
AGENDA - REGULAR MEETING OF COUNCIL

Monday, October 24, 2022 @ 2:00 PM

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

The following pages list all agenda items received by the deadline [12:00 noon on the Wednesday before the scheduled meeting]. A sample resolution is provided for most items in italics for the consideration of Council. For a complete copy of the agenda including all correspondence and reports please refer to the City's website portalberni.ca or contact the Director of Corporate Services at 250.720.2823 or by email twyla_slonski@portalberni.ca or the Deputy City Clerk at 250.720.2822 or by email sara_darling@portalberni.ca

A. **CALL TO ORDER & APPROVAL OF THE AGENDA**

1. Recognition of unceded Traditional Territories.
2. Late items identified by Councillors.
3. Late items identified by the Corporate Officer.
4. Notice of Video Recording (live-streaming and recorded/broadcast on YouTube)

That the agenda be approved as circulated.

B. **ADOPTION OF MINUTES** - Page 6

1. Special meeting held at 11:00 am and Regular Council meeting held at 2:00 pm on September 26, 2022.

C. **PUBLIC INPUT PERIOD**

An opportunity for the public to address Council on topics relevant to City Council. A maximum of four [4] speakers for no more than three [3] minutes each will be accommodated.

D. **DELEGATIONS**

1. **Port Alberni Cubs Oldtimers Baseball Club** - Page 12
Rob Ivezich and Dan Goddard in attendance to present an opportunity for the City to host the 2023 Canadian National Oldtimers Baseball Federation Championship.

E. **UNFINISHED BUSINESS**

Includes items carried forward from previous Council meetings.

F. **STAFF REPORTS**

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

1. **Accounts**
THAT the certification of the Director of Finance dated October 24, 2022, be received and the cheques numbered _____ to _____ inclusive, in payment of accounts totalling \$ _____, be approved.

2. **Director of Parks, Recreation and Heritage – Canadian National Oldtimers Baseball Federation Championships** - Page 14
Report dated October 13, 2022 from the Director of Parks, Recreation and Heritage requesting Council's consideration to host the 2023 Canadian National Oldtimers Baseball Federation Championship.
Report provided for Council's information.
3. **Director of Finance – Wastewater Treatment Facility Upgrade Loan Authorization Bylaw | Municipal Security Issuing Resolution** - Page 16
Report dated October 18, 2022 from the Director of Finance requesting a Council resolution to enable borrowing from the Municipal Finance Authority of BC for the Wastewater Treatment Facility upgrade.
THAT Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2023 Spring Borrowing Session, in the amount of \$8,500,000 as authorized through "City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021" and that the Alberni-Clayoquot Regional District be requested to consent borrowing over a 30-year term and include the borrowing in a Security Issuing Bylaw.
4. **Chief Administrative Officer | Somass Lands** - Page 21
Report dated October 18, 2022 regarding salvage work on the Somass Lands.
THAT Council for the City of Port Alberni authorize Bowerman Construction to continue providing project management services to the City in relation to the Somass Lands until December 31, 2022 pursuant to a Notice of Intent, with costs to not exceed \$150,000 (not including revenues).

G. BYLAWS

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

1. **Deputy Director of Finance – 2023 Permissive Tax Exemptions** - Page 24
 - a. **"City of Port Alberni, Permissive Tax Exemption Bylaw No. 5068, 2022"**
[Alberni Drug & Alcohol Society | Kuu-us Crisis Line Society]
 - i. *That "City of Port Alberni, Permissive Tax Exemption Bylaw No. 5068, 2022" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5068.*
 - b. **"City of Port Alberni Permissive Tax Exemption Bylaw No. 5069, 2022"**
[Island Corridor Foundation]
 - i. *That "City of Port Alberni Permissive Tax Exemption Bylaw No. 5069, 2022" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5069.*

-
2. **Planner II – Proposed Zoning Bylaw Amendment | 3151 3rd Avenue - Page 28**
Report dated October 13, 2022 from the Planner II requesting Council consideration for third reading of the proposed bylaw.
 - a. *THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be read a third time.*
 - b. *THAT the applicant be required to submit a consolidated legal plan for the properties at 3151 and 3141 3rd Avenue before Council considers final adoption of Bylaw No. 5064.*
 3. **Director of Development Services | Deputy CAO – Proposed Zoning Bylaw Amendment | 5801 and 5837 Compton Road - Page 50**
Report dated October 14, 2022 from the Director of Development Services | Deputy CAO requesting Council consider first and second reading of the proposed bylaw and waiving of the Public Hearing.
 - a. *THAT "Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065" be now introduced and read a first time.*
 - b. *THAT "Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065" be read a second time.*
 - c. *THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065" in accordance with section 464 (2) of the Local Government Act as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the Local Government Act prior to consideration of further readings of the Bylaw.*
 4. **Manager of Planning – Proposed Zoning Bylaw Amendment | 2244 Mallory Drive - Page 65**
Report dated October 13, 2022 from the Manager of Planning requesting Council consider first and second reading of the proposed bylaw and waiving of the Public Hearing.
 - a. *THAT "Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066" be now introduced and read a first time.*
 - b. *THAT "Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066" be read a second time.*
 - c. *THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 56 (2244 Mallory Drive – Saywell Developments), Bylaw No. 5066" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.*

5. **Manager of Planning – Proposed Zoning Bylaw Amendment | 2272 Mallory Drive - Page 87**

Report dated October 13, 2022 from the Manager of Planning requesting Council consider first and second reading of the proposed bylaw and waiving of the Public Hearing.

- a. *THAT "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" be now introduced and read a first time.*
- b. *THAT "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" be read a second time.*
- c. *THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 57 (2272 Mallory Drive – Saywell Developments), Bylaw No. 5067" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.*

6. **Director of Development Services | Deputy CAO – Proposed OCP & Zoning Bylaw Amendments | 4210 Cedarwood Street - Page 109**

Verbal report from the Director of Development Services | Deputy CAO requesting Council consideration for adoption of the proposed bylaws.

- a. *THAT "Official Community Plan Amendment No. 38 (4210 Cedarwood Street - Citaapi Mahtii Housing Society), Bylaw No. 5051" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5051.*
- b. *THAT "Zoning Map Amendment No. 49 (4210 Cedarwood Street - Citaapi Mahtii Housing Society), Bylaw No. 5052" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5052.*

H. CORRESPONDENCE FOR ACTION

Correspondence addressed to the Mayor and Council by an identifiable citizen included on an agenda is correspondence asking for a specific request of Council and the letter writers will be provided a response. Correspondence regarding personnel matters, legal action and/or items of a confidential nature will not be included.

1. **Alberni Clayoquot Regional District | Fire Smart Grant - Page 113**

Letter dated October 6, 2022 from the Protective Services Manager requesting Council support for application to the Community Resiliency Investment Program.

THAT Council for the City of Port Alberni authorize the Alberni- Clayoquot Regional District to apply to the Union of BC Municipalities 2023 Community Resiliency Investment Program, to receive and manage grant funding on behalf of the City of Port Alberni as it relates to increasing the community's resiliency by undertaking community based FireSmart planning and activities that reduce the community's risk of wildfire.

2. **Grass Roots Homelessness Coalition - Licence to Occupy** - Page 115
Letter dated October 11, 2022 from Chair, Lisa George requesting renewal of the Licence to Occupy for the purposes of pop-up warming stations at City specific sites.

THAT Council authorize the Mayor and the Corporate Officer to enter into and execute a Licence to Occupy Agreement between the City of Port Alberni and the Grass Roots Homelessness Coalition effective October 15, 2022 and terminating April 30, 2023 for the purpose of providing temporary warming places on City owned lands.

I. PROCLAMATIONS

1. **Alberni Valley Restorative Justice Society** - Page 127
Letter dated October 13, 2022 from the Alberni Valley Restorative Justice Society requesting Council proclaim November 20 – 26, 2022 as ‘Restorative Justice Week’.

THAT Council proclaim November 20 – 26, 2022 as ‘Restorative Justice Week’ in the City of Port Alberni.

J. CORRESPONDENCE FOR INFORMATION

Correspondence found here provides information to Council. It may also include correspondence that may not be relevant to City services and responsibilities. Correspondence regarding personnel matters, legal action and/or items of a confidential nature will not be included.

1. **Correspondence Summary** - Page 128
 - a. Health Canada | Reply to Council Support for Private Members Bill C-216
 - b. BC Electoral Boundaries Commission | Invitation to Provide Input for Electoral Boundary Changes
 - c. BC Hydro Power Smart | Community ReGreening Grant Program
 - d. Sage Haven Society | 2023 Coldest Night of the Year
 - e. Premier Horgan | Follow up Letter Re: 2022 UBCM Convention Meeting
 - f. Alberni Valley Museum and Heritage Commission Minutes | September 7, 2022

K. REPORT FROM IN-CAMERA

L. COUNCIL REPORTS

1. **Council and Regional District Reports** - Page 148

M. NEW BUSINESS

An opportunity for Council to raise issues as a result of the business of the meeting or to identify new items for subsequent meetings by way of a ‘Notice of Motion’.

N. QUESTION PERIOD

An opportunity for the public to ask questions of Council.

O. ADJOURNMENT

That the meeting adjourn at PM

**MINUTES OF THE SPECIAL MEETING OF COUNCIL
FOR THE PURPOSE OF ESTABLISHING AN IN-CAMERA MEETING
Monday, September 26, 2022 @ 11:00 AM
In City Hall Committee Room | 4850 Argyle Street, Port Alberni**

PRESENT: Mayor S. Minions
Councillor D. Haggard
Councillor H. Poon
Councillor C. Solda
Councillor D. Washington

Absent: Councillor R. Corbeil
Councillor R. Paulson

Staff: T. Pley, Chief Administrative Officer
S. Smith, Director of Development Services | Deputy CAO
A. McGifford, Director of Finance
T. Slonski, Director of Corporate Services
W. Thorpe, Director of Parks, Recreation & Heritage

Call to order: @ 11:00 am

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

Section 90 (1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90 (1)(c) labour relations or other employee relations;

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

Section 90 (1)(g) litigation or potential litigation affecting the municipality.

CARRIED

The meeting was terminated at 11:25 am

CERTIFIED CORRECT

Mayor

Corporate Officer

ENTERED

Bla

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, September 26, 2022 @ 2:00 PM
In the City Hall Council Chambers – 4850 Argyle Street, Port Alberni, BC

PRESENT: Mayor S. Minions
Councillor R. Corbeil
Councillor D. Haggard
Councillor R. Paulson via Teleconference
Councillor H. Poon
Councillor C. Solda
Councillor D. Washington

Gallery: 20

A. CALL TO ORDER & APPROVAL OF THE AGENDA

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

MOVED AND SECONDED, THAT the agenda be amended to include correspondence under F.3 from R. Terepocki dated September 23, 2022 and item J(j), correspondence from Tseshaht First Nation. The agenda was then adopted as amended.

CARRIED

B. ADOPTION OF MINUTES

1. *MOVED AND SECONDED, THAT the minutes of the Special meeting held at 9:30 am and Regular Council meeting held at 2:00 pm on September 6, 2022 be adopted.*

CARRIED

C. PUBLIC INPUT PERIOD

Roland Smith

Spoke to the process involved with public requests for access to City information and records.

D. DELEGATIONS

1. **Alberni Valley Community Forest Corporation**
Chairman, Jim Sears, and members of the Board presented a dividend cheque from the Alberni Valley Community Forest Corporation in the amount of \$300,000.

E. UNFINISHED BUSINESS

F. STAFF REPORTS

1. **Accounts**

MOVED AND SECONDED, THAT the certification of the Director of Finance dated September 26, 2022, be received and the cheques numbered 151286 to 151416 inclusive, in payment of accounts totalling \$1,532,373.68, be approved.

CARRIED

ENTERED

B16

2. **Development Planner – Development Application | 3045 and 3053 Kingsway Avenue**
MOVED AND SECONDED, THAT Council authorize the issuance of Development Variance Permit No. 113 and that the Director of Corporate Services be authorized to sign the permit granting the following variances to the Zoning Bylaw at 3045 and 3053 Kingsway Avenue subject to the City of Port Alberni receiving a consolidated legal plan for the property:

Vary Section 5.15.2 RM2 Site Development Regulations to:

- i. Reduce minimum side yard setback from 5.0 metres to 1.5 metres for a variance of 3.5 metres.*
- ii. Reduce required minimum frontage from 25 metres to 20.12 metres for a variance of 4.88 metres.*
- iii. Reduce required minimum lot area from 840 m² to 766 m² for a variance of 74 m² (797 ft²).*

CARRIED | Res. No 22-210

MOVED AND SECONDED THAT Council authorize the issuance of Development Permit No. 22-02 and that the Director of Corporate Services be authorized to sign the permit including the development plans as shown on Schedule 'B', prepared by Streamside Homes Inc., subject to the City of Port Alberni receiving the required landscaping security in the amount of \$88,000.00.

CARRIED | Res. No 22-211

3. **Manager of Planning – Temporary Use Permit | 3665, 3675, 3689 4th Avenue**
MOVED AND SECONDED, THAT Council issue Temporary Use Permit No. 22-01, and that the Director of Corporate Services be authorized to sign the permit for City lands located at 3665, 3675, and 3689 4th Avenue to permit a temporary low barrier shelter of up to 30 units of temporary transitional housing in "Tiny Shelters", two sanitary stations, one office, bicycle parking, two outdoor gathering areas with a cover and furnishings, garbage area, and soft landscaping with attachments as noted in the Temporary Use Permit 22-01 once all the conditions noted in the permit have been met to the satisfaction of the Director of Development Services.

CARRIED | Res. No 22-212

MOVED AND SECONDED, THAT Council authorize the Director of Corporate Services to execute the Letter of Intent between the City of Port Alberni, Port Alberni Friendship Centre and BC Housing Management Commission dated September 12, 2022 and attached to this report.

CARRIED | Res. No 22-213

MOVED AND SECONDED, THAT Council authorize the Mayor and the Corporate Officer to enter into a lease agreement with the Port Alberni Friendship Centre for City owned lands at 3665, 3675, and 3689 4th Avenue for a two-year term for the purposes of operating a temporary low barrier shelter.

CARRIED | Res. No. 22-214

G. BYLAWS

1. **Development Planner – Proposed Zoning Bylaw Amendment | 3151 3rd Avenue**
MOVED AND SECONDED, THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be now introduced and read a first time.
CARRIED | Res. No. 22-215
MOVED AND SECONDED, THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be read a second time.
CARRIED | Res. No. 22-216
MOVED AND SECONDED, THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.
CARRIED | Res. No. 22-217
MOVED AND SECONDED, THAT the applicant be required to submit a consolidated legal plan for the properties at 3151 and 3141 3rd Avenue before Council considers final adoption of Bylaw No. 5064.
CARRIED | Res. No. 22-218

Mayor Minions left the meeting at 2:48 pm, declaring a conflict of interest as it relates to the Kuu-us Crisis Line Society's employment of her spouse.

Councillor H. Poon assumed the Chair at 2:48 pm.

2. **Deputy Director of Finance – 2023 Permissive Tax Exemptions**
[Alberni Drug & Alcohol Society | Kuu-us Crisis Line Society]
MOVED AND SECONDED, THAT "City of Port Alberni, Permissive Tax Exemption Bylaw No. 5068, 2022" be now introduced and read a first time.
CARRIED | Res. No. 22-219
MOVED AND SECONDED, THAT "City of Port Alberni Permissive Tax Exemption Bylaw No. 5068, 2022" be read a second time.
CARRIED | Res. No. 22-220
MOVED AND SECONDED, THAT "City of Port Alberni Permissive Tax Exemption Bylaw No. 5068, 2022" be read a third time.
CARRIED | Res. No. 22-221

Mayor Minions returned to the meeting at 2:55 pm and resumed the Chair.

[Island Corridor Foundation]

MOVED AND SECONDED, THAT "City of Port Alberni Permissive Tax Exemption Bylaw No. 5069, 2022" be now introduced and read a first time.

CARRIED | Res. No. 22-222

MOVED AND SECONDED, THAT "City of Port Alberni Permissive Tax Bylaw No. 5069, 2022" be read a second time.

CARRIED | Res. No. 22-223

MOVED AND SECONDED, THAT "City of Port Alberni Permissive Tax Exemption Bylaw No. 5069, 2022" be read a third time.

CARRIED | Res. No. 22-224

H. CORRESPONDENCE FOR ACTION

I. PROCLAMATIONS

J. CORRESPONDENCE FOR INFORMATION

1. *The Director of Corporate Services summarized correspondence to Council as follows:*
 - a. M. De Geer | Fire Hydrant Maintenance
 - b. Royal Canadian Legion | Remembrance Day Poppy Campaign & Flag Raising
 - c. W. Whyte | Concerns Regarding Proposed Burde Street Development
 - d. BC Emergency Health Services | Service Expansion in Port Alberni
 - e. Ministry of Jobs, Economic Recovery & Innovation | Mass Timber Demonstration Program Intake
 - f. Friends of Burde Street Ponds Steering Committee | Copy of Letter to the Ministry of Forests Requesting a Review of the Riparian Areas Protection Regulation
 - g. Alberni Valley Museum and Heritage Commission Minutes | June 1, 2022
 - h. Advisory Planning Committee Meeting Minutes | August 18, 2022
 - i. Draft Advisory Traffic Committee Meeting Minutes | July 20, 2022
 - j. Tseshah First Nation | National Day for Truth and Reconciliation 'Orange Shirt Day Walk' Friday, September 30th, 11:00 am, Harbour Quay.

K. REPORT FROM IN-CAMERA

L. COUNCIL REPORTS

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

M. NEW BUSINESS

1. **Notice of Motion | 3358 6th Avenue**
MOVED AND SECONDED, THAT Council direct staff to explore remedial action requirements as it relates to the property located at 3358 6th Avenue.
CARRIED | Res. No. 22-225

N. QUESTION PERIOD

Jim Del Rio

Inquired regarding the process for the 4th Avenue Tiny Shelter project.

Neil Anderson

Questioned the status of Council's Chief Administrative Officer search.

Roland Smith

Inquired as to the City's obligation to meet current railway standards when performing roadworks in areas where railways are present. Further posed a number of questions regarding the Connect the Quays Pathway project.

Randy Fraser

Requested an update regarding the City's previous exploration into the relocation of the Public Works building and for further clarification regarding the release of environmental reports for the Somass Lands.

O. ADJOURNMENT

MOVED AND SECONDED, THAT the meeting adjourn at 3:44 pm.

CARRIED

CERTIFIED CORRECT

Mayor

Corporate Officer



CITY OF
PORT ALBERNI

RECEIVED

OCT 19 2022

DELEGATION APPLICATION

CITY OF PORT ALBERNI

CONTACT INFORMATION: (please print)

Full Name: ROB IVEZICH Organization (if applicable):
Street Address: 5628 POPLAR ST Phone: [REDACTED]
Mailing Address: PORT ALBERNI, BC Email:
No. of Additional Participants:
[Name/Contact Information]

MEETING DATE REQUESTED: OCT. 24TH 2022

PURPOSE OF PRESENTATION: (please be specific)

Provide an overview of your presentation below, or attach a one-page (maximum) outline of your presentation:

PLEASE SEE ATTACHED.

Requested Action by Council (if applicable):

Supporting Materials/PowerPoint Presentation: ☐ No ☐ Yes

Note: If yes, must be submitted by 12:00 noon on the Wednesday before the scheduled meeting date.

SIGNATURE(S):

I/We acknowledge that only the above listed matter will be discussed during the delegation and that all communications/comments will be respectful in nature.

[Signature]

Signature:

Oct. 19, 2022

Date:

OFFICE USE ONLY:

Approved: (Deputy City Clerk)

Scheduled Meeting Date: OCT 24, 22

Date Approved: OCT 6, 22

Applicant Advised: OCT 6, 22

☒ Council ☐ Economic Development
☒ Mayor ☐ Engineering/PW
☒ CAO ☐ Parks, Rec. & Heritage
☐ Finance ☐ Development Services
☐ Corporate Services ☐ Community Safety
☒ Agenda ☐ Other KCN OCT 24/22
File # 0550-20-0024

Personal information you provide on this form is collected pursuant to Section 26 of the *Freedom of Information and Protection of Privacy Act [FOIPPA]* and will only be used for the purpose of processing this application.

Your personal information will not be released except in accordance with FOIPPA.

ENTERED
DI

The Port Alberni Cubs Old-timers Baseball Program, which features a Nationally competitive Senior group of players that are 55+ in age, has been asked to host the Canadian National Baseball Championships in August of 2023 here in Port Alberni. In 2022, the Port Alberni Cubs attended the National Championships for the first time, and placed 2nd in the country. There is little doubt that hosting a National Championship will have multiple benefits for our community. The accommodation and tourism dollars spend and their well documented multiplier effect, the profile provided by the attention in the Valley that acts almost as a free advertisement of the community's beauty and welcomeness.

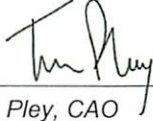
This exciting opportunity does not come without its challenges.

Accommodations in the Valley to host two divisions (the 55+ and 60+ divisions) 12-20 teams is a daunting request and we're already busy exhausting all local channels while also opening some dialogue with neighboring communities.

Volunteers are always a critical challenge but we're finding as the news gets out, there is ample hands willing to assist in bringing this home.

And perhaps the most challenging; ensuring two National event caliber Baseball parks are available to host this baseball event. This is why we need your support and backing. I'm wanting to discuss in this presentation what support we would need.

Date: October 13, 2022
File No: 8100-20-CNOBFC
To: Mayor & Council
From: T. Pley, Chief Administrative Officer
Subject: Canadian National Oldtimers Baseball Federation Championships

Prepared by:  W. Thorpe Director of Parks, Recreation and Heritage	Supervisor: T. PLEY Chief Administrative Officer	CAO Concurrence:  T. Pley, CAO
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RECOMMENDATION

This report is being provided for Council's information.

PURPOSE

For Council's information regarding hosting a Canadian National Oldtimers Baseball Federation Championship.

BACKGROUND

Further to the delegation provided at today's meeting by the Port Alberni Cubs Old Timers Baseball Program, staff are provided Council with background information regarding hosting two divisions (60+ and 57+) of the Canadian National Oldtimers Baseball Federation Championship in August 2023.

ALTERNATIVES/OPTIONS

This report is provided for Council's information.

ANALYSIS

The baseball diamonds at Lon Miles and Recreation Park are scheduled for routine repair work between fall 2022 and summer 2023 for our existing user groups, including leveling infield grass, repairing lights, and installing netting, with an estimated cost of \$40,000 as part of the 2023 annual financial plan. If Port Alberni hosts the 2023 Canadian National Oldtimers Baseball Federation Championship, additional work would be required to prepare the two baseball diamonds, including scoreboard repair, drainage, bullpens, fencing, and painting. The estimated cost for this work is \$240,000, and the work would be completed between fall 2022 and summer 2023. If Port Alberni elects not to host the 2023 Championship, the next opportunity to host would be in 2025.

IMPLICATIONS

The costs for the work to prepare the diamonds for hosting a national championship are not currently included in the City's Five Year Financial Plan, and an amendment to the Financial Plan would be required to proceed with the work.

ENTERED
F2

COMMUNICATIONS

Staff will communicate any direction from Council directly to the local organizing committee.

BYLAWS/PLANS/POLICIES

Hosting national championships align with Council's *2019 – 2023 Corporate Strategic Plan*, as part of the goals of "the City provides quality local government services that are valued by users" and "the tourism/visitor sector of the local economy flourishes".

SUMMARY

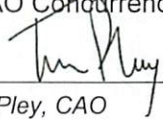
Port Alberni has been approached to host the 2023 Canadian National Oldtimers Baseball Federation Championship. Staff are providing Council for the City of Port Alberni background information regarding Port Alberni hosting this Championship.

ATTACHMENTS/REFERENCE MATERIALS

N/A

c: *T. Slonski, Director of Corporate Services*
 A. McGifford, Director of Finance

Date: October 18, 2022
File No: 1760-20-5038
To: Mayor & Council
From: T. Pley, CAO
Subject: City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021 | Municipal Security Issuing Resolution

Prepared by: <i>A. McGIFFORD</i> Director of Finance	Supervisor: <i>T. PLEY</i> CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  T. Pley, CAO
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RECOMMENDATION

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2023 Spring Borrowing Session, in the amount of \$8,500,000 as authorized through "City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021" and that the Alberni-Clayoquot Regional District be requested to consent borrowing over a 30-year term and include the borrowing in a Security Issuing Bylaw.

PURPOSE

For Council to pass a Municipal Security Issuing Resolution [MSIR] to enable borrowing for "City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021" from the Municipal Finance Authority of BC [MFABC] for the Wastewater Treatment Facility [WWTF] upgrade.

BACKGROUND

At its Regular meeting of September 7, 2021, Council received the updated WWTF project cost estimate. The borrowing required has increased to \$8.5 million [amended within the 2021-2025 Financial Plan], from \$5.68 million [presented and included in the 2020-2024 Financial Plan] on January 27, 2020. The WWTF received \$18.1 million in grant funding applied to the total cost, and the current total cost to complete the project is \$41M.

Debt secured through MFABC must go through the following process (see attached flow chart). Today's staff report and corresponding resolution will address Step 7.

1. Loan authorization bylaw drafted and Council gives it three readings [Bylaw attached to staff report]
2. Provincial review and statutory approval by the Inspector of Municipalities (6-8 weeks)
3. Approval of the electors (if applicable, 8-11 weeks) [not applicable in this instance]
4. Adoption of the bylaw by the Council
5. Challenge period (1 month)
6. Provincial review of the security issuing bylaw and certificate of approval by the Inspector of Municipalities (2-4 weeks)
7. Municipal Council passes security issuing resolution and agreement (if applicable) – **Today**
8. Regional district drafts security issuing bylaw
9. Security issuing by the Municipal Finance Authority

ENTERED

F3

ALTERNATIVES/OPTIONS

1. That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2023 Spring Borrowing Session, in the amount of \$8,500,000 as authorized through "*City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021*" and that the Alberni-Clayoquot Regional District be requested to consent borrowing over a 30-year term and include the borrowing in a Security Issuing Bylaw.
2. That Council provide alternate direction.

ANALYSIS

All long-term financing under Section 179 of the *Community Charter* [loan authorization bylaws for long term borrowing], must be done through a regional district, and the MFABC. The MSIR is the trigger for a regional district to include a municipality in a Security Issuing Bylaw and forms a key part of the legal documentation required for MFA financing. It is also used to prepare loan agreements and demand notes between a regional district and its member municipalities.

In March and September of each year, MFABC will fund client loan requests which have undergone all appropriate approval processes. The deadline for regional districts to submit Security Issuing bylaws to the Ministry of Municipal Affairs for a Certificate of Approval are typically six weeks before these meetings.

IMPLICATIONS

Should Council not pass a resolution to enable borrowing for "*City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021*" from the Municipal Finance Authority of BC for the Wastewater Treatment Facility upgrade, the City would not be in a position to borrow the necessary funds required to complete the project.

COMMUNICATIONS

None at this time.

BYLAWS/PLANS/POLICIES

- *City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021*

SUMMARY

- The City of Port Alberni requires \$8.5 million in borrowing to complete the WWTF in 2022.
- In order to secure funds, the City is required to undertake a process that includes coordination and approval from the Ministry of Municipal Affairs, the ACRD and MFABC.
- As part of that process, staff are requesting that Council pass a resolution to approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2023 Spring Borrowing Session, in the amount of \$8,500,000 as authorized through "*City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021*" and that the Alberni-Clayoquot Regional District be requested to consent borrowing over a 30-year term and include the borrowing in a Security Issuing Bylaw.

ATTACHMENTS/REFERENCE MATERIALS

- *City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021*
- MFABC - Loan Authorization Bylaw Procedures – flowchart

c: T. Slonski, Director of Corporate Services

**CITY OF PORT ALBERNI
LOAN AUTHORIZATION BYLAW NO. 5038, 2021**

**A Bylaw to Authorize Borrowing to
Construct the 'Wastewater Treatment Facility Upgrade | Somass Estuary
Environmental Stewardship Project'**

WHEREAS Council has deemed necessary the Waste Water Treatment Facility Upgrade | Somass Estuary Environmental Stewardship project,

AND WHEREAS the estimated cost of construction the Waste Water Treatment Facility Upgrade & Somass Estuary Environmental Stewardship project including expenses incidental thereto is the sum of Forty-One Million Dollars (\$41,000,000);

AND WHEREAS Six Million, Eight Hundred Ninety-Five Thousand, Two Hundred and Ten Dollars (\$6,895,210) is the amount to be expended from the grant funding Agreement through the Clean Water and Wastewater Fund for treatment of wastewater and enhancement of the Somass Estuary and Eleven Million, Two Hundred Thousand Dollars (\$11,200,000) is the amount to be expended from the grant funding Agreement through the General Strategic Priorities Fund for treatment of wastewater;

AND WHEREAS the previous borrowing for the Waste Water Treatment Facility and Somass Estuary Environmental Stewardship projects including expenses incidental thereto, is the sum of Nine Million, Nine Hundred and Fifty Thousand Dollars (\$9,950,000);

AND WHEREAS Eight Million and Five Hundred Thousand Dollars (\$8,500,000) is the amount of debt intended to be borrowed by this bylaw.

NOW THEREFORE, the Council for the City of Port Alberni in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of Waste Water Treatment Facility Upgrade and Somass Estuary Environmental Stewardship [restoration of estuarine habitat] generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - a. To borrow upon the credit of the municipality a sum not exceeding Eight Million and Five Hundred Thousand Dollars (\$8,500,000) to complete construction of treatment facilities as may be requisite or desirable for or in connection with the construction of the said upgrade to the sewage lagoons and estuary.
2. The maximum term for which the debentures may be issued to secure the debt created by this bylaw is thirty (30) years.

3. This bylaw may be cited as **"City of Port Alberni Wastewater Treatment Facility Upgrade Loan Authorization Bylaw No. 5038, 2021"**.


READ A FIRST TIME this 22nd day of November, 2021.

READ A SECOND TIME this 22nd day of November, 2021.


READ A THIRD TIME this 22nd day of November, 2021.

RECEIVED the approval of the Inspector of Municipalities this 13th day of June, 2022.

ADOPTED this 27th day of June, 2022.

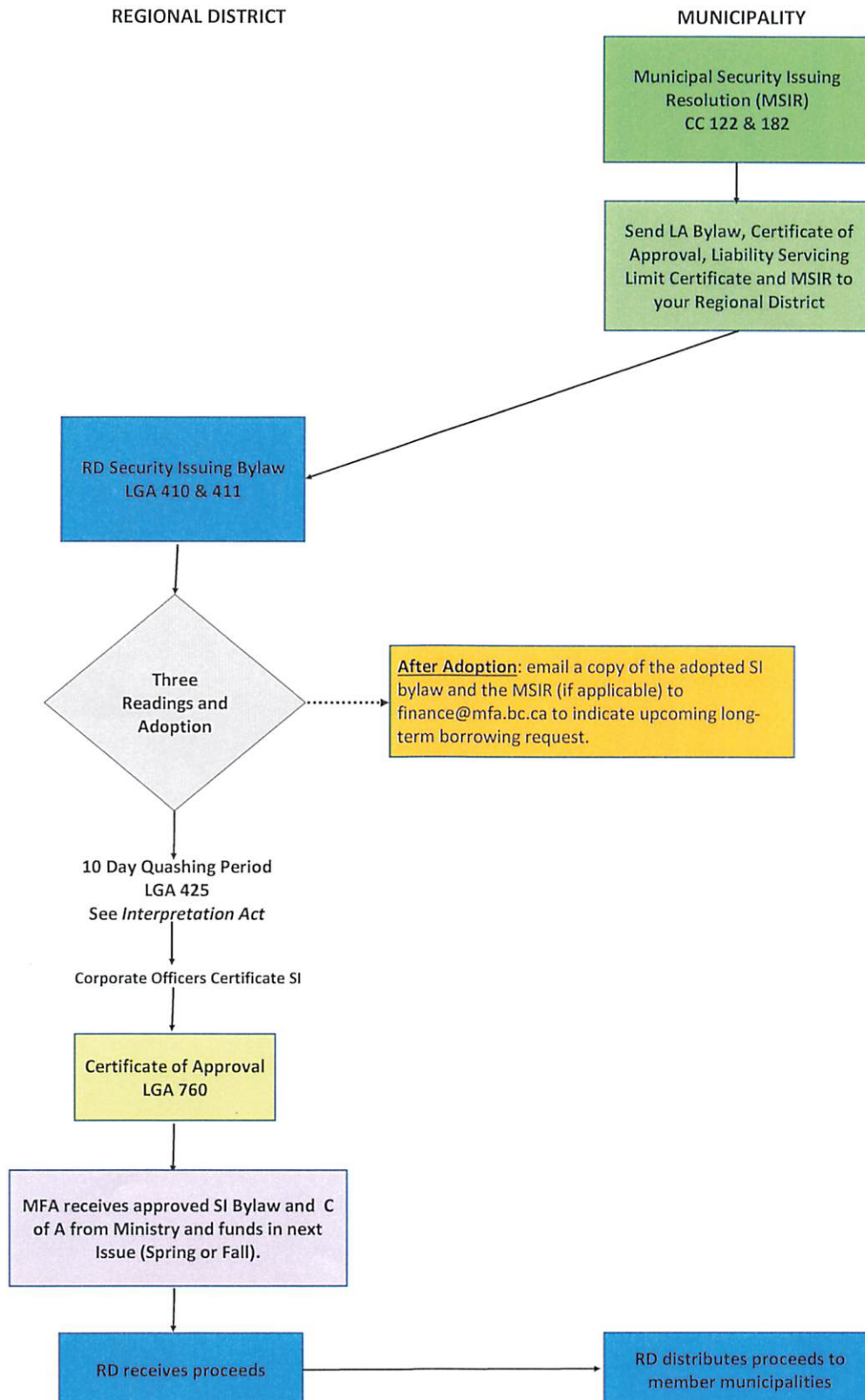


Mayor



Corporate Officer

Security Issuing Procedures



Date: October 18, 2022
File No: 0890-20-Somass
To: Mayor & Council
From: T. Pley, Chief Administrative Officer
Subject: Somass Lands Salvage

RECOMMENDATION[S]

THAT Council for the City of Port Alberni authorize Bowerman Construction to continue providing project management services to the City in relation to the Somass Lands until December 31, 2022 pursuant to a Notice of Intent, with costs to not exceed \$150,000 (not including revenues).

PURPOSE

To update Council on salvage work progress on Somass Lands, and seek further direction.

BACKGROUND

In 2021 the City of Port Alberni purchased 5 parcels of land from Western Forest Products, one of which was a 43-acre waterfront parcel (the "Somass Lands") upon which sit a disused sawmill and associated outbuildings and equipment. The City has begun a process to select a development partner for redevelopment of the Somass Lands. Redevelopment will likely include demolition of all improvements and remediation of the site.

Since taking possession of the Somass Lands in February 2022 the City has engaged Footprints Security for the purpose of providing site security. That service notwithstanding, the City has experienced some trespasses on the Somass Lands and there have been indications of theft from the site, in particular theft of small equipment and copper wire. In September 2022 the City engaged Bowerman Construction on a short-term contract to provide project management services, for the purpose of undertaking a copper wire salvage project on a trial period basis.

Bowerman Contracting, acting on behalf of the City, engaged a contract crew to remove high-value materials from the site. The material was removed from the site on a daily basis and sold at market value to the Alberni Foundry. Over a total of eleven days the City experienced a cost of \$33,047 and revenues of \$29,746 over that same time period.

The City found that while contract crews were active on site, trespasses and theft appeared to be less than previous to the trial period. The City was also able to benefit from having a contracted project manager on site who could assess potential for other salvage work, and begin developing necessary documents and plans to enable future demolition and salvage projects. The City is not otherwise resourced to undertake this project management work.

While on site acting in the capacity of Project Manager, Bowerman Construction identified several outbuildings, components and equipment that could be salvaged and sold resulting in no net cost to the City or in some cases resulting in a net revenue for the City. Several local industrial operators have expressed interest in purchasing some salvaged components that would support continued operation of their local facilities. The trial salvage project was undertaken with Council's authority, and Bowerman Construction was engaged under delegated authority within the City's Procurement Policy.

ENTERED

ALTERNATIVES/OPTIONS

Option One: Council authorize the continuation of Bowerman Construction providing project management services to the City until December 31, 2022, costs [not including revenues] to not exceed \$150,000.

Option Two: Council direct that an RFP be issued for project management services related to salvage at Somass Lands.

Option Three: Council provide alternative direction.

ANALYSIS

Council's primary goal with regard to the Somass Lands is that the lands be redeveloped in a timely manner, while maximizing value to the City. Given that improvements on the Somass Lands are potential liabilities to the City and future development, removal of any buildings, components, contents or equipment would reduce future demolition needs and better-position the property for redevelopment. Several building components and/or equipment have been identified as having a sale value equal to or greater than the anticipated costs of undertaking salvage work, and thus could present net revenue opportunities and/or opportunities to reduce the scope of future demolition.

The City could proceed with incremental salvage on the Somass Lands site, better-position the lands for redevelopment, deter trespass and theft in the process by having contractors active on the site, and do so in a manner that does not impede progress on the City's goal of engaging a redevelopment partner. The salvage work would target items for removal that would attain a net revenue or near net positive revenue.

IMPLICATIONS

In order to secure and receive value for material on the Somass Lands site, the City asked Bowerman Construction's project management staff to identify opportunities to sell components within the site. The City's Procurement Policy includes the following language regarding a direct award of this nature:

"Where a Public Competitive Process is impractical because of the need to obtain unique third-party skills, there is a requirement for contractor continuity, or there is a strong case for the cost effectiveness of maintaining or retaining an existing contractor for a specific task"

There is a strong case to direct award to Bowerman Construction since the City will benefit from contractor continuity as Bowerman:

- is familiar with the site;
- is familiar with the City's requirements and processes for further recovery efforts; and
- has established local effective industry connections for future salvage efforts.

The City will further benefit from the direct award by ensuring that the project continues without the delay of a procurement process that would take at least three months to conduct.

The City will post a "Notice of Intent" to BC Bid and the City website to inform the market of the City's intent to direct award this work to Bowerman Construction. The public market will have the opportunity review the City's justification for the direct award and challenge the City on this determination. Staff do not expect that

such a challenge will eventuate. However, were one to be submitted to the City, staff would review the challenge and, if warranted, proceed with conducting a formal public competitive procurement process.

COMMUNICATIONS

If Council directs that Bowerman Construction be retained to provide project management services, a media release will be issued informing interested parties of the City's intention to salvage and sell components of the Somass sawmill and associated outbuildings. For each component of considerable value to be sold, the City will either issue a Notice of Disposition, a Notice of Intent, or a Request for Proposals in compliance with applicable legislation.

BYLAWS/PLANS/POLICIES

- Procurement Policy

SUMMARY

The City has completed a trial salvage project on the Somass Lands that has resulted in an offsetting of expenses through revenues from salvage, while at the same deterring trespass and theft. Several opportunities have been identified for further salvage and sale of components. Council is asked to consider re-engaging Bowerman Construction to provide project management services to act for the City's in this regard.

*Copy: S. Smith, Director of Development Services/ Deputy CAO
A. McGifford, Director of Finance
T. Slonski, Director of Corporate Services*

CITY OF PORT ALBERNI

BYLAW NO. 5068

A BYLAW TO EXEMPT CERTAIN LANDS AND IMPROVEMENTS FROM TAXATION

Whereas Section 224 of the *Community Charter*, RSBC 2003 provides that the Council may by bylaw, in accordance with the section, exempt land or improvements or both from taxation under Section 197 (1) (a) of the *Community Charter* to the extent, for the period and subject to the conditions provided in the bylaw, and;

Whereas Council deems it appropriate to exempt certain properties from taxation.

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

1. Title

This Bylaw may be known and cited for all purposes as "City of Port Alberni
Permissive Tax Exemption Bylaw No. 5068, 2022".

2. Exempted Properties

The lands, and all improvements thereon unless otherwise indicated, as set out in Schedule "A" are exempted from taxation for the period prescribed in Schedule "A" in accordance with Section 224 (2) of the *Community Charter*.

READ A FIRST TIME this 26th day of September, 2022.

READ A SECOND TIME this 26th day of September, 2022.

READ A THIRD TIME this 26th day of September, 2022.

ADOPTED this day of , 2022.

Mayor

Corporate Officer

ENTERED

Gla

BYLAW NO. 5068
SCHEDULE A
DESCRIPTION OF PERMISSIVE TAX EXEMPTIONS

NAME OF ORGANIZATION AND APPLICABLE AUTHORITY OF THE COMMUNITY CHARTER	CONDITION OF PERMISSIVE TAX EXEMPTION	PROPERTY DESCRIPTION	PERIOD OF EXEMPTION
Port Alberni Drug & Alcohol Society ADAPS <i>224 (2) (a) charitable or not for profit organization</i>	100%	4480 Vimy St. (Echo Park Field house) Lot A Plan VIP31446 District Lot 92 Land District 01 Except Plan VIP58940 & EXC PL VIP87123 VIP88262 & EPP12140; THAT PT INCL IN LEASE TO ALBERNI VALLEY DRUG & ALCHOHOL PREVENTION SERVICES Lease Licence Num 793 Folio 092-0696-05	January 1, 2023 - December 31, 2023
Kuu-us Crisis Line Society <i>224 (2) (a) charitable or not for profit organization</i>	92.3%	4589 Adelaide St Lot 2 Block 14 Plan VIP197E District Lot 1 Lot 1 Block 14 Plan VIP197E District Lot 1 Land District 01Folio 001-0156-00	January 1, 2023 - December 31, 2023

CITY OF PORT ALBERNI

BYLAW NO. 5069

A BYLAW TO EXEMPT CERTAIN LANDS AND IMPROVEMENTS FROM TAXATION

Whereas Section 224 of the *Community Charter*, RSBC 2003 provides that the Council may by bylaw, in accordance with the section, exempt land or improvements or both from taxation under Section 197 (1) (a) of the *Community Charter* to the extent, for the period and subject to the conditions provided in the bylaw, and;

Whereas Council deems it appropriate to exempt certain properties from taxation.

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

1. Title

This Bylaw may be known and cited for all purposes as " **Permissive Tax Exemption Bylaw No. 5069, 2022**".

2. Exempted Properties

The lands, and all improvements thereon unless otherwise indicated, as set out in Schedule "A" are exempted from taxation for the period prescribed in Schedule "A" in accordance with Section 224 (2) of the *Community Charter*.

READ A FIRST TIME this 26th day of September, 2022.

READ A SECOND TIME this 26th day of September, 2022.

READ A THIRD TIME this 26th day of September, 2022.

ADOPTED this day of , 2022.

Mayor

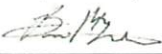
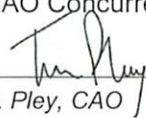
Corporate Officer

ENTERED
Glb

**BYLAW NO. 5069
SCHEDULE A
DESCRIPTION OF PERMISSIVE TAX EXEMPTION**

NAME OF ORGANIZATION AND APPLICABLE AUTHORITY OF THE COMMUNITY CHARTER	CONDITION OF PERMISSIVE TAX EXEMPTION	PROPERTY DESCRIPTION	PERIOD OF EXEMPTION
Island Corridor Foundation <i>224 (2) (a) charitable or not for profit organization</i>	100%	Part of District Lot 12, AD on Plan annexed to DD7958I - Folio 990-0301-00 Lot A, DL 12, Plan 67727 -Folio 990-0311-03 Lot A, DL 1, Plan 67726 -Folio 990-0311-04 Part of DL 1, AD on Plan attached to DD18162 included in Plan 67961 - Folio 990-0311-05 Lot 2, DL 1, Plan 10780 except Part in Plan 32280 and 67137 - Folio 001-2976-00	January 1, 2023 - December 31, 2032

Date: October 13, 2022
File No: 3360-20-3151 3rd Ave
To: Mayor and Council
From: T. Pley, CAO
Subject: DEVELOPMENT APPLICATION – Zoning Bylaw Amendment at 3151 3rd Avenue, Port Alberni
LOT A, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN VIP36879 (PID: 000-428-230)
Applicant: A. Richards dba Dog Mountain Brewing Ltd.

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

- a. THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be read a third time.
- b. THAT the applicant be required to submit a consolidated legal plan for the properties at 3151 and 3141 3rd Avenue before Council considers final adoption of Bylaw No. 5064.

PURPOSE

The City has received an application to rezone the property at 3151 3rd Avenue from C5 to C7. This would allow Dog Mountain Brewing Ltd. to use the property for their business operation. The application requires a map amendment to Zoning Bylaw No. 4832.

BACKGROUND

Council gave 1st and 2nd reading to the amending bylaws at the meeting on September 26, 2022. Council also passed a resolution to waive the Public Hearing as permitted under the *Local Government Act* (s.467) since the application aligns with the OCP land use designation. The staff report from September 26, 2022 is attached to this report for additional information.

ENTERED
G2

Figure 1 – Subject Property Map

The map shows a grid of streets: Argyle St. (top), 3rd Ave. (left), 4th Ave. (right), and Athol St. (bottom). The central area is divided into blocks. A specific lot, 3151 A 36879, is highlighted with a thick black border. Other lots include 4916 Manor House Apts - 25 Units, Pcl A 197B, and various other numbered lots. A line with an arrow points from the title 'Figure 1 – Subject Property Map' to the highlighted lot.

ALTERNATIVES/OPTIONS

1. THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be read a third time.
2. That Council may pass a resolution to provide alternative direction to staff.
3. That Council may pass a resolution not proceed.

Staff support Option#1.

ANALYSIS

Zoning and Land Use

The applicant has applied to rezone the subject property from the *C5 Transitional Office* zone to the *C7 Core Business* zone. *C5 Transitional Office* is a zone that permits only limited commercial uses. The *C7* zone permits the uses proposed by the applicant, which are appropriate and compatible for this location. However, the lots must be consolidated to meet the zone requirements.

The intent of the C7 zone and OCP land use designation General Commercial (GCO) aligns with the applicant's plan to use the property for their existing brewery/restaurant business specifically, their non-brewing operations. A portion of the existing detached home would be used as a commercial kitchen for the pub next door, and as a lounge/private event space. The front yard would be converted to a pet-friendly picnic area with tables.

IMPLICATIONS

This application at 3151 3rd Avenue would enable Dog Mountain Brewing Ltd. to expand their business operation to the subject property beside their existing operations, enabling economic growth in the uptown area and providing service options to a changing demographic in the uptown area.

If Council gives 3rd reading to the amending bylaw, the applicant will be required to satisfy outstanding conditions prior to Council considering final adoption of the bylaw.

COMMUNICATIONS

At the September 26, 2022 meeting, Council passed a resolution to waive the Public Hearing. Accordingly, staff issued 70 public notices to properties within 75 metres of the subject property, as per section 467 of the *Local Government Act*. The applicant updated their property sign to state that the Public Hearing had been waived. Notices were placed in the newspaper according to the requirements *Local Government Act* sections 465 and 466. The notices provided an opportunity for the public to give written feedback to Council. As of the date of this report, no items of correspondence have been received. If any correspondences are received, they will be brought forward by staff at the Council meeting

BYLAWS/PLANS/POLICIES

The application to amend *Zoning Bylaw 2014 No. 4832* was given *First and Second Readings at the Regular Council meeting of September 26, 2022*. The following amendment is proposed:

1. THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be read a third time.

SUMMARY

Staff support the proposed "*Zoning Bylaw amendment No.54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064*" as it aligns with the OCP General Commercial land use designation, Council's strategic priorities #1 Respond to demographic change/improve quality of life and #2 Enable the new economy.

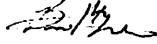
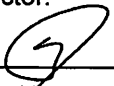
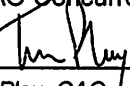
ATTACHMENTS/REFERENCE MATERIALS

- *Staff Report to Council, September 15, 2022 – 3151 3rd Avenue*
- *Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064*

C: T. Slonski, Director of Corporate Services
A. McGifford, Director of Finance
R. Gaudreault, Building/Plumbing Inspector

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DogMountainBrewing-Council-3rd mw.docx

Date: September 15, 2022
File No: 3360-20-3151 3rd Ave
To: Mayor and Council
From: T. Pley, CAO
Subject: DEVELOPMENT APPLICATION – Zoning Bylaw Amendment at 3151 3rd Avenue, Port Alberni
LOT A, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN VIP36879 (PID: 000-428-230)
Applicant: A. Richards dba Dog Mountain Brewing Ltd.

Prepared by:  B. McLoughlin Planner II	Supervisor: M. Wade M. Wade Manager of Planning	Director:  S. Smith, Dir. of Development Services Deputy CAO	CAO Concurrence:  T. Pley, CAO
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RECOMMENDATION[S]

- THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be now introduced and read a first time.
- THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be read a second time.
- THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.
- THAT the applicant be required to submit a consolidated legal plan for the properties at 3151 and 3141 3rd Avenue before Council considers final adoption of Bylaw No. 5064.

PURPOSE

The City has received an application to rezone the property at 3151 3rd Avenue from C5 to C7. This would allow Dog Mountain Brewing Ltd. to use the property for their business operation. The application requires a map amendment to Zoning Bylaw No. 4832.

BACKGROUND

The subject property is designated *General Commercial* in the Official Community Plan (OCP), and is classified as C5 – Transitional Office in Zoning Bylaw No. 4832. The property is currently occupied by an older single-detached residential home that would be converted to a business use along with the outdoor spaces on the property, to support the existing business located at 3141 3rd Avenue.

Zoning of the surrounding neighbourhood is a mix of residential and commercial. The property is located in the 3rd Avenue commercial corridor which has a mix C7, C5, and C3 zoning. Directly to the east is a residential neighbourhood along 4th Avenue and Athol Street. Northeast of the property is a 25-unit multi-family apartment building which shares access to the laneway.

Subject Property and Site Context

Location	On the east side of 3 rd Avenue mid-block between Argyle Street and Athol Street.
Current Zoning	C5 Transitional Commercial
Proposed Zoning	C7 Core Business
Total Area	<ul style="list-style-type: none"> • Approx. 467 m² (5,028 ft²)
Official Community Plan (OCP)	<ul style="list-style-type: none"> • Schedule A - Land Use Map: General Commercial (GCO) • Schedule B Development Permit Areas Map: Commercial

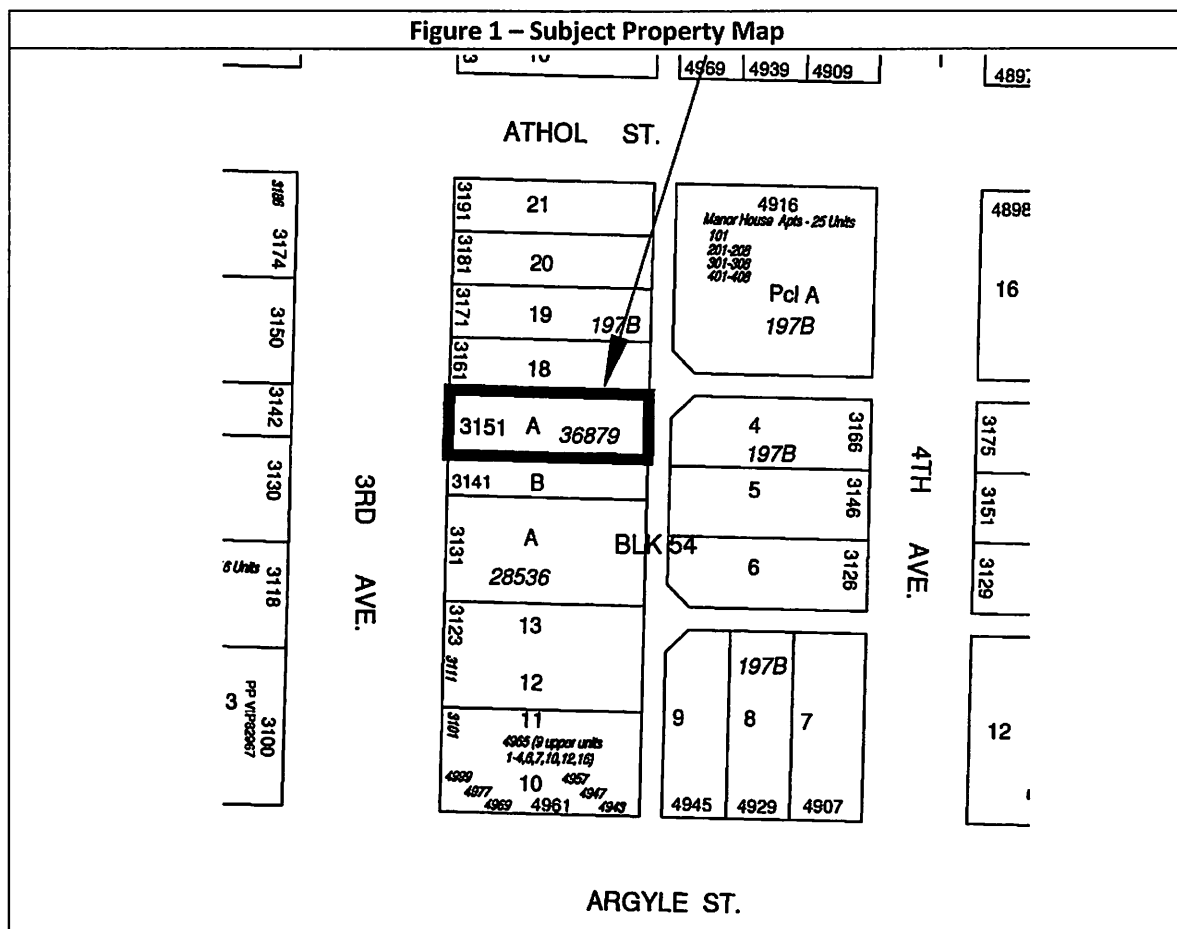


Table 1 – Surrounding Neighbourhood Land Use	
North	C5 Transitional Office, C7 Core Business, C3 Service Commercial
South	C7 Core Business
East	R2 One and Two Lot Single Family Residential
West	C7 Core Business, C3 Service Commercial

ALTERNATIVES/OPTIONS

1. THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be now introduced and read a first time.

THAT "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" be read a second time.

THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.

THAT the applicant be required to submit a consolidated legal plan for the properties at 3151 3rd Avenue and 3141 3rd Avenue before Council considers final adoption of Bylaw No. 5064.

2. Council may decline to give first reading.
3. Council may provide alternate direction.

ANALYSIS

Zoning and Land Use

The applicant has applied to rezone the subject property from the *C5 Transitional Office* zone to the *C7 Core Business* zone. *C5 Transitional Office* is a zone that permits only limited commercial uses. The intent is for properties in this zone to act as a buffer between commercial neighbourhoods and residential areas. In the location of 3151 3rd Avenue, the C5 zoning does not play a vital role in buffering residential properties from the commercial corridor. Instead, the C5 zone limits the development of the property, and does not permit the expansion of Dog Mountain Brewing on the commercial corridor. The C7 zone permits the uses proposed by the applicant, which are appropriate and compatible for this location. However, the lots must be consolidated to meet the zone requirements.

Table 2 – Zone Definitions	
Title	Purpose
<i>C5 Transitional Office</i>	The purpose of this zone is to establish and maintain transitional areas between residential, commercial and industrial zones. Permitted uses and buildings are intended to have little impact on neighbouring residential properties.
<i>C7 Core Business</i>	The purpose of this zone is to establish and maintain vibrant mixed-use commercial core areas, with attention to providing goods and services to residents, the travelling public and tourists.

The intent of the C7 zone aligns with the applicant’s plan to use the property for their existing brewery/restaurant business – specifically, their non-brewing operations. A portion of the existing detached home would be used as a commercial kitchen for the pub next door, and as a lounge/private event space. The front yard would be converted to a pet-friendly picnic area with tables. The owners intend to seek a “picnic area endorsement” for their liquor license which would allow alcohol to be consumed in this space.

Staff Notes:

- Proposed C7 zoning is consistent with the General Commercial (GCO) land use designation in the OCP.
- Proposed uses align with intent of C7 zone.
- Staff consider an outside picnic-style area to be a *restaurant patio* re: activities that may occur outside of a building in the C7 zone.
- *Local Government Act* section 464(2) allows Council to waive Public Hearing for rezoning that is consistent with the OCP.
- The applicants intend to license the proposed outdoor picnic area which may impact noise levels for immediate neighbours. However, the business must abide by *Noise Control Bylaw No. 4718*.
- Staff are suggesting to the applicant to consider landscaping improvements to mitigate noise between the picnic area and the neighbouring property at 3161 3rd Avenue.
- Development Permit will only be required if improvements equal or exceed \$25,000. Value of building alterations to be determined.
- A consolidation plan is required prior to adoption.

Site Plan and Lot Consolidation

The applicant has provided a site plan (attached) showing the property as a commercial operation. Circulation for customers and staff would be improved through walkways constructed around the property and connecting to the sidewalk on 3rd avenue. Accessibility would also be improved by a new accessible ramp connected to the sidewalk. The rear yard of 3151 3rd Avenue is accessed from the lane and would be converted to staff parking and loading space.

Staff recommend the applicant be required to consolidate 3151 3rd Avenue with the neighbouring 3141 3rd Avenue (existing pub) as a condition of rezoning. This is required to meet the frontage and lot size requirements of the C7 Core Business zone, and resolves issues related to use and access on separate legal parcels.

Table 3 – Lot Dimensions

Site Regulations (Zoning Bylaw 5.24.3)	C7 Core Business Zone	3151 & 3141 3 rd Avenue (after consolidation)
Minimum Lot Area	540 m ²	765 m ²
Minimum Frontage	15 m ²	20.11 m

Infrastructure and Servicing

Utility service upgrades may be required during development. The Engineering Department has provided an *Engineering Servicing Report* dated August 10, 2022 listing required information and site works. The applicant will be responsible for the cost of all improvements where needed.

Highlights:

- Recommend the application consider an accessible parking stall with wheelchair access onto the sidewalk.
- If changes to property impact site drainage a geotechnical investigation and site grading plans will be required.
- Applicant must confirm if existing sewer service is sufficient for new use of building.
- Applicant must connect existing building to storm water service.

Picnic Areas and the Liquor Control and Licensing Regulation (LCLR)

The applicant intends to seek a “picnic area endorsement” for the front yard as permitted under section 34 of the BC *Liquor Control and Licensing Regulation* for liquor manufacturers. A picnic area is defined by the *Liquor Manufacturer Terms and Conditions* manual as follows:

“Picnic area” means an outdoor area on the site of a manufacturing facility where patrons may consume liquor purchased from the lounge, special event area or on-site retail store, or samples provided from the sampling area(s).

No sales or service are permitted in a picnic area, but customers would be allowed to carry drinks from the house to this area for consumption. Operating terms for a picnic area as listed in the *Liquor Manufacturer Terms and Conditions* manual are below:

- *May be open from 9 a.m. until half an hour after sunset. Liquor may not be consumed past this time and all patrons must be cleared within a further half an hour.*
- *Must have signage to indicate the person capacity and to indicate that the area is for consumption only (not a service area).*
- *Must have boundaries that are marked to ensure they can be easily identified.*
- *Has a total person capacity of 30 persons, unless otherwise noted on your licence.*
- *Is not permitted to have amplified sound in or adjacent to the picnic area, except if there is amplified sound at an event occurring in an adjacent Special Event Area (SEA).*

- *Although patrons may consume drinks purchased from your service areas in the picnic area, the picnic area must not be used as an overflow area of a lounge. Patrons are not permitted to carry open liquor across an unlicensed public space when accessing a picnic area.*

REFERRALS

Agency/department	Comments	
CPA Engineering Department	<i>Engineering Servicing Report</i> dated August 10, 2022 provided (attached).	
CPA Parks, Recreation & Heritage Department	Recreation: Interest unaffected Parks: Since the plans show a comparable amount of permeable soft surface after development as before, Parks has no objections to the application. Eating outside in the summer is much more enjoyable under shade, so recommend the applicant plant a properly placed tree to provide this shade, as the city's boulevard is non-existent on this parcel so options are limited to plant a city tree until substantial roadwork is undertaken.	7/28/2022
Fire Department	Building would need to follow the BCBC and BCFC when renovations took place but no concerns from FD for expected use.	7/28/2022
VIHA	Given the connection to a municipal water system and sewerage system, our interests are unaffected.	7/29/2022
RCMP	No objections.	7/28/2022
Fortis	No conflict with Gas on this application.	8/8/2022
BC Hydro	BCH has no objection just note that if the power needs change for the building it will be assessed at that time.	7/29/2022
Shaw	Shaw does not foresee any issues with the proposed development, assuming utility services will continue to be fed aerially from the back alley.	7/29/2022

IMPLICATIONS

Supporting this application at 3151 3rd Avenue would enable Dog Mountain Brewing Ltd. to expand their business operation onto the property. Council should consider the appropriateness of the proposal including potential neighbourhood impacts, and potential benefits to the community.

While the creation of a picnic area may generate noise/activity, staff anticipate this to be in-line with the existing business at 3141 3rd Avenue, and the Province has established clear guidelines for picnic areas that will mitigate this impact. Staff have encouraged the applicant to install landscaping between the picnic area and the neighbouring property at 3161 3rd Avenue.

COMMUNICATIONS

The development application (ZON21-15) was reviewed by the Advisory Planning Commission at their meeting on August 18, 2022. The Commission passed a motion recommending Council support the application.

Additionally, the proposed Zoning Map Amendment Bylaw No. 5064 is consistent with the Official Community Plan and meets the criteria for Council to pass a resolution to waive the Public Hearing under section 464 (2) of the *Local Government Act*, and issue public notice (s.467).

If Council does not waive the public hearing, a date can be set for October 24, 2022 at 6:00 pm. If Council chooses to advance the application to a Public Hearing staff will proceed with all required statutory notices. This will include notification to owners and occupants within 75 metres as per section 5 of the City's *Development Application Notice Bylaw No. 4614*, and notice in the newspaper as required by sections 465 and 466 of the *Local Government Act*.

BYLAWS/PLANS/POLICIES

1. Official Community – Section D: Plan Policies – 5.0 Commercial.

The application aligns with following OCP policies for Commercial development:

5.1.6 *Infill and redevelopment of underutilized commercial lands will be a priority for the City in order to achieve compact urban form, and to mitigate against excessively dispersed development.*

2. Zoning Bylaw 2014 (Bylaw 4832):

The application aligns with the purpose of the C7-Core Business zone:

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

3. 2019 – 2023 Corporate Strategic Plan

The application aligns with the following priorities of the *Corporate Strategic Plan*:

Priority #1: Respond to demographic change/improve quality of life
Goals 1.2: The Uptown District is revitalized and flourishing
Strategy 1.2.1: Attract new investment and encourage redevelopment and improvements

Priority #2: Enable the new economy
Goals 2.3: The economy grows with an emphasis on small business.

*Strategy 2.3.1: Focus the City's Economic Development Department efforts
toward the small business (50 employees or fewer)*

SUMMARY

The City has received an application for a map amendment to *Zoning Bylaw No. 4832* proposing to rezone 3151 3rd Avenue from *C5 Transitional Office* to *C7 Core Business*. This would allow Dog Mountain Brewing Ltd. to convert the property to support their non-brewing operations (ie. kitchen, lounge, office, picnic area).

Staff support the proposed Zoning Bylaw amendment and recommend it be given first and second readings. Staff also recommend the Public Hearing be waived as the rezoning aligns with the OCP land use designation.

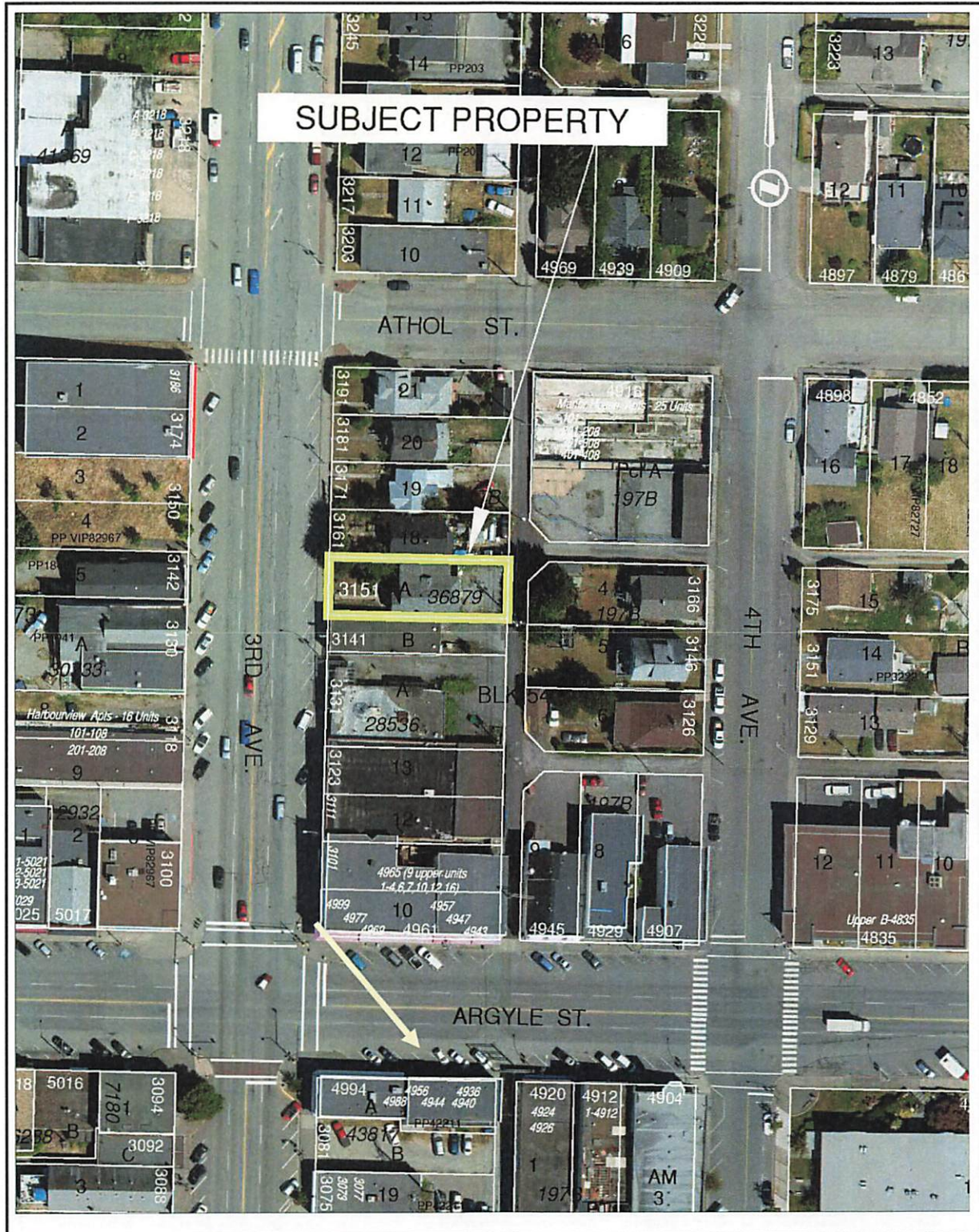
ATTACHMENTS/REFERENCE MATERIALS

- *Subject Property Map – 3151 3rd Avenue*
- *OCP Land Use Designation*
- *Current Zoning Bylaw Classification*
- *Current Zone Description*
- *Proposed Site Plan*
- *Front Yard Concept*
- *Proposed Zone Description – Zoning Bylaw No. 4832*
- *Advisory Planning Commission August 18, 2022 Meeting Minutes*
- *Engineering Servicing Report – August 10, 2022 – 3151 3rd Avenue*
- *Draft Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064*

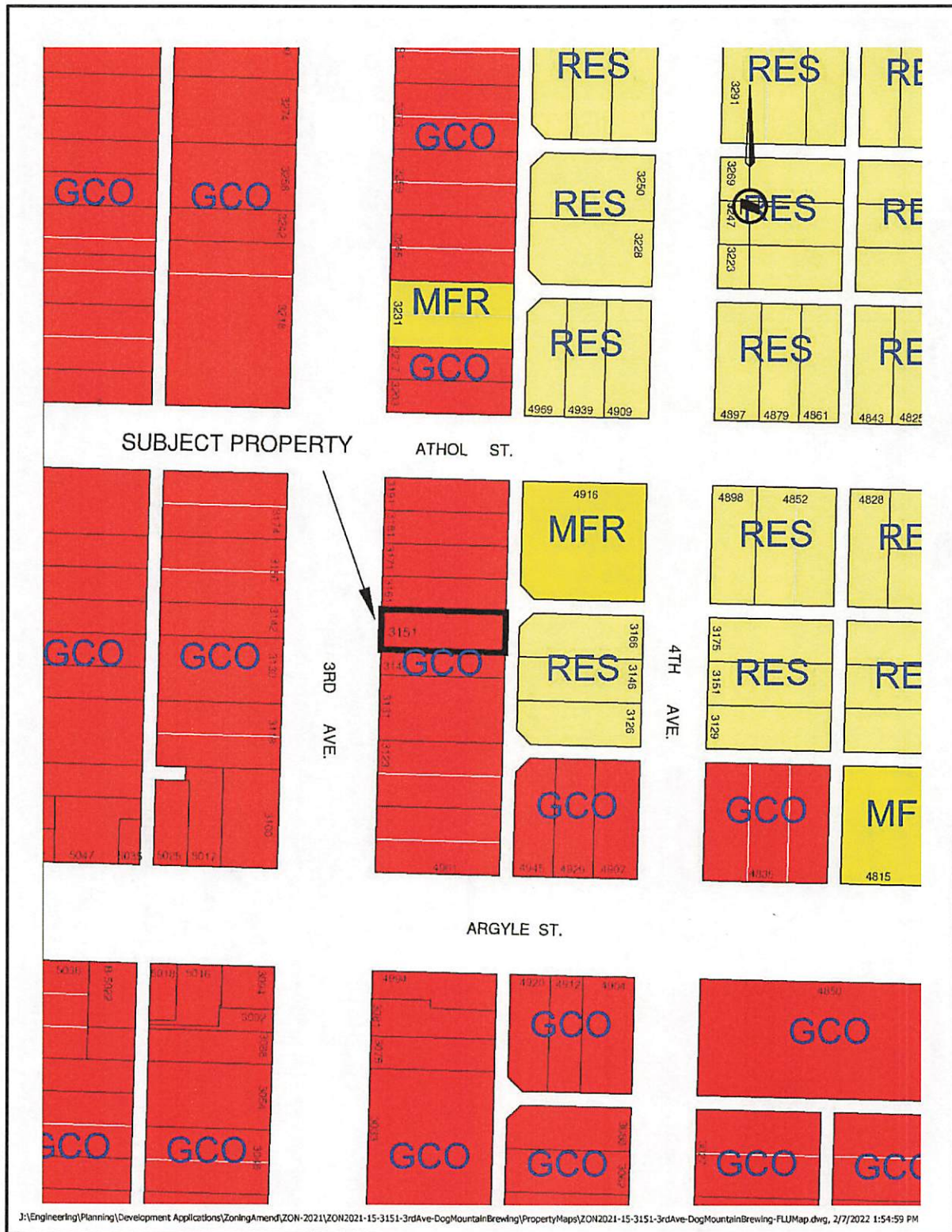
C: T. Slonski, Director of Corporate Services
A. McGifford, Director of Finance
R. Gaudreault, Building/Plumbing Inspector

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DogMountainBrewing-Council.docx*

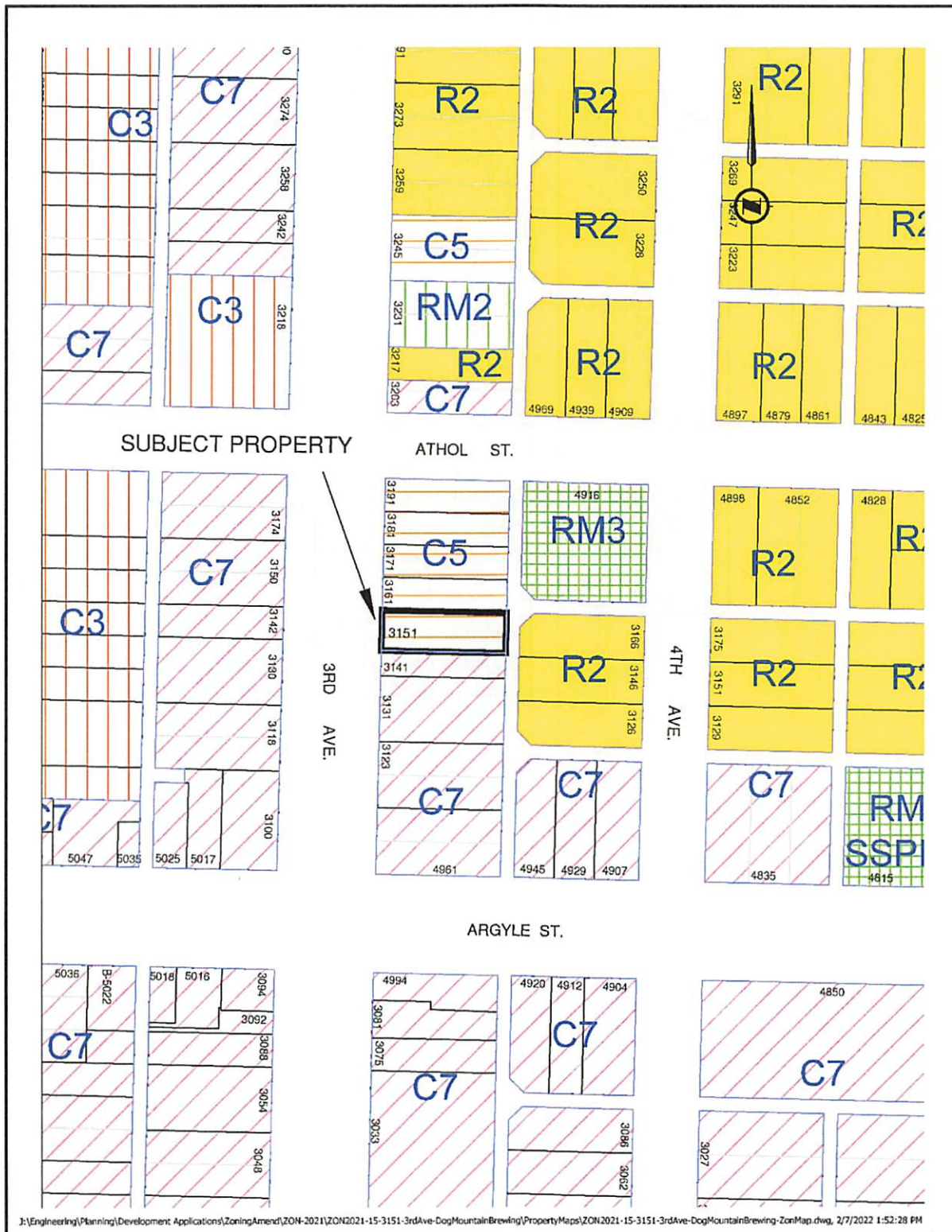
SUBJECT PROPERTY MAP – 3151 3RD AVENUE



OCP LAND USE DESIGNATION

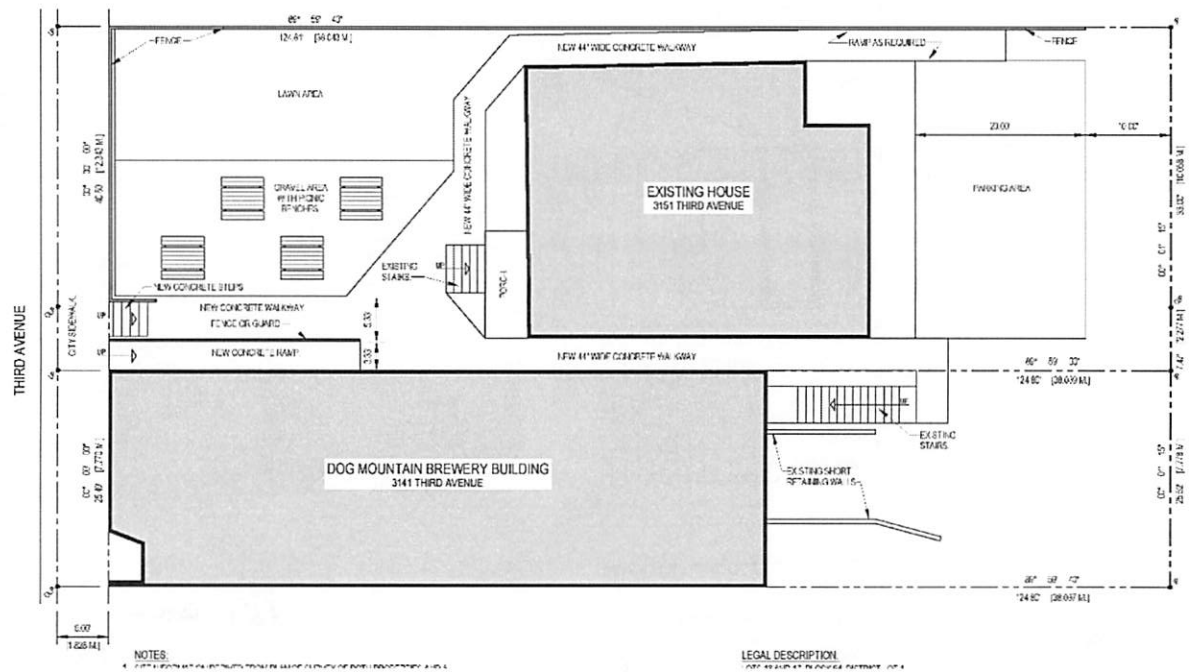


CURRENT ZONING BYLAW CLASSIFICATION

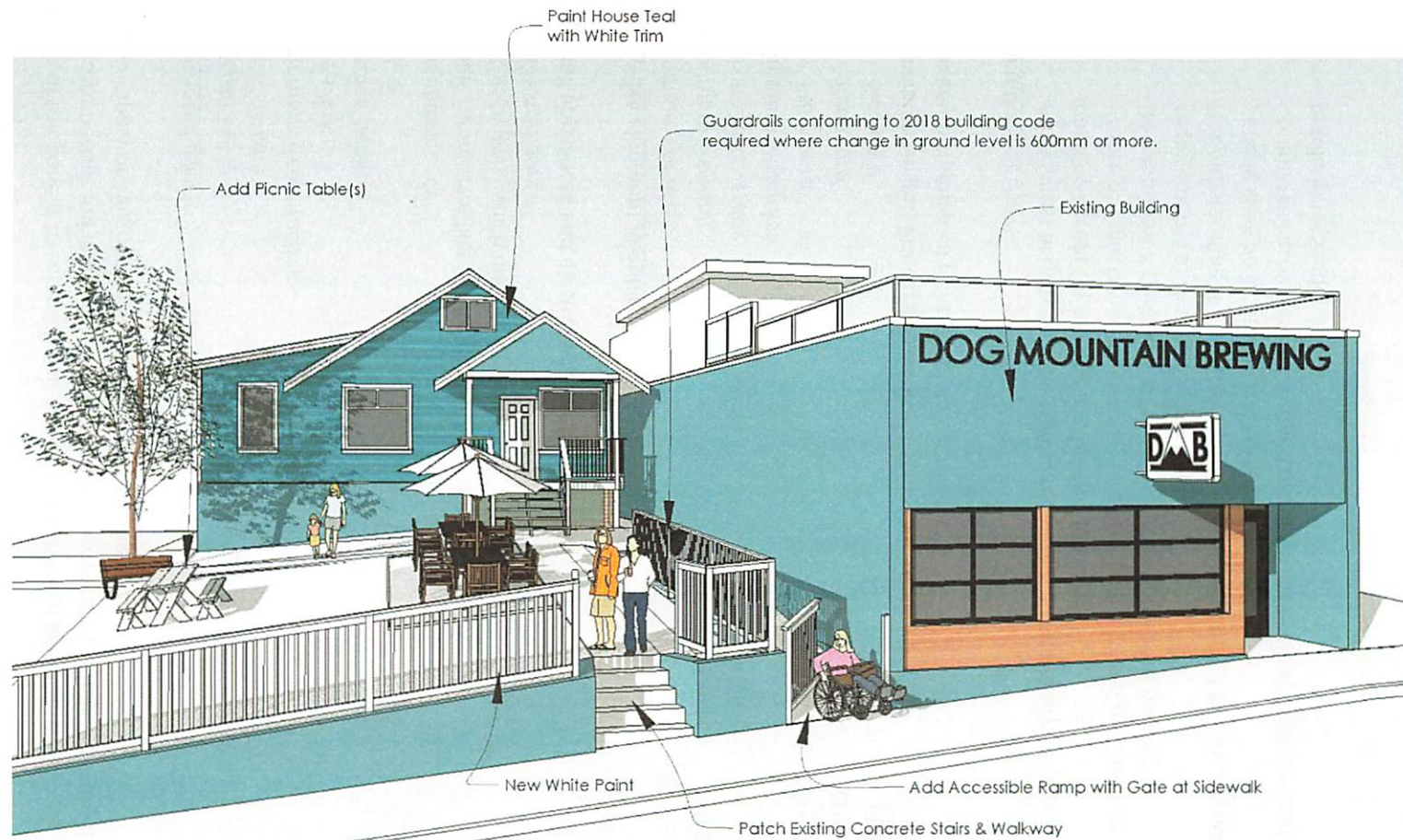


J:\Engineering\Planning\Development Applications\Zoning\Amend\ZON-2021\ZON2021-15-3151-3rdAve-DogMountainBrewing\PropertyMaps\ZON2021-15-3151-3rdAve-DogMountainBrewing-ZonMap.dwg, 2/7/2022 1:52:28 PM

PROPOSED SITE PLAN



FRONT YARD CONCEPT



CURRENT ZONE DESCRIPTION

C5 – TRANSITIONAL OFFICE

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

5.22.1 Permitted uses

Principal Uses

Accessory Uses

Artist's studio

Community care facility

Live-work

Medical service

Office

Personal service

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

Small appliances and electronics, sales and repair

5.22.2 Site Development Regulations

Minimum Lot Area	540 m ²	(5813 ft ²)
Minimum Frontage	15 m	(49.2 ft)
Maximum Coverage	50%	
Minimum Setbacks:		
Front yard	6 m	(19.7 ft)
Rear yard	6 m	(19.7 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Height, Principal Building	9 m	(29.5 ft)
Maximum Number of Principal Building Storeys	2	

5.22.3 Conditions of Use

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

PROPOSED ZONE DESCRIPTION

C7 – CORE BUSINESS

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

5.24.1 <u>Permitted uses</u>	<u>Principal Uses (continued)</u>
<u>Principal Uses</u>	Professional service
Adult retail	Public market
Amusement establishment	Restaurant, including drive-through
Appliance repair	Retail
Artist's studio	School
Assembly	Seniors housing
Automotive sales, repair and servicing	Shopping centre
Bakery	Single family or two family dwelling (built prior to the adoption of this bylaw)
Bank or other financial institution	Small appliances and electronics, sales and repair
Boat or recreational vehicle sales and repair	Social service centre
(Bylaw 4979) Cannabis Retail Store, subject to 6.26	Theatre
Club or lodge	Tourist Services
Community care facility	Transportation Dispatch and Depot
Day care or other preschool	Tutoring Service
Gasoline service station	(Bylaw 4979) (Bylaw No. 4893) Medical Marijuana Dispensary (Subject to 6.26)
Hotel, Motor hotel and Hostel	
Live-work	
Lumber and Building Materials Retailers and Wholesalers	<u>Accessory Uses</u>
Medical service	Home Occupation
(Bylaw 5033) Micro-Brewery/Micro-Distillery	Residential above commercial
Multiple family dwelling	
Nightclub, Cabaret, Bar and Pub	<u>Site-Specific Uses</u>
Office	Dwelling units at ground level
Parking lot	Glass shop
Pawn shop	Liquor, wine, and beer store
Personal service	
Place of worship	

Printing, publishing and allied industry

5.24.2 Site Development Regulations

Minimum <i>Lot Area</i>	540 m ²	(5812.7 ft ²)
Minimum <i>Frontage</i>	15 m	(49.2 ft)
Maximum <i>Coverage</i>	90%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	0 m	
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard</i>	0 m	
Maximum Height, <i>Principal Building</i>	14 m	(45.9 ft)
Maximum Number of <i>Principal Building Storeys</i>	4	
Maximum <i>Floor Area Ratio</i>	3.0	

5.24.3 Conditions of Use

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

5.24.4 Density Bonusing for Mixed-Use Residential-Commercial Developments:

The maximum height permitted may be increased up to six (6) *storeys* and up to 18 m (60 ft), and the maximum *floor area ratio* permitted may be increased up to 3.5 from that indicated in 5.24.2 where all of the following conditions are met:

- (a) A minimum of one *storey* or sixteen and one-half percent (16.5%) of the *gross floor area* of the *building* is used for commercial purposes;
- (b) Greater than seventy-five percent (75%) of the required parking is provided *underground* or enclosed underneath the principle *building*;
- (c) Elevators are provided to all *storeys* in the *building*;
- (d) A minimum of ten percent (10%) of the *dwelling* units are designed as *accessible*;
- (e) A minimum of ten percent (10%) of the *dwelling* units are designated as affordable, as specified in a *Housing Agreement* and where the owners enter into a *Housing Agreement* with the City, and where this Agreement is filed with the Land Title Office; and
- (f) A common meeting room or amenity room containing a minimum of 22 m² (235 ft²) is provided.

5.24.5 Site Specific Uses

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

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

CITY OF PORT ALBERNI

BYLAW NO. 5064

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

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

1. Title

This Bylaw may be known and cited for all purposes as "**Zoning Map Amendment No. 54 (3151 3rd Avenue – Dog Mountain Brewing), Bylaw No. 5064**".

2. Zoning Amendment

The property legally described as *Lot A, District Lot 1, Alberni District, Plan VIP36879 (PID: 000-428-230)*, and located at **3151 3rd Avenue**, as shown outlined in heavy black line on Schedule A attached hereto and forming part of this bylaw, is hereby rezoned from 'C5 Transitional Office' to the '**C7 Core Business**' zone.

3. Map Amendments

Schedule "A" (Zoning District Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME this 26th day of September, 2022.

READ A SECOND TIME this 26th day of September, 2022.

A PUBLIC HEARING WAS WAIVED this 26th day of September, 2022.

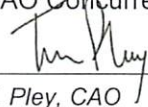
READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022

Mayor

Corporate Officer

Date: October 14, 2022
File No: 3360-20-5801_5837 Compton
To: Mayor & Council
From: T. Pley, CAO
Subject: DEVELOPMENT APPLICATION – Zoning Bylaw Amendment
5801 and 5837 Compton Road
LOT A, Section 21, Alberni District, Plan VIP20721 (PID: 003-573-796)
LOT B, District Lot 21, Alberni District, Plan VIP20721 (PID: 003-573-818)
Applicant: Guy Cicon

Prepared by: S. Smith <i>Director of Development Services Deputy CAO</i>	Supervisor: T. Pley <i>Chief Administrative Officer</i>	CAO Concurrence:  <i>T. Pley, CAO</i>
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RECOMMENDATIONS

- THAT "Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065" be now introduced and read a first time.
- THAT "Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065" be read a second time.
- THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065" in accordance with section 464 (2) of the Local Government Act as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the Local Government Act prior to consideration of further readings of the Bylaw.

PURPOSE

To consider a development application to amend Zoning Bylaw No. 4832 for 5801 and 5837 Compton Road. The applicant is proposing to subdivide the properties, with the first phase potentially creating two (2) lots along Compton Road leaving potential for further subdivision.

BACKGROUND

The City of Port Alberni has received an application requesting an amendment to the Zoning bylaw for two properties located at 5801 and 5837 Compton Road as per *Table 1* below. The properties are currently designated as a mix of 'Residential' and 'Park and Open Space' in the Official Community Plan Bylaw (*Figure 1*) and are currently zoned as 'RR2 Semi Rural Residential' and 'P2 Parks and Recreation' (*Figure 2*). The proposed bylaw amendment would change the zoning from 'RR2 Semi Rural Residential and P2 Parks and Recreation' to 'R1 Single Family Residential' for portions of the properties and maintain the P2 zone on the balance of the land, facilitating a subdivision application for the properties.

ENTERED

G-3

Table 1: Official Community Plan (OCP) and Zoning Bylaw designations

BYLAW	CURRENT	PROPOSED
<i>OCP Schedule A - Future Land Use Map: No Changes proposed.</i>	5837 Compton Rd. - 'RESIDENTIAL'	5837 Compton Rd. - 'RESIDENTIAL'
	5801 Compton Rd. - Mix of 'RESIDENTIAL' and 'PARK AND OPEN SPACE'	5801 Compton Rd. - Mix of 'RESIDENTIAL' and 'PARK AND OPEN SPACE'
<i>Zoning Bylaw Schedule A Map:</i>	5837 Compton Rd. - 'RR2 SEMI RURAL RESIDENTIAL'	5837 Compton Rd. - 'R1 SINGLE FAMILY RESIDENTIAL'
	5801 Compton Rd. - 'P2 PARKS AND RECREATION'	5801 Compton Rd. - Mix of 'R1 SINGLE FAMILY RESIDENTIAL' and 'P2 PARKS AND RECREATION'

Figure 1: Current OCP designations

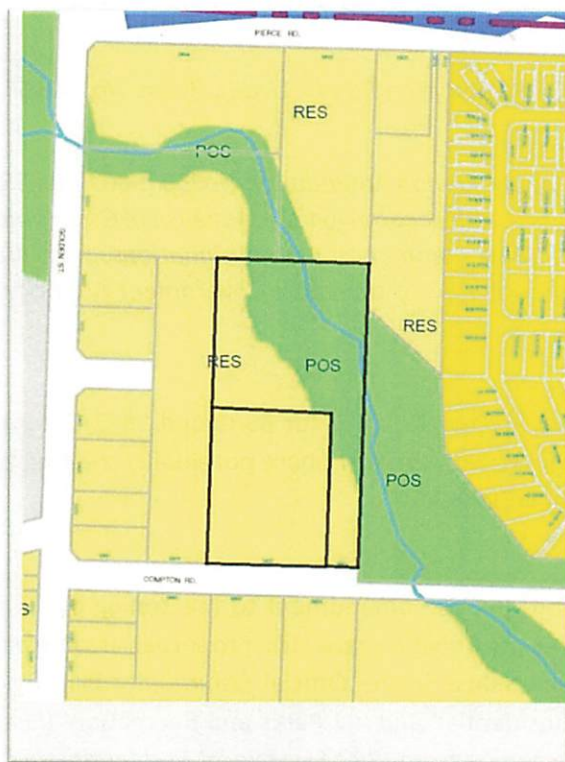
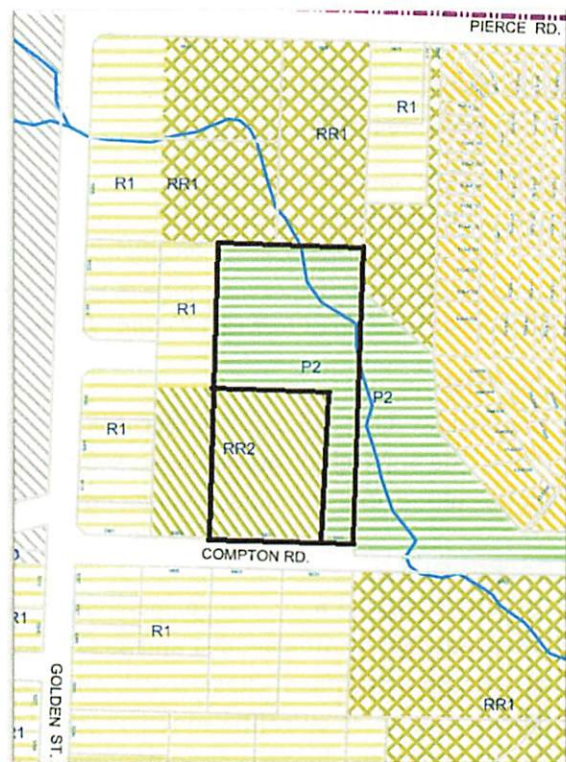


Figure 2: Current Zoning designations



Status of the Application

The development application to rezone portions of 5801 and 5837 Compton Road was circulated to relevant agencies for comment. No major issues with the proposed change in land use were raised.

The Advisory Planning Commission reviewed the development application at the September 15, 2022 meeting. Summary meeting minutes are attached. The APC recommended that City Council proceed with the Zoning Bylaw amendment.

ALTERNATIVES/OPTIONS

1. THAT *"Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065"* be now introduced and read a first time.
2. THAT *"Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065"* be read a second time.
3. THAT Council waive the public hearing for proposed *"Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065"* in accordance with section 464 (2) of the *Local Government Act* as the proposed amendment aligns with the Official Community Plan designations, and direct staff to issue public notice in accordance with section 467 of the *Local Government Act* prior to consideration of further readings of Bylaw No. 5065.
4. That Council provide alternative direction.
5. That Council not proceed.

Staff support Option #1.

ANALYSIS

The property at 5837 Compton Road is occupied by a single-family residential dwelling and the property at 5801 Compton Road is currently vacant. The immediate area is primarily single family residential, with a variety of property sizes. Lugin Creek and ravine traverses the northeast corner of the property. A larger mobile/modular home development is located to the east, on the other side of Lugin Creek. This portion of Compton Road is a dead-end road and is not constructed East of the subject property. There are no plans to extend this portion of Compton Road to the East.

The first proposed phase of the subdivision would create two (2) additional parcels, both fronting Compton Road and both exceeding the requirements of the proposed R1 zone. One of parcels will incorporate the existing house and the other parcel would become a new building lot that will require minor infrastructure work. Further subdivision of the lands would require additional infrastructure and site servicing and other infrastructure details will need to be confirmed with the Director of the Engineering department, identified in the Preliminary Layout Review and be addressed prior to construction commencing. The applicant will be responsible for the cost of all improvements.

The proposed rezoning aligns with the Residential designation in the Official Community Plan. The Lugin Creek portion of the property will remain under the P2 Parks and Recreation zone, which is consistent with the OCP.

Although these properties are subject to the City's Floodplain Bylaw that requires a building flood construction level of 3.65 metres, the portion of the properties that would be rezoned, and potentially

subdivided, are at an elevation of 16.4 to 16.9 metres, significantly exceeding the requirements of the bylaw.

The Ministry of Transportation and Infrastructure will be required to approve the bylaw amendment, as the subject property is located within 800m of the provincial highway. The Ministry has commented that they have no objection to the application.

IMPLICATIONS

The proposal for 5801 and 5837 Compton Road is being brought forward to Council for a decision on how to proceed with the application. In considering the proposed Zoning Bylaw amendment, City Council should consider whether it is appropriate for the site and for the community.

As part of the development approval process for 5801 and 5837 Compton Road, the applicant will be required to receive a Preliminary Layout Review letter issued by the City's Approving Officer before Council considers final adoption of Bylaw.

COMMUNICATIONS

A sign has been placed on the site and no correspondence has been received to date by staff on the proposed application. The proposed Zoning Map Amendment Bylaw No. 5065 is consistent with the Official Community Plan land use designations and meets the criteria for Council to pass a resolution to waive the public hearing under section 464 (2) of the *Local Government Act*, and direct staff to prepare a public notice as per section 467 of the *Local Government Act*.

Should Council not wish to waive the public hearing, a public hearing date can be set for November 28, 2022 at 6:30 pm. Before the public hearing, public notice would be given in two consecutive issues of the local newspaper, not less than 3 days and not more than 10 days before the public hearing. Public notice would also be mailed/delivered to all parcels within 75m of the subject property, at least 10 days prior to the public hearing.

This property is within 800 metres of a provincial highway and as per the *Local Government Act* will require Ministry of Transportation and Infrastructure to authorize prior to Adoption of the Bylaw.

BYLAWS/PLANS/POLICIES

The proposed application is to amend Zoning Bylaw No. 4832. The following Zoning Bylaw amendment is proposed:

1. Portions of the subject properties are currently zoned '*RR2 Semi Rural Residential and P2 Parks and Recreation*' on the Zoning Bylaw Schedule A – Zoning Map. An amendment is requested to change the zoning on portions of the properties to '*R1 Single Family Residential*' with the remainder of the property to stay '*P2 Parks and Recreation*'.

SUMMARY

In considering the application to rezone the subject properties, City Council should consider if and how the proposed changes in use align with the Official Community Plan objectives.

The proposed change in zoning from '*RR2 Semi Rural Residential and P2 Parks and Recreation*' to '*R1 Single Family Residential*' for portions of the properties and maintaining the P2 zone on the balance of the land is consistent with adjacent land uses and the overall proposal aligns with the OCP land use designations.

Staff supports proceeding with the proposed Zoning amendment as it aligns with the OCP and provides additional single-family residential lots.

ATTACHMENTS/REFERENCE MATERIALS

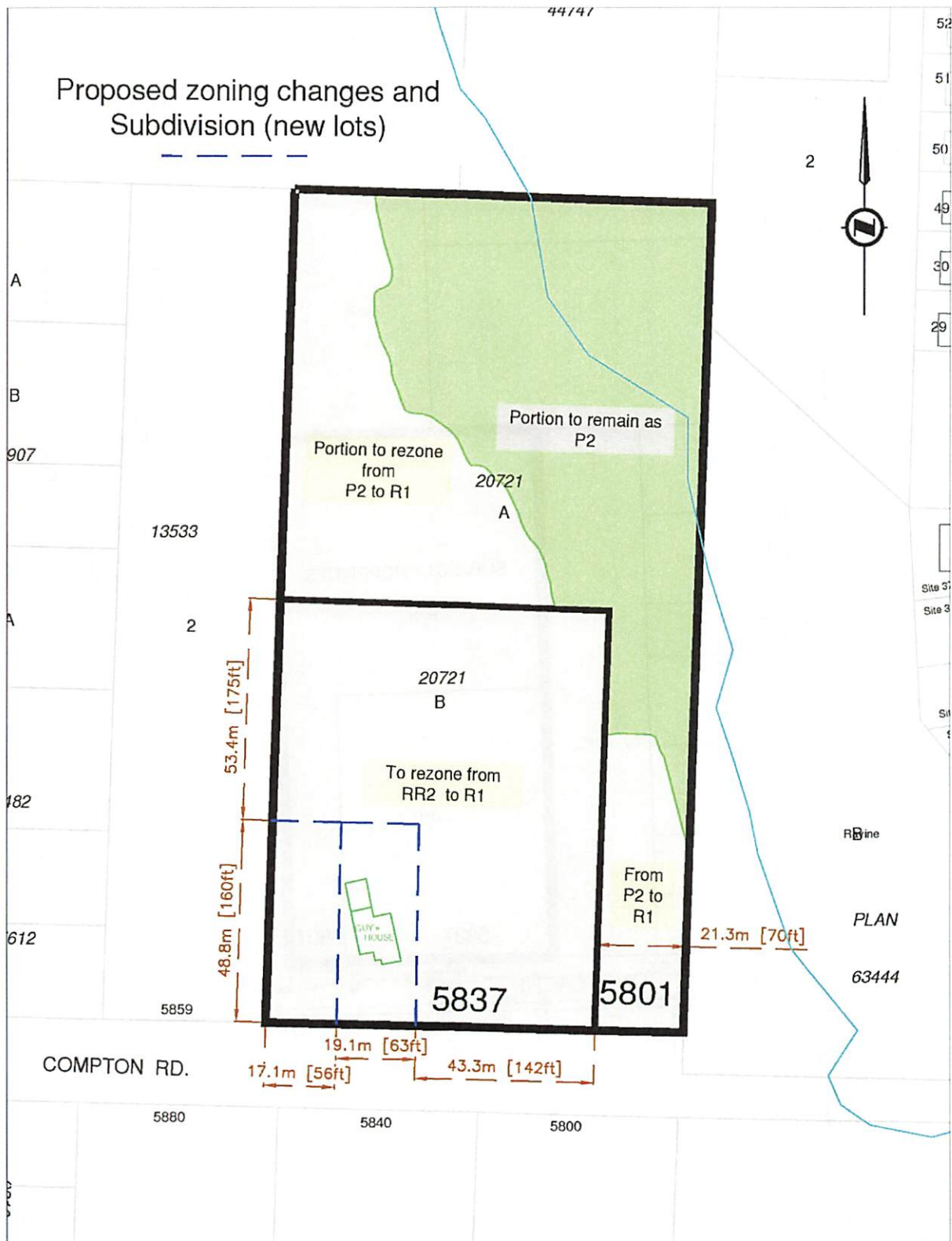
- Subject Property Map/Aerial view – 5801 and 5837 Compton Road
- Proposed Development Site Plan
- Current Infrastructure
- *Advisory Planning Commission September 15, 2022 Meeting Minutes*
- *"Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065"*

C: *T. Slonski, Director of Corporate Services*
 A. McGifford, Director of Finance
 R. Gaudreault, Building/Plumbing Inspector

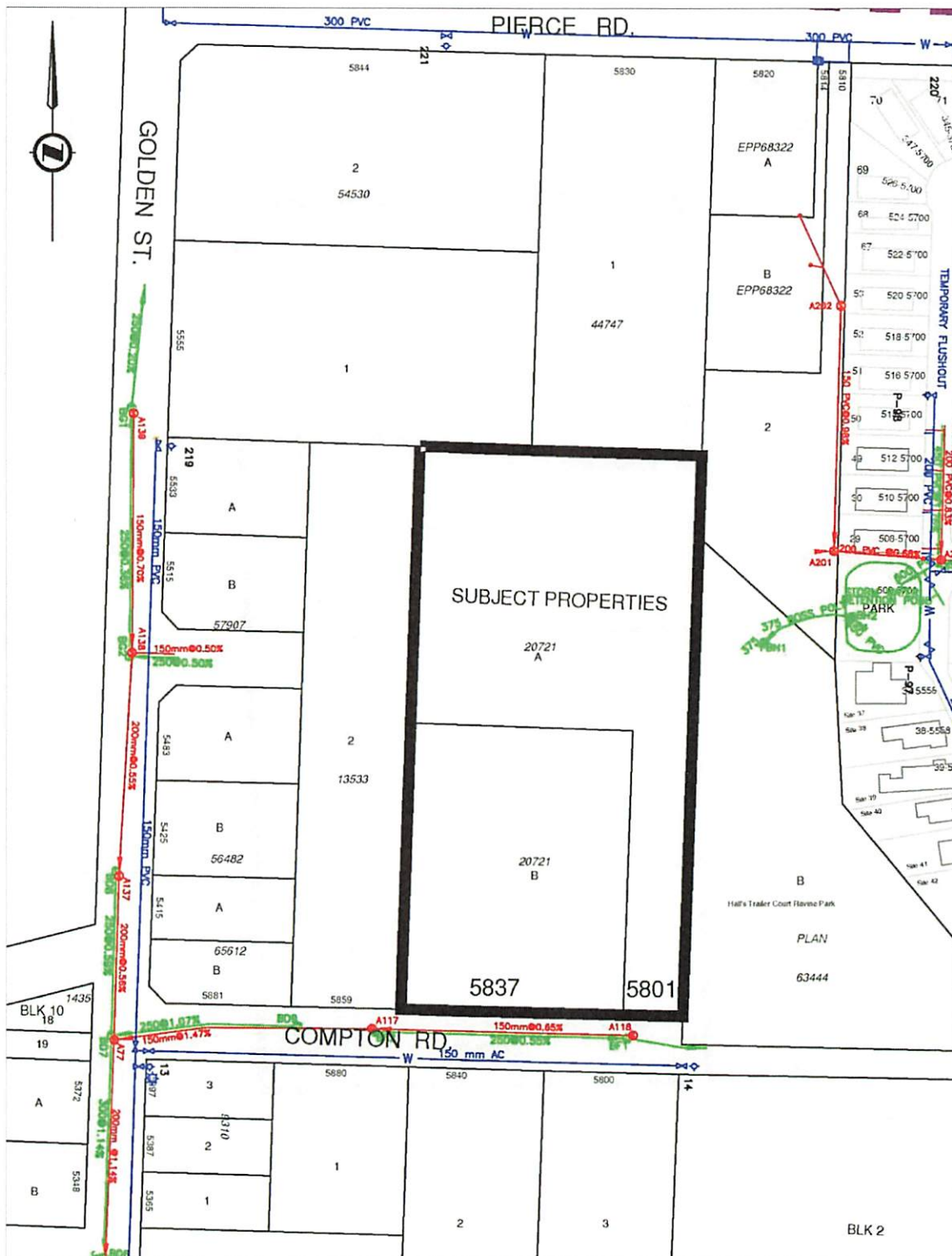
SUBJECT PROPERTY – 5801, 5837 COMPTON ROAD



PROPOSED SUBDIVISION AND ZONING CHANGES – 5801, 5837 COMPTON ROAD



CURRENT INFRASTRUCTURE – 5801, 5837 COMPTON ROAD



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**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on September 15, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ken McRae, (Vice - Chair)
Harley Wylie (Alt. – Tseshahṭ (č iṣaaʔaṭh) F.N)
Stefanie Weber
Jolleen Dick, Councillor, Hupačasath F.N
Amy Anaka
Callan Noye
Larry Ransom (Alt.– S.D.70)
Andre Guerin, P.A.F.D. Liaison
Peter Dionne, R.C.M.P. Liaison
Amy Needham, Parks Liaison

Regrets

Ken Watts, Chief, Tseshahṭ (č iṣaaʔaṭh) F.N)
Ed Francoeur (Chair)
Joe McQuaid
Christine Washington, SD70
Councillor Deb Haggard, Council Liaison

Staff

Marianne Wade, Manager of Planning
Brian McLoughlin, Development Planner
Cara Foden, Planning Technician
Scott Smith, Dir. of Dev. Services/Deputy CAO

Guests

Kelly Learned, Consultant (FRANK)
Applicants: None attending
Public: Derrin Fines, PAFD

Alternates (not in attendance)

Councillor Helen Poon (Alt.– Council Liaison)
S./Sgt. Mike Thompson (Alt– RCMP)



1. Acknowledgements and Introductions:

Acknowledgement by Chair that this Advisory Planning Commission (APC) meeting is being held within the un-ceded, traditional territories of the Hupačasath Nation and the č iṣaaʔaṭh (Tseshahṭ) First Nation. Welcome and introductions.

2. Minutes: Adoption of August 18, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the August 18, 2022 regular meeting as amended.

(Weber / Wylie) CARRIED

3. Official Community Plan (OCP) – Vision and Touchstones – Consultant, Kelly Learned (FRANK) presented draft Vision and Touchstones

- The Manager of Planning introduced Kelly Learned who gave a brief overview of the OCP project and status. Ms. Learned advised the APC members that Slido software would be used during this session to gather feedback regarding the draft Vision and Touchstones. A series of questions allowed for the APC members to provide feedback interactively and to discuss the feedback as notes were taken.
- The draft 'Vision' and Seven (7) of the draft 'Touchstones' were presented for review, one at a time, to determine the level of support for each. The level of support was determined interactively, via mobile phone voting on the polls, and followed by an opportunity for individual APC members to elaborate on their reasons for supporting, not supporting or expressing neutrality regarding the content and wording contained in each of the 'Touchstones'. See attached summary of the notes taken.

4. DEVELOPMENT APPLICATION – Temporary Use Permit

3665 4th Ave. - Lot 23, Block 46, District Lot 1, Alberni District, Plan VIP197B (PID: 009-243-372) and;

3675 4th Ave. - Lot 24, Block 46, District Lot 1, Alberni District, Plan VIP197B (PID: 009-243-399) and;

3689 4th Ave. - Lot A, District Lot 1, Alberni District, Plan VIPVIP24376 (PID: 003-029-808)

APPLICANT: C. Stevens dba The Port Alberni Friendship Centre

- The Manager of Planning summarized her report to the APC dated September 8, 2022.
- APC discussed the proposed permit with respect to the following:
 - A renewal of the initial term of the TUP would include factors such as lack of availability of another form of supportive housing or an increased need for the service within the community.
 - It was noted that the City would be providing infrastructure in the form of city services (Water, Sanitary, Storm, Fencing etc) that is costly. The Manager of Planning explained that the City Council had resolved to contribute \$140,000 towards the project with the goal of supporting vulnerable members of the community.
 - APC members were concerned about operations of the facility and safety. The Manager of Planning indicated that many of the operational concerns voiced would be the responsibility of BC Housing under an Operational Agreement and Operational Budget funded by BC Housing. The City would not be responsible for operational costs.
 - The shelters did not have cooking facilities as meals would be provided under the operational budget. Maintenance would also fall under the operational budget.
 - Safety was discussed and it was noted that the shelter would have security cameras and on-site staffing 24 hours/day.
 - The temporary nature of the permit was discussed and the future of the facility/site. If the site is deemed appropriate for the long term the potential for rezoning might be a feasible option.

Motion:

That the Advisory Planning Commission recommends to City Council that Council support the application.

(Ransom / Weber) CARRIED

5. DEVELOPMENT APPLICATION – Zoning Bylaw amendments

5837 Compton Road Lot B, District Lot 21, Alberni District, Plan VIP20721 (PID: 003-573-818); and

5801 Compton Road Lot A, Section 21, Alberni District, Plan VIP20721 (PID: 003-573-796)

APPLICANT: G. Cicon

- The Director of Development Services summarized his report dated September 8, 2022.
- APC discussed the proposed amendment with respect to the following:
 - The location of the property with respect to the Floodplain Bylaw and with respect to new flood level mapping now available was discussed. The APC expressed concern that site development may be contrary to the objectives of the community once the new OCP is adopted. The Director agreed that the top of Golden St. presented challenges for Tsunami evacuation routing and a long-term plan may include Pierce Rd. and Georgia Rd. as potential routing if connected to Beaver Ck Rd. The Director also indicated to APC that the site itself, though included in the area covered by the Floodplain bylaw, actually exceeds the levels required under that bylaw and the new Flood mapping levels that are now available.
 - The Park designation on 5801 Compton Rd. will not change around Lugin Creek that runs

- through the property. The site is not currently included in a Development Permit Area.
- o There would be potential to include a covenant on the land to guarantee construction elevations.
- o The Subdivision Approving Officer would ensure that no land was “ cut off” from road access. The current application does not guarantee subdivision approval and the applicant would be required to meet the appropriate conditions of subdivision in order to develop the land or subdivide further.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that Council support the application.*

(Dick / Wylie) CARRIED

6. DEVELOPMENT APPLICATIONS – Zoning Bylaw amendments

- a) **2244 Mallory Drive - Lot 7, District Lot 1, Alberni District, Plan VIP23398 PID: 000-819-972**
- b) **2272 Mallory Drive - Lot 3, District Lot 1, Alberni District, Plan VIP23398 PID: 002-881-195**

APPLICANT: D. Saywell Developments Ltd., Inc. No. 0699694

- The Manager of Planning (M.W.) summarized her reports dated September 15, 2022.
- APC discussed the proposed amendment with respect to the following:
 - o The development of the duplex homes would not be out of character for the existing neighbourhood.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that Council support the application for a Zoning amendment for 2244 Mallory Drive.*

(Ransom / Wylie) CARRIED

2. *That the Advisory Planning Commission recommends to City Council that Council support the application for a Zoning amendment for 2272 Mallory Drive.*

(Noye / Ransom) CARRIED

7. Status Update: None at this time.

8. OTHER BUSINESS: Andre Guerin, PAFD Liaison introduced Derrin Fines who will be replacing Andre and the PAFD Liaison in October 2022.

9. ADJOURNMENT: The meeting adjourned at 2:00 pm. The next meeting is scheduled for 12:00 pm on **October 20, 2022.**

(Weber / Wylie) CARRIED CARRIED

Ken McRae (Vice-Chair)

Attachment

Advisory Planning Commission – September 15th – Agenda Item 1 - Official Community Plan (OCP) – Vision and Touchstones - Summary of Notes taken during SLIDO presentation, Poll question discussions:

Poll 1 – Draft Vision

- 44% identified the Vision needs more work.
- Words to include = diverse, sustainable, cultures, “inclusive access” to replace equitable access, play, learn, resources,
- “shared western and indigenous histories” is problematic. May not be shared.
- Not all non-indigenous community members are “Western”.
- “Taking care of each other, our resources...” instead of our land, our water.
- Supporting “play, learn”, food, shelter, mobility, after “Histories”. Add “cultures”, “resources”

Poll 2 - Touchstone - Environmental Protection and Leadership:

- Wording and phrasing order is important – Indigenous cultures and references often shuffled to last place so our Vision and Touchstones should consider wording order referencing Indigenous.
- “Support” is not strong enough. Make more affirmative re: recovery of damaged ecosystems.
- Need emphasis on the word “recovery” with respect to environment
- Speak to partnerships with F.N., industry
- Identify that working with employers is necessary
- Speak to incorporation of traditional ecological knowledge.
- Statement doesn’t reference F.N. involvement or position at leadership table
- Be leaders prioritizing F.N. and incorporating concerns.
- Consider having a dedicated F.N. / Indigenous Department within City Hall.
- Words to include = protect, preserve, rehabilitate, promote industry
- Remove words “on the island”

Poll 3 - Touchstone – Grow with Tomorrow in Mind

- 86% indicated Neutrality about the statement presented
- Needs to be more specific
- Seems to support status quo rather than progressive with use of the word diversity
- Needs clarity re: “what does GROW mean (is it just in terms of climate or broader? Are demographics in mind?)
- Words “changing climate” too constrained?
- Should incorporate philosophy “grow while still protecting environment”
- Provide a diversity of universal, rather than accessible, options for moving around Port Alberni

Poll 4 - Touchstone – Responsible Infrastructure Management

- 71% indicated neutrality about the statement presented
- “maintain” and utilize what we already have
- Ensure new infrastructure resilient to change
- Missing emphasis to encourage building in right location (not floodplain etc)
- Words “adaptation” and “mitigation” are redundant and not necessary.

Poll 5 - Touchstone – Healthy, Vibrant, Inclusive Community

- 83% indicated neutrality about the statement presented
- Affordability affects rate of volunteerism. Retirees now needing to go back to work or choosing to.
- Volunteerism could look different, rethink, evolve,
- Care for ALL who need support not just those needing MOST support

Poll 6 - Touchstone – Livability

- 75% indicated support for statement presented
- Concerns re lack of improvement and progression with current transit routes/systems that have not changed much in decades
- Words - access to “services, transit, leisure and nature” and enabling “recreation”,
- “well designed” is very subjective - could be “balanced” instead
- Housing has been developed but at cost to Parks and Playgrounds (Recreation needs more emphasis)
- Safety and Security need to be included in livability factors
- 56% support , 44% needs more work on statement presented
- The word “increase” is problematic. We already have lots of spaces so “increase” what specifically? Maybe more ball fields and turf facilities?
- We have lots of aging facilities that will need to be replaced and maintained. Need to PLAN for this. We have lots of greenspace.
- Trail maintenance needs planning.
- Seek out and access Government funding sources

Poll 7 - Touchstone – Diverse, Balanced Economy

- 50% support , 50% needs more work on statement presented
- It is a warm, fuzzy but bureaucratic statement that doesn't say much.
- City needs to support new businesses, small businesses disappearing
- Use word “strengths” instead of “drivers”.
- Opportunities for ALL to stay rather than just youth and young families (everyone)
- Speak to need for business development supports
- Support new and emerging sectors – wider than just industry

Consultant indicated that the Reconciliation Touchstone would be discussed in more depth with the F.N. communities. APC noted that public engagement with Tseshah F.N. had initially gotten off on wrong foot for the OCP project. Hoping for opportunities to discuss ideas with the Mayor. Reconciliation should be a top priority.

One word after today's discussion:

Encouraged, Useful, Hopeful, Inspired, Included, Ready

CITY OF PORT ALBERNI

BYLAW NO. 5065

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

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

1. Title

This Bylaw may be known and cited for all purposes as **"Zoning Map Amendment No. 55 (5801 and 5837 Compton Road - Cicon), Bylaw No. 5065"**.

2. Zoning Map Amendment

2.1 A portion of Lot A, Section 21, Alberni District, Plan VIP20721 (PID: 003-573-796), located at **5801 Compton Road** shown outlined in heavy line, and with the portion to be rezoned shaded in grey on Schedule A attached hereto and forming part of this bylaw, is hereby rezoned from 'P2 Parks and Recreation' to **'R1 Single Family Residential'**.

2.2 Lot B, District Lot 21, Alberni District, Plan VIP20721 (PID: 003-573-818), located at **5837 Compton Road** shown outlined in heavy line and shaded in grey on Schedule A attached hereto and forming part of this bylaw, is hereby rezoned from 'RR2 Semi Rural Residential' to **'R1 Single Family Residential'**.

3. Map Amendment

Schedule "A" (Zoning Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME this day of , 2022.

READ A SECOND TIME this day of , 2022.

A PUBLIC HEARING WAS WAIVED this day of , 2022.

READ A THIRD TIME this day of , 2022.

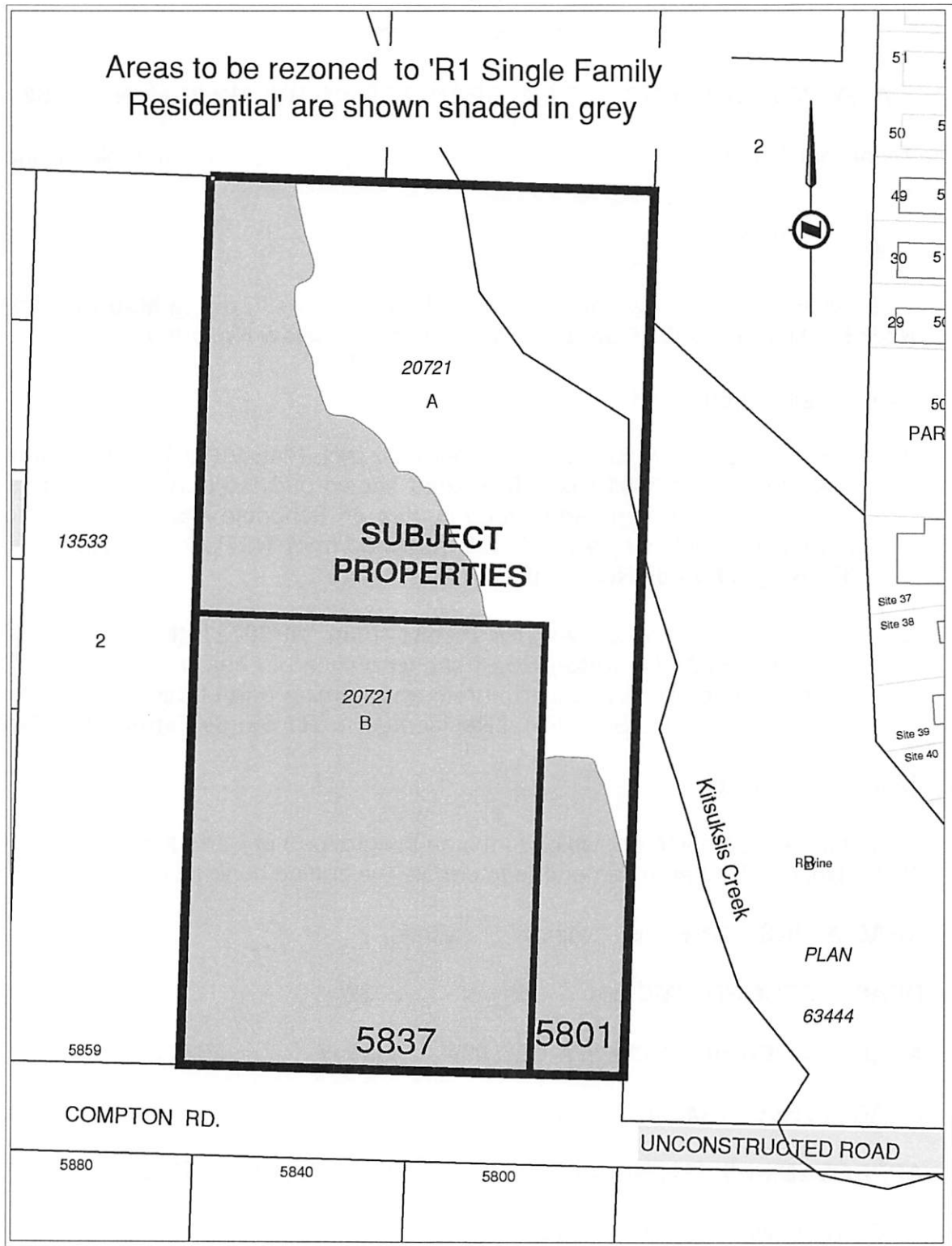
APPROVED by the Ministry of Transportation this day of , 2022.

ADOPTED this day of , 2022.

Mayor

Corporate Officer

Schedule "A" to Bylaw No. 5065



Date: October 13, 2022
File No: 3360-20-2244 Mallory
To: Mayor and Council
From: T. Pley, CAO
Subject: DEVELOPMENT APPLICATION – Zoning Bylaw Amendment ZON2022-03 at 2244 Mallory Drive, Port Alberni
Lot 7 District Lot 1 Alberni District Plan 23398 (PID: 000-819-972)
Applicant: Don Saywell Developments Ltd.

Prepared By: M. Wade M. Wade Manager of Planning	Director:  S. Smith, Dir. of Development Services Deputy CAO	CAO Concurrence:  T. Pley, CAO
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RECOMMENDATION[S]

1. THAT "Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066" be now introduced and read a first time.
2. THAT "Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066" be read a second time.
3. THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.

PURPOSE

The City has received an application (ZON2022-03) to rezone the property at 2244 Mallory Drive from R1 to R2. This would enable the construction of a duplex on this lot. The application requires a map amendment to *Zoning Bylaw No. 4832*. The property at 2244 Mallory Drive is currently vacant.

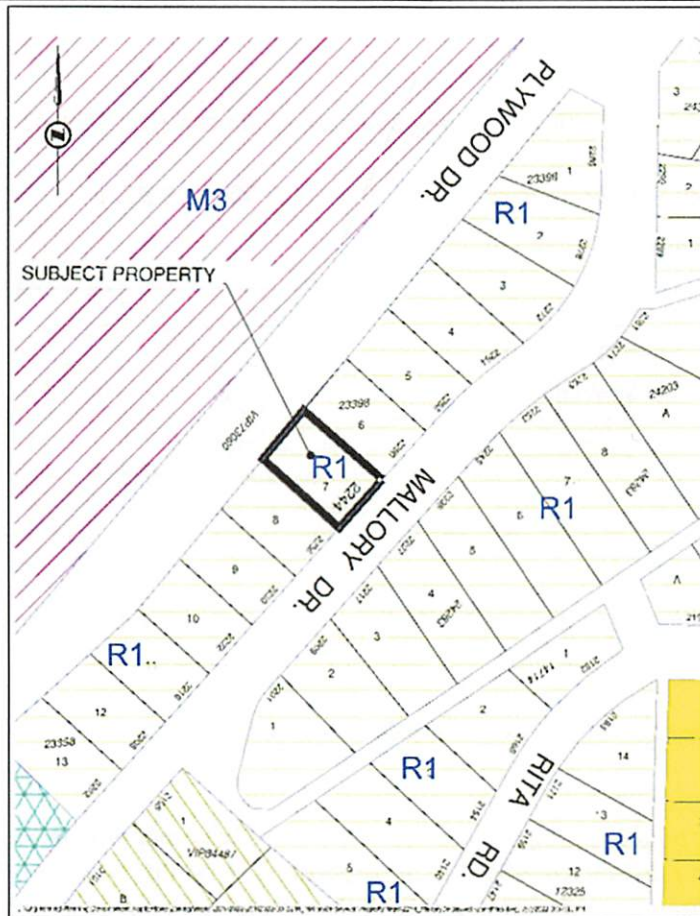
BACKGROUND

The subject property is designated Residential (RES) in the Official Community Plan (OCP), and is currently zoned R1. The property is currently vacant and is predominately surrounded by residential uses. Parks are nearby and the topography is elevated in this area and overlooks the industrial lands to the North. The applicant is proposing to construct a duplex on this lot.

ENTERED
64

Subject Property and Site Context

Figure 1 – Subject Property Map



Current Zoning	R1 Single Family Residential
Proposed Zoning	R2 One and Two Family Residential
Total Area	904 m2 (0.22 acres)
Official Community Plan (OCP)	<ul style="list-style-type: none"> • Schedule A Land Use Map: Residential (RES) • Schedule B Development Permit Areas Map: N/A
Relevant Guidelines	<ul style="list-style-type: none"> • Section C Plan Goals & Land Use Designations 1.5 Community • Plan Policies – 4.0 Residential • Section D Plan Policies – 4.2 Residential (RES)

ALTERNATIVES/OPTIONS

1. THAT "Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066" be now introduced and read a first time.
2. THAT "Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066" be read a second time.
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4. That Council may pass a resolution to not give first reading.
5. That Council may pass a resolution not to waive the public hearing.
6. That Council may pass a resolution to direct Staff with alternate direction.

ANALYSIS

Zoning and Land Use

The applicant has applied to rezone the subject property from the R1 Single Family Residential to R2 One and Two Family Residential to construct a duplex on vacant land. The proposed building envelope meets the requirements of the R2 zone. The site coverage is limited to 40% which would permit the development of a duplex.

Table 2 – Zone Definitions	
Title	Purpose
<i>R1 Single Family Residential</i>	The purpose of this zone is to establish and maintain quiet low, density neighbourhoods.
<i>R2 One and Two Family Residential</i>	The purpose of this zone is to establish and maintain low, density neighbourhoods featuring single family and two family dwellings.

Staff Notes:

- Proposed rezoning aligns with Residential (RES) designation on *Schedule A Land Use Map* in the OCP.
- Staff do not anticipate any significant impact on the surrounding neighbourhood.
- Development Permit will not be required as duplex developments are not included on *Schedule B Development Permit Areas Map* in the OCP.
- *Local Government Act* section 464(2) allows Council to waive the Public Hearing for amendments that are consistent with the OCP.

The applicant has provided a site plan and building envelope (Figure 2) showing the proposed building envelope area, lot dimensions, lot area and setbacks that align with the R2 zoning requirements.



Infrastructure upgrades may be required to service the development. This may include utility upgrades and improvements to the road and sidewalk areas. This will be confirmed at the time of building permit issuance by the Engineering Department. The applicant will be responsible for the cost of all improvements.

None were received and will be considered at time of building application; most interests are unaffected.

Supporting this application provides housing choice in this neighbourhood to meet a changing demographic.

The applicant has posted a sign on the property noting the application to rezone the property from R1 Single Family to R2 One and Two Family Residential as per Development Application Bylaw, No.4614.

The proposed "Zoning Map Amendment No. 56 (2244 Mallory Drive Saywell Developments), Bylaw No. 5066" is consistent with the Official Community Plan and meets the criteria for Council to pass a resolution to waive the Public Hearing under section 464 (2) of the *Local Government Act*, and issue public notice (s.467).

If Council does not waive the public hearing, a date can be set for November 28, 2022 at 6:00 pm. If Council chooses to advance the application to a Public Hearing staff will proceed with all required statutory notices. This will include notification to owners and occupants within 75 metres as per section 5 of the City's *Development Application Notice Bylaw No. 4614*, and notice in the newspaper as required by sections 465 and 466 of the *Local Government Act*.

BYLAWS/PLANS/POLICIES

1. Official Community – Section C: Plan Goals & Land Use Designations

The application aligns with following OCP policies for Commercial development:

1.5 To ensure that a range of housing choice is provided in order to meet the needs of current and future residents.

2. Zoning Bylaw 2014 (Bylaw 4832):

The application aligns with the purpose of the R2 One and Two-Family Residential zone.

3. 2019 – 2023 Corporate Strategic Plan

The application aligns with the following priorities of the *Corporate Strategic Plan*:

Priority #1: Respond to demographic change/improve quality of life.

SUMMARY

Staff recommend First and Second reading of the proposed *Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments), Bylaw No. 5066* and waiving the public hearing as per *Section 464(2) of the Local Government Act* as the application aligns with Council's Strategic Priority#1, OCP land use designation policy and meets the requirements of the R2 Zone.

ATTACHMENTS/REFERENCE MATERIALS

- *Current Zone Description R1 Single Family Residential*
- *Proposed Zone Description R2 One and Two Family Residential Zoning Bylaw No. 4832*
- *Advisory Planning Commission September 15, 2022 Meeting Minutes*
- *Draft Zoning Map Amendment No. 56 (2244 Mallory Drive), Bylaw No. 5066*
- *Draft Preliminary Drawings for duplex*

C: T. Slonski, Director of Corporate Services
R. Gaudreault, Building/Plumbing Inspector
R. Dickinson, Director of Engineering and Public Works

J:\Engineering\Planning\Development Applications\ZoningAmend\ZON-2022\ZON2022-03-2244_MalloryDr-Saywell\Council\ZON22-03-2244_MalloryDr Saywell-Council-1st_2nd.docx

R1 – SINGLE FAMILY RESIDENTIAL

5.11 The purpose of this *zone* is to establish and maintain quiet, low density neighbourhoods.

5.11.1 Permitted uses

Principal Uses

Single family dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary suite

Supportive housing

5.11.2 Site Development Regulations

Minimum Lot Area	600 m ²	6458 ft ²
Minimum Frontage	15 m	49.2 ft
Maximum Coverage	40%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	0.5	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	
Maximum number of dwelling units per lot	2	

5.11.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.11.2:
 - (i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.
 - (ii) For single *family* dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.

R2 – ONE AND TWO FAMILY RESIDENTIAL

- 5.12 The purpose of this zone is to establish and maintain quiet, low density neighbourhoods featuring single *family* and two *family* dwellings.

5.12.1 Permitted usesPrincipal UsesSingle *family* dwellingTwo *family* dwellingAccessory Uses

Bed and breakfast

Home occupation

Secondary suite

Supportive housing

5.12.2 Site Development Regulations

Minimum Lot Area

Single <i>family</i> dwelling	500 m ²	(5,382 ft ²)
Single <i>family</i> dwelling with <i>secondary suite</i>	600 m ²	(6,458 ft ²)
Two <i>family</i> dwelling	700 m ²	(7,535 ft ²)

Minimum Frontage

Single <i>family</i> dwelling	15 m	(49.2 ft)
Single <i>family</i> dwelling with <i>secondary suite</i>	15 m	(49.2 ft)
Two <i>family</i> dwelling	20 m	(65.6 ft)

Maximum Coverage 40%

Minimum Setbacks:

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

Maximum Floor Area Ratio 0.5

Maximum Height, Principal Building 10 m (32.8 ft)

Maximum Number of Principal Building Storeys 2.5

Maximum number of residential units per lot 2

5.12.3 Conditions of Use

(a) Notwithstanding the provisions of 5.12.2:

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- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*:
bed and breakfast OR *secondary suite* OR *supportive housing*.
- (d) Notwithstanding any other provisions of this bylaw, *secondary suites* are not permitted in a duplex.
- (e) Notwithstanding Section 5.12.1, on *lots* less than 500 m² in area that exist prior to the adoption of this Bylaw, single *family dwelling* is the only permitted *use*.



**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on September 15, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ken McRae, (Vice - Chair)
Harley Wylie (Alt. – Tseshahṭ (č iṣaaʔaṭh) F.N)
Stefanie Weber
Jolleen Dick, Councillor, Hupačasath F.N
Amy Anaka
Callan Noye
Larry Ransom (Alt.– S.D.70)
Andre Guerin, P.A.F.D. Liaison
Peter Dionne, R.C.M.P. Liaison
Amy Needham, Parks Liaison

Regrets

Ken Watts, Chief, Tseshahṭ (č iṣaaʔaṭh) F.N)
Ed Francoeur (Chair)
Joe McQuaid
Christine Washington, SD70
Councillor Deb Haggard, Council Liaison

Staff

Marianne Wade, Manager of Planning
Brian McLoughlin, Development Planner
Cara Foden, Planning Technician
Scott Smith, Dir. of Dev. Services/Deputy CAO

Guests

Kelly Learned, Consultant (FRANK)
Applicants: None attending
Public: Derrin Fines, PAFD

Alternates (not in attendance)

Councillor Helen Poon (Alt.– Council Liaison)
S./Sgt. Mike Thompson (Alt.– RCMP)



1. Acknowledgements and Introductions:

Acknowledgement by Chair that this Advisory Planning Commission (APC) meeting is being held within the un-ceded, traditional territories of the Hupačasath Nation and the č iṣaaʔaṭh (Tseshahṭ) First Nation. Welcome and introductions.

2. Minutes: Adoption of August 18, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the August 18, 2022 regular meeting as amended.

(Weber / Wylie) CARRIED

3. Official Community Plan (OCP) – Vision and Touchstones – Consultant, Kelly Learned (FRANK) presented draft Vision and Touchstones

- The Manager of Planning introduced Kelly Learned who gave a brief overview of the OCP project and status. Ms. Learned advised the APC members that Slido software would be used during this session to gather feedback regarding the draft Vision and Touchstones. A series of questions allowed for the APC members to provide feedback interactively and to discuss the feedback as notes were taken.
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4. DEVELOPMENT APPLICATION – Temporary Use Permit

3665 4th Ave. - Lot 23, Block 46, District Lot 1, Alberni District, Plan VIP197B (PID: 009-243-372) and;

3675 4th Ave. - Lot 24, Block 46, District Lot 1, Alberni District, Plan VIP197B (PID: 009-243-399) and;

3689 4th Ave. - Lot A, District Lot 1, Alberni District, Plan VIPVIP24376 (PID: 003-029-808)

APPLICANT: C. Stevens dba The Port Alberni Friendship Centre

- The Manager of Planning summarized her report to the APC dated September 8, 2022.
- APC discussed the proposed permit with respect to the following:
 - A renewal of the initial term of the TUP would include factors such as lack of availability of another form of supportive housing or an increased need for the service within the community.
 - It was noted that the City would be providing infrastructure in the form of city services (Water, Sanitary, Storm, Fencing etc) that is costly. The Manager of Planning explained that the City Council had resolved to contribute \$140,000 towards the project with the goal of supporting vulnerable members of the community.
 - APC members were concerned about operations of the facility and safety. The Manager of Planning indicated that many of the operational concerns voiced would be the responsibility of BC Housing under an Operational Agreement and Operational Budget funded by BC Housing. The City would not be responsible for operational costs.
 - The shelters did not have cooking facilities as meals would be provided under the operational budget. Maintenance would also fall under the operational budget.
 - Safety was discussed and it was noted that the shelter would have security cameras and on-site staffing 24 hours/day.
 - The temporary nature of the permit was discussed and the future of the facility/site. If the site is deemed appropriate for the long term the potential for rezoning might be a feasible option.

Motion:

That the Advisory Planning Commission recommends to City Council that Council support the application.

(Ransom / Weber) CARRIED

5. DEVELOPMENT APPLICATION – Zoning Bylaw amendments

5837 Compton Road Lot B, District Lot 21, Alberni District, Plan VIP20721 (PID: 003-573-818); and

5801 Compton Road Lot A, Section 21, Alberni District, Plan VIP20721 (PID: 003-573-796)

APPLICANT: G. Cicon

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- through the property. The site is not currently included in a Development Permit Area.
- There would be potential to include a covenant on the land to guarantee construction elevations.
- The Subdivision Approving Officer would ensure that no land was “ cut off” from road access. The current application does not guarantee subdivision approval and the applicant would be required to meet the appropriate conditions of subdivision in order to develop the land or subdivide further.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that Council support the application.*

(Dick / Wylie) CARRIED

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- a) 2244 Mallory Drive - Lot 7, District Lot 1, Alberni District, Plan VIP23398 PID: 000-819-972**
- b) 2272 Mallory Drive - Lot 3, District Lot 1, Alberni District, Plan VIP23398 PID: 002-881-195**

APPLICANT: D. Saywell Developments Ltd., Inc. No. 0699694

- The Manager of Planning (M.W.) summarized her reports dated September 15, 2022.
- APC discussed the proposed amendment with respect to the following:
 - The development of the duplex homes would not be out of character for the existing neighbourhood.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that Council support the application for a Zoning amendment for 2244 Mallory Drive.*

(Ransom / Wylie) CARRIED

2. *That the Advisory Planning Commission recommends to City Council that Council support the application for a Zoning amendment for 2272 Mallory Drive.*

(Noye / Ransom) CARRIED

7. Status Update: None at this time.

8. OTHER BUSINESS: Andre Guerin, PAFD Liaison introduced Derrin Fines who will be replacing Andre and the PAFD Liaison in October 2022.

9. ADJOURNMENT: The meeting adjourned at 2:00 pm. The next meeting is scheduled for 12:00 pm on **October 20, 2022.**

(Weber / Wylie) CARRIED CARRIED

Ken McRae (Vice-Chair)

Attachment

Advisory Planning Commission – September 15th – Agenda Item 1 - Official Community Plan (OCP) – Vision and Touchstones - Summary of Notes taken during SLIDO presentation, Poll question discussions:

Poll 1 – Draft Vision

- 44% identified the Vision needs more work.
- Words to include = diverse, sustainable, cultures, “inclusive access” to replace equitable access, play, learn, resources,
- “shared western and indigenous histories” is problematic. May not be shared.
- Not all non-indigenous community members are “Western”.
- “Taking care of each other, our resources...” instead of our land, our water.
- Supporting “play, learn”, food, shelter, mobility, after “Histories”. Add “cultures”, “resources”

Poll 2 - Touchstone - Environmental Protection and Leadership:

- Wording and phrasing order is important – Indigenous cultures and references often shuffled to last place so our Vision and Touchstones should consider wording order referencing Indigenous.
- “Support” is not strong enough. Make more affirmative re: recovery of damaged ecosystems.
- Need emphasis on the word “recovery” with respect to environment
- Speak to partnerships with F.N., industry
- Identify that working with employers is necessary
- Speak to incorporation of traditional ecological knowledge.
- Statement doesn’t reference F.N. involvement or position at leadership table
- Be leaders prioritizing F.N. and incorporating concerns.
- Consider having a dedicated F.N. / Indigenous Department within City Hall.
- Words to include = protect, preserve, rehabilitate, promote industry
- Remove words “on the island”

Poll 3 - Touchstone – Grow with Tomorrow in Mind

- 86% indicated Neutrality about the statement presented
- Needs to be more specific
- Seems to support status quo rather than progressive with use of the word diversity
- Needs clarity re: “what does GROW mean (is it just in terms of climate or broader? Are demographics in mind?)
- Words “changing climate” too constrained?
- Should incorporate philosophy “grow while still protecting environment”
- Provide a diversity of universal, rather than accessible, options for moving around Port Alberni

Poll 4 - Touchstone – Responsible Infrastructure Management

- 71% indicated neutrality about the statement presented
- “maintain” and utilize what we already have
- Ensure new infrastructure resilient to change
- Missing emphasis to encourage building in right location (not floodplain etc)
- Words “adaptation” and “mitigation” are redundant and not necessary.

Poll 5 - Touchstone – Healthy, Vibrant, Inclusive Community

- 83% indicated neutrality about the statement presented
- Affordability affects rate of volunteerism. Retirees now needing to go back to work or choosing to.
- Volunteerism could look different, rethink, evolve,
- Care for ALL who need support not just those needing MOST support

Poll 6 - Touchstone – Livability

- 75% indicated support for statement presented
- Concerns re lack of improvement and progression with current transit routes/systems that have not changed much in decades
- Words - access to “services, transit, leisure and nature” and enabling “recreation”,
- “well designed” is very subjective - could be “balanced” instead
- Housing has been developed but at cost to Parks and Playgrounds (Recreation needs more emphasis)
- Safety and Security need to be included in livability factors
- 56% support , 44% needs more work on statement presented
- The word “increase” is problematic. We already have lots of spaces so “increase” what specifically? Maybe more ball fields and turf facilities?
- We have lots of aging facilities that will need to be replaced and maintained. Need to PLAN for this. We have lots of greenspace.
- Trail maintenance needs planning.
- Seek out and access Government funding sources

Poll 7 - Touchstone – Diverse, Balanced Economy

- 50% support , 50% needs more work on statement presented
- It is a warm, fuzzy but bureaucratic statement that doesn't say much.
- City needs to support new businesses, small businesses disappearing
- Use word “strengths” instead of “drivers”.
- Opportunities for ALL to stay rather than just youth and young families (everyone)
- Speak to need for business development supports
- Support new and emerging sectors – wider than just industry

Consultant indicated that the Reconciliation Touchstone would be discussed in more depth with the F.N. communities. APC noted that public engagement with Tseshaht F.N. had initially gotten off on wrong foot for the OCP project. Hoping for opportunities to discuss ideas with the Mayor. Reconciliation should be a top priority.

One word after today's discussion:

Encouraged, Useful, Hopeful, Inspired, Included, Ready

CITY OF PORT ALBERNI

BYLAW NO. 5066

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

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

1. Title

This Bylaw may be known and cited for all purposes as "**Zoning Map Amendment No. 56 (2244 Mallory Drive - Saywell Developments) Bylaw No. 5066**".

2. Zoning Amendment

2.1 Lot 7, District Lot 1, Alberni District, Plan VIP23398, PID: 000-819-972, located at **2244 Mallory Drive** and shown shaded on Schedule A, attached hereto and forming part of this bylaw, are hereby rezoned from 'R1 Single Family Residential' to '**R2 One and Two Family Residential**'.

3. Map Amendment

Schedule "A" (Zoning Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME this day of , 2022.

READ A SECOND TIME this day of , 2022.

A PUBLIC HEARING WAS WAIVED this day of , 2022.

READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

Mayor

Corporate Officer

[illegible]

BACK LEFT 3D



FRONT LEFT 3D



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 NARRAGANSETT, R.I. 02882
 TEL: (401) 884-1111
 FAX: (401) 884-1112
 WWW.DIRKSONDESIGN.COM

DESIGNER: RALPH

CONSULTANT: LINDA

CONSULTANT: RALPH

SCALE: AS NOTED
 DRAWN: RON
 CHECKED: RALPH
 DATE: APR 25 2022

PROJECT: HOME DESIGN FOR "244 MALLORY DRIVE" FORT ALBERN, BC

CLIENT: "TAYLOR SATWELL"
 PROJECT NO: 250-216-2244

SHEET TITLE: FRONT LEFT 3D, BACK LEFT 3D

SHEET NO: A - 1

BACK RIGHT 3D



FRONT RIGHT 3D



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 WARRAPPOO, B.C.
 V1T 0K6
 TEL: (250) 866-1474

DESIGNER SEAL:
 COMBIA TAYLOR SEAL

COMBIA TAYLOR SEAL

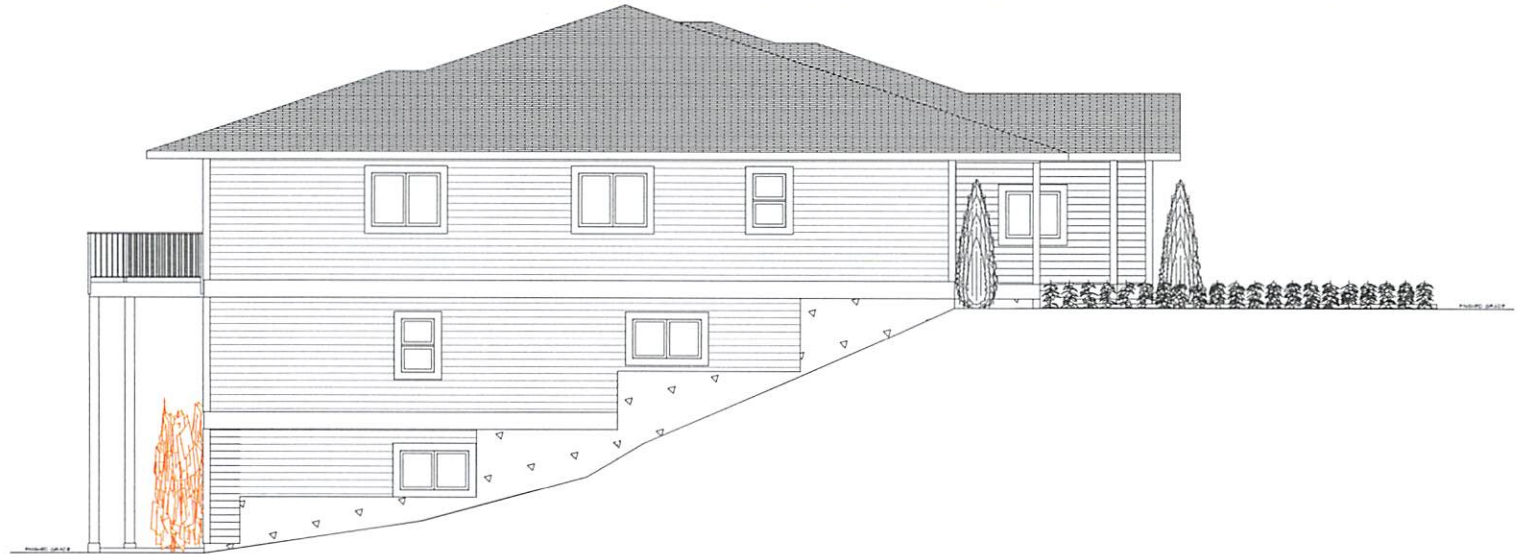
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 FORT ALBERN, BC

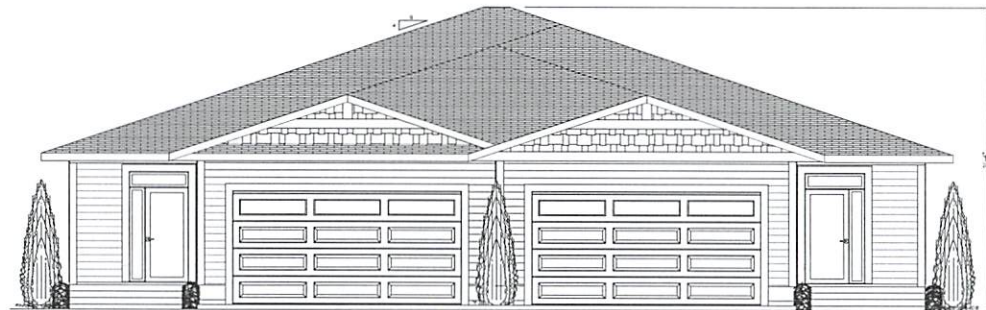
CLIENT
 "TAYLOR SATSELL"
 PROJECT NO:
 250-216-2244

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 BACK RIGHT 3D

SHEET NO:
 A - 2



LEFT ELEVATION
 1/4" = 1'-0"



FRONT ELEVATION
 1/4" = 1'-0"

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CONSULTANT SEAL

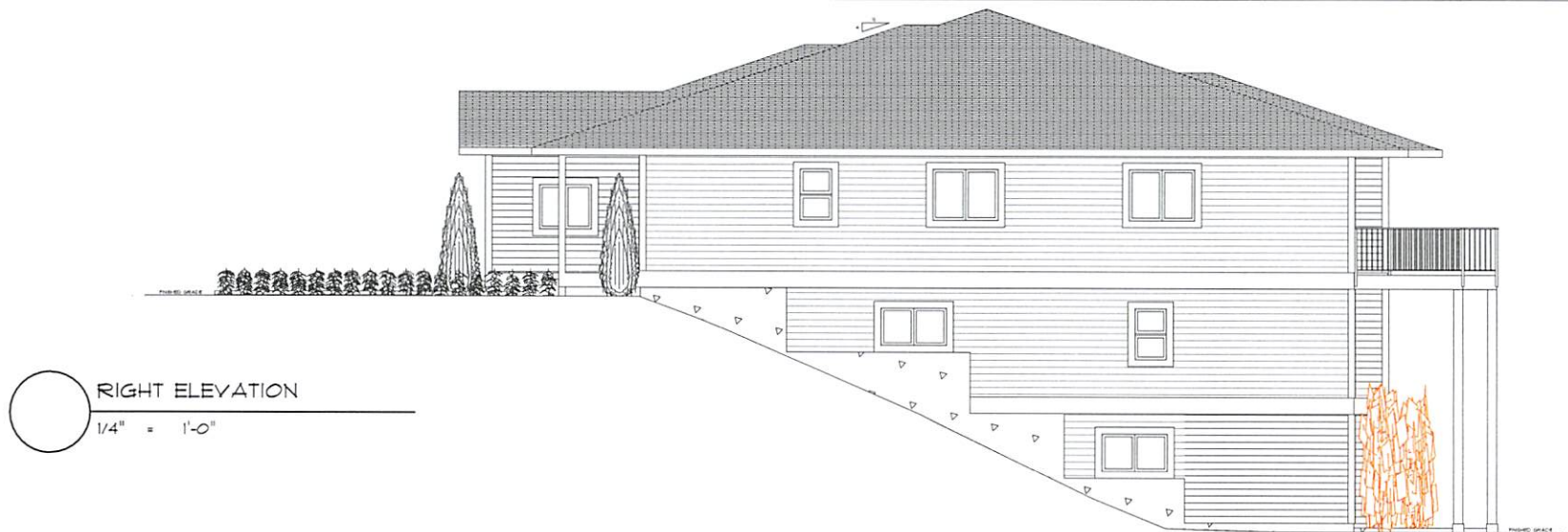
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PROJECT
 HOME DESIGN FOR
 "244 HALLORY DRIVE"
 FORT ALBERN, B.C.

CLIENT
 "TAYLOR SATWELL"
 PROJECT NO.
 250-816-8244

SHEET TITLE
 FRONT ELEVATION,
 LEFT ELEVATION

SHEET NO.
 A - 3



RIGHT ELEVATION
 1/4" = 1'-0"



REAR ELEVATION
 1/4" = 1'-0"

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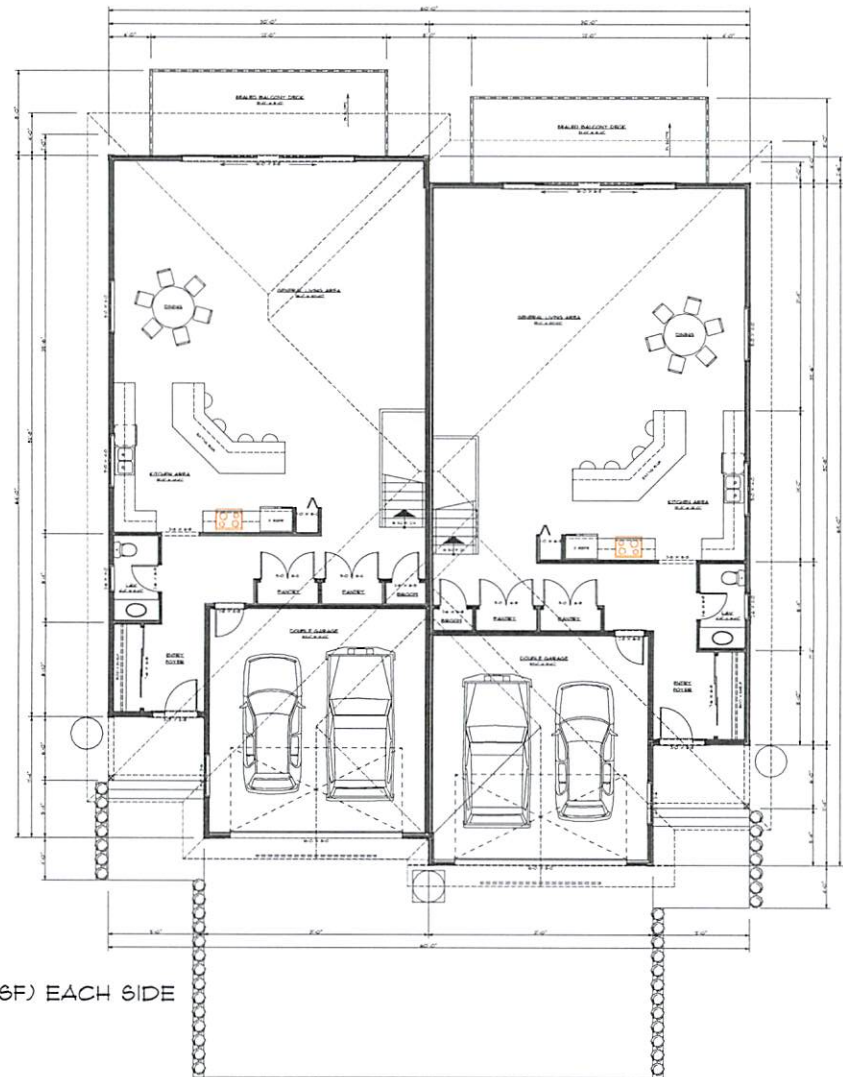
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DATE	APR 25 2022

PROJECT
 HOME DESIGN FOR
 224 MALLORY DRIVE
 FORT ALBERN, BC

CLIENT
 TAYLOR SATCHEL
 PROJECT NO.
 250-216-2244

SHEET TITLE
 REAR ELEVATION,
 RIGHT ELEVATION

SHEET NO.
 A - 4



TOP FLOOR - 1366 SF (GARAGE - 451 SF) EACH SIDE
 3/16" = 1'-0"

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 DESIGNERS
 PLANNERS

DESIGNER SEAL:
 CONSULTANT SEAL:
 CONSULTANT SEAL:

SCALE
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 RON
 CHECKED
 DATE
 APR 25 2022

PROJECT
 HOME DESIGN FOR
 "244 MALLORY DRIVE"
 FORT ALBERN, BC

CLIENT
 "TAYLOR SATWELL"
 PROJECT NO.
 250-816-8244

SHEET TITLE
 TOP FLOOR - 1366 SF
 (GARAGE - 451 SF)
 EACH SIDE

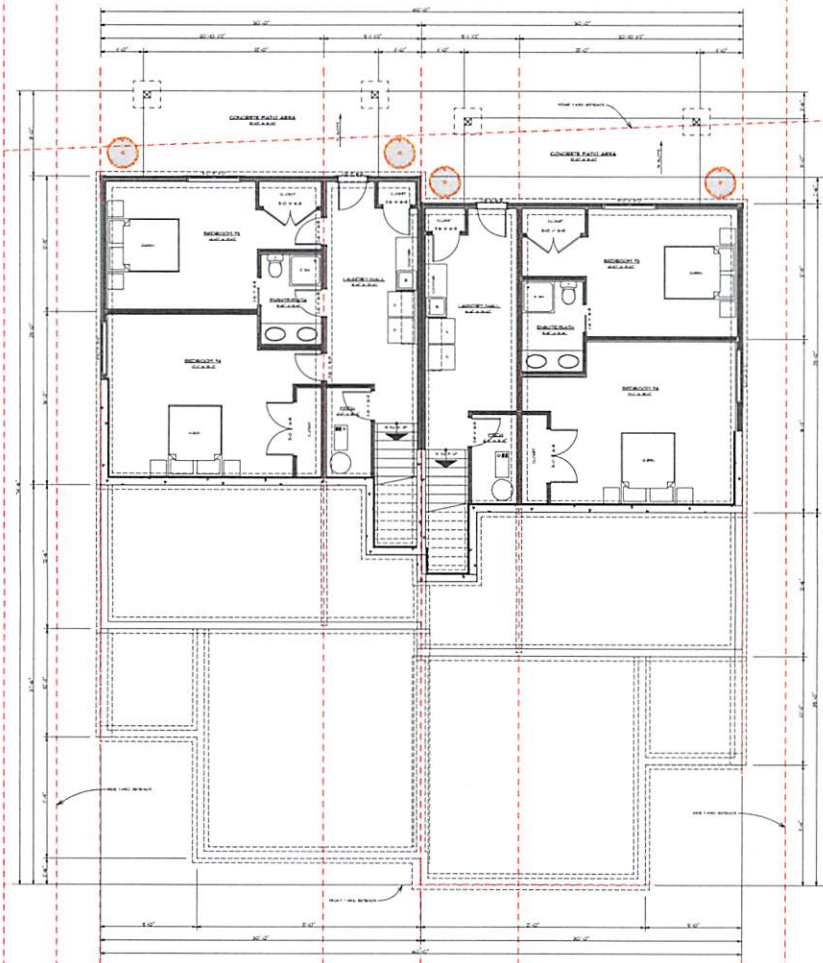
SHEET NO.
 A - 5



 MIDDLE LIVING AREA - 1275 SF EACH SIDE
 3/16" = 1'-0"

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○ LOWER LIVING AREA - 903 SF EACH SIDE
 3/16" = 1'-0"

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 CHECKED: RALPH
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CONSULTANT: RALPH
 CHECKED: RALPH
 DATE: APR 25 2022

SCALE: A6 NOTED
 DRAWN: RALPH
 CHECKED: RALPH
 DATE: APR 25 2022

PROJECT: "244 MALLORY DRIVE"
 "PORT ALBERNI, BC"

CLIENT: "TAYLOR SATCHEL"
 PROJECT NO: 250-216-2444

SHEET TITLE: LOWER LIVING AREA - 903 SF EACH SIDE

SHEET NO: A - 7

Date: October 13, 2022
File No: 3660-20-2272 Mallory
To: Mayor and Council
From: T. Pley, CAO
Subject: DEVELOPMENT APPLICATION Zoning Bylaw Amendment ZON2022-04 at 2272 Mallory Drive, Port Alberni
Lot 3 District Lot 1 Alberni District Plan 23398 (PID: 002-881-195)
Applicant: Don Saywell Developments Ltd.

Prepared By: M. Wade M. Wade Manager of Planning	Director:  S. Smith, Dir. of Development Services Deputy CAO	CAO Concurrence:  T. Pley, CAO
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RECOMMENDATION[S]

1. THAT "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" be now introduced and read a first time.
2. THAT "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" be read a second time.
3. THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.

PURPOSE

The City has received an application (ZON2022-04) to rezone the property at 2272 Mallory Drive from R1 to R2. This would enable the construction of a duplex on this lot. The application requires a map amendment to *Zoning Bylaw No. 4832*. The property at 2272 Mallory Drive is currently vacant.

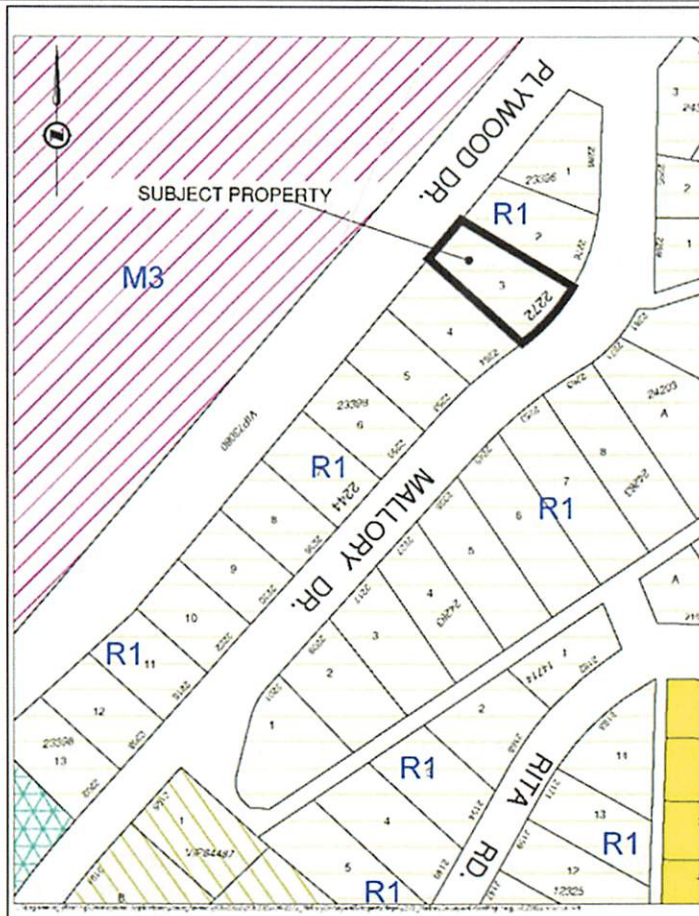
BACKGROUND

The subject property is designated Residential (RES) in the Official Community Plan (OCP), and is currently zoned R1. The property is currently vacant and is predominately surrounded by residential uses. Parks are nearby and the topography is elevated in this area and overlooks the industrial lands to the North. The applicant is proposing to construct a duplex on this lot.

ENTERED
65

Subject Property and Site Context

Figure 1 – Subject Property Map



Current Zoning	R1 Single Family Residential
Proposed Zoning	R2 One and Two Family Residential
Total Area	1111 m2 (0.28 acres)
Official Community Plan (OCP)	<ul style="list-style-type: none"> • <i>Schedule A Land Use Map: Residential (RES)</i> • <i>Schedule B Development Permit Areas Map: N/A</i>
Relevant Guidelines	<ul style="list-style-type: none"> • <i>Section C Plan Goals & Land Use Designations 1.5 Community</i> • <i>Plan Policies – 4.0 Residential</i> • <i>Section D Plan Policies – 4.2 Residential (RES)</i>

ALTERNATIVES/OPTIONS

1. *THAT "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" be now introduced and read a first time.*
2. *THAT "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" be read a second time.*
3. *THAT Council waive the public hearing for proposed "Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments), Bylaw No. 5067" in accordance with section 464 (2) of the Local Government Act [LGA], as the proposed amendment aligns with the Official Community Plan designations, and direct staff to provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the Bylaw.*
4. That Council may pass a resolution to not give first reading.
5. That Council may pass a resolution not to waive the public hearing.
6. That Council may pass a resolution to direct Staff with alternate direction.

ANALYSIS

Zoning and Land Use

The applicant has applied to rezone the subject property from the R1 Single Family Residential to R2 One and Two Family Residential to construct a duplex on vacant land. The proposed building envelope meets the requirements of the R2 zone. The site coverage is limited to 40% which would permit the development of a duplex.

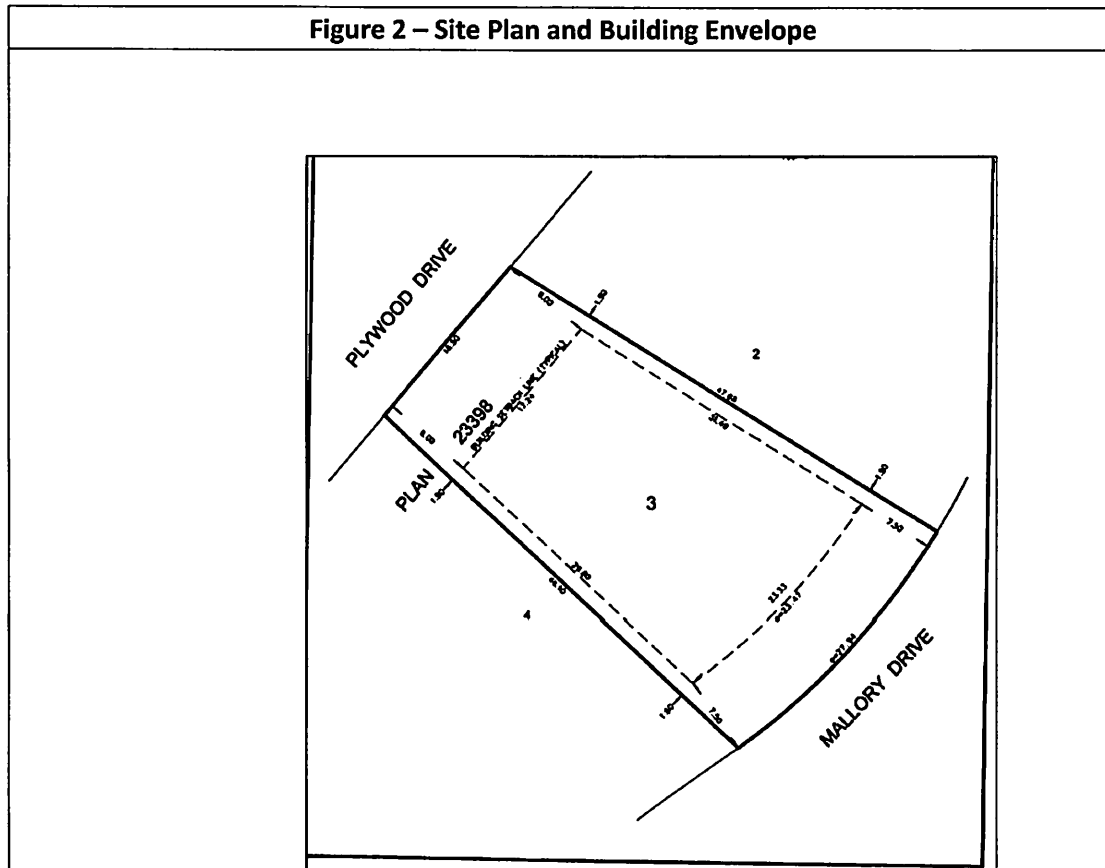
Table 2 – Zone Definitions	
Title	Purpose
<i>R1 Single Family Residential</i>	The purpose of this zone is to establish and maintain quiet low, density neighbourhoods.
<i>R2 One and Two Family Residential</i>	The purpose of this zone is to establish and maintain low, density neighbourhoods featuring single family and two family dwellings.

Staff Notes:

- Proposed rezoning aligns with Residential (RES) designation on *Schedule A Land Use Map* in the OCP.
- Staff do not anticipate any significant impact on the surrounding neighbourhood.
- Development Permit will not be required as duplex developments are not included on *Schedule B Development Permit Areas Map* in the OCP.
- *Local Government Act* section 464(2) allows Council to waive the Public Hearing for amendments that are consistent with the OCP.

Site Plan and Building Envelope

The applicant has provided a site plan and building envelope (Figure 2) showing the proposed building envelope area, lot dimensions, lot area and setbacks that align with the R2 zoning requirements.



Infrastructure and Servicing

Infrastructure upgrades may be required to service the development. This may include utility upgrades and improvements to the road and sidewalk areas. This will be confirmed at the time of building permit issuance by the Engineering Department. The applicant will be responsible for the cost of all improvements.

Referrals

None were received and will be considered at time of building application; most interests are unaffected.

IMPLICATIONS

Supporting this application provides housing choice in this neighbourhood to meet a changing demographic.

COMMUNICATIONS

The development application (ZON22-04) was reviewed by the Advisory Planning Commission at their meeting on September 15, 2022. The Commission passed a motion recommending Council support the application. The applicant has posted a sign on the property noting the application to rezone the property from R1 Single Family Residential to R2 One and Two Family Residential as per Development Application Bylaw, No.4614.

The proposed Zoning Map Amendment Bylaw No. 5067 is consistent with the Official Community Plan and meets the criteria for Council to pass a resolution to waive the Public Hearing under section 464 (2) of the *Local Government Act*, and issue public notice (s.467).

If Council does not waive the public hearing, a date can be set for November 28, 2022 at 6:00 pm. If Council chooses to advance the application to a Public Hearing staff will proceed with all required statutory notices. This will include notification to owners and occupants within 75 metres as per section 5 of the City's *Development Application Notice Bylaw No. 4614*, and notice in the newspaper as required by sections 465 and 466 of the *Local Government Act*.

BYLAWS/PLANS/POLICIES

1. *Official Community – Section C: Plan Goals & Land Use Designations*

The application aligns with following OCP policies for Commercial development:

- 1.5 *To ensure that a range of housing choice is provided in order to meet the needs of current and future residents.*

2. *Zoning Bylaw 2014 (Bylaw 4832):*

The application aligns with the purpose of the *R2 One and Two-Family Residential* zone.

3. *2019 – 2023 Corporate Strategic Plan*

The application aligns with the following priorities of the *Corporate Strategic Plan*:

- Priority #1: *Respond to demographic change/improve quality of life.*

SUMMARY

Staff recommend First and Second reading of the proposed *Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments)*, *Bylaw No. 5067* and waive the public hearing as per *Section 464(2) of the LGA* as the application aligns with Council's Strategic Priority#1, OCP land use designation policy and meets the requirements of the *R2 Zone*.

ATTACHMENTS/REFERENCE MATERIALS

- *Current Zone Description R1 Single Family Residential*
- *Proposed Zone Description R2 One and Two Family Residential Zoning Bylaw No. 4832*
- *Advisory Planning Commission September 15, 2022 Meeting Minutes*
- *Draft Zoning Map Amendment No. 57 (2272 Mallory Drive), Bylaw No. 5067*
- *Preliminary Drawings for proposed duplex*

C: *T. Slonski, Director of Corporate Services*
R. Gaudreault, Building/Plumbing Inspector
R. Dickinson, Director of Engineering and Public Works

J:\Engineering\Planning\Development Applications\ZoningAmend\ZON-2022\ZON2022-04-2272_MalloryDr-Saywell\Council\ZON22-04-2272_MalloryDr Saywell-Council-1st_2nd.docx

R1 – SINGLE FAMILY RESIDENTIAL

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

5.11.1 Permitted uses

Principal Uses

Single family dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary suite

Supportive housing

5.11.2 Site Development Regulations

Minimum Lot Area	600 m ²	6458 ft ²
Minimum Frontage	15 m	49.2 ft
Maximum Coverage	40%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	0.5	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	
Maximum number of dwelling units per lot	2	

5.11.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.11.2:
 - (i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.
 - (ii) For single *family dwellings* having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.

R2 – ONE AND TWO FAMILY RESIDENTIAL

5.12 The purpose of this *zone* is to establish and maintain quiet, low density neighbourhoods featuring single *family* and two *family* dwellings.

5.12.1 Permitted usesPrincipal UsesSingle *family* dwellingTwo *family* dwellingAccessory Uses

Bed and breakfast

Home occupation

Secondary suite

Supportive housing

5.12.2 Site Development RegulationsMinimum *Lot Area*Single *family* dwelling 500 m² (5,382 ft²)Single *family* dwelling with *secondary suite* 600 m² (6,458 ft²)Two *family* dwelling 700 m² (7,535 ft²)Minimum *Frontage*Single *family* dwelling 15 m (49.2 ft)Single *family* dwelling with *secondary suite* 15 m (49.2 ft)Two *family* dwelling 20 m (65.6 ft)Maximum *Coverage* 40%Minimum *Setbacks*:*Front yard* 7.5 m (24.6 ft)*Rear yard* 9 m (29.5 ft)*Side yard* 1.5 m (4.9 ft)Maximum *Floor Area Ratio* 0.5Maximum Height, Principal *Building* 10 m (32.8 ft)Maximum Number of Principal *Building Storeys* 2.5Maximum number of residential units per *lot* 25.12.3 Conditions of Use

(a) Notwithstanding the provisions of 5.12.2:

(i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.(ii) For single *family* dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.

- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*:
bed and breakfast OR *secondary suite* OR *supportive housing*.
- (d) Notwithstanding any other provisions of this bylaw, *secondary suites* are not permitted in a duplex.
- (e) Notwithstanding Section 5.12.1, on *lots* less than 500 m² in area that exist prior to the adoption of this Bylaw, single *family dwelling* is the only permitted *use*.



**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on September 15, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ken McRae, (Vice - Chair)
Harley Wylie (Alt. – Tseshahṭ (č iṣaaʔaṭh) F.N)
Stefanie Weber
Jolleen Dick, Councillor, Hupačasath F.N
Amy Anaka
Callan Noye
Larry Ransom (Alt– S.D.70)
Andre Guerin, P.A.F.D. Liaison
Peter Dionne, R.C.M.P. Liaison
Amy Needham, Parks Liaison

Regrets

Ken Watts, Chief, Tseshahṭ (č iṣaaʔaṭh) F.N)
Ed Francoeur (Chair)
Joe McQuaid
Christine Washington, SD70
Councillor Deb Haggard, Council Liaison

Staff

Marianne Wade, Manager of Planning
Brian McLoughlin, Development Planner
Cara Foden, Planning Technician
Scott Smith, Dir. of Dev. Services/Deputy CAO

Guests

Kelly Learned, Consultant (FRANK)
Applicants: None attending
Public: Derrin Fines, PAFD

Alternates (not in attendance)

Councillor Helen Poon (Alt.– Council Liaison)
S./Sgt. Mike Thompson (Alt.– RCMP)



1. Acknowledgements and Introductions:

Acknowledgement by Chair that this Advisory Planning Commission (APC) meeting is being held within the un-ceded, traditional territories of the Hupačasath Nation and the č iṣaaʔaṭh (Tseshahṭ) First Nation. Welcome and introductions.

2. Minutes: Adoption of August 18, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the August 18, 2022 regular meeting as amended.

(Weber / Wylie) CARRIED

3. Official Community Plan (OCP) – Vision and Touchstones – Consultant, Kelly Learned (FRANK) presented draft Vision and Touchstones

- The Manager of Planning introduced Kelly Learned who gave a brief overview of the OCP project and status. Ms. Learned advised the APC members that Slido software would be used during this session to gather feedback regarding the draft Vision and Touchstones. A series of questions allowed for the APC members to provide feedback interactively and to discuss the feedback as notes were taken.
- The draft 'Vision' and Seven (7) of the draft 'Touchstones' were presented for review, one at a time, to determine the level of support for each. The level of support was determined interactively, via mobile phone voting on the polls, and followed by an opportunity for individual APC members to elaborate on their reasons for supporting, not supporting or expressing neutrality regarding the content and wording contained in each of the 'Touchstones'. See attached summary of the notes taken.

4. DEVELOPMENT APPLICATION – Temporary Use Permit

3665 4th Ave. - Lot 23, Block 46, District Lot 1, Alberni District, Plan VIP197B (PID: 009-243-372) and;

3675 4th Ave. - Lot 24, Block 46, District Lot 1, Alberni District, Plan VIP197B (PID: 009-243-399) and;

3689 4th Ave. - Lot A, District Lot 1, Alberni District, Plan VIPVIP24376 (PID: 003-029-808)

APPLICANT: C. Stevens dba The Port Alberni Friendship Centre

- The Manager of Planning summarized her report to the APC dated September 8, 2022.
- APC discussed the proposed permit with respect to the following:
 - A renewal of the initial term of the TUP would include factors such as lack of availability of another form of supportive housing or an increased need for the service within the community.
 - It was noted that the City would be providing infrastructure in the form of city services (Water, Sanitary, Storm, Fencing etc) that is costly. The Manager of Planning explained that the City Council had resolved to contribute \$140,000 towards the project with the goal of supporting vulnerable members of the community.
 - APC members were concerned about operations of the facility and safety. The Manager of Planning indicated that many of the operational concerns voiced would be the responsibility of BC Housing under an Operational Agreement and Operational Budget funded by BC Housing. The City would not be responsible for operational costs.
 - The shelters did not have cooking facilities as meals would be provided under the operational budget. Maintenance would also fall under the operational budget.
 - Safety was discussed and it was noted that the shelter would have security cameras and on-site staffing 24 hours/day.
 - The temporary nature of the permit was discussed and the future of the facility/site. If the site is deemed appropriate for the long term the potential for rezoning might be a feasible option.

Motion:

That the Advisory Planning Commission recommends to City Council that Council support the application.

(Ransom / Weber) CARRIED

5. DEVELOPMENT APPLICATION – Zoning Bylaw amendments

5837 Compton Road Lot B, District Lot 21, Alberni District, Plan VIP20721 (PID: 003-573-818); and

5801 Compton Road Lot A, Section 21, Alberni District, Plan VIP20721 (PID: 003-573-796)

APPLICANT: G. Cicon

- The Director of Development Services summarized his report dated September 8, 2022.
- APC discussed the proposed amendment with respect to the following:
 - The location of the property with respect to the Floodplain Bylaw and with respect to new flood level mapping now available was discussed. The APC expressed concern that site development may be contrary to the objectives of the community once the new OCP is adopted. The Director agreed that the top of Golden St. presented challenges for Tsunami evacuation routing and a long-term plan may include Pierce Rd. and Georgia Rd. as potential routing if connected to Beaver Ck Rd. The Director also indicated to APC that the site itself, though included in the area covered by the Floodplain bylaw, actually exceeds the levels required under that bylaw and the new Flood mapping levels that are now available.
 - The Park designation on 5801 Compton Rd. will not change around Lugin Creek that runs

- through the property. The site is not currently included in a Development Permit Area.
- There would be potential to include a covenant on the land to guarantee construction elevations.
- The Subdivision Approving Officer would ensure that no land was “cut off” from road access. The current application does not guarantee subdivision approval and the applicant would be required to meet the appropriate conditions of subdivision in order to develop the land or subdivide further.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that Council support the application.*

(Dick / Wylie) CARRIED

6. DEVELOPMENT APPLICATIONS – Zoning Bylaw amendments

- a) **2244 Mallory Drive - Lot 7, District Lot 1, Alberni District, Plan VIP23398 PID: 000-819-972**
- b) **2272 Mallory Drive - Lot 3, District Lot 1, Alberni District, Plan VIP23398 PID: 002-881-195**

APPLICANT: D. Saywell Developments Ltd., Inc. No. 0699694

- The Manager of Planning (M.W.) summarized her reports dated September 15, 2022.
- APC discussed the proposed amendment with respect to the following:
 - The development of the duplex homes would not be out of character for the existing neighbourhood.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that Council support the application for a Zoning amendment for 2244 Mallory Drive.*

(Ransom / Wylie) CARRIED

2. *That the Advisory Planning Commission recommends to City Council that Council support the application for a Zoning amendment for 2272 Mallory Drive.*

(Noye / Ransom) CARRIED

7. Status Update: None at this time.

8. OTHER BUSINESS: Andre Guerin, PAFD Liaison introduced Derrin Fines who will be replacing Andre and the PAFD Liaison in October 2022.

9. ADJOURNMENT: The meeting adjourned at 2:00 pm. The next meeting is scheduled for 12:00 pm on October 20, 2022.

(Weber / Wylie) CARRIED CARRIED

Ken McRae (Vice-Chair)

Attachment

Advisory Planning Commission – September 15th – Agenda Item 1 - Official Community Plan (OCP) – Vision and Touchstones - Summary of Notes taken during SLIDO presentation, Poll question discussions:

Poll 1 – Draft Vision

- 44% identified the Vision needs more work.
- Words to include = diverse, sustainable, cultures, “inclusive access” to replace equitable access, play, learn, resources,
- “shared western and indigenous histories” is problematic. May not be shared.
- Not all non-indigenous community members are “Western”.
- “Taking care of each other, our resources...” instead of our land, our water.
- Supporting “play, learn”, food, shelter, mobility, after “Histories”. Add “cultures”, “resources”

Poll 2 - Touchstone - Environmental Protection and Leadership:

- Wording and phrasing order is important – Indigenous cultures and references often shuffled to last place so our Vision and Touchstones should consider wording order referencing Indigenous.
- “Support” is not strong enough. Make more affirmative re: recovery of damaged ecosystems.
- Need emphasis on the word “recovery” with respect to environment
- Speak to partnerships with F.N., industry
- Identify that working with employers is necessary
- Speak to incorporation of traditional ecological knowledge.
- Statement doesn’t reference F.N. involvement or position at leadership table
- Be leaders prioritizing F.N. and incorporating concerns.
- Consider having a dedicated F.N. / Indigenous Department within City Hall.
- Words to include = protect, preserve, rehabilitate, promote industry
- Remove words “on the island”

Poll 3 - Touchstone – Grow with Tomorrow in Mind

- 86% indicated Neutrality about the statement presented
- Needs to be more specific
- Seems to support status quo rather than progressive with use of the word diversity
- Needs clarity re: “what does GROW mean (is it just in terms of climate or broader? Are demographics in mind?)
- Words “changing climate” too constrained?
- Should incorporate philosophy “grow while still protecting environment”
- Provide a diversity of universal, rather than accessible, options for moving around Port Alberni

Poll 4 - Touchstone – Responsible Infrastructure Management

- 71% indicated neutrality about the statement presented
- “maintain” and utilize what we already have
- Ensure new infrastructure resilient to change
- Missing emphasis to encourage building in right location (not floodplain etc)
- Words “adaptation” and “mitigation” are redundant and not necessary.

Poll 5 - Touchstone – Healthy, Vibrant, Inclusive Community

- 83% indicated neutrality about the statement presented
- Affordability affects rate of volunteerism. Retirees now needing to go back to work or choosing to.
- Volunteerism could look different, rethink, evolve,
- Care for ALL who need support not just those needing MOST support

Poll 6 - Touchstone – Livability

- 75% indicated support for statement presented
- Concerns re lack of improvement and progression with current transit routes/systems that have not changed much in decades
- Words - access to “services, transit, leisure and nature” and enabling “recreation”,
- “well designed” is very subjective - could be “balanced” instead
- Housing has been developed but at cost to Parks and Playgrounds (Recreation needs more emphasis)
- Safety and Security need to be included in livability factors
- 56% support , 44% needs more work on statement presented
- The word “increase” is problematic. We already have lots of spaces so “increase” what specifically? Maybe more ball fields and turf facilities?
- We have lots of aging facilities that will need to be replaced and maintained. Need to PLAN for this. We have lots of greenspace.
- Trail maintenance needs planning.
- Seek out and access Government funding sources

Poll 7 - Touchstone – Diverse, Balanced Economy

- 50% support , 50% needs more work on statement presented
- It is a warm, fuzzy but bureaucratic statement that doesn't say much.
- City needs to support new businesses, small businesses disappearing
- Use word “strengths” instead of “drivers”.
- Opportunities for ALL to stay rather than just youth and young families (everyone)
- Speak to need for business development supports
- Support new and emerging sectors – wider than just industry

Consultant indicated that the Reconciliation Touchstone would be discussed in more depth with the F.N. communities. APC noted that public engagement with Tseshaht F.N. had initially gotten off on wrong foot for the OCP project. Hoping for opportunities to discuss ideas with the Mayor. Reconciliation should be a top priority.

One word after today's discussion:

Encouraged, Useful, Hopeful, Inspired, Included, Ready

CITY OF PORT ALBERNI

BYLAW NO. 5067

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

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

1. Title

This Bylaw may be known and cited for all purposes as "**Zoning Map Amendment No. 57 (2272 Mallory Drive - Saywell Developments) Bylaw No. 5067**".

2. Zoning Amendment

2.1 Lot 3, District Lot 1, Alberni District, Plan VIP23398, PID: 002-881-195, located at **2272 Mallory Drive** and shown shaded on Schedule A, attached hereto and forming part of this bylaw, are hereby rezoned from 'R1 Single Family Residential' to '**R2 One and Two Family Residential**'.

3. Map Amendment

Schedule "A" (Zoning Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME this day of , 2022.

READ A SECOND TIME this day of , 2022.

A PUBLIC HEARING WAS WAIVED this day of , 2022.

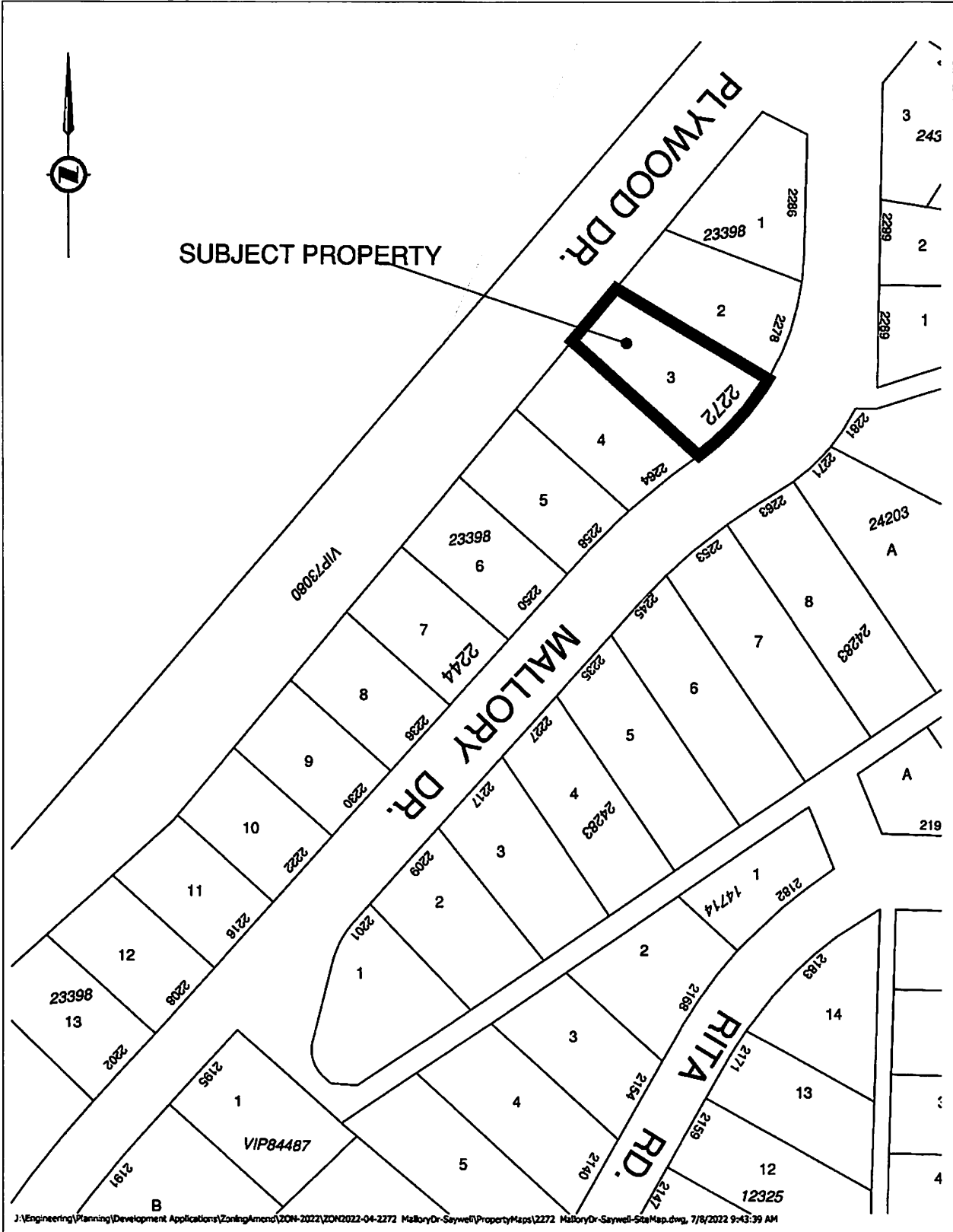
READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

Mayor

Corporate Officer

Schedule "A" to Bylaw No. 5067



BACK LEFT 3D



FRONT LEFT 3D



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 4811 BIRCHDALE BOULEVARD
 NANAIMO, B.C.
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PROJECT
 HOME DESIGN FOR
 "WILLOW DRIVE"
 FORT ALBERN, B.C.

CLIENT
 "TAYLOR DAYWELL"
 PROJECT NO.
 250-816-8244

SHEET TITLE
 FRONT LEFT 3D,
 BACK LEFT 3D

SHEET NO.
 A - 1

BACK RIGHT 3D



FRONT RIGHT 3D



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CONSULTANT SEAL:

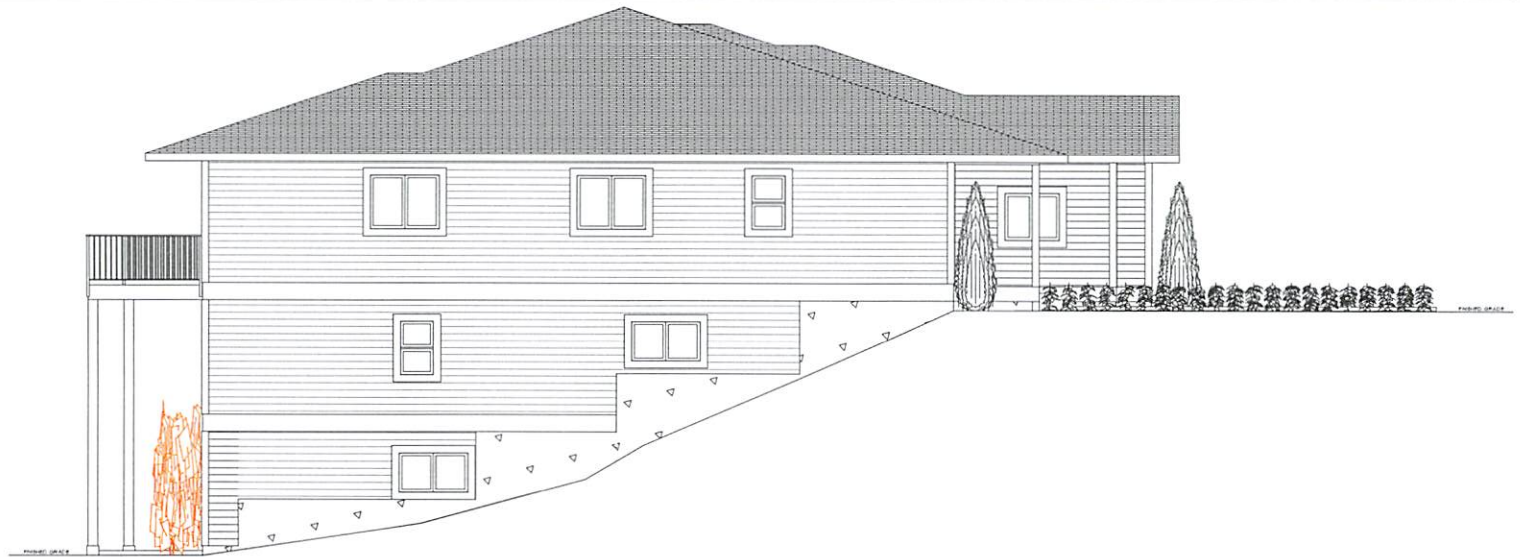
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PROJECT
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 "270 MALLORY DRIVE"
 EAST ALBERNI, B.C.

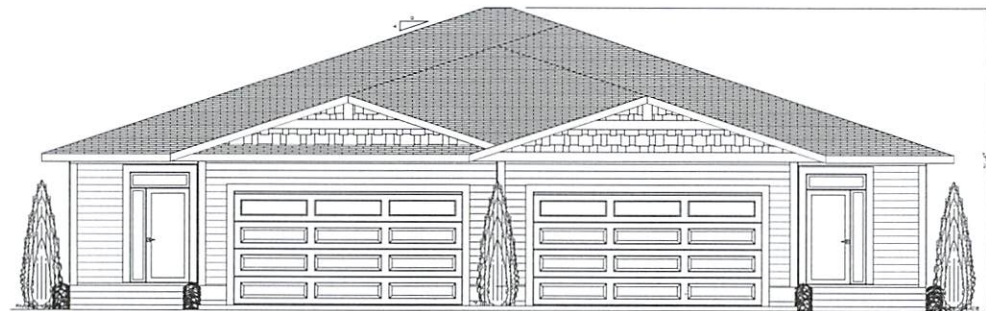
CLIENT
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 PROJECT NO.
 250-816-8244

SHEET TITLE
 FRONT RIGHT 3D,
 BACK RIGHT 3D

SHEET NO.
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LEFT ELEVATION
 1/4" = 1'-0"



FRONT ELEVATION
 1/4" = 1'-0"

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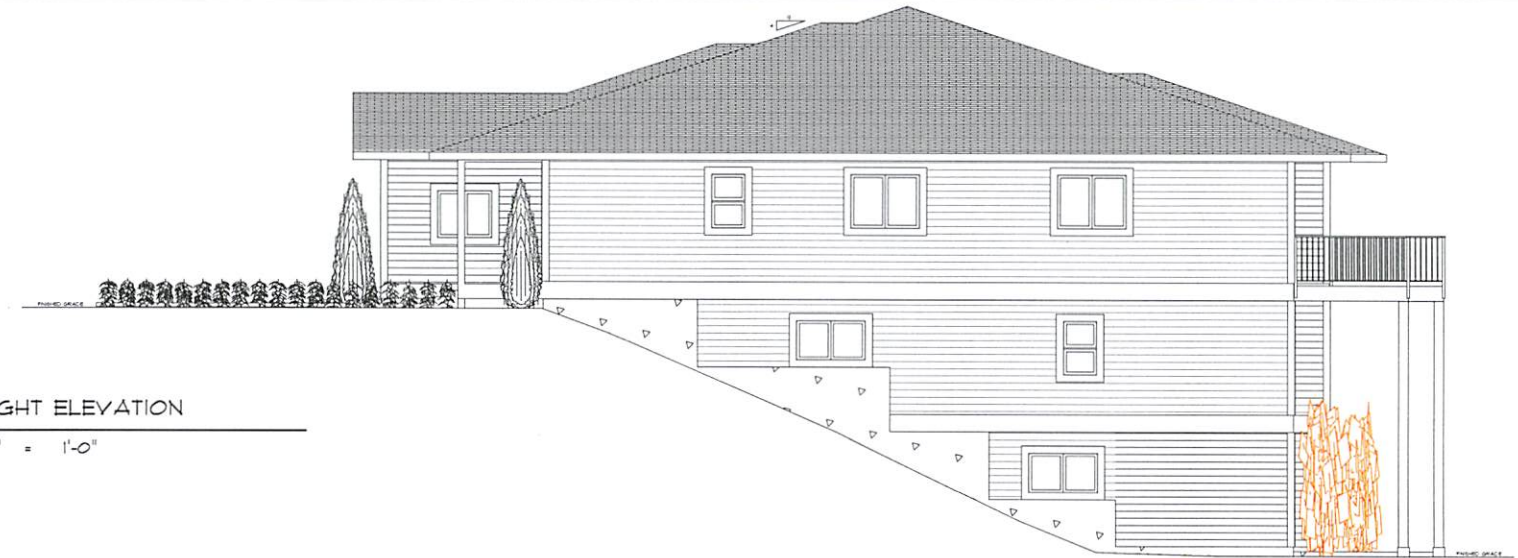
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 "220 MALLORY DRIVE"
 FORT ALBERN, BC

CLIENT
 "TAYLOR SATYELL"
 PROJECT NO.
 250-216-2444

SHEET TITLE
 FRONT ELEVATION,
 LEFT ELEVATION

SHEET NO.
 A - 3

RIGHT ELEVATION
 1/4" = 1'-0"



REAR ELEVATION
 1/4" = 1'-0"



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CONSULTANT SEAL

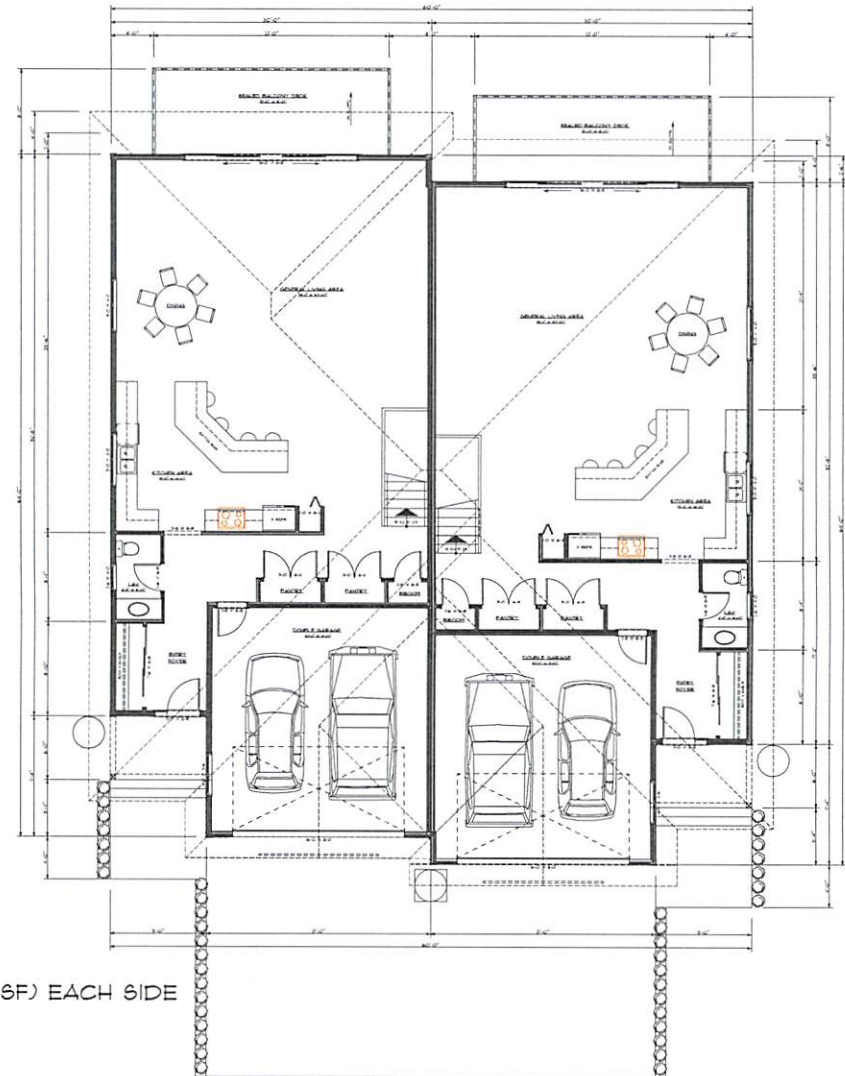
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PROJECT
 HOME DESIGN FOR
 "WIL MALLORY DRIVE"
 FORT ALBERN, B.C.

CLIENT
 "TAYLOR SATWELL"
 PROJECT NO.
 250-816-8244

SHEET TITLE
 REAR ELEVATION,
 RIGHT ELEVATION

SHEET NO.
 A - 4



TOP FLOOR - 1366 SF (GARAGE - 451 SF) EACH SIDE
 3/16" = 1'-0"

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 APR 15 2022

PROJECT
 HOME DESIGN FOR
 "1712 HALLORY DRIVE"
 FORT ALBERN, BC

CLIENT
 "TAYLOR SATWELL"
 PROJECT NO.
 230-216-2244

SHEET TITLE
 TOP FLOOR - 1366 SF
 (GARAGE - 451 SF)
 EACH SIDE

SHEET NO.
 A - 5



MIDDLE LIVING AREA - 1275 SF EACH SIDE
 3/16" = 1'-0"

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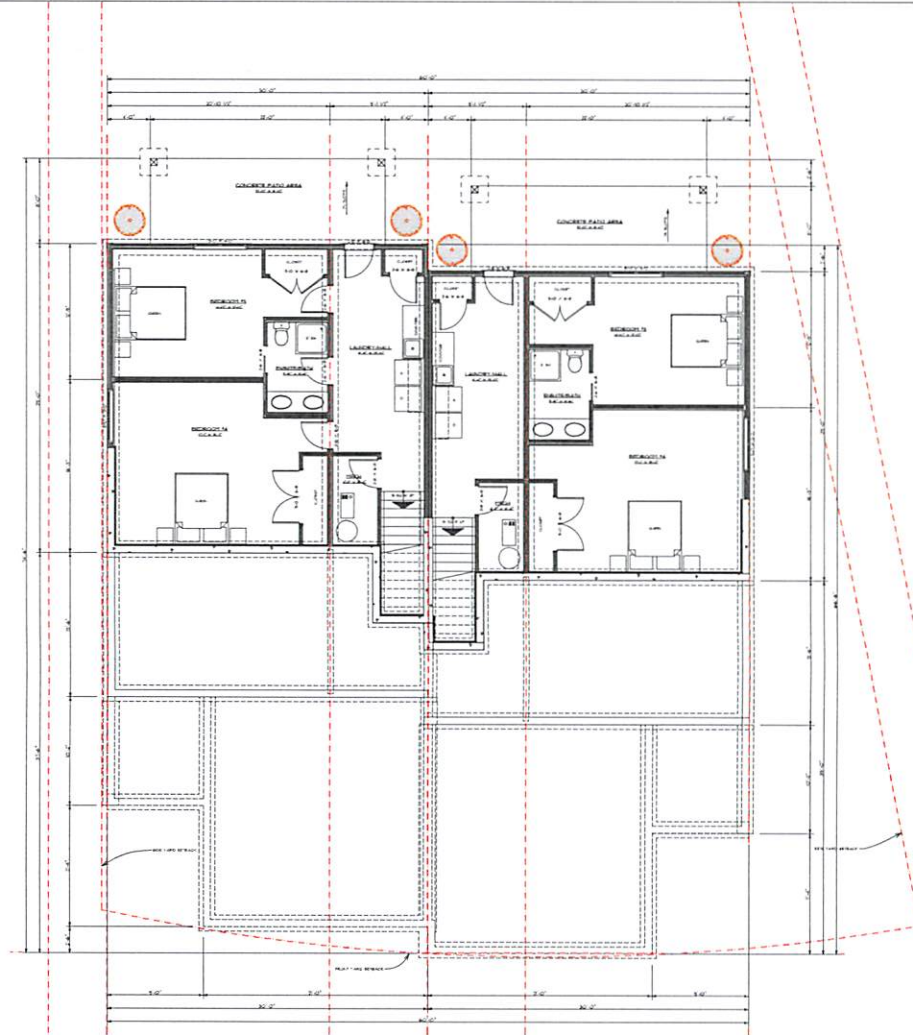
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PROJECT
**HOME DESIGN FOR
 "220 MALLORY DRIVE"
 FORT ALBERNI, BC**

CLIENT
"TAYLOR DAYWELL"
 PROJECT NO:
250-816-2444

SHEET TITLE
**MIDDLE LIVING AREA
 - 1275 SF EACH SIDE**

SHEET NO.
A - 6



LOWER LIVING AREA - 903 SF EACH SIDE
 3/16" = 1'-0"

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CONSULTANT SEAL:

SCALE: AS NOTED
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 DATE: APR 15 2022

PROJECT: HOME DESIGN FOR
 "221 HALLORY DRIVE"
 FORT ALBERN, B.C.

CLIENT: "TAYLOR SATWELL"
 PROJECT NO.: 250-816-8244

LOWER LIVING AREA -
 903 SF EACH SIDE

SHEET NO.: A - 7

CITY OF PORT ALBERNI

BYLAW NO. 5051

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

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

1. Title

This Bylaw may be known and cited for all purposes as "**Official Community Plan Amendment No. 38 (4210 Cedarwood Street - Citaapi Mahtii Housing Society), Bylaw No. 5051**".

2. Official Community Plan Amendments

2.1 **Schedule A (Land Use Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended to change the designation on Lot 1, District Lot 1, Alberni District, Plan EPP117819 (PID: 031-660-266) located at **4210 Cedarwood Street**, from 'Institutional' use to '**Multi-Family Residential**' use as shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw.

2.2 **Schedule B (Development Permit Areas Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended to include Lot 1, District Lot 1, Alberni District, Plan EPP117819 (PID: 031-660-266) located at **4210 Cedarwood Street**, in **Development Permit Area No. 1 - Multiple Family Residential** as shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw.

READ A FIRST TIME this 9th day of May, 2022.

READ A SECOND TIME this 9th day of May, 2022.

A PUBLIC HEARING WAS HELD this 31st day of May, 2022.

READ A THIRD TIME this 27th day of June, 2022.

APPROVED BY THE MINISTRY OF TRANSPORTATION this 5th day of July, 2022.

ADOPTED this day of , 2022.

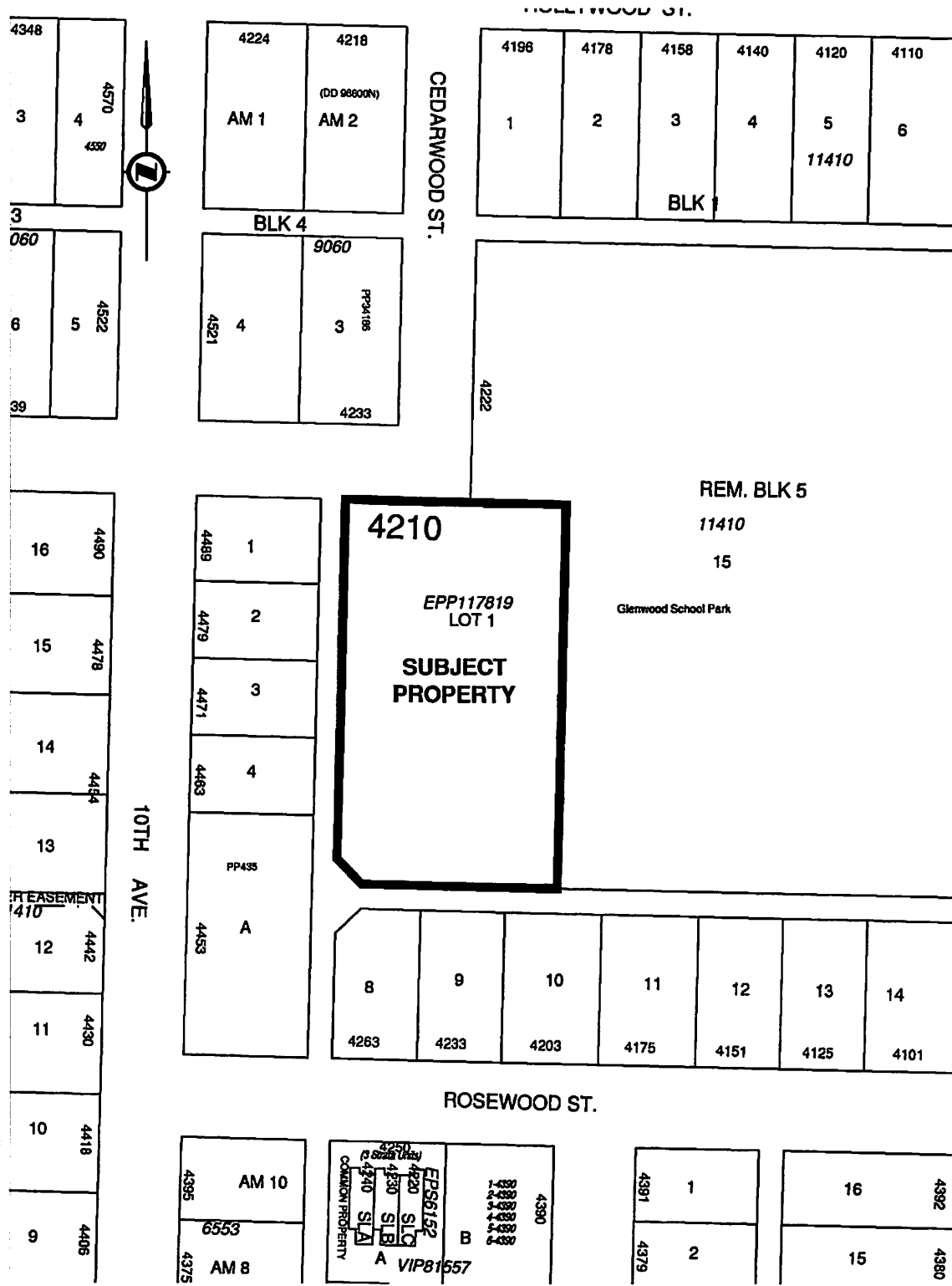
ENTERED

G6a

Mayor

Corporate Officer

Schedule "A" to Bylaw 5051



4210-CedarwoodSt-DYSArchitecture-OCPAmendBylaw

CITY OF PORT ALBERNI

BYLAW NO. 5052

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

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

1. Title

This Bylaw may be known and cited for all purposes as "**Zoning Map Amendment No. 49 (4210 Cedarwood Street - Citaapi Mahtii Housing Society), Bylaw No. 5052**".

2. Zoning Amendment

2.1 That Lot 1, District Lot 1, Alberni District, Plan EPP117819 (PID: 031-660-266), located at **4210 Cedarwood Street** as shown outlined in bold on Schedule "A" attached hereto, and forming part of this bylaw, is hereby rezoned from 'P2 Parks and Recreation' zone to '**RM3 High Density Multiple Family Residential**' zone.

3. Map Amendment

Schedule "A" (Zoning District Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2.1 above.

READ A FIRST TIME this 9th day of May, 2022.

READ A SECOND TIME this 9th day of May, 2022.

A PUBLIC HEARING WAS HELD this 31st day of May, 2022.

READ A THIRD TIME this 27th day of June, 2022.

APPROVED BY THE MINISTRY OF TRANSPORTATION this 5th day of July, 2022.

FINALLY ADOPTED this day of , 2022.

ENTERED
G6b

Mayor

Corporate Officer

CEARWOOD ST.

ROSEWOOD ST.

10TH AVE.

4210
EPP117819
LOT 1
SUBJECT PROPERTY

BLK 4

REM. BLK 5

Glenwood School Park

4222

4224 4218
AM 1 (DD 96900N) AM 2

4221 4233
4 3
PP4198

4210 4203
9 10 11 12 13 14
4263 4233 4203 4175 4151 4125 4101

4200 4201
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October 6, 2022

City of Port Alberni
c/o Mayor and Council
4850 Argyle Street
Port Alberni, BC, V9Y 1V8

RECEIVED

OCT 06 2022

CITY OF PORT ALBERNI

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input checked="" type="checkbox"/> Other <u>Fire</u>
File #	<u>0400-60-ACRD</u>

RE: UBCM Community Resiliency Investment Program, FireSmart Grant.

Dear Mayor and Council,

The Alberni-Clayoquot Regional District (ACRD) would like to request continued support from the City of Port Alberni, allowing the ACRD to apply for the 2023 Community Resiliency Investment Program FireSmart Grant (FireSmart Grant) through the Union of BC Municipalities (UBCM). The FireSmart grant provides funding to local governments and First Nations in BC to increase community resiliency by undertaking community based FireSmart planning and activities that reduce community risk from wildfire. The grant covers 100% of the costs; therefore, no matching funds are required. A regional application, with support from other local governments and First Nations allows for an increased allocation of funding and will enable expansion of ACRD's FireSmart program and education within the Alberni Valley, Bamfield and Long Beach Electoral Areas.

The Hupacasath First Nation and the Tseshaht First Nation are also invited to support this grant application. In 2020, the ACRD successfully received a FireSmart grant, with support from the City of Port Alberni, Tseshaht First Nation and the Hupacasath First Nation. With this funding the ACRD was able to offer several FireSmart programs, including Residential programs and assessments on Local Government and First Nation critical infrastructure in the Alberni Valley and Bamfield. In 2022, the ACRD was able to further build the FireSmart program with another FireSmart grant which enabled the hiring of a FireSmart Coordinator position, key to delivering FireSmart initiatives and strengthening the program across the regional service area.

The 2023 FireSmart grant application will include a funding request to carry out public education, FireSmart assessments on residential and critical infrastructure properties, residential rebate program, critical infrastructure mitigation work, training opportunities, tabletop exercises, provide off-site debris disposal (curbside), and the hiring of a FireSmart coordinator to oversee the program.

Should you wish to continue providing support for the ACRD FireSmart program, a council resolution is requested by October 31, 2022. In accordance with the 2023 Community Resiliency Investment Program guidelines, the resolution must acknowledge that City of Port Alberni Council provides approval for the ACRD to apply for, receive and manage the grant.

ENTERED

funding on behalf of the regional service area which encompasses the City of Port Alberni. The provided resolution must include the following wording:

THAT the City of Port Alberni agrees to provide approval for the Alberni-Clayoquot Regional District (ACRD) to apply for the Union of BC Municipalities Community Resiliency Investment Program FireSmart Grant and therefore, authorizes the ACRD to apply for, receive and manage grant funding on behalf of the City of Port Alberni.

The grant application will be submitted in November, and we expect to be notified in February 2023 the status of our grant application. If you have any questions, I can be reached via email at hzenner@acrd.bc.ca or 250-724-1356.

Sincerely,

A handwritten signature in cursive script that reads "Heather Zenner".

Heather Zenner, MA, RPF
ACRD Protective Services Manager

RECEIVED

OCT 11 2022

CITY OF PORT ALBERNI



<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input checked="" type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other

File # 2240-55 RCM 04 24, 22
(Legal file # 1213)

October 11th, 2022

Attn: Twyla Slonski

Re: Renewal of License to Occupy

Dear Port Alberni Mayor and City Councillors,

Please accept this letter as our request for an annual renewal of our License to Occupy for the purposes of pop-up warming stations at specific sites in Port Alberni as issued in 2021.

Last season was an overall success in providing warmth, nutrition, and connection to our communities most vulnerable population, we have no concerns nor complaints to report other than some weather challenges we experienced!

Our agency partnered with the Bread of Life part way into the season and where able to offer assistance in ensuing staffing levels could be met to keep their services running extended/overnight hours for the duration of the winter, in anticipation of their services to be similar this winter we did not express our wishes to renew this agreement by the August deadline for request. As the BOL remains under construction, we seek to offer our services again this year to compliment and fill the gaps of what they are providing while working collaboratively with them again.

I thank you for this consideration and look forward to your response.

Please do not hesitate to contact me should you require any further information in regard to this request.

Sincerely,

Lisa George, Chair – Grass Roots Homelessness Coalition

ENTERED

H2

**AMENDMENT
LICENCE OF OCCUPATION AGREEMENT**

THIS AGREEMENT dated for reference the 31st day of March, 2022.

BETWEEN:

GRASS ROOTS HOMELESSNESS COALITION
3239 9th Avenue
Port Alberni, BC V9Y 4T1

(hereinafter called the "Licensee")

AND:

CITY OF PORT ALBERNI a municipal corporation, having offices at
4850 Argyle Street
Port Alberni, BC V9Y 1V8

(hereinafter called the "City")

GIVEN THAT:

- A. The City is the registered owner of those certain lands and premises situate, lying and being in the City of Port Alberni, in the Province of British Columbia, more particularly known and described as:

- Tidebrook Park, 4356 Gertrude Street
- 3509, 3515 and 3521 4th Avenue

(the "Lands").

- B. The Licensee wishes to, on a temporary basis, use, and occupy the Lands for the purpose of providing warming places as outlined on Schedule A to this agreement (the "Licence Areas").
- C. The City has agreed that the Licensee may use and occupy the Licence Area for the purposes and on the terms and conditions herein set forth.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and covenants contained herein the parties agree as follows:

1. The Agreement is amended as follows:

- 1.1 Item 2 "Term & Renewal" is amended by deleting it in its entirety and replaced with the following:

- "2. **Term and Renewal** – This Licence shall commence on the 15th day of October 2021 (the "Commencement Date"), and shall terminate on the

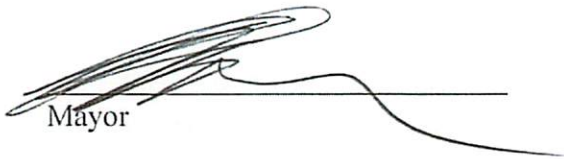
15th day of May 2022 unless terminated on an earlier date by the City or by the Licensee pursuant to section 3 herein. If the Licensee duly and punctually observes and performs all of the covenants, agreements, conditions and provisos in this Agreement on the part of the Licensee to be observed and performed, then the term of this Licence may be renewed effective October 15, 2022 and terminate April 30, 2023 subject to Council approval by way of a resolution extending the licence and receipt of an application requesting a renewal and that the request to renew is received by the Licensee no later than August 31, 2022.

2. All other conditions, covenants and provisos of the original Licence of Occupation Agreement remain unchanged.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

CITY OF PORT ALBERNI

by its authorized signatories:


Mayor


Corporate Officer

Grass Roots Homelessness Coalition

by its authorized signatories:

Authorized Signatory

Authorized Signatory

15th day of May 2022 unless terminated on an earlier date by the City or by the Licensee pursuant to section 3 herein. If the Licensee duly and punctually observes and performs all of the covenants, agreements, conditions and provisos in this Agreement on the part of the Licensee to be observed and performed, then the term of this Licence may be renewed effective October 15, 2022 and terminate April 30, 2023 subject to Council approval by way of a resolution extending the licence and receipt of an application requesting a renewal and that the request to renew is received by the Licensee no later than August 31, 2022.

2. All other conditions, covenants and provisos of the original Licence of Occupation Agreement remain unchanged.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

CITY OF PORT ALBERNI

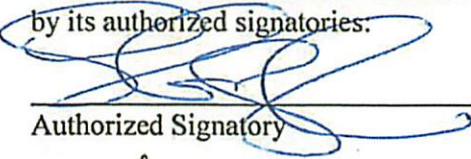
by its authorized signatories:

Mayor


Corporate Officer

Grass Roots Homelessness Coalition

by its authorized signatories:



Authorized Signatory



Authorized Signatory

LICENCE OF OCCUPATION AGREEMENT

THIS AGREEMENT dated for reference the 12th day of October 2021.

BETWEEN:

GRASS ROOTS HOMELESSNESS COALITION
3239 9th Avenue
Port Alberni, BC V9Y 4T1

(hereinafter called the "Licensee")

AND:

CITY OF PORT ALBERNI a municipal corporation, having offices at
4850 Argyle Street
Port Alberni, BC V9Y 1V8

(hereinafter called the "City")

GIVEN THAT:

- A. The City is the registered owner of those certain lands and premises situate, lying and being in the City of Port Alberni, in the Province of British Columbia, more particularly known and described as:

- Tidebrook Park, 4356 Gertrude Street
- 3509, 3515 and 3521 4th Avenue

(the "Lands").

- B. The Licensee wishes to, on a temporary basis, use, and occupy the Lands for the purpose of providing warming places as outlined on Schedule A to this agreement (the "Licence Areas").
- C. The City has agreed that the Licensee may use and occupy the Licence Area for the purposes and on the terms and conditions herein set forth.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and covenants contained herein and sum of \$1.00 now paid by the Licensee to the City, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Grant of Licence** – The City, on the terms and conditions set forth herein, grants to the Licensee the non-exclusive right and licence (the "Licence") to enter onto and use the Licence Lands for the purposes of providing warming places for only the Licensee and its permitted assigns and their servants, agents and invitees and for the City and its successors and assigns and their servants, agents and invitees.

2. **Term and Renewal** – This Licence shall commence on the 15th day of October 2021 (the “Commencement Date”), and shall terminate on the 15th day of April 2022 unless terminated on an earlier date by the City or by the Licensee pursuant to section 3 herein. If the Licensee duly and punctually observes and performs all of the covenants, agreements, conditions and provisos in this Agreement on the part of the Licensee to be observed and performed, then the term of this Licence may be renewed effective October 15, 2022 and terminate April 15, 2023 subject to Council approval by way of a resolution extending the licence and receipt of an application requesting a renewal and that the request to renew is received by the Licensee no later than August 31, 2022.

3. **Termination**

- (a) This Licence does not create any interest in property and is exclusively for the benefit of the Licensee.
- (b) The Licence may be cancelled or terminated despite any rule of law or equity to the contrary in accordance with any of the following provisions:
 - (i) if the Licensee defaults in the observance or performance of any of the terms and conditions contained in this Licence and the Licensee fails to cure such default(s) within 10 days after written notice from the City then the City will be entitled to terminate the Licence without limiting the City’s other remedies at law or at equity;
 - (ii) the Licensee will be entitled to terminate this Licence for any or no reason at any time by giving 30 days’ written notice to the City;
 - (iii) the City will be entitled to terminate this Licence at its sole discretion, for any or no reason and at any time upon giving 30 days’ written notice to the Licensee.

All of the Licensee’s obligations under this Licence that are outstanding on the date that this Licence is terminated will survive the termination of this Agreement. For certainty, the Licensee’s obligations to release and indemnify the City shall survive the termination of this Agreement, but only in respect of events occurring before termination of this Agreement.

4. **Powers** – For the purposes of the Licence herein, the Licensee and its servants, agents and invitees shall have the right to:
 - (a) use the Licence Area;
 - (b) have unobstructed access to and from the Licence Area[s] at the times and as per the conditions as outlined in Schedule ‘A’;
 - (c) bring onto and take through the Licence Area all materials that must be transported through the Licence Area;

5. **City May Access and May Undertake Work** – The City shall have free access to all parts of the Licence Area. The City is not required to give any notice to repair the Lands or the Licence Area.
6. **No Other Improvements** – The Licensee will not, without the prior written consent of the City, construct, install, affix, place or store or permit the construction, installation, affixing, placing or storage of any buildings, structures, works, improvements, fencing, material or chattels or anything of any nature or kind including, without limitation, the parking or storage of vehicles on any part of the Licence Area.
7. **Use** – The Licence Area will be used by the Licensee for the following purposes only:
 - (a) Temporary warming places;
 - (b) Despite subsection (a), the City will at all times have a priority right to use and occupy any portion or all of the Licence Area, without notice, in order to access other portions of the Lands, or the Licensee's property, or to carry out any public service or responsibility that requires use of or access to the Licence Area.

The Licensee acknowledges and agrees that, by granting this Agreement, the City is not accepting any responsibility for the Licensee's use of the Licence Area. The Licensee shall use best efforts to cause a minimum of obstruction and inconvenience in the Licence Area.

8. **Site Clean-up** –the Licensee will leave the Licence Area in a tidy condition, and the Licensee, if required by the City in its sole discretion, shall remove all personal property belonging to the Licensee. Any personal property not removed by the Licensee shall become the absolute property of the City free of all encumbrances, without payment of any compensation to the Licensee.
9. **No Waste or Nuisance** – The Licensee will not commit or allow any willful or voluntary waste or destruction of the Licence Area, or do anything that may become a nuisance or annoyance to other occupiers of the Land or adjoining lands. The Licensee will not stockpile or burn any materials on the Licence Area.
10. **Compliance with Laws** – The Licensee will at all times during the currency of this Licence use the Licence Area in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or local government laws or statutes or bylaws relating to environmental matters, including all the rules, regulations, policies, guidelines, criteria or the like made under or pursuant to any such laws.
11. **Assignment** – Except as expressly set out herein, the rights granted to the Licensee under this Agreement may not be sublicensed, assigned, or otherwise transferred.
12. **Risk** – The Licensee accepts the Licence Area on an as-is basis and agrees that it will use the Licence Area at its own risk, and that the City will not be liable in respect of any loss of life, personal injury, damage to property or loss of property suffered by the Licensee,

its servants, agents, or invitees arising out of this Agreement or its or their use and occupation of the Licence Area.

13. **Builders Lien Act** – If any claim of lien over the Licence Area is made under the *Builders Lien Act* for work performed on or materials supplied to the Licence Area at the Licensee's request, on the Licensee's behalf, or with the Licensee's permission, the Licensee will immediately take all steps necessary to have the lien discharged, unless the claim of lien is being contested in good faith by the Licensee and the Licensee has taken the steps necessary to ensure that the claim of lien will not subject the License Area or any interest of the City's under this Agreement to sale or forfeiture.
14. **Indemnity** – The Licensee hereby indemnifies and saves harmless the City, its officers, directors, elected officials, employees and agents from and against any and all losses, claims, costs, expenses, damages and liabilities, causes of action, suits and judgments including all costs of defending or denying the same, and all costs of investigation, monitoring, remedial response, removal, restoration or permit acquisition and including all solicitor's fees and disbursements in connection therewith which at any time may be paid or incurred by or claimed against the City, its officers, directors, elected officials, employees, agents and invitees arising, directly or indirectly, out of:
 - (a) the uses of the Licensee under this Licence;
 - (b) a breach by the Licensee of any of the covenants contained in this Licence;
 - (c) any wrongful act or neglect of the Licensee on or about the Licence Area;
 - (d) any damage to property related to the Licensee's use and occupancy of the Licence Area;
 - (e) the death of or injury to any person arising out of or in any way connected with, directly or indirectly, the Licensee's use and occupancy of the Licence Area.

This section does not apply to liabilities, damages, costs, claims, suits or actions arising out of the gross negligence or willful misconduct of the City, its agents, servants, employees or contractors.

15. **Insurance** – The Licensee shall obtain and keep in force throughout the existence of the Licence insurance naming the City as an additional insured and protecting the City and the Licensee (without any rights of cross-claim or subrogation against the City) against claims by any person, including any member of the public using the Lands, for personal injury, death, property loss or damage, and third party liability or public liability claims arising from any accident or occurrence on the Lands or other loss relating to the Licensee's use of the Lands to an amount of not less than Five Million (\$5,000,000.00) Dollars per occurrence (the "Insurance Policy").
 - (a) The Insurance Policy shall provide that it is not terminable or alterable without the giving of 30 days' written notice to the City.

- (b) At the time of execution of this Licence, the Licensee shall deliver to the City a copy of the Insurance Policy or an insurance binder or note evidencing that the Licensee has obtained the Insurance Policy on the terms set out herein.
 - (c) At any time during the Term of this Licence the City may require the Licensee to provide evidence to it that the Insurance Policy is valid and in full effect.
16. **Notices** – Any notice or other writing required or permitted to be given to any party shall be sufficiently given if delivered by hand, or if sent by prepaid courier or if transmitted by facsimile to such party:

in the case of a notice to the Licensee, at:

Grass Roots Homelessness Coalition
3239 9th Avenue
Port Alberni, BC V9Y 4T1
Attn: Lisa George
Email: newleafportalberni@gmail.com

in the case of a notice to the City, at:

City of Port Alberni
4850 Argyle Street, Port Alberni, BC V9Y 1V8
Attention: Corporate Officer
Email: twyla_slonski@portalberni.ca

or at such other address or addresses as the party to whom such notice or other writing is to be given shall have last notified the party giving the notice in the manner provided in this section. Any notice or other writing sent in compliance with this section shall be deemed to have been given and received on the day it is so delivered unless that day is not a business day, in which case the notice shall be deemed to have been given and received on the next day that is a business day.

17. **Breach** – In the event that the Licensee breaches any term, condition, or provision of this Agreement, the Licensee shall remedy the breach within 5 days of receipt of a notice from the City and if the breach is not remedied within that time period, all rights accruing to the Licensee under this Agreement shall cease without further notice to the Licensee, unless the City, in its sole discretion, decides otherwise.
18. **City May Take Action** – If the Licensee fails to do any matter required of them under this Agreement, the City is entitled to take all such actions on the Licensee's behalf and at the Licensee's cost as are reasonably necessary to rectify the Licensee's failure, but the City is in no circumstance liable for not taking such action or its manner of doing so, provided that the City acts reasonably. The Licensee shall pay to the City the costs the City incurs pursuant to this provision forthwith upon receipt of an invoice.

19. General

- (a) This Agreement will enure to the benefit of and be binding upon the Licensee and its successors, administrators and approved assigns and upon the City and its successors, administrators and assigns.
- (b) Every reference to each party is deemed to include the heirs, executors, administrators, corporate successors, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or permits.
- (c) Wherever the singular or masculine or neuter is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
- (d) The Schedules attached to this Agreement forms part of this Agreement.
- (e) This Agreement constitutes the entire agreement between the parties and no understanding or agreement, oral or otherwise, exists between the parties with respect to the subject matter of this Agreement except as expressly set out in this Agreement, and this Agreement may not be modified except by subsequent agreement in writing between the parties.
- (f) Time is of the essence of this Agreement.
- (g) The section headings have been inserted for reference only and do not define, limit, alter or enlarge the meaning of any provision of this Agreement.
- (h) The Licensee's use of the Licence Area will under all circumstances be viewed as a licence only and will not create nor be deemed to create any property interest in favour of the Licensee in the Licence Area.
- (i) If any section, subsection, sentence, clause or phrase in this Agreement is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion is to be severed and the decision that it is invalid does not affect the validity of the remainder of this Agreement, the parties hereby agreeing that they would have entered into the Agreement without the severed portion.
- (j) 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.
- (k) This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

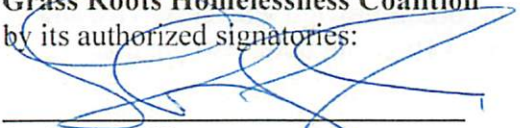
CITY OF PORT ALBERNI
by its authorized signatories:



Mayor



Corporate Officer

Grass Roots Homelessness Coalition
by its authorized signatories:


Authorized Signatory



Authorized Signatory

SCHEDULE A

THE LICENCE AREAS | CONDITIONS

- Tidebrook Park, 4356 Gertrude Street
- 3509, 3515 and 3521 4th Avenue

Temporary warming places may occur at any one of the locations identified above subject to the conditions outlined in this licence including the additional conditions listed below as follows:

1. A warming place may open as early as 7:00 pm and remain in service until 8:00 am the following day.
 - i. subject to item 1 above, the Licensee may begin preparing/set-up of the warming place for service at 6:00 pm.
 - ii. subject to item 1 above, the Licensee may open and operate a warming place on weekends and/or statutory holidays for the purpose of providing lunch service and when other such related facilities are closed from 10:30 am until 1:30 pm that same day.
2. A warming place that has been opened at any of the locations noted above must be completely dismantled and the property returned to its original state within two [2] hours following closure.
3. Warming places must be monitored and staffed during **all** hours of operation.
4. Where washroom facilities are not provided, the Licencee must make arrangements to ensure waste collection is provided and being managed accordingly during operating times. The Licencee is responsible for the removal of these provisions when warming places are closed.

RECEIVED

OCT 17 2022

CITY OF PORT ALBERNI



Alberni Valley Restorative Justice Society

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other
File # 0230-01 BCM OCT 24, 22.

October 13th, 2022

Mayor and Council
4850 Argyle Street
Port Alberni, BC
V9Y 1V8

Re: Restorative Justice Week

Dear Mayor and Council,

On behalf of the Alberni Valley Restorative Justice Society, I am writing to request that the City of Port Alberni proclaim the week of November 20th – 26th, 2022 as, “Restorative Justice Week”.

Restorative Justice Week is held annually on the third Sunday of November to honor the philosophy of justice based on the restoration of human connection. Restorative Justice is an alternative to incarceration for crime, and it is about finding a way to establish communication between the offender and the victim. For offenders, the restorative justice program offers an opportunity to take responsibility for the harm they have caused. For the victims, it aims to reduce the feeling of anger and powerlessness. The eight days are dedicated to uplifting stories, meaningful suggestions, and advocating for legislation that views crime as an outcome of a failed society rather than the action of a flawed individual.

If at all possible, we would also like to arrange a time for a photo opportunity at your convenience. If you would like further information about the local Restorative Justice Society, please feel free to contact me at any time, Craig.Summers@paac.ca or visit our website: <https://albernirestorativejustice.com/> We are also having our Annual General Meeting on November 9th that you would be most welcome to attend to hear more about our service on the local level and view a mock-presentation of the process.

Thank you for your time and consideration!

Craig Summers, AVRJS Director
Craig.Summers@paac.ca
3008 2nd Avenue, Port Alberni, BC V9Y 1Y9

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OCT - 6 2022

CITY OF PORT ALBERNI

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☒ Community Safety
☒ Other *Corr. Summary*
File # *RCM Oct 24, 22*
0400-40

From: Hamilton, Amanda (HC/SC) <amanda.hamilton@hc-sc.gc.ca> **On Behalf Of** CSD DGO / BDG DSC (HC/SC)

Sent: September 29, 2022 11:41 AM

To: Sara Darling <sara_darling@portalberni.ca>

Subject: RE: Support for Private Members Bill C-216

Dear Mayor Sharie Minions:

Thank you for your correspondence of May 3, 2022, addressed to the Minister of Mental Health and Addictions and Associate Minister of Health, the Honourable Carolyn Bennett, concerning Private Member's Bill C-216, *An Act to amend the Controlled Drugs and Substances Act and to enact the Expungement of Certain Drug-related Convictions Act and the National Strategy on Substance Use Act*. I have been asked to respond to you directly. I regret the delay in responding.

The Government of Canada recognizes the devastating impacts that the overdose crisis is having on individuals, our friends and families, and communities across the country. Tragically, the COVID-19 pandemic has exacerbated long-standing challenges regarding substance use and the overdose crisis, with most jurisdictions reporting record high rates of overdose death and harms.

Our approach to the overdose crisis has been comprehensive, collaborative, and compassionate, guided by our federal drug strategy – the [Canadian Drugs and Substances Strategy](#). The CDSS takes a public-health-focused approach, and lays out our framework for evidence-based actions to reduce the harms associated with substance use in Canada.

Guided by the CDSS, the Government of Canada has taken urgent action to address the overdose crisis through significant commitments of over \$800 million, as well as legislative and regulatory action. This includes efforts to:

- improve access to treatment services, including providing \$150 million through Budget 2018 through the [Emergency Treatment Fund](#) to increase provincial and territorial evidence-based treatment capacity (This funding was matched by the provinces and territories, bringing the total investment to \$300 million);
- increase access to harm reduction services, including supervised consumption sites;
- support a range of innovative approaches to harm reduction, treatment, and prevention at the community level;
- strengthen law enforcement capacity to address illegal drug production and trafficking;
- increase awareness and prevention efforts; and,
- build the evidence base through investments in research and surveillance.

The Government of Canada recognizes that the overwhelming majority of overdose deaths have been due to the contamination of the illegal drug supply with substances such as fentanyl. In response, the Government of Canada has taken actions to reduce barriers to the prescribing of pharmaceutical-grade medications as alternatives to the contaminated illegal drug supply. Such safer supply services help to save lives as part of a continuum of care that includes other treatment and harm reduction services. Through the Substance Use and Addictions Program (SUAP), Health Canada has invested \$76.5 million to support 27 safer supply pilot projects. This

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includes a range of service delivery projects in British Columbia, Ontario, Quebec and New Brunswick, research/knowledge transfer and exchange projects, and a National Safer Supply Community of Practice to help share knowledge amongst stakeholders.

We have heard from a number of stakeholders that the criminalization of illegal drugs for individual use can perpetuate stigma, increase risks of overdose and other harms, and increase barriers to care. The federal government recognizes that substance use is a health issue, and we are supporting policies and approaches that divert people who use drugs away from the criminal justice system and toward appropriate health service and social supports. For example:

- The [*Good Samaritan Drug Overdose Act*](#) was passed into law in May 2017, providing some legal protection from simple drug possession charges for individuals who seek emergency help during an overdose.
- In August 2020, the Public Prosecution Service of Canada issued [guidance to prosecutors](#) directing that alternatives to prosecution should be considered for personal possession offences, except when there are serious aggravating circumstances.
- In December 2021, the Minister of Justice and Attorney General for Canada reintroduced [proposed legislative amendments](#) (Bill C-5) that would encourage the use of diversion measures for personal drug possession offences, such as referral to health and social services, rather than laying a criminal charge. These amendments also propose to repeal mandatory minimum penalties for six offences in the *Controlled Drugs and Substances Act* to reflect the Government's public-health-focused approach to substance use.

In May 2022, at the request of the Province of British Columbia, the Minister of Mental Health and Addictions granted a time-limited exemption under the *Controlled Drugs and Substances Act* so that adults 18 years of age and older in the province will not be subject to criminal charges for personal possession of small amounts of certain illegal drugs. Each request for an exemption under the CDSA is carefully and thoroughly reviewed on a case-by-case basis, taking into account all relevant considerations, including evidence of potential benefits and risks or harms to the health and safety of Canadians.

The Government of Canada is committed to continued collaboration between jurisdictions, health providers, people with lived and living experience, stakeholders and partners such as community-based organizations to reduce the harms associated with substance use and providing people with the culturally appropriate and trauma-informed support they need.

I would like to thank you again for sharing the views of the Council of the City of Port Alberni on Private Member's Bill C-216. The Government of Canada remains committed to taking a comprehensive public health approach to substance use issues, and examining all options and evidence to respond to the tragic increase in overdoses and to help save lives.

Yours sincerely,

Jennifer Saxe
Director General
Controlled Substances Directorate
Health Canada

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OCT 06 2022

CITY OF PORT ALBERNI

From: INFO, BCEBC BCEBC:EX <info@bcebc.ca>

Sent: October 4, 2022 9:22 AM

To: Sharie Minions <sharie_minions@portalberni.ca>

Subject: Invitation from the Chair of the BC Electoral Boundaries Commission

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input checked="" type="checkbox"/> Other <i>Cor. Summary</i>

File # 0360-01 *RCM Oct 24, 22*



October 4, 2022

Sharie Minions

Director

Alberni-Clayoquot Regional District

Please accept this invitation to provide your views on the Preliminary Report of the British Columbia Electoral Boundaries Commission.

The BC Electoral Boundaries Commission is an independent, non-partisan commission with a mandate to review the area, names and boundaries of provincial electoral districts.

On Oct. 3, 2022, the Commission submitted its Preliminary Report to the Legislative Assembly with proposals for electoral boundary changes for the next two provincial general elections.

The Commission is now asking you and those you represent for input on our preliminary proposals. Your feedback will help inform us as we prepare our Final Report.

We welcome your views in the following ways:

- through the Commission's [website](#);
- at an in-person or virtual public meeting; or
- by writing the Commission directly.

Please visit our website to learn more about the Commission, read our [Preliminary Report](#), review maps and resources and find the electoral districts in your community.

Please feel free to share this information with others and contact us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nitya Iyer", written over a white background.

Justice Nitya Iyer
Commission Chair
BC Electoral Boundaries Commission

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OCT 12 2022

CITY OF PORT ALBERNI

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<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input checked="" type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other

RCM Oct 24, 22
File # 1855-01

From: Michael, Simon <Simon.Michael@bchydro.com>
Sent: Tuesday, October 11, 2022 2:30 PM
To: Michael, Simon <Simon.Michael@bchydro.com>
Cc: Olynyk, Ted <Ted.Olynyk@bchydro.com>
Subject: BC Hydro Community ReGreening Program Update



October 11, 2022

Dear Mayor and Council:

BC Hydro is proud to assist local governments through our Community ReGreening Program which supports the planting of trees and other vegetation that help enhance ecological networks across the province. The Program also helps to ensure the right trees are planted near our power lines.

Our ReGreening grants fund small-scale community planting projects and are open to all municipal and Indigenous Nations' governments within [BC Hydro's service area](#).

The Program was updated last year to include:

- A new online application process administered directly by BC Hydro*
- An expanded scope to fund a wider variety of projects
 - Street or park trees that don't interfere with electrical equipment
 - Trees and other vegetation for habitat restoration or enhancement
 - Plants for pollinator gardens
 - Plants of cultural significance to Indigenous Nations (qualifying plants are at the discretion of the applying Nation, so long as plants' mature height meet our [requirements](#) if planted in proximity to power lines)

**If you are a recipient of a 2021 BC Hydro ReGreening grant through Tree Canada, please complete your final report and submit it to Tree Canada.*

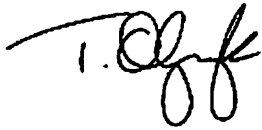
**If you are a recipient of a 2022 BC Hydro ReGreening grant, please complete your final report and submit it by December 31, 2022.*

All new applications for 2023 ReGreening grants need to be submitted directly to BC Hydro and are being accepted starting **November 1, 2022** through our online form. The deadline to apply for a 2023 ReGreening grant is **January 31, 2023**. All applicants will be notified of funding decisions after March 2023.

The online application and additional details regarding the Program, including evaluation criteria, can be found at: www.bchydro.com/regreening.

Sincerely,

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Ted Olynyk
Community Relations Manager
Vancouver Island – Sunshine Coast

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OCT 12 2022

CITY OF PORT ALBERNI

From: Carol Hanson <carolh@acaws.ca>
Sent: Wednesday, October 12, 2022 1:24 PM
To: Twyla Slonski <Twyla_Slonski@portalberni.ca>
Subject: No Permit Necessary Letter

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input checked="" type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input checked="" type="checkbox"/> Other

File # 0230-20-Sage Haven

RCM Oct 24, 22
Comm Summary

Good afternoon, Twyla

We are hosting Coldest Night of the Year again in 2023. The date will be February 25. We require a no permit necessary letter early this year, as they want us to have it in place before the website goes live. I have attached last year's letter for your reference. Thank you,

Carol Hanson

Administrative Assistant

T: 250-724-7111 Ext. 101

E: carolh@acaws.ca



Sage Haven Society (formerly known as Alberni Community and Women's Services Society)

3082 3rd Avenue, Port Alberni, BC V9Y 2A5

We would like to acknowledge that we are on the unceded Traditional Territories of Tseshah and Hupačasath First Nations. We would also like to give recognition to Tseshah and Hupačasath First Nations Peoples Past, Present, and Future.

"Understanding the Past, Building Futures"

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about the event

Join us on February 25, 2023!

The Coldest Night of the Year is a super-fun, family-friendly fundraising walk that supports local charity partners who provide essential care and service for people experiencing homelessness, hurt, and hunger.

About

- **About the Event**
- **About Our Cause**
- **The CNOY Toque**
- **200 Hoodie Hurry**
- **Media + Press**
- **Financial Info**
- **Become a CNOY Charity**

CNOY is a moment each year when tens of thousands of Canadians step outside the warmth and comfort of home to shine a light of welcome and compassion in their communities. Remarkably, the Coldest Night of the Year has raised over **\$43,500,000** in 149 communities across Canada since it began in 2011. Learn more about our **history**.

How to Participate

Select one of two fun ways to participate in 2023:

- **In-Person Walk:** Most CNOY locations (covid permitting) will host an organized, in-person event – complete with 2km + 5km signed routes, rest stops, volunteers, and snacks at the end.
- **Virtual Walk:** All CNOY locations will welcome virtual fundraisers who self-organize either with friends or individually, walking any day in February on a route they choose.

More Details

- **Date:** Saturday, February 25, 2023.
- **Where:** Chances are there is a CNOY **location** quite near you! If not, you can still walk and fundraise virtually in your community, wherever you are.
- **What:** Participants register to walk 2km + 5km, whether at an in-person event, or virtually with their team.
- **Who:** Everyone is welcome! CNOY is family-friendly – participants range in age from toddlers (with parents of course) to active seniors.
- **How:** Participants **register online** to set up their personal Fundhub page. It's easy to set your goal, add your photo message, and thank donors via email. Donors who give online are receipted within minutes of their secure gift of \$20 or more.
- **No Registration Fee:** CNOY is 100% free to join! Everyone is welcome to come and fundraise for their local CNOY charity.
- **Impact:** By walking in the cold, you'll feel a hint of the challenge faced by those experiencing homelessness during winter. By fundraising, you'll be contributing much-needed money to a charity in your town that is bringing hope and help to people in your community who need support.

CNOY Toques

Our thanks for a fundraising job well done!

When you go the extra mile and fundraise (\$150 for adults, \$75 for youth under 17 or under) we'll celebrate your efforts with an oh-so-comfy **2023 CNOY Toque**.

Covid Preparedness

Your safety is no joke.

If the past year has taught us anything, it's that things can change quickly! Covid-related health risks and operational challenges may not permit us to assemble in large groups as planned. If provincial, municipal, or local restrictions take effect, we'll be ready to adjust – we will communicate with you directly and help you gather safely in smaller, covid-friendly teams (or walk individually).

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OCT 14 2022

CITY OF PORT ALBERNI



☒ Council
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☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☒ Other: *Comm. Summary*
File # *0400-20 - Premier*
0390-20-UBCM 2022

October 11, 2022

Her Worship Sharie Minions
Mayor of the City of Port Alberni
4850 Argyle Street
Port Alberni, BC V9Y 1V8

Dear Mayor Minions and Chief Administrative Officer Pley:

Thank you for meeting with Minister Osborne and me during the 2022 UBCM Convention. I greatly appreciated the opportunity to gather in person after two years of virtual conventions. British Columbia is home to many diverse communities with unique needs and perspectives, and these discussions provide crucial insights that help guide our policies and decisions.

During our meeting, we spoke about housing availability and affordability in Port Alberni. Our government is committed to working toward ensuring affordable and safe housing for all British Columbians, and it is impressive that Port Alberni has undertaken eight BC Housing projects over the past five years. I was also interested to learn that the City, in conjunction with the Port Alberni Friendship Center, recently submitted an application for building a site with thirty sleeping pods.

We also discussed the former Somass Mill Site, which Port Alberni now owns, and the process of redeveloping and revitalizing waterfront after heavy industry usage. Port Alberni's strategic development of the waterfront for community and light industry will bring new civic and economic opportunities, and I look forward to seeing how the work progresses.

Thank you, again, for meeting and for your service to the City of Port Alberni.

Sincerely,


John Horgan
Premier

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cc: Honourable Nathan Cullen, Minister of Municipal Affairs
Honourable Josie Osborne, Minister of Land, Water and Resource Stewardship
Honourable Murray Rankin, Attorney General and Minister responsible for Housing

Office of the
Premier

Web Site:
www.gov.bc.ca

Mailing Address:
PO Box 9041 Stn Prov Govt
Victoria BC V8W 9E1

Location:
Parliament Buildings
Victoria



Heritage Commission Meeting
September 7, 2022
Minutes

Location:
Alberni Valley Museum

Attendees:
Bill Collette
Claudia Romaniuk
Colin Schult
Dan Washington
Don Mallon
Judy Carlson
Ken Watson
Pam Craig
Penny Cote
Willa Thorpe (staff)
Marianne Wade (guest)

☒ Council
☐ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☐ Agenda
File # 0230-20-AVHC

☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other _____

Regrets:
Ed Ross
Gareth Flostrand

Called to order: 7:02pm

1. Moved by Don, seconded by Ken, that the agenda of the September 7, 2022 meeting be approved as circulated.
2. Moved by Claudia, seconded by Dan that the minutes of the June 1, 2022 meeting be approved as amended.
3. Old Business
 - a. Train Station update
 - i. The RFP for tenancy at the Train Station closed on July 29; 3 submissions were received. Staff are working with Council on determining next steps; more information will be provided when available.
4. Correspondence – none
5. New Business
 - a. Official Community Plan (OCP)
 - i. Marianne reviewed the process and current status of the OCP; the project can be found at letsconnectpa.ca/ocp

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Heritage Commission Meeting
September 7, 2022
Minutes

- b. Election of Chair
 - i. Gareth elected as Chair by acclamation

6. Reports

a. Regional District

- i. Alberni Valley Landfill renamed to Alberni Valley Sort'nGo
- ii. A parking lot for Maplehurst trails is being explored
- iii. Alberni Valley Airport – official opening was this summer
- iv. Sproat Lake Community Hall is almost finished

b. Community Arts Council

- i. Gallery Exhibits
 - July 27: Summer-Open group exhibit, "SUMMER' – Seasonal Imagery.
 - September 13 THE ART OF MYSTERY – Mystery McCarthy – Oil Painting
- ii. Book Sale – September 17, Athletic Hall.
- iii. Conversation Cafe – August 31st – Kick-off event. Sponsored by CAC and Art Rave. Kudos to the staff at the Museum for all their help for this event.
- iv. Fish – In – Saturday, September 3, 1-3pm, Harbour Quay, in conjunction with Art Rave, Salmon Enhancement and the San Group. Kids were given cut out fish to paint and to keep. Great fun.
- v. Art Battle:
 - Children/Teens September 24. (May not happen)
 - Adults – Tuesday October 18, venue Alberni Brewing 630-830. Held in partnership with Art Rave
- vi. Fundraiser – Celtic Chaos November 6, venue Capitol Theatre.
- vii. Weddings – 2 in October both planned and paid for, but may not be able to be held.
- viii. Construction on the Child Care Facility has begun. The large trees in the children's garden on the 8th Avenue School side of Rollin will come down this week, and the wood disposed of. Then, digging of the foundation of the new building will be started. Very soon after that the ramp leading into Rollin is scheduled to come down. Once the ramp comes down, we will not be able to operate as a public building. Eventually the front garden of Rollin will be taken out, and a new walkway installed for access to the building. The driveway will not be available, nor will the front gates. We have asked that the City relocate us to another city owned building for the duration of the construction. Our lease lasts until April 2023. A site has been offered, and the CAC and the City have approved the relocation to the Aquarium building at Harbour Quay. The site must be painted and stuff removed, and then we must be moved. Until this happens the ramp cannot be removed.



Heritage Commission Meeting
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Minutes

We will be able to come into Rollin but not to use it for activities. We have hung the next gallery exhibit and are working with the construction company to allow this exhibit to proceed and to allow access to the building for the duration. Other activities planned for the fall/winter season may not be allowed to happen at Rollin.

c. Maritime Heritage Society

- i. Lighthouse Roof Replacement – roof installation originally scheduled for this summer is still waiting to get to the top of the contractor's list of projects. It is now expected to be October before work begins.
- ii. Harbour History Pictorial Display – a new display consisting of a collection of black & white photographs of Port Alberni's harbour, taken by John Taylor in the 1980's is now on display in the gallery. Dave Cox worked with Kirsten Smith at the Alberni Valley Museum to frame this collection of historic maritime photographs for display at our Gallery. Thanks to the Museum staff for their help with this project and thanks to Dave Cox for his work on this as well.
- iii. Nahanni Restoration Project – the weekly work sessions are on Wednesdays at 10am restoring this WW 2 vintage RCAF crash boat. The hull is looking pretty good. If you would like to get involved with this project, there is lots of opportunity to roll up your sleeves and participate. Thanks to Lawrence Charnell for being the leader on this project and thanks as well to Dave Cox, Pete Geddes, Don Jones, and Ken McKinnon for their work on this project.
- iv. Summer Programs – our Summer programs were presented successfully by Kendra Neary, our Coordinator, assisted by T.J. Barrowcliff and Debbie Price. Thanks to the Alberni Valley Community Foundation and the Alberni District Co-op for their financial support of our summer programs this year. Programs wrapped up on August 27 with a farewell pizza event for staff.
- v. Gallery Coordinator – Kendra is headed back to school this fall so we are in search of a new Coordinator. The application & job description for a part-time Gallery Co-Ordinator have been posted on Facebook, our website and other electronic media. If you or someone you know is interested in this position, see the posting on our Facebook page "Maritime Discovery Centre".
- vi. Open Hours – except for special events, the Gallery will be closed until a new co-ordinator is hired.



Heritage Commission Meeting
September 7, 2022
Minutes

d. Chamber of Commerce

- i. Since we last met in June we hosted a very successful awards event/gala on the 10th of June. We had nearly 300 people in attendance and we gave out nearly 60 awards covering 2020 2021 and 2022. Feedback was incredible.
- ii. We held our AGM the following week with a good-sized audience. A new board was elected included a handful of new people to our board. Said board is diverse with a representation from many sectors. We have more women on the board than men and our executive is made up of 4 women, 1 man.
- iii. We had a successful season restarting our ambassador program at Cathedral Grove. Nice that we were able to get that going again even though we were and are still short of volunteers for this rewarding and enjoyable operation.
- iv. I am on the board with AVTA who are charged with managing the Municipal Regional District Tax once it clears the last hurdle. Political acceptance by Cabinet at the provincial government. We have met three times now and things are moving along nicely.
- v. Visitor Centre counts are way down over previous years including both 2020 and 2021. Reasons for the decline are not known however it is likely a combination of: > Lingering fears over COVID > High fuel costs > ArriveCan APP > BC Ferries specifically the unreliability and somewhat reduced sailing options. Stats for August were worst yet at an 80% decline compared to 2019.

e. McLean Mill

- i. Camping didn't get going until well into July due to many reasons. We remain somewhat unknown to campers but that will change for 2023.
- ii. Overall counts at MM are far fewer than previous years and this is almost certainly tied to fewer visitors to the area.
- iii. Retail sales are down over last year.
- iv. We did not start any level of food services primarily because of reluctance to compete for staffing when so many of our local restaurants are struggling to survive.
- v. The bike SEAT program got going nicely in August once we were able to have a dedicated employee for it.
- vi. We did have some nice children's events at the site over the summer
- vii. A good number of weddings occurred and all of them resulted in very good feedback from the clients.
- viii. Plans are currently underway to host an Oktoberfest but that's dependent on us being able to locate musicians who will play the music required for



Heritage Commission Meeting
September 7, 2022
Minutes

such an event. Target date is Oct 22. We are partnering with Dog Mtn. Brewery to pull this off.

- ix. We met with the BC Children's Hospital Foundation who are hoping that we'll host the Christmas tree event again this December.
- x. We are looking for at least one major sponsor for that event and for the Heritage Christmas Village. If we don't find a sponsor, we will likely try to host it on our own however the financial challenge could be problematic for us.
- xi. We were successful in redirecting funds offered to us by NETP for a Grounds person over to an Office Assistant. The redirect also included more potential funding; that was somewhat unexpected.
- xii. We hired an employee for the NETP position and we are VERY pleased with them. Plans are to keep them beyond the term of the agreement.
- xiii. We are excited to report the success of the major movie production that started in March for one week of extensive filming that restarted in early July for two more days. Rhythm Boyz Entertainment produced the film titled in English – Fight for Rights. The film was released nationally last weekend of July and remains in theatres. We were successful in negotiating with Rhythm Boyz to host a free showing here in Port Alberni at Landmark Cinemas. Wonderful gesture by them. We did release 170 tickets to the community and were thrilled to see many of our local Punjabi speaking community at the theatre first week of August. The film shows off the McLean Mill and some of the historic buildings throughout the movie and on the trailers for it. Many local people were acknowledged in the credits including Richard Spencer, Bert Simpson, David Hooper, Bill Collette, Starboard Grill, Ian Staton and others.

f. Community at Large

September event listing:

- i. 8
Riverbend Social Run - Event by Todd Davis and Twin City Runners (Port Alberni Road, Trail and Mountain Running) @ 7pm
- ii. 8-11
Fall Fair
- iii. 9
Lantern Walk – CMHA – World Suicide Prevention Day @ New Horizons Clubhouse 2nd Ave 6-9pm
- iv. 10-11
10th Annual Port Alberni Paint Out @ Sproat Lake on Saturday and Inlet Waterfront on Sunday. Reception @ Starboard Grill on Sunday @ 3pm



Heritage Commission Meeting
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- v. 11
Send Air – company from Nanoose in conjunction with City of PA Trail riding program. Jump equipment and Airbags to offer junior riders a chance to experience ‘freedom’ to try jumping on their bikes @ Williamson Park 1-6pm
 - vi. 12
Coffee Chat with the Candidates @ Char’s Landing 4-6pm
 - vii. 17-18
Port Alberni Toy Run – leave Little Qualicum Falls @ noon Saturday. Festivities @ Glenwood Centre. Breakfast @ 8am Sunday, with Poker Run to follow
 - viii. 17
Giant Book Sale by Community Arts Council @ Athletic Hall 9-3pm
 - ix. 18
10th Annual Family Farms Day – self-guided tours of rural farms. Details at www.acrd.bc.ca
 - x. 22
Conversation Café @ Steam Punks Café and Coffee House titled ‘The Outer Limits of the Artspace’ 7-9pm
 - xi. 24
Art Throw-Down @ Rollin Art Centre – children and teens (Pre-registration is required)
 - xii. 25 and October 23
Film Fest Port Alberni 5pm @ Paramount
25 Hallelujah: Leonard Cohen, A Journey A Song
23 Run Woman Run
 - xiii. 25
Alberni Valley Rivers Day – 10-3pm - The event will take place at both Beaver Creek Community Hall and Stamp Falls Provincial Park - where there will be concession, games, education, and fun for all!
 - xiv. Oct 1
Crystal and Spirit Fair @ BW Barclay Hotel 10am-5pm
- g. School District
- i. The Student and Family Affordability Fund - \$60 million to the province – SD70’s share is \$427,000.00. The Indigenous Advisory Committee met today to gather ideas on the best way to use this fund. Seeking innovative ways to feed more children, help those needing school supplies and give families extra help they need. District may use the fund to offset fees related to learning experiences, expand school meals programs and food programs.



Heritage Commission Meeting
September 7, 2022
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Consultation with First Nations, Indigenous groups Metis and Inuit, Parents and students are in process now to find ways to provide for families that are stigma-free and barrier-free.

- ii. New Superintendent Tim Davie has been hard at work since August 1. Mr. Davie has met with all staff and all new staff prior to school start up. He also has met with most partner groups who have been available in August with many meetings for September with those partners, which include all the Nuuchah-nulth Nations in SD70, who are back from holiday in September. Mr. Davie has also visited a number of school sites and program sites to gain the knowledge of the district.
 - iii. BC now has an Indigenous-focused Grad requirement. Districts are directed to implement a mandatory course or bundle of credits on First Peoples as a graduation requirement. These can be variety of provincially developed courses or a First Nations language course or a locally developed Indigenous focused course.
- h. City Council
- i. Election: 24 nomination packages were picked up, and at 3pm on Sept. 7, 17 have been returned. Mayor Minions, Councillors Haggard, Paulson, Solda and Washington are seeking re-election. Councillors Corbeil and Poon are not running. Current candidates:
 - 1. Mayor
 - a. Tom Verbrugge
 - b. Sharie Minions
 - 2. Councillor
 - a. Michelle Bisaro
 - b. Peter Rueschmann
 - c. Joshua Dahling
 - d. Cindy Solda
 - e. Jim Del Rio
 - f. Debbie Haggard
 - g. Richard Huneault
 - h. Seva Dhaliwal
 - i. Ron Paulson
 - j. John Douglas
 - k. Todd Patola
 - l. Wendy Kerr
 - m. Dan Washington
 - n. Carol-Anne Zanette
 - o. Sandy McRuer



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- ii. We're updating our Official Community Plan (OCP), that will guide the next 20 years (2042). Vision & touchstones are drafted & we want to hear from you! Starting Sept. 9 complete a survey online or at an in-person event:
<http://letsconnectpa.ca/ocp>
- iii. The City is putting the Somass lands up for sale:
 - 1. The 43-acre site that the city bought a year ago for \$5.3 million will be available for expressions of interest as of today.
 - 2. Mayor Minions said the City has been overwhelmed by developers looking to purchase the lands or partner with the City
 - 3. Mayor Minions said the next step will be to issue a request for qualifiers to make sure the interested developers can follow through on the plans they've submitted, before the more formal request for proposals process begins.
- i. Historical Society
 - i. The Historical Society has purchased 3 new computers, which are now networked, along with new software. We've had a few "growing pains". Ryan at Alberni Communications has done a wonderful job of walking us through the "rough" patches.
 - ii. We are busy setting up acceptance of e-transfers. This will help us receive donations for our research services.
 - iii. Volunteer hours in July & August totalled 360 ½ hrs. Way to go ladies!
 - iv. Volunteers are in the Archives - Tues – Thurs, 11 am – 3 pm. Masks are mandatory!
- j. Industrial Heritage Society
 - i. In spite of residual effects of COVID-19 restrictions, summer remained the busiest season for the Industrial Heritage Society. More volunteers have been showing up since the removal of most COVID restrictions in April.
 - ii. After the July 1st Parade, the Event that dominated everything was the "Hayes & Friends 100th Anniversary Truck Show", held on the BC Day long weekend at the Fall Fairgrounds. There was an excellent turnout of about 80 vintage vehicles and more than 2,500 visitors to the show. With the free admission and activities for children of all ages, there was a good turnout of locals to the event. There were many out-of-town visitors and participants. Several came from Alberta and Saskatchewan, as well as a good number from the Mainland and the Interior of BC. Ten campsites were occupied by participants and a good number stayed in local hotels.
 - iii. This summer, we hosted two "Camp Roots" groups from Parks, Recreation and Heritage. One group of children got a tour; the second group came for a



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morning of hands-on heritage activities – grinding flour, drilling holes – by hand, by gas-engine power, then by electric drill. They also used an old Stencil Cutter from the Pulp Mill and tried out “Block & Tackle”. They also got a Fire Truck ride.

- iv. At the end of June, IHC volunteers hosted two Grade Two classes from Maquinna Elementary for a “Truck’s 90th Birthday Party”. We handled one class at a time, with a series of hands-on activities, ending with a ride in a Fire Truck.
- v. We hosted a group from the Victoria company, “Mile Zero Bus Tours”. IHS volunteers gave guided tours at the McLean Mill and at the APR Roundhouse. The ‘Vancouver Island Porsche Club’ had tours at the McLean Mill and at the IHC.
- vi. We were involved with two Memorial events in August for former Directors of the IHS – Gordon Blake and Gary Murton. One was hosted at the IHC, the second at the McLean Mill.
- vii. With the addition of exhibits once displayed at the Train Station, space is at a premium. Some space was freed up when the steam engine display on a lowbed was put outside, under a tarp, in the compound on the south side of the IHC. There is now more of a railroad display around the “Strathcona” Parlour Car. There are plans to create a Rail display inside the Parlour Car as Restoration work has come to a halt there. (Consultation has begun with the Museum to develop this project).
- viii. The Roof leak has been repaired over the Welding Shop.
- ix. Bert Simpson and the young members have been working regularly at the Roundhouse. Recently, they have been doing touch-up painting on the “No. 7” – railings, grab bars, wheels, etc. Frank Holm and Sandy Fitzpatrick did some finishing work on the brake system of the CN Caboose.
- x. The Steam Donkey boiler was re-certified by the boiler Inspector after a lot of work by the Steam crew and volunteer Boilermakers. Keith Young, former Steam Engineer at the McLean Mill, assisted with the Project. John Land got his certification to operate the Donkey Boiler while working on the project so boiler and operator are both certified. Costs were covered by generous donations.
- xi. The Old-time Logging Crew has cleaned up the site, had the Spar Tree inspected and made sure that the fire sprinkler and pump system is operational. Discussions ongoing with the City re: insurance to permit demonstrations for public.



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k. Museum

- i. August 31: The Community Arts Council and Art Rave hosted Next Gen, an evening focused on the arts. 75 people enjoyed the exhibit, music and activities.
- ii. Recent exhibit: The art show Emergence was a popular draw this summer (closed on Sept. 3) and featured the work of 60 artists from all over the Island and Gulf Islands.
- iii. Next exhibit: Marvellous Mushrooms – opens October 6: This fun new travelling exhibition, created by the Royal BC Museum, explores the science and practical uses of mushrooms today, highlighting some of the most fascinating of the 3,400-known species in the province.
- iv. New Museum staff – pleased to announce that our vacant part-time positions have been filled and new staff start September 12: Museum Education Assistant Kiara McNaught, Museum Collections Assistant Amy Sky and casual Museum Assistant Nora Rardon will all be exciting new additions to our team.
- v. Film Fest Port Alberni is back after a two-year absence! The Fall series went on sale September 1 with series passes and single tickets available at the Museum Shop. First up is the new documentary “Hallelujah: Leonard Cohen A Journey, A Song” September 25, 5pm at the Paramount Theatre. We are pleased to continue our partnership with Landmark Cinemas.
- vi. The Museum is featured in a new children’s book “Time to Wonder – A Kids Guide to BC’s Regional Museums”. Our Museum Coordinator collaborated with authors Sue Harper and S. Lesley Buxton and the book includes 8 pages devoted to the museum featuring select artefacts, information, stories and activities. The book is on order and will be for sale in the Museum Shop soon.
- vii. The Clutesi Exhibit is well in progress and will open at the Alberni Valley Museum in March 2023. This initiative will see the Alberni Valley Museum, the Bateman Foundation, the University of Victoria, the Royal BC Museum, Carr House and Alberni Residential School Survivors to collaborate to record and preserve the survivors’ memories of George Clutesi and the important role he played in their young lives when he worked at the Residential school.
- viii. Working on a large exhibit and video program to celebrate the Museum’s 50th anniversary this will open late spring of 2023.
- ix. Continue to work with the Nanaimo Museum to repatriate an artefact that was removed from the Tseshah in the mid 1800’s by Adam Grant Horne. The item is a club and belonged to a person holding a significant position and status in Tseshah culture.



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- I. Hupacasath First Nation – no report
- m. Tseshaht First Nation – no report
- 7. Next Meeting
 - a. Wednesday, October 5 → 7pm (AV Museum)
- 8. Adjourn
 - a. Moved by Colin to adjourn the meeting at 8:54pm.

Councillor Report

For October 24, 2022

Councillor Debbie Haggard

August 31, 2022 – International Overdose Awareness Day – The Community Action Team presented a town hall community event in order to discuss the current opioid crisis. As a result of the evening, an Action Plan was created that includes immediate, short term and long-term goals for made in Port Alberni solutions.

September 9, 2022 – Mayor Minions and I attended the grand opening of the Coastal Community Credit Union building. The new building is a showcase along the Johnston Road corridor.

September 10, 2022 – I participated in the Fall Fair parade to showcase McLean Mill and their e-bike program that is available to both locals and visitors to the mill site.

September 12, 2022 – September 16, 2022 Union of BC Municipalities Convention

- **Decriminalization and Harm Reduction: Key Considerations for Local Governments**
 - This session addressed both decriminalization and harm reduction. Attendees learned about the Health Canada exemption, which will allow adults in BC to possess a small amount of certain illicit substances for personal use, without being at risk for criminal charges for simple possession.
- **Local Grown Solutions to Homelessness and Addiction**
 - Three mayors, including Mayor Minions, presented creative options to house people in their communities.
- **Re-envisioning Health Care in BC**
 - All communities are experiencing challenges with the health care system. This session explored how these issues are affecting communities in all areas of the province.
- **Reimagining Tourism in BC**
 - This session was an opportunity for local governments to share perspectives on the future of tourism in BC and how local stakeholders can better align their efforts towards a more sustainable, resilient and innovative tourism industry.
- **Keynote Address: Althia Raj**
 - Althia Raj is a national columnist with the Toronto Star, the host-producer of the bi-monthly podcast, It's Political, and a weekly panelist on CBC's At Issue panel. She spoke on the current state of government in Canada.
- **Address by the Minister of Municipal Affairs – Honourable Nathan Cullen**
 - Minister Cullen gave a humorous talk on his role with the provincial government and the difficulties of following two powerful and strong women who previously held this position.
- **Airports – Critical Social-Economic Drivers for Communities**
 - Airports are a community's most powerful socio-economic development infrastructure. However, maximizing this potential requires a coordinated approach between tourism, economic development and Council initiatives.

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- **Community Child Care Creation in BC**
 - Affordable early learning and child care is a recognized economic and social priority. Panelists provided information for local governments on successful and innovative child care partnerships.
- **Challenges and Opportunities: Recruitment and Retention**
 - This session provided some innovative ways that municipalities can attract and retain their employees.
- **Building Indigenous – Local Government Partnerships**
 - A panel of municipal and First Nations leaders gave examples of successful partnerships in their communities.
- **Meeting with Island Health**
 - Mayor Minions and I met with representatives from Island Health in order to discuss issues concerning our community.
- **Meeting with Mental Health and Addictions Minister Sheila Malcomson**
 - Mayor Minions met with Minister Malcomson in order to discuss the urgent need for complex care and detox beds for our community.
- **Meeting with BC Assessment**
 - Mayor Minions, Councillor Solda, Councillor Paulson and I met with representatives from BC Assessment. BC Assessment provided updated statistics for Port Alberni and trends in housing prices.
- **Meeting with Municipal Affairs Minister Nathan Cullen**
 - Mayor Minions and I, along with Honourable Josie Osborne, met with Minister Cullen to provide an update on current projects underway in our community.
- **Address by the Premier John Horgan**
 - Premier Horgan gave a bittersweet address to wind up the conference as this will be his last UBCM. He talked about the resiliency of British Columbians and moving forward after Covid.

September 18, 2022 – I attended the Celebration of Life for Freeman of the City and former City Manager, beloved Jim Sawyer.

September 20, 2022 – Mayor Minions, Councillor Solda and I attended the ground-breaking ceremony for the new Timberline at North Park 102-unit senior's facility. The facility is being built by the Vancouver Resource Society who have 12 similar facilities in the province.

September 24, 2022 – **Vancouver Island Regional Library Board** meeting. A presentation on the Facilities Master Plan was given. Considerable time was spent reviewing the 2023 financial budget. Port Alberni is poised for an almost 9% increase.

September 28, 2022 – Mayor Minions, CAO Pley and our EDM Pat Deakin, attended the Port Alberni Port Authority Board meeting for a presentation and discussion on the proposed waterfront path and the Somass lands.

September 29, 2022 – Alberni Valley Chamber of Commerce Board meeting - Highlights include:

- Discussions between the AVCOC and the City of Port Alberni regarding the contract for the operations of McLean Mill
- Marianne Wade, Manager of Planning for the City of Port Alberni, came to discuss the Official Community Plan
- A letter was written to all chamber members on behalf of the Community Action Team regarding reducing the stigma of drug use.

September 30, 2022 – Mayor Minions and I attended the start of the walk honouring the National Day for Truth and Reconciliation at Harbour Quay. We were honoured to attend the beautiful ceremony and delicious lunch at the Friendship Centre. We then proceeded to the Tseshah First Nation to honour those who spoke.

October 10, 2022 – I was honoured to help serve Thanksgiving dinner with, along with other volunteers, including MP Gord Johns, at the Bread of Life.

October 13, 2022 – I met with a representative from the local employment centre to discuss challenges employers are having finding employees and the number of jobs at all levels and in all industries that are currently available.

Four years ago, I made the decision to run for City Council because I wanted the opportunity to work with a group of progressive, like-minded people who could make positive changes in our community. I was lucky enough to have had the honour of working with these amazing people on this council. We have laughed together and we have cried together.

Helen, you came from the big city to a small town because you saw potential. You are always supportive of Port Alberni when you travel to other communities. And you have a very big heart!

Ron, with your departure, there will be a big gap of knowledge on the forestry industry. I have always appreciated your hard work ethic and your determination to make things happen.

Ron, I have loved how caring you are. I know that you will continue to work for the betterment of our community. Enjoy your time with your new grandson!

Dan, I have loved your sense of humour and your very down to earth attitude. You have been a strong volunteer in our community and I know that you will continue to do great things because that is who you are.

For the last four years, I have sat between two of the nicest people that I could have ever asked for. I will deeply miss all of you and you will always have a special place in my heart.

Unfortunately, I am not there in person to say good by, which is probably a good thing because right now I would be unable to speak because I would be sobbing uncontrollably.

“Every new beginning comes from some other beginning’s end”.

To one of the best there ever was! Farewell my friends!