBCM First Nations Relations Committee has been monitoring the ATR policy review since December of 2010. The draft policy was released in the summer of 2013 and AANDC has been seeking feedback from First Nation practitioners and other interested parties since then. The UBCM provided notification to member municipalities in a release dated August 6, 2013 inviting feedback through online submissions. This release was received by Council at the September 9, 2013 Regular Meeting. The deadline for online submissions closed on October 31st, 2013.

DISCUSSION:

After a review of the draft policy staff provides the following comments for Council's consideration on the changes proposed:

Selection Area

The 2013 draft policy contains a suggested change to the selection area for a proposed addition to reserve. Traditionally, the ATR process has been focused on a contiguous-land approach which considered potential additions adjacent to existing reserves. The new draft policy departs from this approach considerably and contemplates proposals for any land within or outside of a First Nations traditional territory, provided it is within the province where the majority of the First Nation's existing reserve land is located.

This means, for example, that a First Nation in the Lower Mainland or another part of the province could acquire property in Port Alberni and submit an ATR application for consideration. If approved, the property would be removed from municipal jurisdiction. Impacts from such an example could include lost tax revenues to the municipality as well as potential complications with respect to service infrastructure and land use planning.

Agreements

The 2013 draft ATR policy also removes the requirement for First Nations and local governments to establish agreements related to matters such as service provision, land use planning, tax considerations and bylaw harmonization for proposed ATR lands. The new policy states that such agreements "may" be necessary and anticipates that the parties will negotiate to resolve these issues with the possibility that AANDC could either approve or withdraw support for the proposal based on their assessment of the negotiations.

Given that tax considerations are a primary issue, there are provisions in the policy concerning negotiations between a First Nation and a local government for a net tax loss adjustment payable by the First Nation. This payment is proposed to provide an adjustment to the net effect of the combined reduction in servicing costs and reduced tax base but not intended to compensate indefinitely for the gross level of lost taxes. This could result in an inequitable situation for local governments if ATR lands within an urban setting were developed without ongoing contributions to the municipal services and infrastructure being provided that support said development.

Consultation

The 2001 ATR policy included language regarding First Nations consulting with the province, municipality and other affected government departments. The new draft policy includes few references to local governments and the need for consultation as part of the review/approval process for ATR proposals.

Also absent from the draft policy is a timeline specific to consultation with local governments. This departs from the previous 90-day review period and instead requires that the applicant First Nation notify the affected local government in writing to provide them an opportunity to assess any potential impacts.

CONCLUSION:

Despite its stated aim, the draft ATR policy provides little clarity or certainty for local governments when engaging with applicant First Nations regarding ATR's within the local government. This is most evident in the limited structure prescribed for negotiations concerning services and other issues identified as part of the ATR process.

Potential impacts or risks to local governments that have been noted here and articulated by various other municipalities include jurisdictional fragmentation, loss of tax base, inconsistent bylaw coordination, servicing and land use conflicts. Specifically, local governments are apprehensive that ATRs may be approved that would result in a major development within the municipality that is exempt from zoning, and other development regulations and also exempt from property taxation required to offset the social, and infrastructure burdens the development may impose on the municipality. Although First Nations aspirations for economic development is supported and acknowledged as being mutually beneficial, local government interests need to be more fully recognized in the ATR process to avoid a potentially inequitable outcome.

While the draft policy contemplates a greatly expanded selection area, it is expected that ATR proposals within Port Alberni would most likely come from the Hupacasath and Tseshaht First Nations whose traditional territories include the City of Port Alberni and surrounding lands. It is important to note that the City has established a strong working relationship with both Nations that has resulted in partnerships and land use processes that have demonstrated mutual respect and good will.

Options:

Option 1: That Council receive this report and direct staff to convey specific concerns in a letter to the Minister of Aboriginal Affairs and Northern Development.

Option 2: That Council provide further direction to staff.

Option 3: That Council receive this report and take no further action.

RECOMMENDATION(S):

The following resolution is proposed:

That the report dated November 1, 2013 from the Administrative Assistant/Office Manager be received.

Respectfully submitted,



Jake Martens
Administrative Assistant/Office Manager

* * * *



CITY OF PORT ALBERNI

CITY MANAGER'S REPORT

TO: Mayor and Council FILE

FROM: City Manager – Ken Watson

COPIES TO: City Clerk – Davina Hartwell
Director of Finance – Cathy Rothwell
Director of Human Resources & Community Development – Theresa Kingston
Administrative Assistant – Jake Martens

DATE: November 6, 2013

SUBJECT: Financial Planning Processes & Schedule

Issue:

Staff requires Council's direction and approval regarding format and timing for the 2014-2018 Financial Planning process.

Background:

The Community Charter requires Council to adopt an annual Property Tax Bylaw and a Five Year Financial Plan prior to May 15th of each year. In addition "Council must undertake a process of public consultation regarding the proposed financial plan before it is adopted".

Financial Planning:

A first draft of the 2014 Financial Plan is currently being developed by staff. The format of the plan will include a "status quo" budget with options provided for "add-ins" and "take-aways". Cost and service implications will be provided along with each "add-in" and "take away".

During 2013 Council developed and articulated a new Strategic Plan. Options for both "add-in" and "take-away" changes noted above will be chosen with consideration of objectives and initiatives articulated in the Strategic Plan.

A public engagement and input process is needed to move forward with review and modification of this document. Over the past several years the City has undertaken comprehensive public input processes in a variety of formats. For 2014 a process including the following components is proposed:

1. Public input/information session in "World Café" format held at Echo Centre
2. Public education and survey for feedback on Financial Plan hosted on City Website.
3. Presentations by agencies receiving funding from the City of Port Alberni.
4. Presentations by City departments regarding proposed budget.

ENTERED

A tentative schedule for the 2014 process for public consultation, development, and adoption of both our Five Year Financial Plan and Tax Rate Bylaw including proposed components is proposed:

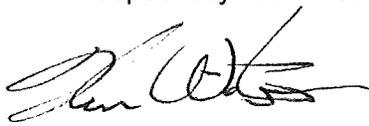
PROPOSED STRATEGIC & FINANCIAL PLAN REVIEW & APPROVAL EVENTS	TENTATIVE DATE	VENUE
Financial plan information and budget input survey hosted on City Website	January 2, 2014	www.portalberni.ca
Presentation by agencies receiving City funding – overview of operations and budget (SPCA,VIRL,IHS, COC, BCTransit)	January 6 th week	Special Council Meeting
First Draft Financial Plan Received by Council	January 13, 2014	Regular Council Meeting
Financial Plan Public Presentation – Introduction by Mayor. Overview of Financial Plan by City Manager. Public Input and discussion via world café format	January 15, 2014	Echo Centre
Public Presentations by Departments	January 27 & February 3 weeks	Special Council Meetings
Receipt of Public Input (deadline)	February 14, 2014	City Hall
Council Consideration of Public Input	February 24, 2014	Regular Council Meeting
Council Direction on Strategic Plan and Financial Plan Changes	March 10, 2014	Regular Council Meeting
Introduction of Financial Plan Bylaw (3 readings) and adoption of Strategic Plan	March 24, 2014	Regular Council Meeting
Adoption of Financial Plan Bylaw and introduction of Property Tax Bylaw (3 readings)	April 14, 2014	Regular Council Meeting
Adoption of Property Tax Bylaw	April 28, 2014	Regular Council Meeting
Deadline for Adoption of Tax Bylaw	May 15, 2014	

Recommendations:

The following resolution is proposed:

That Council for the City of Port Alberni direct staff to implement a Five Year Financial Plan development process generally as outlined in the City Manager's memo to Council of November 6, 2013.

Respectfully submitted



Ken Watson
City Manager



CITY OF PORT ALBERNI

PLANNING DEPARTMENT

TO: Ken Watson, City Manager
FROM: Scott Smith, City Planner
DATE: November 5, 2013

I concur, forward to next
Regular Council Meeting
for Consideration:


Ken Watson, City Manager

SUBJECT: Building Standards Bylaw

Issue

To consider the input received from the public regarding the draft Building Standards bylaw.

Background

City Council previously received a draft bylaw (see attached) to regulate and set a standard for the maintenance of buildings in the City of Port Alberni. Council directed staff to undertake a public consultation on the proposed Building Standards Bylaw.

A short public survey was open from September 12, 2013 to October 11, 2013 and was made available to the public primarily online via links posted on the City website. Paper copy surveys were also made available at City Hall for residents who did not wish to complete the survey online. The City also sent specific invitations for comment to the Chamber of Commerce, local real estate companies and the Uptown Business Association.

Proposed Bylaw

The main components of the bylaw are as follows:

1. All buildings will need to be maintained to standards as set out in the bylaw.
2. Vacant buildings will need to be maintained to standards as set out in the bylaw.
3. Vacant buildings shall be required to obtain a Vacant Building Registration Permit. A fee will be charged for this permit.
4. Vacant buildings must have a special safety inspection.
5. Vacant buildings shall be subject to monthly monitoring inspections.
6. The ability to issue tickets for non-compliance.

Discussion

There were 153 residences that accessed the survey with 99 to 112 answering the various questions.

There are several charts included in the report showing the results of the survey. Seventy percent mostly or fully support implementing a building standards bylaw. Fifty percent mostly or fully support the proposed standards in the draft bylaw. Unfortunately 21% indicated that they had not read the bylaw, even though it was available online with the survey. Only 36% indicated that other exterior standards should be considered under the bylaw. The comments that were received to this question are included with need for painting being repeated most often. Eighty four percent were in favour of issuing tickets for non-compliance. Fifty nine percent supported the penalties in the draft bylaw. Sixty seven percent mostly or fully supported the implementation of vacant building registration permit process and 77% support the process as drafted in the bylaw. Seventy five percent support monthly inspection of vacant buildings.

The City also received a written comment from the Chamber of Commerce. The chamber requested a definition for the word 'actively' as it relates the section 8.1 a) of the draft bylaw in order that it is clear for building owners and city officials. Instead of adding a definition, staff recommend the following wording change to section 8.1 a) *"The building is the subject of a valid demolition permit or an approved building permit for the repair and rehabilitation with the work to be completed within thirty (30) days of issuance of the permit."* This change was been referred to the Chamber of Commerce and is supported. The Chamber also requested that once the bylaw has received three readings that there be additional time for the public and the chamber to make further comment. Staff supports this idea and would propose a similar 30 day comment period that was done for the Tax Revitalization Bylaw.

The Fire Department is recommending some changes to the language in Schedule "A" Fire Protection. The following is the replacement for that section.

"Fire protection systems

3(1) Any fire protection system, including alarm and monitoring systems required by the BC Building Code must be maintained in an operational condition unless written approval to decommission the system has been received by the Fire Chief."

A following change to Section 8.4 d) is also recommended: *"Ensure that all combustible materials within a vacant building are removed to reduce any potential fire load, as determined by the Fire Chief."*

The Fire Department is also recommending a change to the definition of Fire Chief to add "or designate" that would allow the fire chief to have the deputy fire chief or fire prevention officer to also act on the bylaw.

Conclusions

Based on the input received, staff recommend the change to Section 8.1 a) as supported by the Chamber of Commerce and the changes that the Fire Department is supporting. Staff also supports a 30 day comment period after the bylaw has been given three readings.

This proposed bylaw meets City Council Strategic Objective 4.1 to ensure a positive image of the City and more specifically the Initiative 4.1.1 to update bylaws to better address derelict and nuisance properties.

Recommendation

1. *That the report from the City Planner dated November 5th, 2013 reviewing input from the public with regards to the proposed Building Standards Bylaw be received, and that Council for the City of Port Alberni direct staff to proceed with the changes as outlined in the report and bring the proposed Building Standards Bylaw to Council's next regular meeting for consideration of introduction and three readings.*

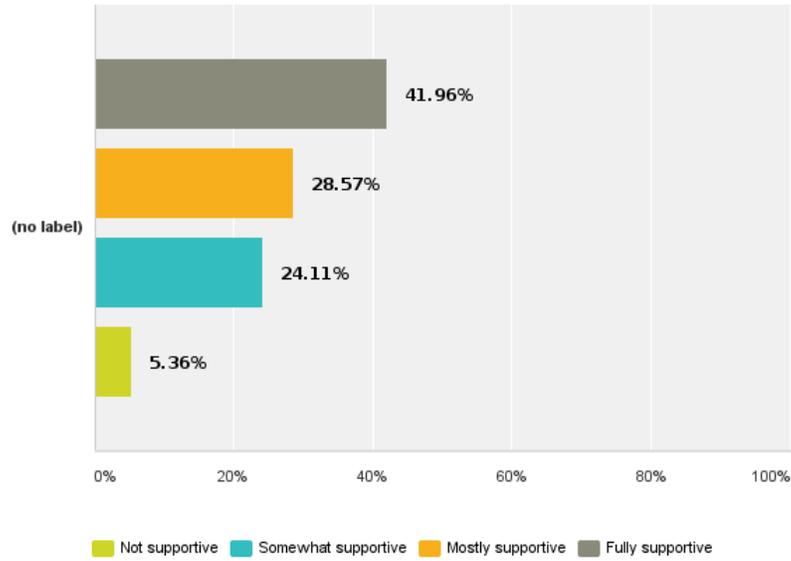
Respectfully submitted,



Scott Smith, MCIP
City Planner

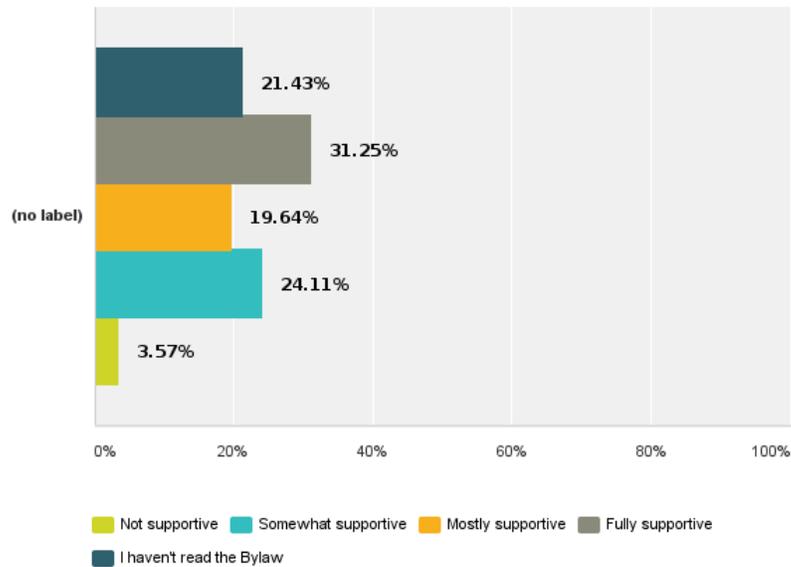
Q3 What is your level of support for implementing a building standards bylaw for Port Alberni?

Answered: 112 Skipped: 41



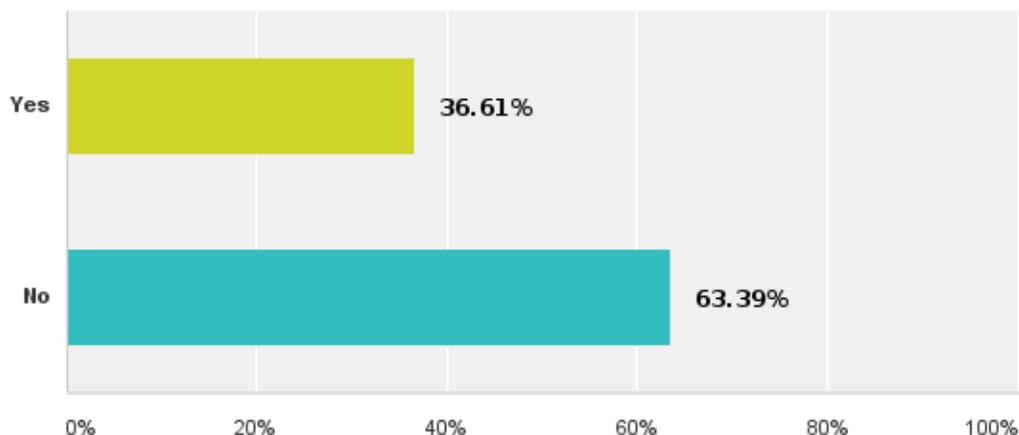
Q4 What is your level of support for the actual standards of maintenance proposed in the draft Bylaw?

Answered: 112 Skipped: 41



Q5 In your opinion, are there any other exterior standards of maintenance that should be considered?

Answered: 112 Skipped: 41



Q.5 - Comments

- Replace missing siding and large swaths of chipped paint and fix, mold and moss off of awnings, black mold dealt with, business take care of sidewalk snow removal in front of their business's, Proper window coverings.
- spend dollars to, repair more roads,sidewalks, and drop the idea on a boardwalk across town. I would like to see a public form when you come to that idea...
- there should be a theme so that the colours complement the buildings around it.... like other cities ... such as Qualicum & Parksville.. eye appealing not like we have now.
- shouldn't be broke down looking on the outfront of business. Quality not quantity
- As a owner one should be made to keep the exterior standards up to the standards of their neighborhoods. Lawn mowed, Trash picked up. Broken windows fixed.
- City of Port Alberni being responsible to check curbs on streets for quality and/or plant growth. More sidewalks available.
- In a word, neat and tidy. The exterior must be finished (paint, stain, etc).
- paint in certain pallets
- I would like to see buildings maintained, if empty. However I'm on the fence. If a "jack purdy" type owner was going to leave vacant buildings... he should be subject to a fee as his places could be rented, however he is not very giving. On the other hand, a large empty building like Zellers or the old Postal building should maintain some sort of appearance, yet is it fair to charge them because we have not been able to find interest in such large and costly buildings??
- Any building in town and along the highways that look ready to be torn down.
- I don't know
- Safety! If building are vacant they need to be safe to be still standing for example: earthquake sound, etc.
- Environment,area,traffic etc
- Neat and tidy exterior... No salvage cars visable in the front yard! Back is ok.
- Hedges and trees over side walks trimmed
- buildings and grounds should be kept clean! Absentee landlords should be accountable for building maintenance, no peeling paint, cracked stucco, unsightly grounds.

- Buildings should be as fireproof as possible.
- Is there, or could there be, a provision for removal of weeds and grass growing in the cracks of the building foundation and sidewalks?

What about snow removal from the entrance to the building and surrounding sidewalks?

Would it be possible to build in an additional annual fee to have the city maintain the weeds, snow and litter/trash removal ?

- Tidy and well kept
- If a building or a property is truly a hazard, it should be dealt with. ie: safety fence
- Landscape kept clear to help keep rodents away from unoccupied buildings.
- Schedule "B" Part ii Exterior

Please consider a time limit for a building to remain unoccupied and boarded up (2 years?) subject to fines with rising fine levels over time!

Is a forced court ordered sale of an unoccupied building legally possible after significant time sitting empty?

- Removing mildew and moss
- Keeping the properties clean and free of weeds, grass, garbage and making sure that the empty buildings are secure!
- Painting and general maintenance
- I believe as usual the city will abuse this bylaw as they do so many others. The people in this town are under enough pressure to make a living and pay bills they don't need some guy/girl from the city coming around and telling them they are going to be fined because they have a dirty yard. Out of town owners and absentee owners should be made to upkeep their buildings but not the residents of this town. Also, the city needs to find other ways to get their books in order besides blaming the fire department and passing extra taxes to the residents...START FIXING THE BLOATED CITY HALL FIRST!!!!
- The town in area's looks like ghetto. Our last child is in High School. The way things are looking we will be leaving either the Valley or the City Limits when he is done.
- Buildings should be kept up so that they are safe, and only enterable via a door with a key.
- Hedges growing out on to sidewalks and obstructing half the sidewalk.

Blackberry bushes growing out on to sidewalks from hedges eg.(Wallace st. across from Wood School, Anderson between Redford and Morton)

Houses and buildings in bad need of paint.

Excessive rubbish in yards.

Houses deemed uninhabitable taken down.

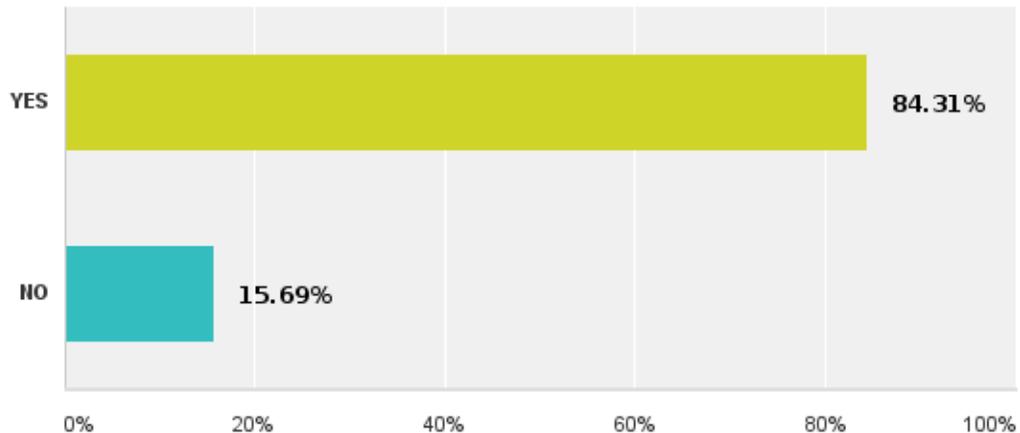
Doors that swing out at the 10th Ave. Mall because people leaving can't see people coming along the sidewalk and someone is going to get hurt. (Doors should open inward.)

- I don't like run down looking buildings especially in the uptown core the racquet club the zellers building the back of that grey building on 4th that is visible from third ave these are what contribute to a "SEEDY" look that defines what this area is
- yard
- Yards and homes/buildings should be kept tidy (no garbage, no broken windows, yard kept up). I wish the City of Port Alberni would put bylaws in place like in Anaheim California, were owners of property are responsible for the overall tidiness of the area in front of their property, including the sidewalk, street and gutters.

-
- Visual mess, be it either vehicles/parts of vehicles or any nonessential material, garbage, furniture, household items, should be hidden from view of the front street.
 - Should be safe and by rules that accommodate
 - Peeling paint, missing siding needs prompt repairs in a timely manner. Cohesive heritage colors should be used, and no bright colors of Crayola colors should be allowed such as neon pinks, school bus yellows, lime greens etc. Colors should go through a committee to ok. Bars on windows should be decorative. No flags or drug symbols should be allowed hanging in windows and window coverings need to be maintained. Weeds and snow removal on sidewalks should be the responsibility of business owners.
 - Brush, Hedges, and other foliage growing freely immediately next to public streets and respective structures should also be considered to be 'included in maintenance of said building standards' along with direct repairs/renovations to structure(s) forthwith.
 - Painting the exterior of buildings and adding window displays to empty storefronts Maybe the city could start a grant for painting instead of a break on property tax Cheaper in the long run and could create jobs for unemployed.

Q6 Are you in favour of issuing tickets for non-compliance?

Answered: 102 Skipped: 51



Q.6 - Comments

- no one likes getting tickets, just do what you're supposed to and no ticket
- unless the homeowner can show just hardship for non-compliance, each ticket should be increased with length of non-compliance.
- Failure to act requires consequences.
- A non-compliant house will bring down the property value of those surrounding it.
- Sometimes this is the only way to make people understand.
- If they cannot maintain upkeep - they should be fined - or sell if they are unable to afford the upkeep.
- People need to be accountable for their properties. Our city needs to work towards a better reputation that includes having pride for our city and our buildings/homes.
- Yes, but only after numerous warnings. And what will this money go towards?
- We need record, also limited ways to "enforce".
- I'm not sure of another way to enforce compliance.
- There will be no compliance without enforcement.
- Tickets may be the way to go, however, we must be cognizant of residential home owners who may not have the physical or monetary means required to maintain their properties. The City should be prepared to meet them halfway. Otherwise, provided we have measurable criteria that is not subjective in any way then tickets would be fine, three warning and then the City should correct the problem and add the cost for same to the property taxes.
- unless under extenuating circumstances (such as major illness)
- There are too many vacant landlords and tenants.
- You already bleed us dry on every turn of the page. Live within the taxes that you already collect and quit trying to steal more.
- You do not have to be rich in order to keep your property clean and tidy
- How else can we enforce it ?

From what I understand the "vacant lot" bylaw does not allow for issuing tickets and it is difficult to get the owners to comply voluntarily. I know at least one absentee land owner who only has the grass cut when the bylaw officer contacts him. Better to assign a fee

schedule in my opinion.

- why bother with bylaws if they are not to be upheld? Not saying the ticket needs to have penalties attached, just a method of monitoring standards and responses to requests for improvement.
- How else can you get people to comply.
- money grab! The money would be used to line the pockets of the city managers, not to help the people who have a problem property.
- Sick of money grabs that aren't really meant to benefit the people.
- Too many taxes and hidden costs in life .

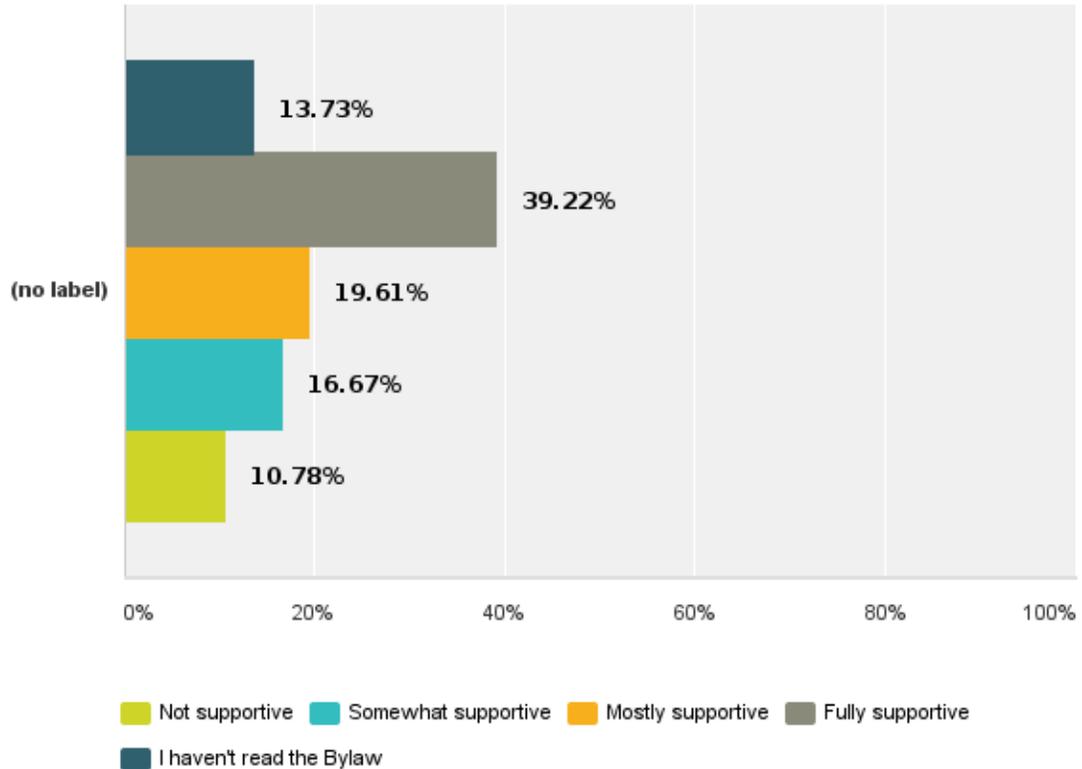
If a person is non-compliant then get people in the community that have been in trouble with the law do community service

- Bylaw is too vague. Must be painted? Etc. sounds as though a child wrote it. It would be possible to ticket almost every house in the city under this rubbish
- Deters absentee landlords from non-action!
- Yes, but I think as well as tickets a list of companies that can help with maintenance would also help other businesses proper.
- People should just mind their own backyards, so to speak. If I can't afford or don't have the time to make my property aesthetically pleasing to my neighbour, sorry about their luck.
- Of course, we have to rid ourselves of non-compliant owners like Jack Purdy!
- Because if they can't follow a few rules they should give up their ownership of said premises
- Only in extreme situations. I've already seen the city abusing their power by telling neighbors of mine that they have to move a wood pile or a trailer they have parked alongside their own houses. Not because anyone complained but because some damn councillor "CINDY SOLDA" drove by and thought she had a duty to make a beef about something that doesn't affect her at all.
- YOU NEED A DETERRENT OR CONSEQUENCE IF YOU WANT THINGS TO CHANGE
- as long as there are bylaw enforcement officers with time to follow through with the tickets
- You want me to pay for another over paid City Worker to hand out tickets!
- It should be built properly to start with. If it was there would be no need for tickets
- Yes, think that ticketing people for noncompliance would be a good idea the ticket needs to be at a level that the system supports itself and has some bite to it. There is no point to a \$30 ticket, it will be just ignored.
- A written warning prior to issuing a ticket (fine) it's everyone's community and standards absolutely need to be enforced. The majority of Port Alberni citizens want and need to have pride of their community not to look at it as an embarrassment. People travelling through or into our city need to say what a beautiful community Port Alberni is so us locals can walk with our heads up wearing a smile. Not looking at the ground and shaking our heads in embarrassment. Give PA some pride not embarrassment, if you need to step on some toes to clean-up the town so be it!!!
- Most of the owners and property managers live out of town which makes it very difficult to gain and hold their attention. Maintaining their Port Alberni properties seems to be low on the priority list of most so it's a necessity that there be some sort of penalty for them to prioritize the building maintenance.
- It gives the owner a head's up that the city means business in making sure that the owner complies.
- Yes and No but it would be nice to have a tool to force slumlords to maintain their investments rather than just let them sit in the hopes they will be worth something one day

- There should be consequences for the exterior of buildings looking run down and old
- Property owners are contributing to non-business development in certain areas of town because of the lack of maintenance. There is a reason why people avoid areas of town. Ugliness is a part of that and the lack of care and pride is a contributor to holding back revitalizations
- It's the only way to get the message across.
- We live in a society with a mixed bag of 'intrinsic' and 'extrinsic' value systems. If only some will voluntarily comply with any adopted standards of living while others do what they please, of course chaos reigns. Define boundaries and stick to them... Quid pro quo.
- Any fine will be avoided so it generates changes in behavior

Q7 What is your level of support for the penalties proposed in the draft bylaw?

Answered: 102 Skipped: 51

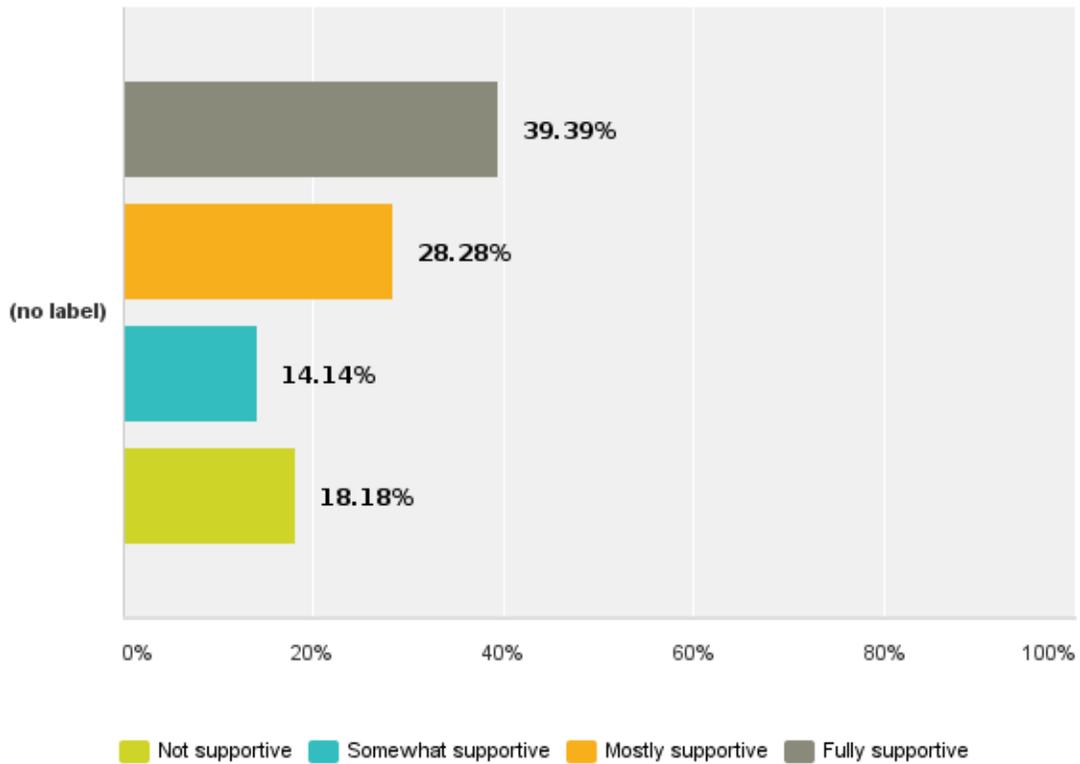


Q.7 - Comments

- Increase the fines
- We have a vacant house on our block that is chock - a - block full of old newspapers....a definite fire hazard.
- It's a great start and it will be interesting to see how effective it is when administered. It will be an additional work load for the Bylaws Officer and City Planner. Hopefully the revenue generated will be enough to hire at least a part time assistant.

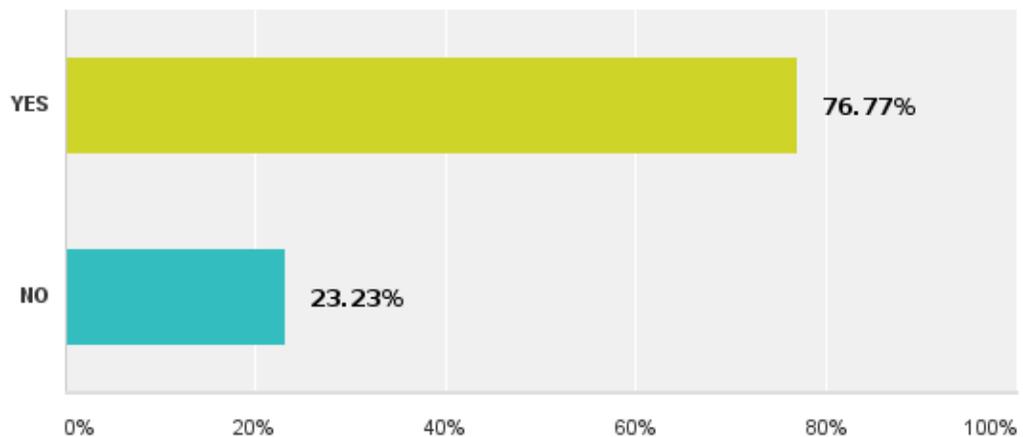
Q8 What is your level of support for implementing a "Vacant Building Registration Permit" process?

Answered: 99 Skipped: 54



Q9 Do you support the "Vacant Building Registration Permit" process as drafted in the Bylaw?

Answered: 99 Skipped: 54



Q.9 - Comments

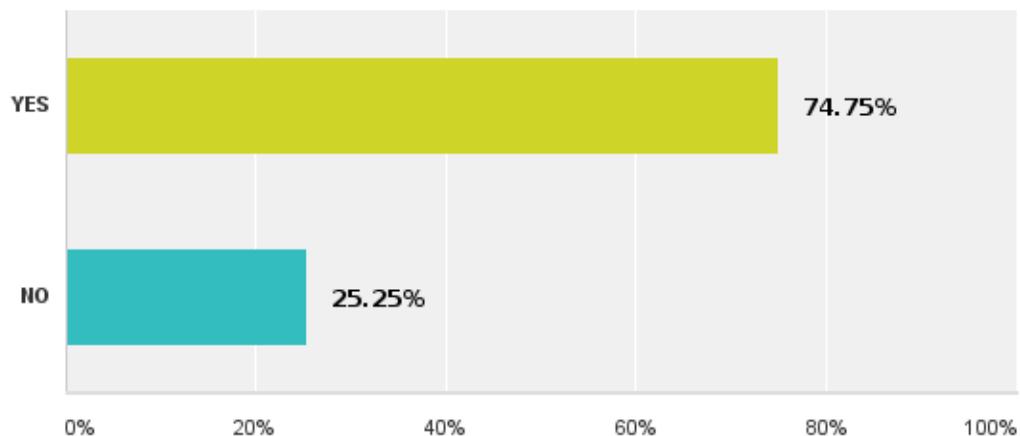
- The concept of charging an owner to NOT live / occupy their building is ridiculous.
- I feel there should be a registration - but no fee.

Inspections could be done - but monthly could get costly.

- So long as the building is meeting codes set out for occupied buildings, I don't see why a permit should be required.
- What is the time Frame used to consider I building vacant. I would think I would need to be move than 3 months
- Leave peoples property alone unless it is obviously derelict. If it is derelict tear it down and send them a bill.If it's just vacant mind your own business.
- what if someone is away on an extended vacation?
- Having to deal with a Vacant building is expensive enough to just keep it insured!
- I'm saying no because I don't know what it means and I think that there will be more punishment, rather than a support, which is what is more needed
- Don't we have anything more important to worry about? Like, say, affordable housing for low income people, not just families. Just because somebody is single & low income it doesn't mean they shouldn't be helped too.
- I haven't read this so I don't no my level of support.
- did not read the bylaw, only heard highlights on the peak news, so no comment,
- I haven't read the permit process.
- I'm sorry to say but I have not seen the permit, I wish I had but I don't know where to view it. It is my understanding that vacant buildings are possibly issued permits to allow inspections of the facility due to the fact of vagarants moving in and or possibly conditions of the structure considered unsafe. If this is the case I then fully support it and as written earlier dismantled if considered unsafe.
- how about not letting store fronts on third ave. be used for warehousing like u allow merit furniture to do ?? this only adds to the non funtionality of the third ave strip

Q10 Do you support the implementation of monthly inspections of vacant buildings?

Answered: 99 Skipped: 54



Q.11 - Please provide any other comments or concerns you have about the proposed bylaw:

- My concern is that too much time is given before action is taken with this bylaw even the current laws.
- A waste of time, and money.
- none at present
- was just wondering is this another way of getting our money we do have
- Finally a step forward in the right direction! Thank you for all your hard work towards this goal.
- its about time. badly needed.
- Its time to clean the city! Easier to maintain buildings that are new then to get current one to improve
- Inspect vacant buildings frequently to avoid squatters
- High time landowners were held to account for their derelict properties. I'd like to take pride in my town again.
- I will have to read the bylaw.
- One concern I have is that this bylaw may create further challenges for responsible building owners who simply cannot rent or lease their building due to the economic circumstances of this City. Charging them an annual fee seems like it could be just a slap in the face to those who are diligently working to operate their business of property management/ownership. That being said, there appears to be many of the opposite kind in our city so a fee is supported by me to encourage these folks to either shape up or ship out.
- its about time!
- Thank you. This has been a long time coming.
- Mind your own business and start giving residents proper representation. Spend our tax dollars more prudently. Maybe trim city works a bit and look at alternative ways of fire protection. Too many people in this town don't make \$100,000.00 a year. It pisses us off that too many of you in our city trough do.
- All depends on the cost of implementing.
- From what I understand it will apply to all of Port Alberni city proper but I believe the Facebook posting mentioned it would be reviewed by the Chamber and the Uptown Merchants. Would be good if it could be represented to Lower Johnston group to review.
- Have at it! Needed this for a long time.
- Does vacant buildings apply to residential property?
- I am so Truly Happy that the City of Port Alberni is doing this. It is very sad when you have out of town Guests and you want to show them the Town and Buildings are Burnt to the Ground. It is Very Embarrassing.
- The city did a bad enough job dealing with the Golden street and the old Tidebrook properties. They showed no compassion or intellect in dealing with either property to show warrant enough for further dealing with problem properties!
- There r a lot of vacant building buildings. Because of unemployment status ...
- Long overdue!!!
- Be the change you want to see in this world, not the assholes who make it harder.
- Lets spend our city's money on providing lesser fortunate people with meals and needed school supplies, clothing, health care, affordable housing, crisis services, drug counselling, etc, etc
- If an owner cannot or will not keep their property clean and safe then they should have their property sold to someone who would take care of it. Owners like jack Purdy have to go!
- I think most will comply if it is made mandatory
- There are many issues in this town I believe the council needs to look at the bigger issues on the table.
- I'm not happy with the current follow up existing bylaw's.

-
- As a business owner, I realize that at times it can be hard to find the right tenant for a building. Penalizing a business owner for being choosy or having a hard time finding a tenant due to the economic conditions would not be conducive to helping business in Port Alberni.

If Council wants to go ahead with this program they must be very careful in how it is implemented, monitored and enforced.

- Just clean up our town and give PA pride in our community and make it a beautiful place to live. We already have beautiful forests, lakes and a cannal lets work on the town.
- Very pleased to see this being proposed and hopefully implemented.
- The \$1000 permit. Will it be implemented 100% across the board or will there be any exclusions for reasonable vacancies? Just wondering.
- The process we have works and gives the owner plenty of chances to fix the problem
- Excellent Bylaw and Process.
- Our town is dangerously close to looking like a ghost town. If we all know and fear this, we should have no problems working together to 'address this issue collectively.

CITY OF PORT ALBERNI

BYLAW NO. 4826

A Bylaw for Building Standards

WHEREAS the Community Charter authorizes officers, employees and agents of the municipality to enter at all reasonable times on any property to ascertain compliance with the municipality's bylaws;

AND WHEREAS Council deems it appropriate to require an owner of property to safeguard, secure and maintain buildings;

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

1. **Title:**

This Bylaw may be cited as "**City of Port Alberni Building Standards, Bylaw No. 4826**".

2. **Definitions:**

In this Bylaw:

"Bylaw Enforcement Officer" means the persons duly appointed by Council as such, and shall include any peace officer.

"City" means the City of Port Alberni or the area within the municipal boundaries as the context may require.

"Council" means the Council of the City of Port Alberni.

"Owner" means the person(s) or organization listed as the title holder on a property's legal certificate of title.

"Peace Officer" has the same meaning as in the British Columbia Interpretation Act and includes a Bylaw Enforcement Officer.

"Person" includes a natural person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a person to whom the context can apply according to law.

"Real Property" means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the real property, and includes, as the context requires, individual premises located on the real property.

"Accumulation" means a buildup, growth or collection, either scattered amassed or piled, existing at the time of inspection.

"Uboard" shall mean a building whose doors and windows have been covered with plywood or other material for the purpose of preventing entry into the building by persons or animals. The boarding requirements are outlined in Schedule "B".

"Building Official" includes The Building Official and Building Officials designated by the Corporation of the City of Port Alberni.

"Fire Chief" means the person appointed from time to time as the Chief of the Fire Department by the Council of the City.

"Hazard or Hazardous" shall mean a physical condition created by neglect, a controlled substance property, fire or flood damage and is considered unsafe for habitation or storage without remedial action. Hazardous conditions may arise in violations to City and Provincial Health and Safety regulations or Bylaws. Hazardous conditions could arise from:

- Substantial mold growth:
- Water damage which could contribute to mold or structural failure:
- Subsiding of foundations which could lead to water damage and structural failure:
- Incomplete construction (expired permit) which could deteriorate and lead to structural failure or hazards to adjacent properties and or general public;
- Incomplete demolition or standing water in excess of 24" in depth; and
- Electrical, plumbing, mechanical or a combination of which could adversely affect structural integrity.

"Monitoring" shall mean a periodic site review to ascertain whether the:

- Buildings that are the subject to complaints ;
- Buildings that are dilapidated;
- Buildings that are eyesores (nuisance);
- Buildings that are dangerous (hazard);
- Boarded buildings; and
- Buildings that have been vacant for extended periods of time.

"Occupant" includes:

- A person residing on or in the property;
- The person entitled to the possession of property if there is no person residing on or in the property; and
- A leaseholder, and shall include the agent of any such person.

"Special Safety Inspection" means a specific on-site review to ascertain the status of health, structural and life safety conditions of a building and may include the Building Official, the Fire Chief of the City, a member of the Royal Canadian Mounted Police of the City, a Provincial Health Inspector, BC Safety Authority Inspector or the deputy or designate of such a person.

"Vacant Building" shall mean a building or structure, which is without lawful resident or occupant or which is not being put to a lawful commercial, residential, or industrial use for a continuous period of over forty-five (45) days within a consecutive sixty (60) day period or which, may be unoccupied and unsecured; occupied and secured by boarding or other similar means; or no longer hold a valid building permit.

3. Interpretation:

Words or phrases defined in the *British Columbia Interpretation Act*, *Motor Vehicle Act* or *Local Government Act* or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine includes the feminine gender.

The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

4. Severability:

If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

5. General Regulations:

No person shall obstruct or interfere with a Bylaw Enforcement Officer in the exercise of his duties.

A Bylaw Enforcement Officer shall have the right to enter upon the property of any owner or occupant at all reasonable times and in a reasonable manner for the purposes of inspecting property in determining compliance with the provisions of this Bylaw.

6. Administration:

The City Planner is hereby appointed to administer and carry out the provisions of this Bylaw.

Words defining responsibilities and authority shall be construed to be an internal administrative direction and not as creating a duty.

7. Buildings Regulations:

Every owner or occupier of a real property that contains a building shall:

- a) Maintain the building in compliance with the standards set out in Schedule "A".

8. Vacant Building Regulations:

Except as permitted under Section 8.1 of this Bylaw, every owner or occupier of a real property that contains a vacant building shall:

- a) Obtain a Vacant Building Registration (VBR) permit within thirty (30) days of an order by a Bylaw Enforcement Officer.
- b) Board the building in compliance with the standards set out in Schedule "B".

8.1 Exemptions

No person shall allow a building or structure for human, industrial, or commercial use, or occupancy to stand vacant for more than sixty (60) days unless one of the following applies:

- a) The building is the subject of an active building permit for repair or rehabilitation, or a valid permit for demolition, and the owner is actively progressing to complete the repair or rehabilitation.

- b) The building meets all applicable codes, and is ready for occupancy. The building is supplied with minimum utilities to maintain the proper functioning of the facilities as well as to prevent damage to mechanical and plumbing facilities from freezing. Commercial buildings that are classified to have a fire alarm and or fire suppression systems must maintain electrical and heating systems to maintain these life safety components.

8.2 Permits and Inspections

Where a Bylaw Enforcement Officer reasonably believes the building or structures on property are considered a vacant building, the Bylaw Enforcement officer shall notify the owner of the vacant building in writing to:

- a) Apply for Vacant Building Registration Permit; or
- b) Apply for a Building Permit to renovate a building or structure to a state of safe occupancy as per Section 8.1(b) of this Bylaw.

8.3 Inspections of Exterior of Vacant Building without Notice

A Bylaw Enforcement Officer may enter onto land without notice to and without the consent of the owner in order to monitor a building that is boarded or appears to be vacant in order to determine:

- (a) Whether the building is vacant;
- (b) Whether a vacant building is to be boarded; and
- (c) Whether the building complies with this bylaw.

8.4 Vacant Building Registration Permit

In order to obtain a Vacant Building Registration (VBR) permit, an owner must:

- a) Apply to the Building Official for a special safety inspection within thirty (30) days of receiving an order and pay the fee hereby imposed for such special safety inspection as specified in of the City's Fees & Charges Bylaw.
- b) Provide an address for service of notices and orders during the period that the permit is valid and thereafter, provide prompt notice of any change in the address given for service.

- c) Pay any application or permit fee as established within the Fees & Charges Bylaw.
- d) Ensure that all combustible materials within a vacant building are removed to reduce any potential fire load.

8.5 Commercial, Multi-family, Industrial (VBR) Permit

Upon payment of permit fees, the owner of a commercial, multi-family or industrial building(s) may obtain a permit for a period of one (1) year from the date it is issued. The permit is automatically transferred to the next owner of the property.

8.6 Residential (VBR) Permit- (Single and Two Family Properties)

Upon payment of the permit fees, the owner of a vacant residential building is entitled to obtain a single permit for the building(s), valid for a period of one (1) year from the date it is issued. The permit is automatically transferred to the next owner of the building.

8.7 Display of (VBR) Permits

Owners shall display the permit in a prominent location as determined by the Building Official.

8.8 Monitoring Inspections

Every owner with a permit shall allow for entry of a Bylaw Enforcement Officer or designate at least every 30 days into a vacant building for the purposes of ensuring:

- a) The building is maintained as per Schedule "B" of this bylaw; or
- b) The building is secured against unauthorized entry as per Schedule "B" of this bylaw; and to ensure
- c) That all combustible materials within a vacant building are removed to reduce any potential fire load;
- d) There is no illegal occupancy; and
- e) There is no evidence of the existence of rodents or any other potential health or safety risks to the community.

8.9 Partial Refund of Permit Fee

The current owner of a permit is entitled to a partial refund of the permit fee referred to in Sub-Sections 8.4 (c) if the building is brought into compliance with Section 8.1 of this Bylaw. Any outstanding fees, utility charges or penalties imposed on the owner pursuant to this or another Bylaw are to be deducted from any refund paid.

8.10 Additional Permit

Upon application by an owner whose vacant building has been issued a permit under Section 8.4 or, and payment of any additional fees or penalties, the Building Official to may issue an additional permit in respect of the building(s).

8.11 Additional Permit Fees

An additional permit issued under Section 8.10 is conditional upon payment as described in the City's Fees & Charges Bylaw.

For any additional inspections performed by staff beyond monitoring inspections of the permit is subject to a payment as described in the City's Fees & Charges Bylaw.

9. Enforcement and Penalty:

- a) The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.
- b) Any Person who contravenes or violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of, or in violation of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence and, upon conviction, shall be liable to a fine or penalty not less than \$100.00, and not exceeding \$10,000, and a jail term of not more than six (6) months.
- c) Where the offence is a continuing one, each day the offence continues shall be a separate offence.
- d) This bylaw is designated pursuant to Section 264 of the Community Charter, as a bylaw that may be enforced by means of a ticket in the form prescribed.

- e) The words or expressions listed in Schedule “C” of this Bylaw in the “Description of Offence” column are authorized to be used on a ticket pursuant to Section 264 (1)(c) of the Community Charter to designate an offence against the respective section of this Bylaw appearing opposite in the “Section” column. The amounts appearing in the “Fine” column are fines set pursuant to Section 265 of the Community Charter for contravention of the respective section of this Bylaw appearing opposite in the “Section” column.

READ A FIRST TIME THIS _____ DAY OF _____, 2013.

READ A SECOND TIME THIS _____ DAY OF _____, 2013.

READ A THIRD TIME THIS _____ DAY OF _____, 2013.

FINALLY ADOPTED THIS _____ DAY OF _____, 2013.

SCHEDULE "A"

The owner of a building must comply with the following maintenance standards of this Schedule.

Exterior walls

- 1(1) The exterior of every building must be constructed, repaired and maintained in a manner that;
- (a) Ensures the integrity of the building envelope to protect the building from the weather and from infestations of insects, rodents and other pests; and
- 1(2) Without restricting the general obligation set out in subsection (1):
- (a) All exterior surfaces must consist of materials that provide adequate protection from the weather;
 - (b) All exterior walls and their components, including coping and flashing, must be maintained in good repair;
 - (c) All exterior walls must be free of holes, breaks, loose or rotting boards or timbers and any other condition which might permit the entry of insects, rodents or other pests to the interior of the wall or the interior of the building;
 - (d) Exterior wood surfaces must be adequately protected against deterioration by the periodic application of paint, stain or other protective coating;
 - (f) The mortar of any masonry or stone exterior wall may not be loose or dislodged.
 - (g) The exterior of every building must be free of graffiti; and
 - (h) Loose material must be removed from exterior walls, doors and window openings.
 - (i) All windows are in good repair, and properly glazed.
 - (j) All exterior doors to the building are operational, fit tightly within their frames when closed and are locked so as to prevent entry;

Roofs

2(1) Roofs must be constructed and maintained so as to prevent:

- (a) Rainwater or melting snow falling on the roof from entering the building;
- (b) Rainwater or melting snow falling on the roof from negatively affecting neighbouring buildings or properties; and
- (c) Objects and materials from falling from the roof.

2(2) Without restricting the general obligation set out in subsection (1):

- (a) Roofs, including fascia boards, soffits, cornices, flashing, eaves, troughing and downspouts must be maintained in a watertight condition.
- (b) Roof drainage must be controlled in order to eliminate or minimize runoff to neighbouring properties that:
 - (i) Accumulates or causes ground erosion;
 - (ii) Causes dampness in the walls, ceilings or floors of any portion of any neighbouring building; and
 - (iii) Accumulates on sidewalks or stairs in a manner so as to create a hazardous condition.
- (c) Loose or unsecured objects and materials, including accumulations of snow or ice or both that are likely to fall on passersby or are likely to result in the collapse of the roof, must be removed from the roof of a building or an accessory building.

Fire protection systems

3(1) Unless a fire protection system has been decommissioned by permission of the Fire Chief, it must be maintained in an operational condition.

3(2) Unless a fire alarm system has been decommissioned by permission of the Fire Chief, it must be connected to an approved fire signal receiving centre in compliance with Can/ULC- S561-03, adopted and published by the Underwriters' Laboratories of Canada, so as to notify the Fire Department of a fire alarm activation in the building.

SCHEDULE "B"

The owner of a vacant building must comply with either **Part I** or **Part II** of this Schedule.

PART I

In order to comply with Part I of this Schedule, the owner of a vacant building must ensure that:

- (a) All exterior doors to the building are operational, fit tightly within their frames when closed and are locked so as to prevent entry;
- (b) All windows are either permanently sealed or locked so as to prevent entry;
- (c) All windows, doors, basement and attic hatchways and their frames are so constructed and maintained to completely exclude rain and substantially exclude wind from entering the building; and
- (d) All windows are in good repair, and properly glazed.

PART II

In order to comply with Part II of this Schedule, the owner of a vacant building must ensure that the following requirements are met:

- (a) All doors, windows and other openings, other than the principal entrance, at the basement and main (first) floor levels must be covered in compliance with this Part with a solid piece of plywood, at least 11 millimeters thick and secured with coated spikes at least 75 millimeters in length, spaced not more than 150 millimeters on centre.
- (b) The principal entrance must be covered in compliance with this Part with a solid piece of plywood, at least 11 millimeters thick, adequately secured with screws at least 50 millimeters in length, spaced not more than 150 millimeters on centre.
- (c) Windows, doors and other openings at the second floor level must be covered in compliance with this Part with a solid piece of plywood, at least 8 millimeters thick and secured with coated spikes at least 75 millimeters in length, spaced not more than 150 millimeters on centre.

- (d) Windows, doors and other openings at the third floor level or higher must be either:
 - (i) Secured in accordance with Part I of this Schedule; or
 - (ii) Covered in compliance with this Part with a solid piece of plywood, at least 8 millimeters thick and secured with coated spikes at least 75 millimeters in length, spaced not more than 150 millimeters on centre.
- (e) Windows, doors and other openings at the third floor level or higher may be secured from inside the building; plywood applied to all other openings must be secured from the exterior.
- (f) Plywood applied to openings must be installed and maintained in a way that is weather-tight and must be protected from the elements with at least two coats of white paint. A hole must be cut in the plywood just large enough for the door hardware to protrude.
- (g) All floors above the first floor must be rendered inaccessible to entry by raising fire escapes and ladders to a height of at least four meters or guarding them in some other manner acceptable to an Enforcement Officer.
- (h) Electricity, natural gas and water must not be cut off if they are necessary to maintain fire protection systems or fire alarms.
- (i) Where they are not necessary to maintain fire protection systems or fire alarms, electricity, natural gas and water must not be cut off except in a manner satisfactory to an Enforcement Officer.

SCHEDULE "C"

Description of Offence	Section #	Amount of Fine
Obstruct a Peace Officer	5	\$200.00
Fail to Maintain	7	\$200.00
Fail to obtain a Permit	8 (a)	\$200.00
Fail to Board	8 (b)	\$200.00

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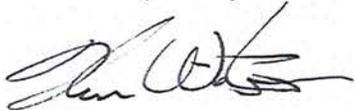
**STATUS REPORT
ACTIONS DIRECTED BY COUNCIL
For November 12th, 2013 Regular Meeting of Council**

	Meeting and Date	Item	Strategic Plan Priorities of Council	Strategic Plan Other	Not identified as Strategic Plan Priority	Status of Progress
1.	SICC Jan 7/08	Policy requiring review and adoption of Policy Manual following each general municipal election	Goal 5: Service Excellence Objective 5.5			2014
2.	July 11/11	Agreement in principle to proceed with regional water supply	Goal 1: Environmental Sustainability Objective 1.2.2			Agreement in Principle. Nov/13 – ACRD reviewing draft agreement.
3.	Regular May 14/12	Report re RV parking – city property (Westporte) and front driveways			✓	Report June 11/12 meeting. Direction to staff to meet with residents to discuss rent of City owned property. Report to come.
4.	Regular May 14/12	Tseshah Protocol Agreement endorsed – City Manager to meet with Tseshah staff to operationalize	Goal 5: Service Excellence Objective 5.1.3			Awaiting Tseshah response
5.	Regular Oct 22/12	Potential changes to City's Procedures Bylaw	Goal 5: Service Excellence Objective 5.2			Draft Bylaw 2013
6.	Oct/12	Prepare and present new Revitalization Bylaws for uptown and industry	Goal 3: Economic Sustainability Objective 3.2.2			Draft Commercial Revitalization Bylaw presented September 9 th . Introduction and 3 readings September 23/13.
7.	Regular Jan 14/13	Meeting with MoF staff re community forest expansion, watershed protection and private managed forest lands	Goal 1: Environmental Sustainability			Meeting held February 18 th , 2013. Awaiting feedback from MoF. Informal discussions held at 2013 UBCM.
8.	Regular Feb 25/13	Meetings to discuss Coal Port issue – ACRD, Tseshah, Hupacasath, Port Authority			✓	April 22 direction to arrange meeting with stakeholder groups following release of application to the public. May 27 advice that EAO has not accepted application. June 25/13 notice that proponent has advised EAO and CEAA that it will likely be 4-6 months before they are prepared to submit revised application.
9.	Special Mar 5/13	Staff to provide report and associated bylaw required to amend the OCP to delete the proposed bypass in the major road network map.			✓	Report from City Planner

STATUS REPORT
ACTIONS DIRECTED BY COUNCIL
For November 12th, 2013 Regular Meeting of Council

	Meeting and Date	Item	Strategic Plan Priorities of Council	Strategic Plan Other	Not identified as Strategic Plan Priority	Status of Progress
10.	Regular Mar 25/13	City/ACRD meet during 2013 to review options for Franklin River Road Fire Protection Service agreement			✓	City Manager/Fire Chief/ACRD – will come forward during budget process
11.	Regular April 22/13	Report re supervised work program for individuals ordered to do community service.			✓	In progress
14.	Regular Jun 24/13	Advertise Argyle Street (5) lots for lease.	Goal 3: Economic Sustainability			December 2013
15.	Regular Sept 9/13	Bylaw to address derelict buildings and buildings that are poorly maintained				Draft presented September 9/13. Public consultation complete – report to Council November 12, 2013.
16.	Regular Oct 28/13	Report re cost for signage indicating labyrinth at WCGH.			✓	Verbal report from City Engineer Nov 12/13.

Respectfully Submitted



Ken Watson - City Manager

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November 6, 2013

CITY OF PORT ALBERNI PLANNING AND BUILDING DEPARTMENT

MONTHLY REPORT FOR OCTOBER, 2013

For the month of October 2013 the Planning Department reports the following significant items:

- The Advisory Planning Commission met on October 31, 2013 and considered the following two reports from the City Planner:
 - An application for a Temporary Use Permit for 3868 Wood Avenue. The proposal is to allow 8 recreational trailers to be used for a residential use for a 3 year term.
 - An application for a Development Variance Permit for 4616 Athol Street. The proposed project is to rebuild an apartment building that was destroyed by fire.
- Work continues on the Zoning Bylaw Review. The draft bylaw has been sent out for legal review and official review by outside agencies. Another public consultation meeting will also be scheduled, most likely in November.

DEVELOPMENT APPLICATION ACTIVITY REPORT

Type	Total - 2012	Year to Date - 2013
Subdivision	3	1
OCP and/or Rezoning	4	4
Development Variance	4	2
Development Permit	7	4
Temporary Use Permit	0	1
Sign Bylaw	1	0
Totals	19	12

RESIDENTIAL BUILDING COMPARISON

Type	Year to Date - 2012	Year to Date- 2013
Single Family	15 units	15 units
Duplex	4	2
Multiple	0	0
Totals	19 units	17 units



CITY OF PORT ALBERNI

ENGINEERING DEPARTMENT HIGHLIGHTS OF DEPARTMENTAL ACTIVITIES OCTOBER 2013

Water Main Breaks:

- At Dogwood Street and Glenwood Drive, a 150 mm dia. AC water main broke. It was a shear break after the first heavy rain and cold spell.
- At Strathcona Street and Shaughnessy Street a 150 mm dia AC water main failed at the service connection saddle.
- In the 4400 block of Beaufort Street a 100 mm dia. AC water main failed.



Paving Projects:

- 7th Avenue – Bute Street to North Park Drive, 325 m of road was resurfaced following the underground sanitary sewer installation in September.
- 4th Avenue – Bute Street to Burde Street, 160 m of road was resurfaced after a new mid-block catch basin was installed.



Sewer Service Repair:

- 6290 Compton Road – A massive root build up developed through a small crack in a 100 mm dia. AC service connection that plugged.
- 5870 Brown Road – Collapsed service clean out.
- 3702 3rd Avenue – An old connection was replaced to service the new restaurant on 3rd Avenue (Mikes Drive in).
- The annual Gertrude Street sewer main flushing was completed on the flat mains.



New Storm Drain Connection:

- At 3908 Redford Street (Esso Station), a new 200 mm storm sewer service connection was installed in order to separate rain water from the local area from the combined sanitary sewer.



Jerry Berry Consultants Inc.

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ATTENTION: Ken Watson, CAO City of Port Alberni

Ken, you asked me for my thoughts on "Portfolio Systems" and I have set out below my point of view. Because my perspective is naturally formed from my personal experience with Councils across the province from a staff perspective, and because I have lived many of these issues, you will see that I have stated some very strong cautions about what I see to be inevitable structural problems. Because of my bias, I also took the step of discussing this with my colleague Allison Habkirk, as a former Councillor and Mayor. Allison is of the view that these systems can be beneficial, provided that all of the necessary underpinnings regarding Council relations and Council/staff relations exist. I have incorporated that viewpoint in my comments.

Portfolios

Many Councils make use of "Portfolio Systems". They can be an effective way to segregate and distribute workload. Their use, however, presents many potential structural pitfalls. To utilize a Portfolio System in a way that avoids these pitfalls demands that the Council, and all of its members, be high performing, sophisticated, respectful, trusting and mature. Portfolio Systems require a very clear understanding of roles and responsibilities by all parties. In particular, it is critical that the portfolio holder understands his/her role as a temporary liaison and not as the 'Minister' of functional areas or departments.

Under the laws of BC, the Council, and only the Council, has any formal decision-making power or authority. Provided that this is always kept in the forefront, Portfolio Systems can be made to work. In practice, however, it is considered rare that this central principle is understood, respected, or equally applied; especially with the passage of time.

Perceived Benefits

1. Division of work/specialization
2. Accountability/responsibility for issues identified with 'a' Council member
3. 'Political' prestige/advantage/power

Practical Realities

1. Division of work/specialization
 - If each councillor is to have a portfolio, some will inevitably be considered "more special" than others based on the nature of the portfolio. This is problematic for staff, as all council members are equal under the legislation. It also typically results in more powerful portfolio holders becoming invested in their position over time, with associated 'political' jealousies and problems.

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2. Accountability/responsibility for issues identified with 'a' Council member

- The portfolio holder cannot in fact, be responsible in law, so this potentially further confuses accountability and responsibility in what is already a shared and collective system. When things go awry, is staff answerable, or the 'portfolio' holder?
- All council members are elected to represent all taxpayers on all issues and any taxpayer/citizen should be able to go to any council member about any issue. This often poses difficulties when council members want to handle an issue in another's 'portfolio'. This places staff in an impossible position.
- Council members often begin to be seen to 'direct' staff regarding 'their' portfolios. Alternately, staff often seek to develop and nurture a "pet" council member for their own advantage/protection around both the Council and managerial lines of authority. Junior staff may indeed believe that the "Minister" can direct them, and that the council member is, in fact, their actual 'boss'. All of this creates serious managerial and accountability confusion. In the most serious cases, elected officials operating in portfolios have purported to engage in contracts and to incur taxpayer liabilities on behalf of their jurisdiction, with absolutely no authority to do so. This is a violation of Council's fiduciary duties to the taxpayer.

3. Political 'prestige'/advantage

- Council members may agitate for other portfolio 'offerings', or even reject their portfolio 'offering', or attempt to re-assign portfolios around the Mayor through majority decision. This can create serious equity and team issues.

Even where most council members clearly understand and respect roles and responsibilities, it only takes one member of Council to create considerable confusion, and inefficiencies (and consequently, unnecessary taxpayer costs) should they choose to take a 'Ministerial' approach to their duties. For this reason, while Portfolio Systems can work if all the conditions precedent exist, it is relatively rare that they do. If they do, there are lots of ongoing pressures to take things off-track. As a result, single person portfolios in local governments, without the structure of cabinet/party discipline, in my experience virtually guarantee adding to problems around roles and responsibilities. This is already the central problem endemic to local governance. At its worst, the 'Portfolio System' may be seen to allow staff to escape having to answer for performance issues for which they are being well paid. Instead, the elected officials take on the responsibility for things which they are neither compensated for, nor trained nor equipped to do. The job of council members is governance of the whole public/community interest, not being individually 'expert' on functional areas. Portfolio Systems inevitably confuse and mask this important distinction (the staff gets paid anyway). For these reasons, Portfolio Systems are fraught with potential difficulties and should, in my opinion, be employed with great caution, and only under the most well-performing, sophisticated and mature local governance regimes.

Respectfully submitted
by

Jerry Berry Consultants Inc.

A G E N D A

SPECIAL MEETING OF COUNCIL FOR THE PURPOSE OF ESTABLISHING AN IN-CAMERA MEETING

**TUESDAY, NOVEMBER 12, 2013 AT 4:00PM
IN THE CITY HALL COMMITTEE ROOM**

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)(c) labour relations or other employee relations;