
AGENDA - REGULAR MEETING OF COUNCIL

Tuesday, September 6, 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 7

1. Special meeting held at 9:00 am and Regular Council meeting held at 2:00 pm on August 8, 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. **Mosaic Forest Management** - Page 13
Colin Koszman, Land Use Forester and Molly Hudson, Director, Sustainability in attendance to provide Council with an update on local topics of interest.

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 September 6, 2022, be received and the cheques numbered _____ to _____ inclusive, in payment of accounts totalling \$ _____, be approved.

2. **Development Planner – Development Application | 3747 10th Avenue** - Page 14
Report dated July 25, 2022 from the Development Planner requesting Council authorization to issue a Development Variance Permit and Development Permit.
- a. *THAT Council authorize the issuance of Development Variance Permit No. 107 and that the Director of Corporate Services be authorized to sign the permit granting the following variance to the Zoning Bylaw at 3747 10th Avenue:*
 - i. *Vary section 7.9 Required Amount of Parking to permit a reduction of the required on-site parking from 274 spaces to 215 spaces for a variance of 59 spaces.*
 - b. *THAT Council authorize the issuance of Development Permit No. 21-13 and that the Director of Corporate Services be authorized to sign the permit including the development plans as shown on Schedule 'B', prepared by Raymond de Beeld Architect Inc. and dated July 25, 2022, subject to the City of Port Alberni receiving the required landscaping security in the amount of \$9,414.*

Correspondence

- Email dated August 29, 2022 from A. McColm | Support
- Email dated August 29, 2022 from D. Whiteside | Opposed

3. **Development Planner – Development Application | 5019 Montrose Street** - Page 38
Report dated August 17, 2022 from the Development Planner requesting Council authorization to issue a Development Variance Permit and Development Permit.
- a. *THAT Council authorize the issuance of Development Variance Permit No. 112 and that the Director of Corporate Services be authorized to sign the permit granting the following variances to the Zoning Bylaw at 5019 Montrose Street:*
 - I. *Vary Section 7.9 Required Amount of Parking to reduce the required parking from a total 10 spaces to 8 spaces for a variance of 2 spaces. A reduction from 1.25 spaces per dwelling unit to 1.0 spaces.*
 - II. *Vary Section 5.15.2 RM2 Site Development Regulations to:*
 - i. *Reduce the minimum side yard setback from 5.0 metres to 0.48 metres for a variance of 4.52 metres at the south property line.*
 - ii. *Reduce the minimum front yard setback from 6.0 metres to 0.48 metres for a variance of 5.52 metres at the west property line.*
 - iii. *Reduce the minimum frontage from 25 metres to 20.11 metres for a variance of 4.89 metres at the west property line.*
 - iv. *Reduce the minimum lot area from 840 m² to 766 m² for a variance of 74 m² at the west property line.*
 - b. *THAT Council authorize the issuance of Development Permit No. 21-15 and that the Director of Corporate Services be authorized to sign the permit including the development plans as shown on Schedule 'B', prepared by Azurean Architecture Inc., subject to the City of Port Alberni receiving the required landscaping security in the amount of \$52,586.69.*

Correspondence

- Email dated August 30, 2022 from J. Thurston | Support
- Emails dated August 30, 2022 from P. Tobin | Opposed

4. **Manager of Planning – Temporary Use Permit | 3665, 3675, 3689 4th Avenue -**
Page 69

Report dated August 29, 2022 from the Manager of Planning requesting Council authorization to issue notice for a Temporary Use Permit and waive the development permit requirement.

- a. *THAT Council receive this report for a Temporary Use Permit TUP22-01 – Temporary low barrier shelter to permit 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. To be located on City lands at 3665, 3675, and 3689 4th Avenue.*
- b. *THAT Council direct staff to send notice as per section 494 (2) to (4) of the Local Government Act and send to owners and occupants within 75 metres of the subject property.*
- c. *THAT Council direct staff to advertise in the newspaper the disposition of land for a two (2) year lease as per section 26 and 94 of the Community Charter and Section 286 of the Local Government Act to the Port Alberni Friendship Centre for a temporary low barrier shelter.*
- d. *WHEREAS, there is an urgent need to secure safe and reasonable temporary shelter for people experiencing housing insecurity;*
AND WHEREAS, the City owns the property at 3665, 3675, and 3689 4th Avenue (the “Lands”), which is designated under the Official Community Plan as being in Development Permit Area No.2;
AND WHEREAS, under section 490 of the Local Government Act Council may exercise its authority in relation to development permits by resolution;
BE IT RESOLVED, that Council make a policy decision to waive the requirement for a development permit in order to facilitate the installation of a temporary low barrier shelter which consists of up to 30 units of temporary transitional housing in “Tiny Shelters”, two sanitation facilities, one office, two outdoor gathering areas with a covering and furnishings, bicycle parking, garbage area, soft landscaping and fencing.

5. **Economic Development Manager – Grant Funding Opportunity - Page 143**

Report dated August 30, 2022 from the Economic Development Manager requesting Council authorization for two grant applications.

- a. *THAT Council authorize staff to amend “City of Port Alberni 2022 – 2026 Financial Plan Bylaw No. 5045, 2022” by allocating \$290,000 towards the Roger Creek Connector Trail Project in 2023.*
- b. *THAT Council support applications to the BC Active Transportation Infrastructure Grant Program and the Natural Infrastructure Fund for respective portions of a multi-modal Roger Creek Connector Trail Project linking the Roger Creek and Scott Kenny Trails.*

6. **Economic Development Manager – Generational Investment and Transformation of Island Coastal Economic Trust**

Verbal report from the Economic Development Manager requesting Council support of Island Coastal Economic Trust's application for provincial funding.

THAT Council direct staff to prepare a letter affirming support for Island Economic Trust's [ICET] application to the province requesting a generational investment of at least \$150 million into ICET, the sole economic trust serving our region.

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. **Development Planner – Proposed OCP & Zoning Bylaw Amendments | 4738 Athol Street - Page 147**

Report dated August 24, 2022 from the Development Planner requesting Council consider third reading of the proposed bylaws.

- a. *THAT "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046" be read a third time.*
- b. *THAT "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047" be read a third time.*
- c. *THAT "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048" be read a third time.*
- d. *THAT as part of the development process for 4738 Athol Street, the applicant be required to complete the following before Council considers final adoption of Bylaw No's 5046, 5047 and 5048:*
 - i. *Design of required off-site works with cost estimate;*
 - ii. *Storm water management plan;*
 - iii. *Geotechnical report; and*
 - iv. *Site grading plan.*

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. The Rotary Club of Port Alberni Arrowsmith - Page 211

Letter dated August 18, 2022 from President, Terry Deakin requesting Council approval to host the 14th Annual Hops Festival on Saturday, September 24, 2022 at Echo Centre.

THAT Council support The Rotary Club of Port Alberni Arrowsmith in hosting the 14th Annual Hops Festival on Saturday, September 24, 2022 from 6:00 pm to 9:00 pm at the City of Port Alberni Echo 67' Centre subject to:

- authorized [signed] facility rental agreement;*
- provision of standard liability insurance in the amount of \$5M; and*
- receipt of confirmation that a Special Event Permit from the LCRB has been issued.*

I. PROCLAMATIONS

1. International Wrongful Conviction Day Committee - Page 212

Email dated June 21, 2022 from the International Wrongful Conviction Committee requesting Council proclaim October 2, 2022 as 'Wrongful Conviction Day'.

THAT Council proclaim October 2, 2022 as 'Wrongful Conviction Day' in the City of Port Alberni.

2. Port Alberni Fire Department - Page 214

Letter dated August 11, 2022 from the Chief Fire Prevention Officer requesting Council proclaim October 9 - 15, 2022 as 'Fire Prevention Week'.

THAT Council proclaim October 9 – 15, 2022 as 'Fire Prevention Week' in the City of Port Alberni.

3. Port Alberni Association for Community Living - Page 215

Letter dated August 23, 2022 from the Craig Summers, Executive Director requesting Council proclaim the month of October as 'Community Inclusion Month'.

THAT Council proclaim the month of October 2022 as 'Community Inclusion Month' 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 216**
 - a. A. Brevick | Tiny Shelters 4th Avenue, Somass Lands, Council Meeting Livestream Comments, Business Licences
 - b. Canadian Mental Health Association | Annual Lantern Walk, September 9, 2022
 - c. H. dePencier & W. Harrison | Harbour View Apartments, Blocked Driveway
 - d. Ministry of Forests | Inviting Mayor Minions to serve on the Forestry Workers Supports and Community Resiliency Council
 - e. UBCM | 2022 Poverty Reduction Planning and Action Notice of Grant Payment | Uptown District Revitalization Strategy
 - f. Advisory Planning Commission Meeting Minutes | July 28, 2022

K. REPORT FROM IN-CAMERA

L. COUNCIL REPORTS

1. **Council and Regional District Reports - Page 234**

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, AUGUST 8, 2022 @ 9:00 AM
In City Hall Committee Room | 4850 Argyle Street, Port Alberni**

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

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: @ 9:30 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 a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and*

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.*

CARRIED

The meeting was terminated at 1:26 pm

CERTIFIED CORRECT

Mayor

Corporate Officer

ENTERED
B1.a

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, August 8, 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
Councillor H. Poon
Councillor C. Solda
Councillor D. Washington

Gallery: 25

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 adopted as printed and circulated.

CARRIED

B. ADOPTION OF MINUTES

MOVED AND SECONDED, THAT the Special meeting held at 10:30 am on July 11, 2022 be adopted.

CARRIED

MOVED AND SECONDED, THAT the Regular Council meeting held at 2:00 pm on July 11, 2022 be amended to reflect the absence of Councillor R. Corbeil and Councillor C. Solda. The minutes were then adopted as amended.

CARRIED

C. PUBLIC INPUT PERIOD

Neil Anderson

Spoke to his questions that remain unanswered in relation to the Kingsway Hotel renovations.

Keith Ambrose

Expressed the importance of ensuring ample opportunity and inclusivity for those members of the public wishing to communicate with Council.

D. DELEGATIONS

1. Friends of Burde Street Beaver Ponds

Karen St. Pierre, Chair and Sandy McRuer provided a presentation on the ecological and social value of the Burde Street Beaver Ponds as well as the importance of establishing municipal riparian area protection regulations.

FILED
B1.6

E. UNFINISHED BUSINESS

1. **Committee of the Whole meeting July 25, 2022 | Official Community Plan Update**
MOVED AND SECONDED, THAT Council accept the revisions to Touchstones Numbers 4 and 7 and the timeline graph as presented in the staff report dated July 14, 2022, and approve staff proceeding with seeking community feedback on the draft Official Community Plan Vision and Touchstones as amended.

CARRIED | Res. No. 22-178

MOVED AND SECONDED, THAT Council further revise OCP Touchstones 'Responsible Infrastructure Management' | Number 3 to include the words "adaptation and mitigation".

CARRIED | Res. No. 22-179

MOVED AND SECONDED, THAT Council direct staff to implement the Engagement and Communications Strategy for the Official Community Plan Vision and Guiding Principles prepared by FRANK planning collaborative and dated July 12, 2022.

CARRIED | Res. No. 22-180

F. STAFF REPORTS

1. **Accounts**
MOVED AND SECONDED, THAT the certification of the Director of Finance dated August 8, 2022, be received and the cheques numbered 150875 to 151026 inclusive, in payment of accounts totalling \$4,395,205.80, be approved.

CARRIED

2. **RCMP Department**
MOVED AND SECONDED, THAT the 2nd quarter report from the Officer in Charge, Inspector Eric Rochette, RCMP providing information about current department operations, be received.

CARRIED

3. **Director of Engineering & Public Works – Old Wastewater Lagoon Desludging**
MOVED AND SECONDED, THAT Council award a portion of the contract for the Municipal Wastewater Lagoon Desludging (RFP 007-22) project to American Process Group (Canada) Ltd., for a total amount not to exceed \$450,000 excluding GST with said works to include scraping of drier materials [or skin] off the top of the sludge and hauling offsite [Alberni Valley Landfill].

CARRIED | Res. No. 22-181

4. Director of Finance – Financial Plan Amendments

MOVED AND SECONDED, THAT Council direct that “City of Port Alberni 2022 – 2026 Financial Plan Bylaw No. 5045, 2022” be amended as follows:

- a. Add \$500,000 in 2023 from General Revenue [taxation] for the purpose of increasing the project contingency budget for the Child Care Center Project;*
- b. Amend the overall budget for Project 21024 |Child Care Centre Project from \$2,900,000 to \$4,644,989 to reflect a \$1,244,989 increase in grant funding [total grant funding \$4,144,989];*
- c. Borrow \$210,000 from the Equipment Replacement Reserve Fund [ERRF] in 2022 for the purpose of completing project 21020 - Train Station Seismic Upgrades;*
- d. Transfer \$60,000 in 2022 from Line 29911 - Contingency Funds for the purpose of completing project 21020 - Train Station Seismic Upgrades;*
- e. Amend the overall budget for the capital project 21020 – Train Station Seismic Upgrades to \$860,000; and*
- f. Assign \$140,000 from Line 29911 – Contingency Funds for the purpose of funding the City’s contribution to construction of the 4th Avenue Sleeping Pod facility.*

CARRIED | Res. No. 22-182

G. BYLAWS

- 1. Development Planner – Proposed Zoning Bylaw Amendment | 5450 Greenard Street**
MOVED AND SECONDED, THAT “Zoning Map Amendment No. 51 (5450 Greenard Street – Hopkins), Bylaw No. 5056” be read a third time.

CARRIED | Res. No. 22-183

- 2. Development Planner – Proposed Zoning Bylaw Amendment | 4925 Leslie Avenue**
MOVED AND SECONDED, THAT “Zoning Map Amendment No. 53 (4925 Leslie Avenue – Needham), Bylaw No. 5059” be read a third time.

CARRIED | Res. No. 22-184

- 3. Development Planner – Proposed OCP & Zoning Bylaw Amendments | 4835 & 4825 Burde Street and 3618 & 3614 5th Avenue**
MOVED AND SECONDED, THAT “Official Community Plan Amendment No. 36 (5th Avenue & Burde Street – Carniato), Bylaw No. 5042” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5042.

CARRIED | Res. No. 22-185

MOVED AND SECONDED, THAT “Zoning Text Amendment No. T30 (CD3 – Comprehensive Development – Multi-Family Residential Infill – 5th Avenue & Burde Street), Bylaw No. 5043” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5043.

CARRIED | Res. No. 22-186

MOVED AND SECONDED, THAT “Zoning Map Amendment No. 47 (5th Avenue & Burde Street – Carniato), Bylaw No. 5044” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5044.

CARRIED | Res. No. 22-187

H. CORRESPONDENCE FOR ACTION

1. Pink Buffalo Films

MOVED AND SECONDED, THAT Council authorize Pink Buffalo Films, in accordance with the City's 'Filming on Location Policy' to film at Johnston Road and Victoria Quay in relation to the Topaz Cable Landing project on August 9, 2022.

CARRIED | Res. No. 22-188

2. Port Alberni Toy Run Association

MOVED AND SECONDED, THAT Council support the Port Alberni Toy Run Association's activities taking place on September 17 & 18, 2022 subject to:

- *notification of emergency services and BC Transit;*
- *provision of standard liability insurance in the amount of \$5M; and*
- *receipt of Special Event Permit from the LCRB.*

AND FURTHER, that Council proclaim the week of September 12 to 18, 2022 as 'Toy Run Week' in Port Alberni.

CARRIED | Res. No. 22-189

I. PROCLAMATIONS

1. Port Alberni Community Action Team

MOVED AND SECONDED, THAT Council proclaim August 31, 2022 as 'International Overdose Awareness Day' in the City of Port Alberni.

CARRIED | Res. No. 22-190

J. CORRESPONDENCE FOR INFORMATION

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

- a. Alberni Valley Lions Club | AV Lions Bullhead Derby | Saturday, August 20, 2022
- b. Union of British Columbia Municipalities | Community Works Fund Payment
- c. Rebecca Terepocki | Temporary Shelter on 3rd Avenue & Advertising of Cannabis
- d. 2022 Grad Class and Prom Committee | Thank you card
- e. Lesley Fox | Providing support to the Friends of Burde Street Beaver Ponds

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

N. QUESTION PERIOD

Neil Anderson

Inquired as to when the CAO became aware of whom the subcontractors were that were involved with the Kingsway Hotel renovations and whether a building permit application includes the requirement to list contractors.

Marilyn Kapchinsky

Is there a public washroom available on 3rd Avenue and is the mobile shower trailer being used?

Randy Fraser

Presented a number of questions pertaining to the Somass Lands mill site with regards to environmental assessments and costs estimates for the remediation and redevelopment of the site.

Roland Smith

Presented various questions related to the Financial Plan amendments approved by Council at today's meeting, sewer rate fees in response to inflation and capital project costs and timelines, particularly the Combined Sewer Separation Project.

Requested that City parks staff trim the blackberry bushes located on the Kitsuksis Dyke between Margaret Street and Compton Road.

Joseph Leskosek

Is there an expiry date on development applications and is there a fee paid to the City committing developers to complete the project?

O. ADJOURNMENT

MOVED AND SECONDED, THAT the meeting adjourn at 4:24 pm.

CARRIED

CERTIFIED CORRECT

Mayor

Corporate Officer



CONTACT INFORMATION: (please print)

Full Name: Colin Koszman

Organization (if applicable): Mosaic Forest Management

Street Address: 1420 East Island Hwy

Phone: 250-207-0515

Mailing Address: as above

Email: Colin.Koszman@mosaicforests.com

No. of Additional Participants:

[Name/Contact Information] Molly Hudson, Molly.Hudson@mosaicforests.com

MEETING DATE REQUESTED: September 6th, 2022, 2pm

PURPOSE OF PRESENTATION: (please be specific)

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

Public Access and Campgrounds

Bainbridge Activity Update

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.

Colin Koszman Digitally signed by Colin Koszman
Date: 2022.08.17 17:29:12 -07'00'

August 17, 2022

Signature:

Date:

OFFICE USE ONLY:

Scheduled Meeting Date: Sept 6/22

Date Approved: Aug 17/22

Applicant Advised: Aug 17/22

Approved: (Deputy City Clerk)

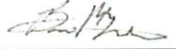
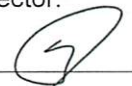
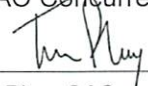
- | | |
|--------------------------------------------------------|-------------------------------------------------|
| <input checked="" type="checkbox"/> Council | <input type="checkbox"/> Economic Development |
| <input checked="" type="checkbox"/> Mayor | <input type="checkbox"/> Engineering/PW |
| <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 type="checkbox"/> Agenda | <input type="checkbox"/> Other |

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. 0550-30.

Your personal information will not be released except in accordance with the Freedom of Information and Protection of Privacy Act.

ENTERED
DI

Date: July 25, 2022
File No: 3090-20-DVP107 & 3060-20-DP21-13
To: Mayor & Council
From: T. Pley, CAO
Subject: DEVELOPMENT APPLICATION – Development Variance Permit (DVP 107) and Development Permit (DP21-13) at 3747 10th Avenue, Port Alberni
LOT 2, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 12949 (PID: 004-680-740)
Applicant: Raymond de Beeld Architect Inc.

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

RECOMMENDATION[S]

- a. That Council authorize the issuance of Development Variance Permit No. 107 and that the Director of Corporate Services be authorized to sign the permit granting the following variance to the Zoning Bylaw at 3747 10th Avenue:
 - i. Vary Section 7.9 Required Amount of Parking from a total 274 spaces to total 215 spaces for a variance of 59 spaces.
- b. That Council authorize the issuance of Development Permit No. 21-13 and that the Director of Corporate Services be authorized to sign the permit including the development plans as shown on Schedule 'B', prepared by Raymond de Beeld Architect Inc. and dated July 25, 2022, subject to the City of Port Alberni receiving the required landscaping security in the amount of \$9,414.

PURPOSE

The City has received an application for a Development Variance Permit and Development Permit for a commercial redevelopment at 3747 10th Avenue. The applicant is requesting a reduction in the required amount of on-site parking.

BACKGROUND

The subject property is located in the Redford Commercial area, and is occupied by a vehicle-orientated plaza mall. The applicant is proposing to redevelop a 1,472 m² (15,840 sq. ft.) commercial unit at the center of the site (formerly Fairway Market) into three separate leasable units. The existing property was created in the 1950s and redeveloped in the 1970s. The amount of parking on-site does not meet the requirements of the current Zoning Bylaw. The applicant has applied for a variance to bring the property into compliance.

ENTERED
F2

Subject Property and Site Context

Location	Southeast corner of the intersection of 10 th Avenue and Redford Street.
Current Zoning	C2 General Commercial
Total Area	12,667 m ² (3.13 acres)
Official Community Plan (OCP)	<ul style="list-style-type: none"> • <i>Schedule A - Land Use Map: General Commercial (GCO)</i> • <i>Schedule B Development Permit Areas Map: Commercial</i>
Relevant Guidelines	<ul style="list-style-type: none"> • <i>Section D Plan Policies – 5.0 Commercial</i> • <i>Section D Plan Policies – 5.1 General Commercial (GCO)</i> • <i>Section 7 – Parking and Loading (Zoning Bylaw No. 4832)</i>

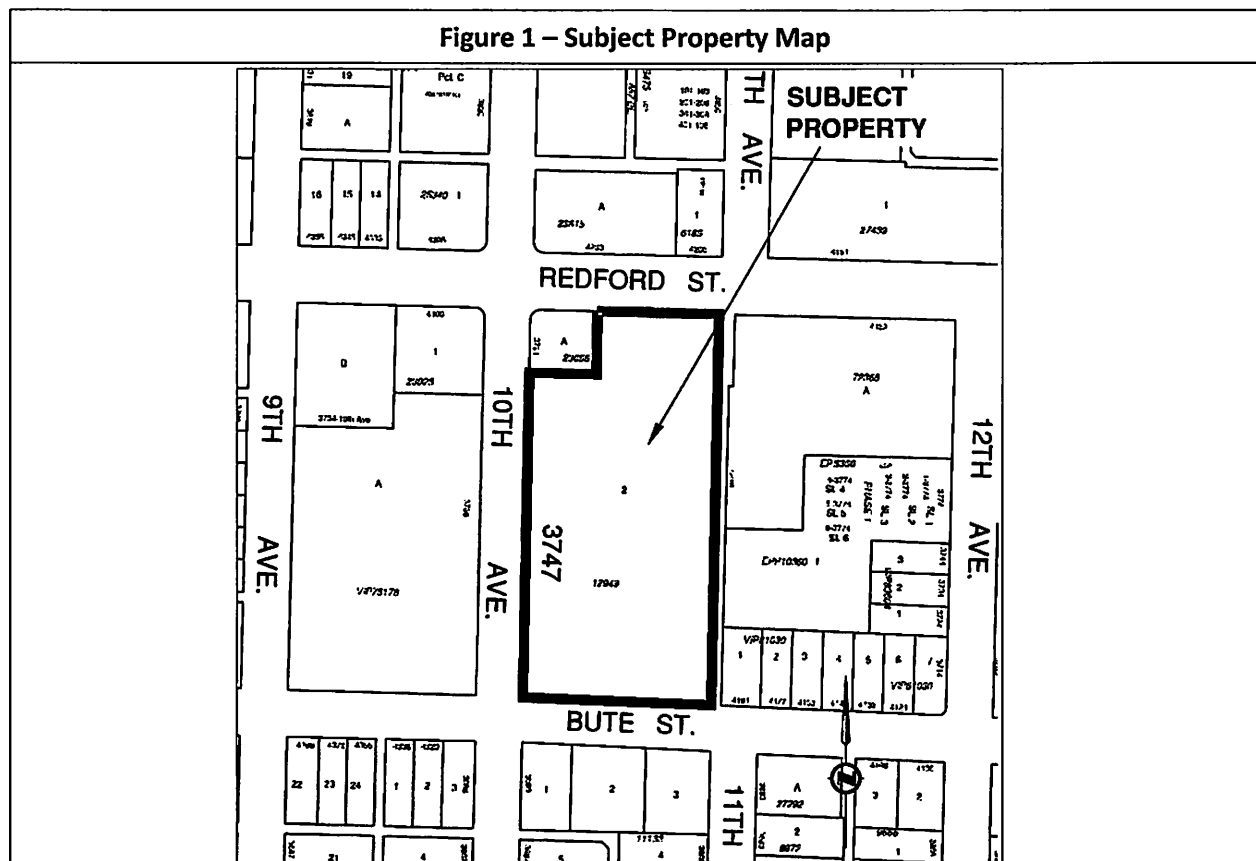


Table 1 – Surrounding Neighbourhood Land Use	
North	C2 General Commercial, RM3 High Density Multiple Family Residential
South	P1 Institutional (Fire Hall), R2 One and Two Family Residential
East	RM2 Medium Density Multiple Family Residential, C2 General Commercial, R3 Small Lot Residential

West	C2 General Commercial
------	-----------------------

ALTERNATIVES/OPTIONS

1. That Council authorize the issuance of Development Variance Permit No. 107 and that the Director of Corporate Services be authorized to sign the permit granting the following variance to the Zoning Bylaw at 3747 10th Avenue:
 - i. Vary Section 7.9 Required Amount of Parking from a total 274 spaces to total 215 spaces for a variance of 59 spaces.

AND

That Council authorize the issuance of Development Permit No. 21-13 and that the Director of Corporate Services be authorized to sign the permit including the development plans as shown on Schedule 'B', prepared by Raymond de Beeld Architect Inc. and dated July 25, 2022, subject to the City of Port Alberni receiving the required landscaping security in the amount of \$9,414.

2. Council may deny Development Variance Permit No. 107. If the variance is denied, the applicant would need to revise their development permit application to provide the required parking.
3. Council can provide alternate direction.

ANALYSIS

Development Variance Permit (DVP 107) and Development Permit (DP21-13) were processed and reviewed concurrently by staff.

1. Development Variance Permit (DVP 107)

The applicant has requested a variance to the minimum on-site parking requirement to bring the property at 3747 10th Avenue into compliance with *Zoning Bylaw No. 4832*. Table 2 contains details on the proposed variance:

Table 2 – Proposed Variances to Zoning Bylaw No. 4832	
Section 7.9 Required Amount of Parking	Reduce required on-site parking from 274 spaces to 215 spaces for a variance of 59 spaces.

a) Reduced On-site Parking

The City's Zoning Bylaw requires that parking be recalculated upon redevelopment of a property. The applicant is undertaking an extensive renovation of a commercial unit, including the demolition of approximately 800 ft² of floorspace. They also intend to renovate a portion of the parking lot near these commercial units. Following development there would be a net gain of 6 parking spaces on-site.

Table 3 – Parking Summary	
Existing parking spaces	209
Proposed parking spaces after development	215
Required by Zoning Bylaw	274

However, *Zoning Bylaw No. 4832* requires parking to be provided at 1 space per 17 m² of gross leasable floor space for *Shopping Centre* developments. This would equal 274 spaces which is 59 spaces above what the applicant has proposed.

Table 4 – Proposed Variances to Zoning Bylaw No 4832	
Section 7.9 Required Amount of Parking	Reduce required on-site parking from 274 spaces to 215 spaces for a variance of 59 spaces.

Staff Notes:

- Staff do not anticipate any significant impacts related to approving the parking variance.
- In total, 6 additional parking spaces will be created for a net gain of parking.
- No existing spaces in the parking lot will be removed as a result of this project.
- The calculated shortfall of parking spaces results from applying current requirements to the existing development, as opposed to an intensification of use upon the site.
- A portion of the parking lot exists on a former Texaco gas station site on the south east corner of the intersection of Redford St. & 10th Avenue (3791 10th Avenue). Parking on this lot is not secured via restrictive covenant.
- Existing parking lot was developed prior to the current *Zoning Bylaw No. 4832*.

2. Development Permit (DP21-13)

The property at 3747 10th Avenue is within Development Permit Area No. 2 Commercial, and requires a Development Permit to proceed. Staff have reviewed the design and are satisfied it meets the intent of the development guidelines in *Section E: Implementation - 1.0 Development Permit Areas* of the OCP.

Staff Notes:

- Applicant has incorporated the OCP design guidelines, while improving pedestrian space along the storefront by including bollards, bicycle racks, benches, trees, and turf areas.
- Proposal is consistent with the commercial character of the surrounding neighbourhood.
- Development will create a single large-format commercial unit, and two smaller commercial units from the existing building.
- Commercial loading and solid waste management will occur at the rear of the building adjacent to the public lane.
- Additional review of site servicing by the Engineering Department would be required at the Building Permit stage.

IMPLICATIONS

Issuing Development Variance Permit (DVP 107) and Development Permit (DP21-13) will allow the proposed development to proceed at 3747 10th Avenue. Approval of the Development Variance Permit for parking is necessary to support the proposed Development Permit. If Council decides not to support the variance request for reduced parking, then the development permit application would need to be revised and brought back to Council for consideration.

1. Development Variance Permit (DVP 107)

Issuing the Development Variance Permit will allow the development to proceed with fewer parking stalls than are currently required by *Zoning Bylaw No. 4832*. However, there would be a total gain of 6 parking spaces after development.

2. Development Permit (DP21-13)

Issuing the Development Permit will allow the proposed development at 3747 10th Avenue to proceed to the Building Permit stage. The applicant has submitted an estimate for landscaping totalling \$9,414.00. If Council approves the permit, a Landscape Security in this amount will be required prior to issuance by the Director of Corporate Services.

COMMUNICATIONS

The Development Variance Permit (DVP 107) was reviewed by the Advisory Planning Commission at their meeting on July 28, 2022. The Commission passed a motion recommending that the variance permit application be supported by Council.

Public notice of the requested variance was given according to *Local Government Act* s.499. As per *Development Application Notice Bylaw No. 4614*, owners and occupants of property within 75 metres of 3747 10th Avenue were mailed a notice 10 days prior to the scheduled meeting date of September 6, 2022.

BYLAWS/PLANS/POLICIES

1. Official Community Plan Policy – Development Permit Areas (Section E: Implementation)

This application has been reviewed according to the Commercial Design Guidelines listed in Section E – Implementation, 1.0 Development Permit Areas of the City of Port Alberni's OCP.

2. Zoning Bylaw 2014 (Bylaw 4832):

The application has been reviewed for compliance with *Zoning Bylaw No. 4832*. A variance is required to section 7.9 *Required Amount of Parking*. As per the bylaw, the parking requirement is recalculated at development:

7.1.2 *A change in use or modification of a building, structure or lot shall result in a recalculation of parking and loading requirements in accordance with this section, which may result in requirements for additional parking spaces to be provided.*

SUMMARY

The City has received an application for a Development Variance Permit and Development Permit at 3747 10th Avenue. The proposal would enable a renovation of an existing commercial unit on the property. A variance to the minimum parking requirement is required to bring the property into compliance with *Zoning Bylaw No. 4832*.

The applicant has submitted a design proposal that meets the development guidelines in *Section E: Implementation - 1.0 Development Permit Areas* of the OCP, and staff do not anticipate negative impacts on the surrounding neighbourhood from the requested variance. Staff support the issuance of the Development Variance Permit (DVP 107), and Development Permit (DP21-13) with the conditions outlined in the attached permits.

ATTACHMENTS/REFERENCE MATERIALS

1. Development Variance Permit (DVP 107)
 - Schedule A – Location Map
 - Advisory Planning Commission July 28, 2022 Meeting Minutes
2. Development Permit (DP21-13)
 - Schedule A – Location Map
 - Schedule B – Drawings
 - a) *Raymond De Beeld Architect Inc. – Cover (A 0.0)*
 - b) *Raymond De Beeld Architect Inc. – Perspectives (A0.1)*
 - c) *Raymond De Beeld Architect Inc. – Site Plan (A1.0)*
 - d) *Raymond De Beeld Architect Inc. – Floor Plan (A2.2)*
 - e) *Raymond De Beeld Architect Inc. – Roof Plan (A2.3)*
 - f) *Raymond De Beeld Architect Inc. – Elevations 1 (A6.1)*
 - g) *Raymond De Beeld Architect Inc. – Elevations 2 (A6.2)*
 - h) *Raymond De Beeld Architect Inc. – Sections (7.1)*

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

J:\Engineering\Planning\Development Applications\DevelopmentPermits\DP-2021\DP21-13-3737-10thAve-Mall\Council\DP21-13-3747-10thAve-Mall-Council.docx



4850 Argyle Street | Port Alberni BC
V9Y 1V8 Canada
www.portalberni.ca
T. 250-723-2830
F. 250-723-3402

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit No: 107

Registered Owner: Marlowe Yeoman Limited
Applicant: Raymond de Beeld dba Raymond de Beeld Architect Inc.
Subject Property: 3747 10th Avenue, Port Alberni BC
Description of Land: Parcel Identifier: 004-680-740
Legal Description: Lot 2, District Lot 1, Alberni District, Plan VIP12949
Purpose: To vary the required amount of on-site parking.

WHEREAS, pursuant to Section 498 of the *Local Government Act*, RSBC 2015, on application of an owner of land, a local government may, by resolution, issue a Development Variance Permit that varies, in respect to the land covered in the Permit, the provisions of a Zoning Bylaw adopted under Part 14 of the *Local Government Act*. Authorization is hereby granted to:

Marlowe Yeoman Limited,
14823 Marine Drive,
White Rock, BC, V4B 0B3

to:
Vary City of Port Zoning Bylaw 2014 (Bylaw 4832) Section 7.9 Required Amount of Parking from a total 274 spaces to total 215 spaces for a variance of 59 spaces.

for development on lands legally described Lot 2, District Lot 1, Alberni District, Plan VIP12949 (PID: 004-680-740) and located at 3747 10th Avenue, as shown on the Schedule A map attached.

In accordance with the provisions of Section 498 of the *Local Government Act RSBC 2015*, approval of this Permit was granted by resolution of the City Council on ____, __, 2022.

Authorized by

Corporate Officer

This Permit is issued under the Seal of the City of Port Alberni on ____, __, 2022.

Owner/Agent (signature)

Print Name

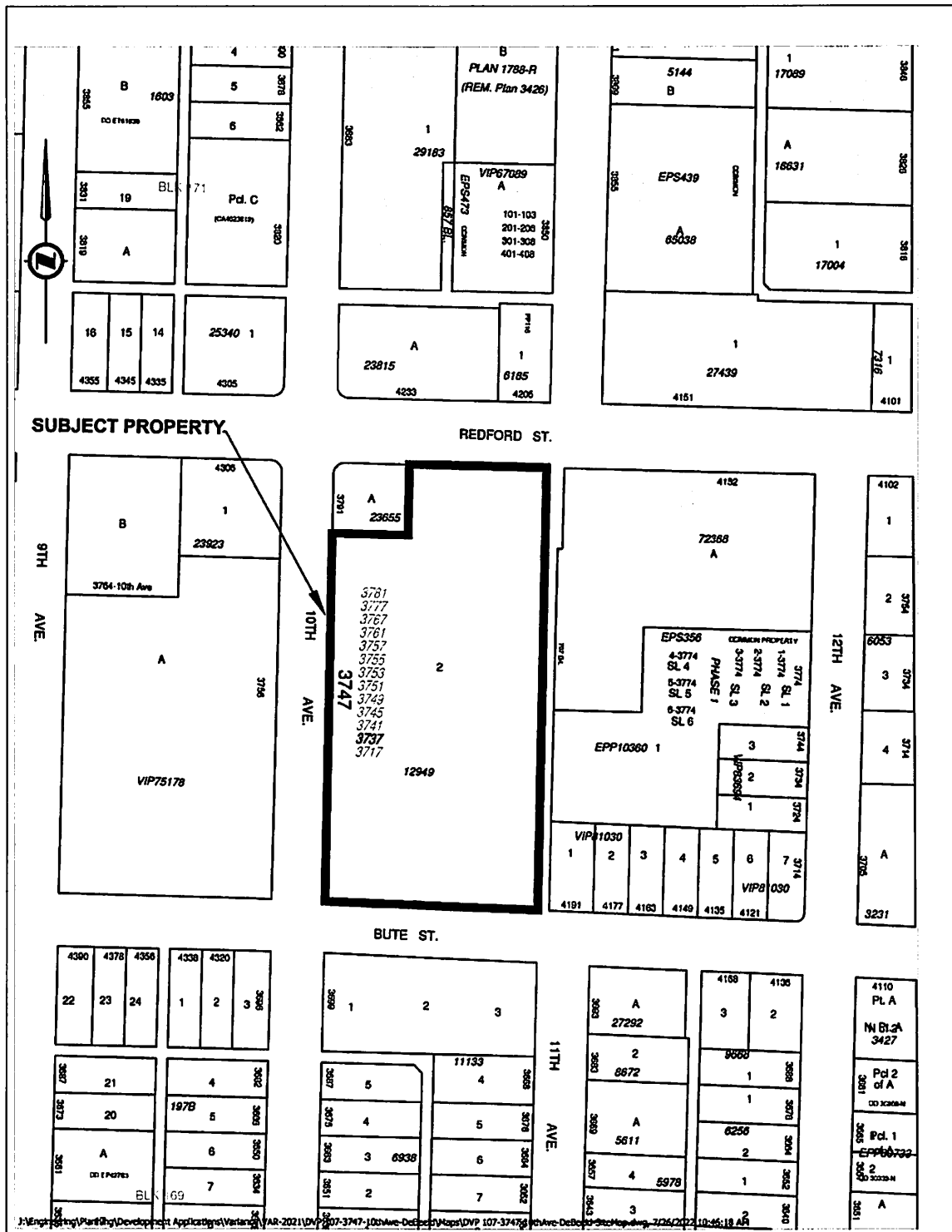
Date

Witness (signature)

Print Name

Date

Schedule A – Location Map





**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on July 28, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ed Francoeur (Chair)
Ken McRae, (Vice - Chair)
Harley Wylie (Alt. – Tseshah (č išaa?ath) F.N)
Stefanie Weber
Joe McQuaid
Amy Anaka
Councillor Deb Haggard, Council Liaison
Peter Dionne, R.C.M.P. Liaison
Andre Guerin, P.A.F.D. Liaison

Staff

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

Guests

Applicant: A. Nordemann
Applicant: R. DeBeeld via phone
Public: Len Watts, (Tseshah (č išaa?ath) F.N)

Regrets

Jolleen Dick, Councillor, Hupačasath F.N
Ken Watts, (CEO Tseshah (č išaa?ath) F.N)
Callan Noye
Christine Washington, SD70

Alternates (not in attendance)

Vicky White, (Tseshah (č išaa?ath) F.N)
Councillor Helen Poon (Alt.- Council Liaison)
Larry Ransom (Alt.- S.D.70)



1. Acknowledgements and Introductions:

Acknowledgement by Chair that this APC meeting is being held within the un-ceded, traditional territories of the Hupačasath and the Tseshah (č išaa?ath) First Nations. Welcome and introductions.

2. Minutes: Adoption of June 16, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the June 16, 2022 regular meeting as amended.

(McQuaid / Weber) CARRIED

**3. DEVELOPMENT APPLICATION – Development Variance Permit 107
3747 10th Ave.**

Lot 2, District Lot 1, Alberni District, Plan VIP12949 (PID: 004-680-740)

APPLICANT: Raymond de Beeld dba Raymond de Beeld Architect Inc

- Development Planner (B.M.) summarized his report dated July 28, 2022.
- APC discussed the proposed amendment with respect to the following:
 - APC asked about commercial tenants for the space. Applicant advised on tenant would be a dollar store and another possible tenant may be relocating their existing business into the space.
 - Parking was discussed. The space is generous and the applicant indicated that it is no more than 60% full most of the time.
 - Safety was discussed with regards to any outdoor patio space that might be planned. Currently there are several small seating areas outside existing mall tenants however no larger patio spaces are planned at this time.
 - It was noted that the mall had been around for a long time and retro-fitting for more parking

could become an issue. The Development Planner indicated that the parking calculation was based on floor space. When asked about the possibility of increasing the number of parking spaces by creating spaces geared to motorcycle/motorbike and cyclists he noted that Port Alberni does allow for small car stalls. Port Alberni could improve Zoning Bylaw parking requirements by considering more diverse modes of transportation.

- The applicant advised that bike parking was included in the proposal.

Motions:

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

(McRae / Weber) CARRIED

4. DEVELOPMENT APPLICATION – Development Variance Permit (DVP112)

5019 Montrose St.

Lot 1, District Lot 1, Alberni District, Plan 119230

APPLICANT: A. Nordemann dba JamJar Properties Inc.

- The Development Planner (B.M.) summarized his report dated July 28, 2022.
- APC discussed the proposed amendment with respect to the following:
 - The size of the site and its suitability for the proposal was discussed. The Development Planner indicated to the APC that the proposed density (Floor Area Ratio) was within that allowed by the Zoning bylaw.
 - Impact on the neighbour to the north was mentioned as a concern as the back decks may impact privacy. The Development Planner noted that the landscape plan included a path and greenspace as well as on-site parking that should help mitigate complaints about street parking. A Development Permit will be required and the site plan will be thoroughly reviewed.

Motions:

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

(McQuaid / Weber) CARRIED

5. OCP – Vision and Guiding Principles – Manager of Planning

- At this week's C.O.W. meeting the draft OCP public engagement strategy and process was supported. The recommendation will be presented to Council Aug. 8/22.
- When ready, the draft strategy will be presented to the APC. Staff will consult with the APC Chair to determine the meeting time and format.
- A housekeeping Zoning bylaw amendment is being drafted and will also be brought forward to a C.O.W. meeting for discussion and recommendations to Council.

6. Status Update: Director of Development Services

- No application yet received for property at 4th Ave. and Mar St. Developer may adjust their plans.
- Vimy St. development with BC Housing will likely begin soon.

7. OTHER BUSINESS: None at this time.

8. ADJOURNMENT: The meeting adjourned at 12:45 pm. The next meeting is scheduled for 12:00 pm on **August 18, 2022.**

(McQuaid / Francoeur) CARRIED



Ed Francoeur (Chair)



4850 Argyle Street | Port Alberni BC
V9Y 1V8 Canada
www.portalberni.ca
T. 250-723-2830
F. 250-723-3402

DEVELOPMENT PERMIT

Development Permit No: 21-13

Registered Owner: Marlowe Yeoman Limited, 14823 Marine Drive, White Rock, BC, V4B 0B3
Applicant: Raymond de Beeld dba Raymond de Beeld Architect Inc.
Subject Property: 3747 10th Avenue, Port Alberni BC
Description of Land: Parcel Identifier: 004-680-740
Legal Description: Lot 2, District Lot 1, Alberni District, Plan VIP12949
Purpose: Renovation of Commercial Retail Unit

CONDITIONS of PERMIT:

1. Development of the land to be undertaken shall be limited to the area shown on Schedule A.
2. Development of the land to be undertaken shall be in accordance with the development plans shown on Schedule B attached hereto and forming part of Development Permit No. 21-13.
3. An Irrevocable Letter of Credit or other security is required in the amount of \$9,414.00 for landscaping.
4. The owner of the land shall provide the general contractor and all professionals associated with the development with copies of this permit.
5. The owner of the land shall agree to a restrictive covenant in favour of the City of Port Alberni on the following parcel to secure required parking: Lot A, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 23655 (PID: 003-140-539)
6. The owner of the land shall maintain any undeveloped land in a neat and tidy condition at all times.
7. If there has not been any substantial commencement of construction with respect to which the permit was issued within two years after the date it was issued, the permit lapses.

The City of Port Alberni shall file notice of this permit in the Land Title Office stating the land is subject to Development Permit No. 21-13.

THIS IS NOT A BUILDING PERMIT

July 25, 2022

In accordance with the provisions of Section 489 of the *Local Government Act RSBC 2015*, approval of this Permit was granted by resolution of the City Council on _____.

Authorized by

Corporate Officer

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the City of Port Alberni has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with Marlowe Yeoman Limited, other than those contained in this Permit.

Owner/Agent (signature)

Witness (signature)

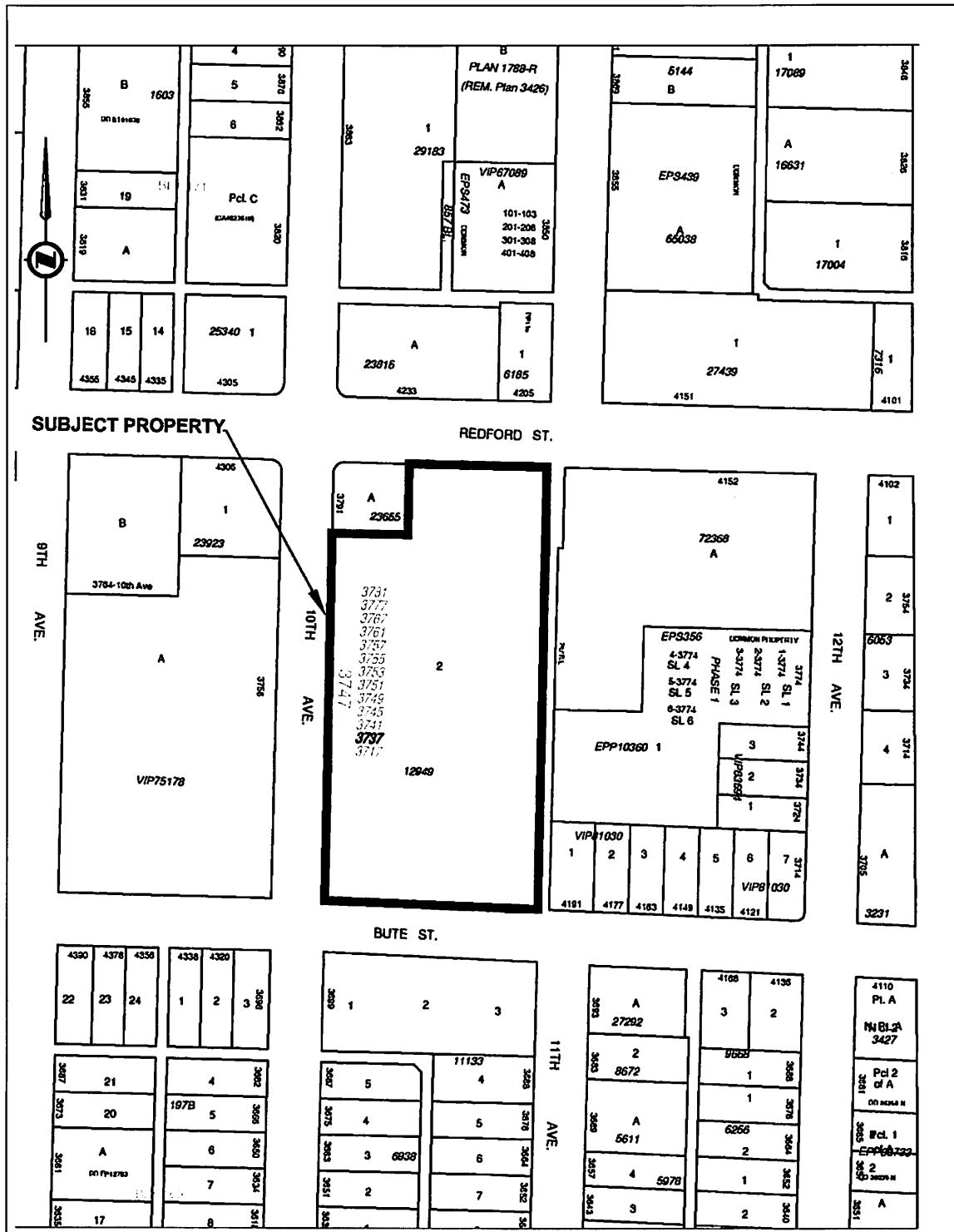
Print Name

Print Name

Date

Date

SCHEDULE A – Location Map



SCHEDULE B
TO DEVELOPMENT PERMIT 21-13



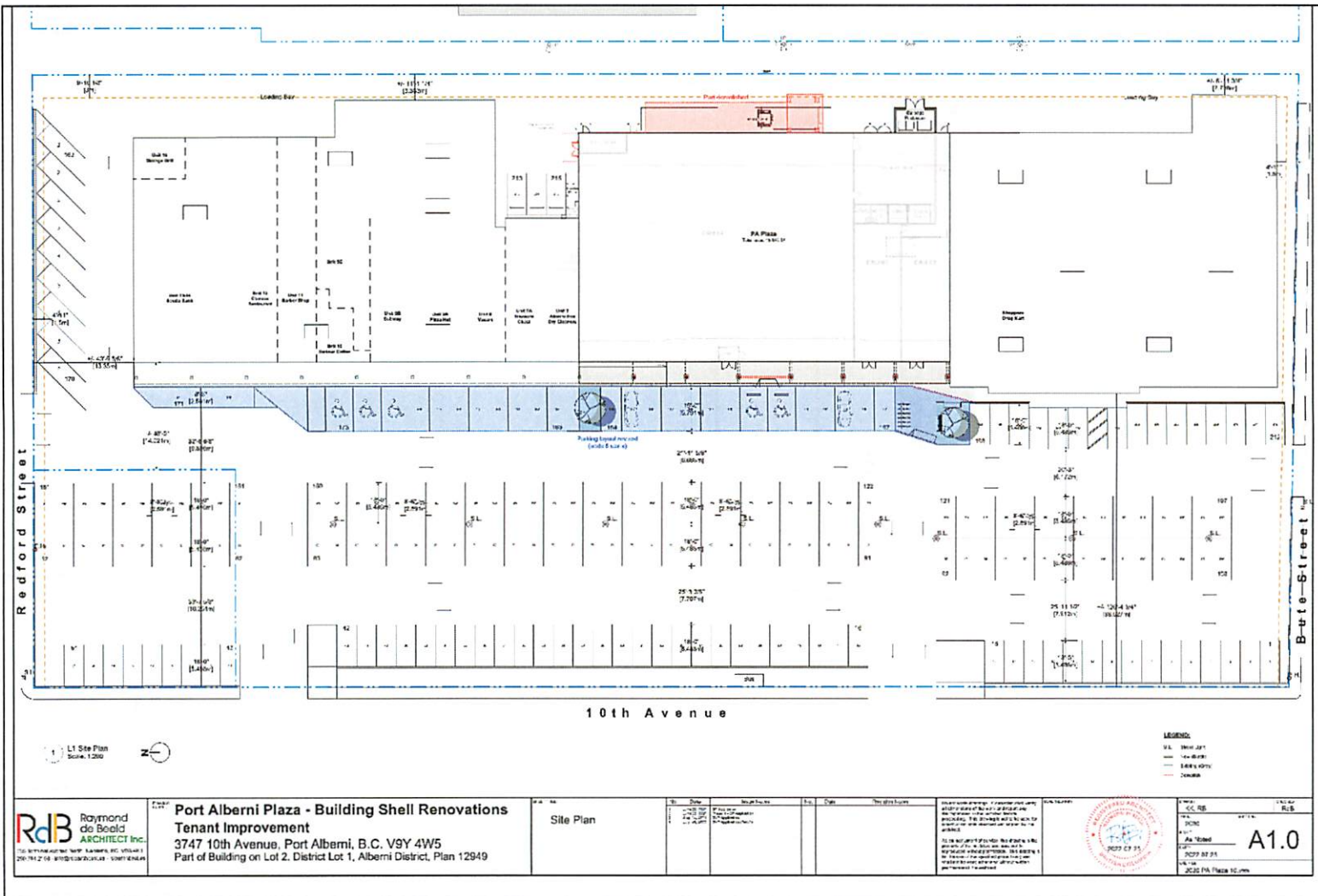
SCHEDULE B
TO DEVELOPMENT PERMIT 21-13

b) Raymond de Beeld Architect Inc. – Perspectives (A0.1)



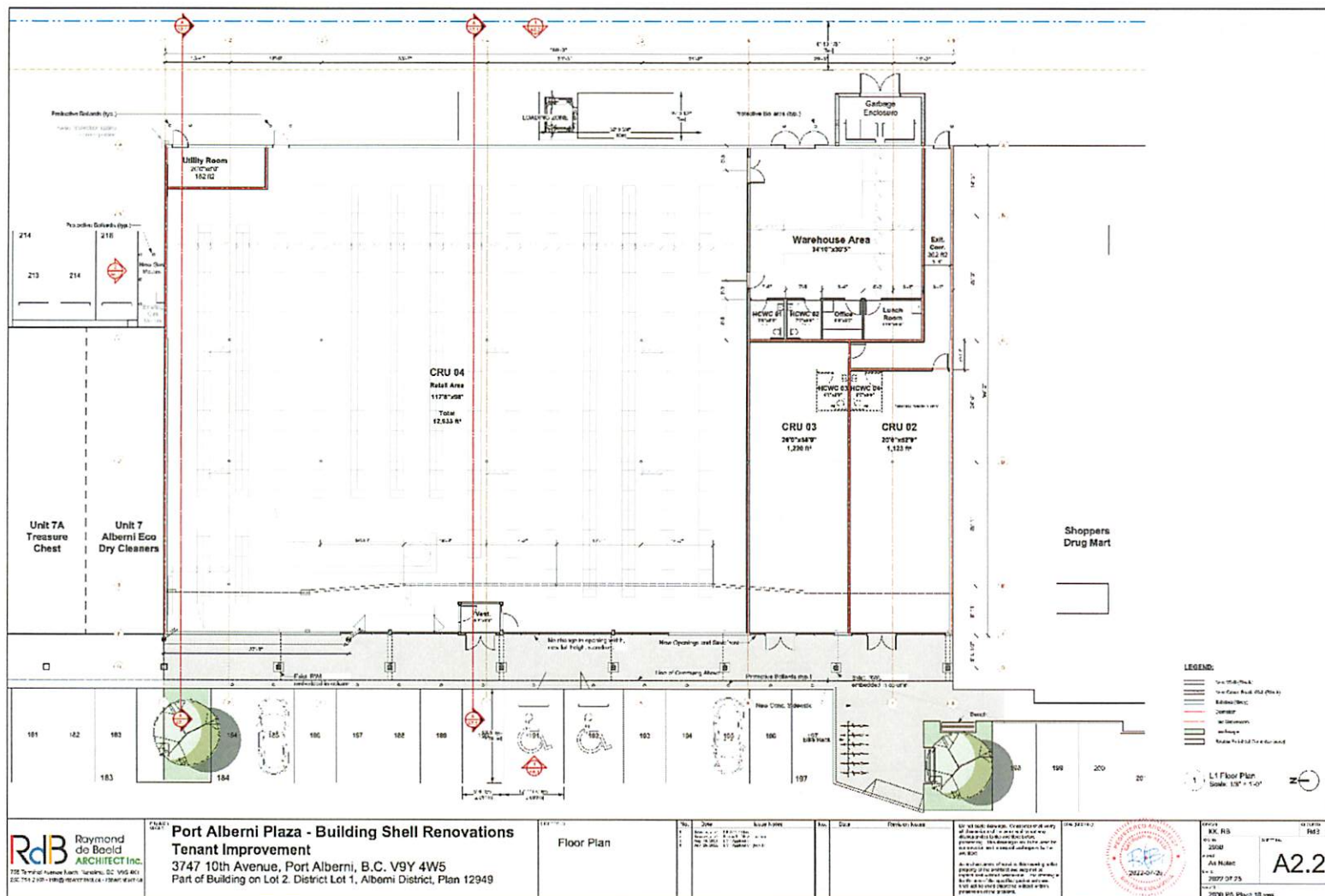
SCHEDULE B
TO DEVELOPMENT PERMIT 21-13

c) Raymond de Beeld Architect Inc. - Site Plan (A1.0)



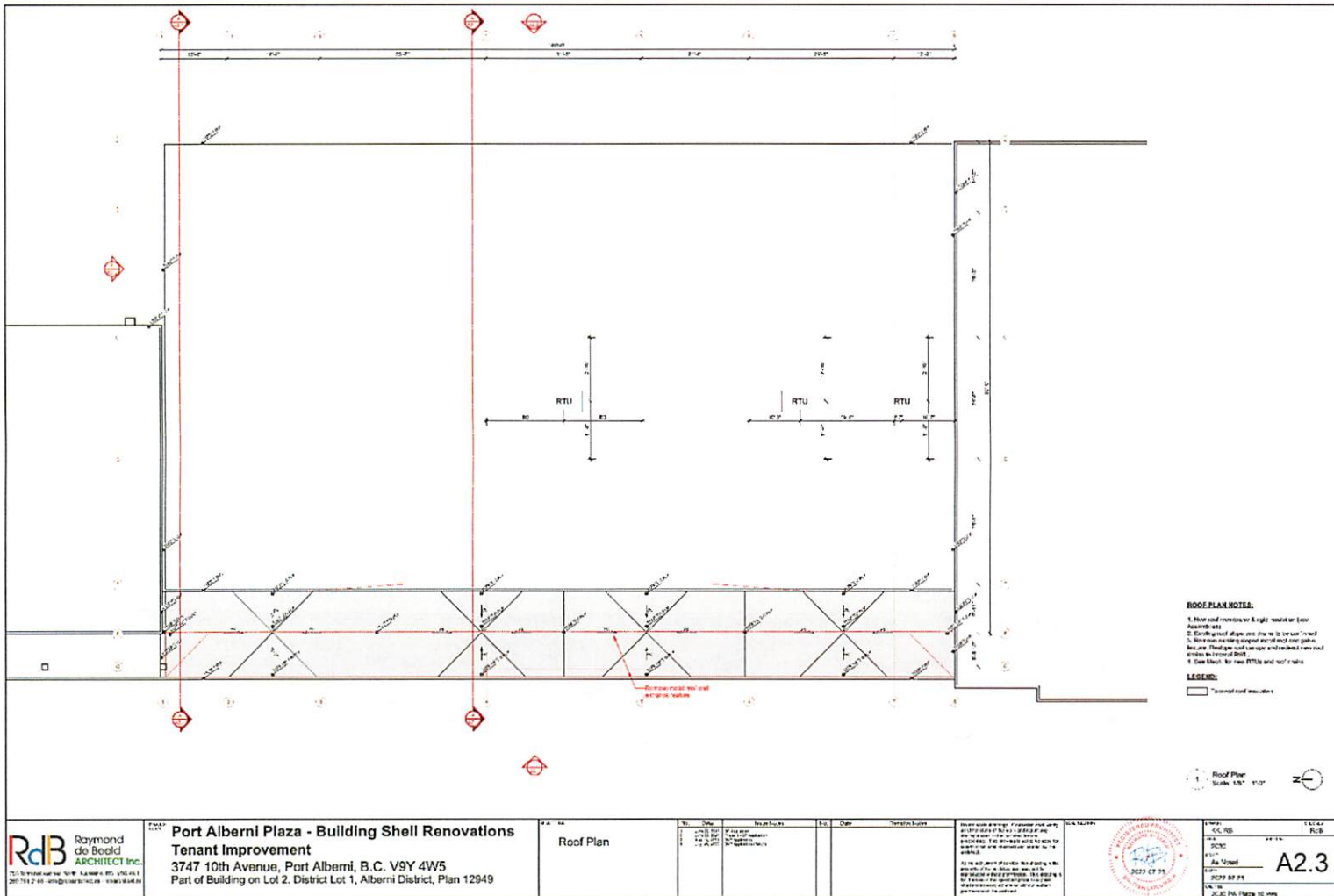
**SCHEDULE B
OPMENT PER**

d) *Raymond de Beeld Architect Inc. – Floor Plan (A2.2)*



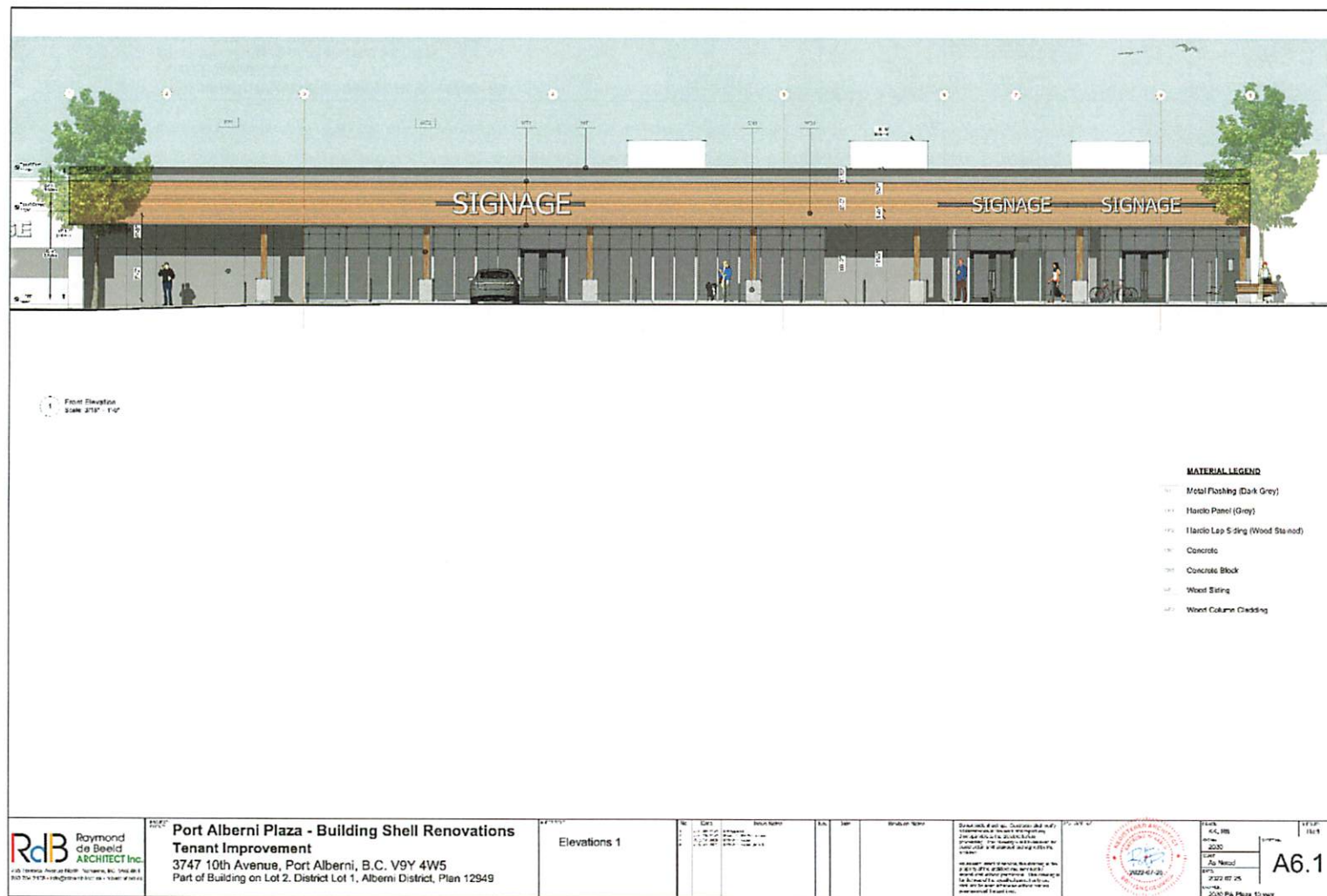
SCHEDULE B
TO DEVELOPMENT PERMIT 21-13

e) Raymond de Beeld Architect Inc. – Roof Plan (A2.3)



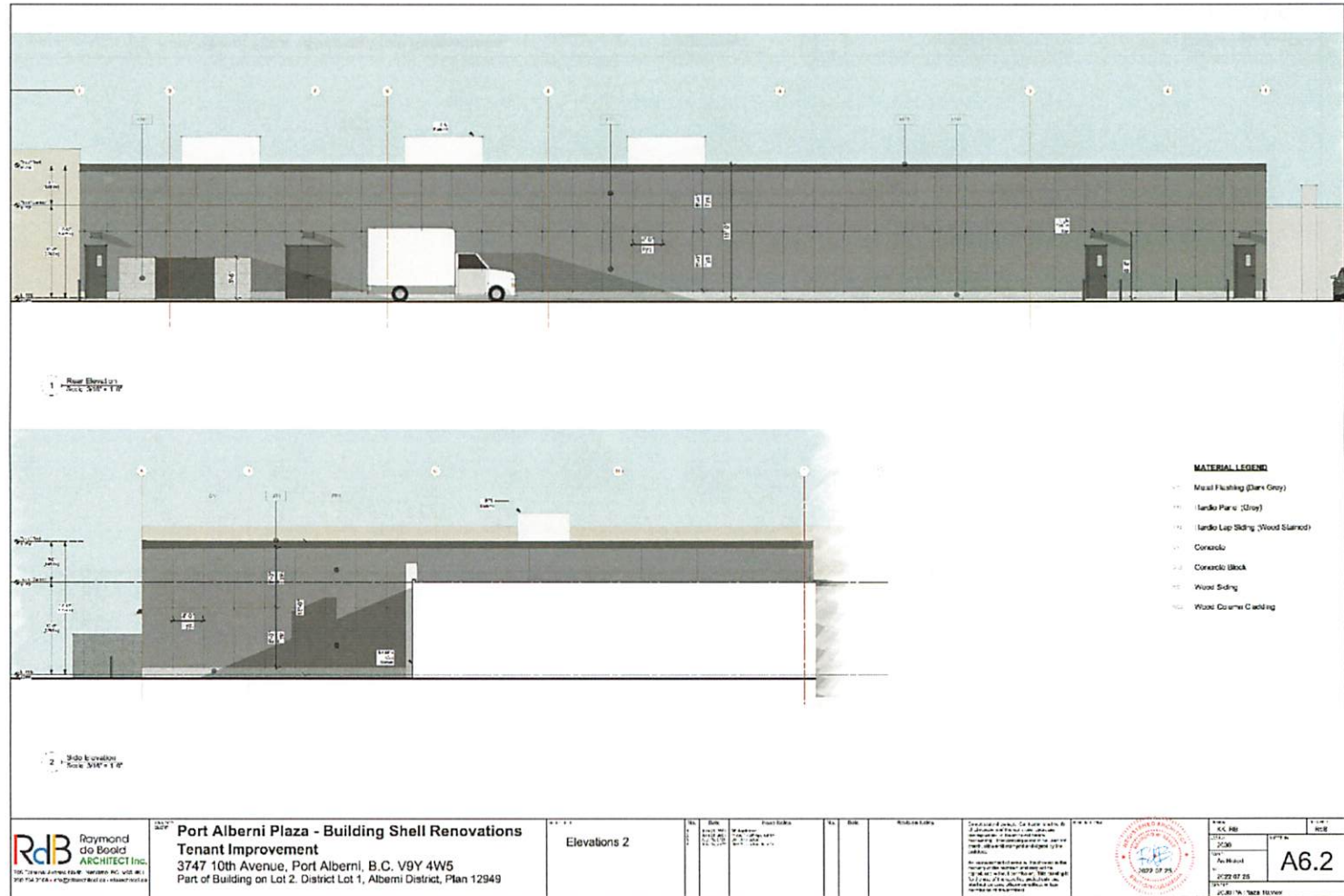
f) Raymond de Beeld Architect Inc. – Elevations 1 (A6.1)

SCHEDULE B
TO DEVELOPMENT PERMIT 21-13



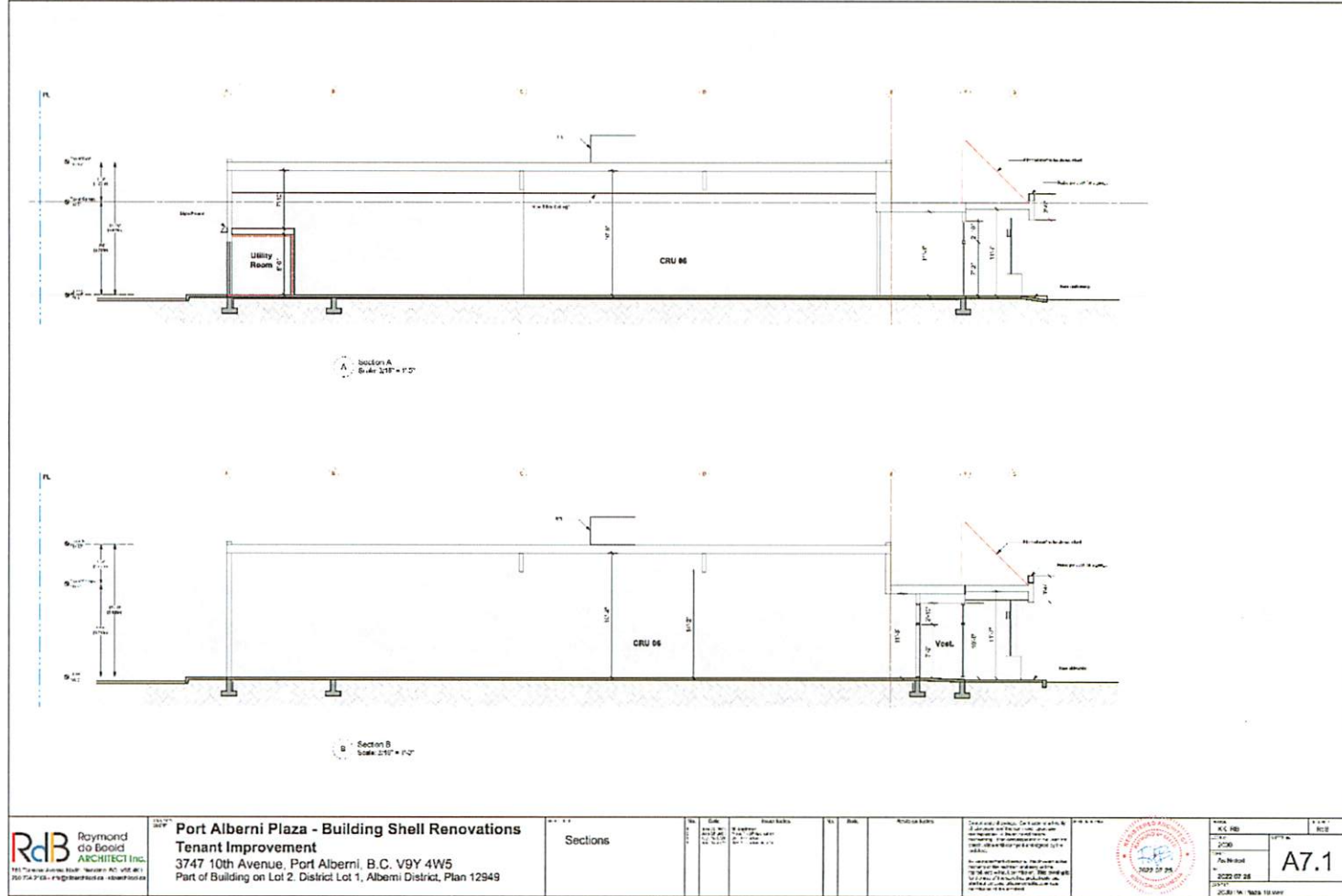
**SCHEDULE B
 TO DEVELOPMENT PERMIT 21-13**

g) *Raymond de Beeld Architect Inc. – Elevations 2 (A6.2)*



SCHEDULE B
TO DEVELOPMENT PERMIT 21-13

h) Raymond de Beeld Architect Inc. – Sections (7.1)



RECEIVED

AUG 30 2022

CITY OF PORT ALBERNI

From: Alex [REDACTED]
Sent: August 29, 2022 12:03 PM
To: Council <council@portalberni.ca>
Subject: Development Variance Permit DVP 107

<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 type="checkbox"/> Other

File # 3090-20-DVP107 RCM Sept 6, 22

Good morning,

I live at 3883 10th Ave in the Cygnet Apartments. I got a letter requesting feedback about this variance permit at the strip mall across the street from me. (3747 10th Ave)

That this lot was required to have 65 more parking spaces is very excessive. It is empty much of the time, i can't say I have ever seen it full, or even 50% full in the past 18 months. I was very surprised to see this lot was required to have more parking when it is a bit huge as it stands.

I support the measure cut the required parking from 274 to 215. We could then go further and cut it to 100, and open up some space for a new restaurant or just some grass and trees that won't be as hot as the concrete.

Thank you from

Alex McColm

RECEIVED

AUG 30 2022

CITY OF PORT ALBERNI

From: Dave Whiteside [REDACTED]
Date: August 29, 2022 at 6:46:04 PM PDT
To: Council <council@portalberni.ca>
Cc: [REDACTED]
Subject: DVP107

<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 type="checkbox"/> Other
File #	


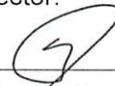
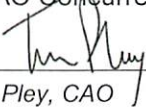
RCM Sept 6, 22
3090-20-DVP107

Dear Sirs;

I live at 301-3883 10th Ave. I am certainly NOT in favor of removing any parking spaces from a area that is already congested. It's bad enough to try and find a place to park anywhere near my suite. Port Alberni is already short of Vets, Doctors, and decent restaurants, let's not kill the parking as well. I moved here last year as a quiet place to retire, hopefully, I won't have to move again.

Best regards, D,A.Whiteside.

Date: August 17, 2022
File No: 3090-20-DVP112 & 3060-20-DP21-15
To: Mayor & Council
From: T. Pley, CAO
Subject: DEVELOPMENT APPLICATION – Development Variance Permit (DVP 112) and Development Permit (DP21-15) at 5019 Montrose St., Port Alberni
LOT 1, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 119230 (PID: 031-660-258)
Applicant: A. Nordemann

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

RECOMMENDATION[S]

- a. That Council authorize the issuance of Development Variance Permit No. 112 and that the Director of Corporate Services be authorized to sign the permit granting the following variances to the Zoning Bylaw at 5019 Montrose Street:
 - I. Vary Section 7.9 Required Amount of Parking to reduce the required parking from a total 10 spaces to 8 spaces for a variance of 2 spaces. A reduction from 1.25 spaces per dwelling unit to 1.0 spaces.
 - II. Vary Section 5.15.2 RM2 Site Development Regulations to:
 - i. Reduce the minimum side yard setback from 5.0 metres to 0.48 metres for a variance of 4.52 metres at the south property line.
 - ii. Reduce the minimum front yard setback from 6.0 metres to 0.48 metres for a variance of 5.52 metres at the west property line.
 - iii. Reduce the minimum frontage from 25 metres to 20.11 metres for a variance of 4.89 metres at the west property line.
 - iv. Reduce the minimum lot area from 840 m² to 766 m² for a variance of 74 m².
- b. That Council authorize the issuance of Development Permit No. 21-15 and that the Director of Corporate Services be authorized to sign the permit including the development plans as shown on Schedule 'B', prepared by Azurean Architecture Inc., subject to the City of Port Alberni receiving the required landscaping security in the amount of \$52,586.69.

PURPOSE

The City has received an application for a Development Variance Permit and Development Permit at 5019 Montrose Street. The proposal is to add townhouse units to a property with an existing multi-family building that does not presently conform to Zoning Bylaw No. 4832.

ENTERED
F3

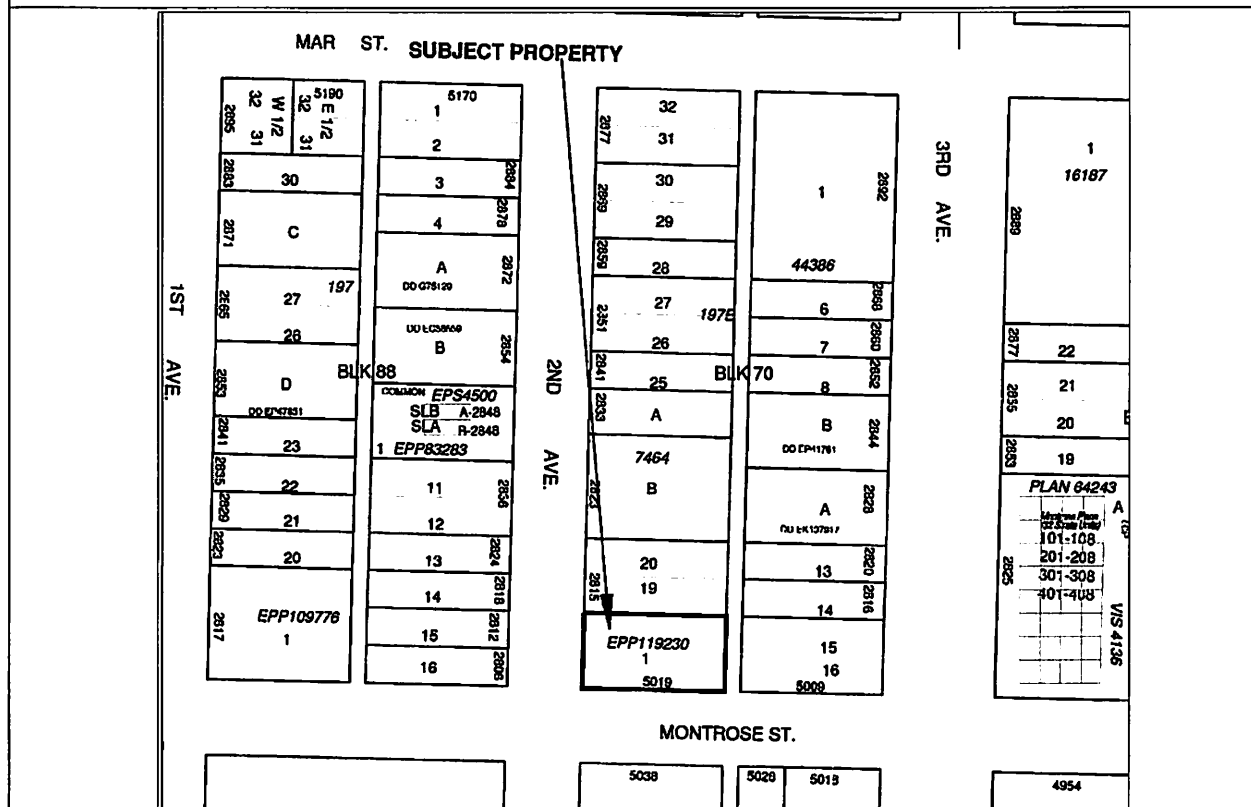
BACKGROUND

The applicant is proposing to develop 3 townhouse units on the property in a new structure abutting the existing 5-unit apartment building. New development triggers a need to bring the property into compliance with *Zoning Bylaw No. 4832* despite the non-conforming status of the existing building. The proposed development would be an improvement of the non-conforming property. Previously there were more multi-family units on the property, but a significant portion of the building was destroyed by fire. The proposed townhouse units would be constructed in the general location of original multi-family building.

Subject Property and Site Context

Location	Northeast corner lot of the intersection of 2 nd Avenue and Montrose Street
Current Zoning	RM2 Medium Density Multiple Family Residential
Total Area	766 m2 (0.189 acres)
Official Community Plan (OCP)	<ul style="list-style-type: none"> • <i>Schedule A: Land Use Map: Multi-Family Residential (MFR)</i> • <i>Schedule B: Development Permit Areas Map: Multi-Family Residential</i>
Relevant Guidelines	<ul style="list-style-type: none"> • <i>OCP Section D Plan Policies – 4.0 Residential</i> • <i>OCP Section D Plan Policies – 4.3 Multi-family Residential</i> • <i>Section 7 – Parking and Loading (Zoning Bylaw No. 4832)</i>

Figure 1 – Subject Property Map



The surrounding neighbourhood includes properties zoned R2 One and Two Family Residential, RM2 Medium Density Multiple Family Residential, and P2 Parks and Recreation. A direction-based summary of neighbourhood composition is provided below:

Table 1 – Surrounding Neighbourhood Land Use	
North	R2 One and Two Family Residential
South	RM2 Medium Density Multiple Family Residential, P2 Parks and Recreation, R2 One and Two Family Residential
East	R2 One and Two Family Residential
West	R2 One and Two Family Residential

ALTERNATIVES/OPTIONS

1. That Council authorize the issuance of Development Variance Permit No. 112 and that the Director of Corporate Services be authorized to sign the permit granting the following variances to the Zoning Bylaw at 5019 Montrose Street:
 - I. Vary Section 7.9 Required Amount of Parking to reduce the required onsite parking from a total of 10 spaces to 8 spaces for a variance of 2 spaces. A reduction from 1.25 spaces per dwelling unit to 1.0 spaces.
 - II. Vary Section 5.15.2 RM2 Site Development Regulations to:
 - i. Reduce the minimum side yard setback from 5.0 metres to 0.48 metres for a variance of 4.52 metres at the south property line.
 - ii. Reduce the minimum front yard setback from 6.0 metres to 0.48 metres for a variance of 5.52 metres at the west property line.
 - iii. Reduce the minimum frontage from 25 metres to 20.11 metres for a variance of 4.89 metres at the west property line.
 - iv. Reduce the minimum lot area from 840 m² to 766 m² for a variance of 74 m².

AND

That Council authorize the issuance of Development Permit No. 21-15 and that the Director of Corporate Services be authorized to sign the permit including the development plans as shown on Schedule 'B', prepared by Azurean Architecture Inc., subject to the City of Port Alberni receiving the required landscaping security in the amount of \$52,586.69.

2. Council may deny Development Variance Permit No. 112. If the variance is denied, the applicant would need to revise their development permit application to provide the required parking.
3. Council may provide alternate direction.

ANALYSIS

Development Variance Permit (DVP 112) and Development Permit (DP21-15) were processed and reviewed concurrently by staff. Approval of the Development Variance Permit would be required before Council may approve the Development Permit.

1. Development Variance Permit (DVP 112)

The applicant has requested variances to minimum parking, setbacks, frontage, and lot area to bring the property at 5019 Montrose Street into compliance with *Zoning Bylaw No. 4832*. Table 2 contains details on the proposed variances:

Table 2 – Proposed Variances to Zoning Bylaw No. 4832	
Section 7.9 Required Amount of Parking	Reduce required on-site parking from 10 spaces to 8 spaces for a variance of 2 spaces. A reduction from 1.25 spaces per dwelling unit to 1.0 spaces.
5.15.2 RM2 Site Development Regulations	Reduce minimum side yard setback from 5.0 metres to 0.48 metres for a variance of 4.52 metres at the south property line.
5.15.2 RM2 Site Development Regulations	Reduce minimum front yard setback from 6.0 metres to 0.48 metres for a variance of 5.52 metres.
5.15.2 RM2 Site Development Regulations	Reduce required minimum frontage from 25 metres to 20.11 metres for a variance of 4.89 metres.
5.15.2 RM2 Site Development Regulations	Reduce required minimum lot area from 840 m ² to 766 m ² for a variance of 74 m ² .

a) Reduced On-site Parking

Currently, there is no parking on the subject property and resident parking is on the street. The new development requires that parking be provided according to section 7.9 of the Zoning Bylaw. The applicant has requested to reduce the on-site parking requirement from 10 spaces to 8 spaces – a reduction from 1.25 spaces per dwelling to 1 space per dwelling. One parking space per dwelling will ensure each household is able to park one vehicle on-site, while freeing more area for usable open space, landscaping and dwelling units. A reduction in required on-site parking would enable the multi-family development to proceed as designed.

Staff Notes:

- Staff do not anticipate negative impacts on the surrounding neighbourhood.
- On-site parking provided from the laneway, driveway, and ground floor car garages.
- Street parking is available for visitors on 2nd Avenue and Montrose Street along the west and south property lines.
- Property is located within the 5-minute ‘walkshed’ of the Uptown commercial area according to the *City of Port Alberni Active transportation Plan*.

- Site originally developed prior to the current Zoning Bylaw.
- Following development there would be a gain of 8 parking spaces on-site.

b) Reduced Minimum Setbacks and Frontage

The existing 5-unit building was constructed prior to the adoption of *Zoning Bylaw No. 4832* and does not conform to the site development regulations of the RM2 zone. The existing building is sited close to the back of the sidewalk on its west and south sides (2nd Avenue and Montrose Street). With the new development staff recommend the existing building setbacks be brought into conformance through a variance.

Table 3 – Non-conforming lot frontage and setbacks				
	Required		Existing/Proposed	
Minimum Frontage	25 m	(82.0 ft)	20.11 m	(65.96 ft)
Minimum Lot Area	840 m ²	(9043 ft ²)	766 m ²	8,250 ft ²
Minimum Setbacks:				
Front yard	6 m	(19.7 ft)	0.61 m	(2.0 ft)
Side yard	5 m	(16.4 ft)	0.48 m	(1.58 ft)

Staff Notes:

- Staff do not anticipate negative impacts on the surrounding neighbourhood.
- Issuing the variance would bring an existing non-conforming building into compliance with the Zoning Bylaw.
- Existing building was constructed prior to the current Zoning Bylaw.
- Proposed development would not affect location of existing building.

2. Development Permit (DP21-15)

The property at 5019 Montrose Street is within Development Permit Area No.1 Multiple Family Residential, and requires a Development Permit to proceed. Staff have reviewed the design and are satisfied it meets the intent of the development guidelines in *Section E: Implementation - 1.0 Development Permit Areas* of the OCP.

Staff Notes:

- Applicant has adhered to the OCP design guidelines, while improving livability for existing tenants by providing building exterior improvements, on-site parking, landscaping, and open space areas.
- Proposal is consistent with the low to medium-density multi-family character of the surrounding neighbourhood.
- Development will provide dwelling units that are in short supply in Port Alberni (ie. “missing middle” housing).
- Landscaping is proposed throughout the site with mixed plants, shrubs, and trees at various heights. The perimeter of the property will be screened with 5-foot cedar fencing.

- Additional review of site servicing by the Engineering Department would be required at the Building Permit stage.

IMPLICATIONS

Issuing Development Variance Permit (DVP 112) and Development Permit (DP21-15) will allow the proposed development to proceed at 5019 Montrose Street.

1. Development Variance Permit (DVP 112)

Issuing the Development Variance Permit will allow the development to proceed with 2 fewer parking stalls than are currently required by *Zoning Bylaw No. 4832*. It would also bring the existing non-conforming property into compliance with the bylaw.

2. Development Permit (DP21-15)

Issuing the Development Permit will allow the proposed development at 5019 Montrose Street to proceed to the Building Permit stage. The applicant has submitted an estimate for landscaping totalling \$52,586.69. If Council approves the permit, a Landscape Security in this amount will be required prior to issuance by the Director of Corporate Services.

COMMUNICATIONS

The Development Variance Permit (DVP 112) was reviewed by the Advisory Planning Commission at their meeting on July 28, 2022. The Commission passed a motion recommending that the variance permit application be supported by Council.

Public notice of the requested variance was given according to *Local Government Act s.499*. As per *Development Application Notice Bylaw No. 4614*, owners and occupants of property within 75 metres of 5019 Montrose Street were mailed a notice 10 days prior to the scheduled meeting date of September 6, 2022.

BYLAWS/PLANS/POLICIES

1. Official Community Plan Policy – Development Permit Areas (Section E: Implementation)

This application has been reviewed according to the Multiple Family Residential Design Guidelines listed in Section E – Implementation, 1.0 Development Permit Areas of the City of Port Alberni's OCP.

2. Zoning Bylaw 2014 (Bylaw 4832):

The application has been reviewed for compliance with Zoning Bylaw No. 4832. Variances are required to section 5.15.2 and section 7.9. The regulations of the bylaw apply to the entire property at redevelopment including the exiting building. Section 3.11 of the Zoning Bylaw specifies that any alteration to the building requires it first be brought into compliance through the issuance of variances:

3.11 Siting, Size, Shape

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

3. 2019 – 2023 Corporate Strategic Plan

The proposed development aligns with Priority #5 of the City's *Strategic Plan*: Fostering a complete community (safe, healthy and inclusive) – particularly through in-fill development.

Strategy 5.1.2: Encourage the infilling of vacant lots and buildings to enable those sites to contribute to vibrancy.

SUMMARY

The City has received an application for a Development Variance Permit and Development Permit at 5019 Montrose Street. The proposal would result in the construction of a 3-unit townhouse building on the property, abutting an existing 5-unit multi-family building. Several variances are required in order to bring the non-conforming property into compliance with *Zoning Bylaw No. 4832* including setbacks, lot size, frontage, and on-site parking.

The applicant has submitted a design proposal which meets the development guidelines in *Section E: Implementation - 1.0 Development Permit Areas* of the OCP, and staff do not anticipate negative impacts on the surrounding neighbourhood from the requested variances. Staff support the issuance of the Development Variance Permit (DVP 112), and Development Permit (DP21-15) for 5019 Montrose Street with the conditions outlined in the attached permits.

ATTACHMENTS/REFERENCE MATERIALS

1. Development Variance Permit (DVP 112)
 - Schedule A – Location Map
 - Advisory Planning Commission July 28, 2022 Meeting Minutes
2. Development Permit (DP21-15)
 - Schedule A – Subject Property Map
 - Schedule B – Drawings
 - a) Azurean Architecture Inc. – Cover (A 0.00)
 - b) Azurean Architecture Inc. – Garage Floor (A 1.00)
 - c) Azurean Architecture Inc. – Main Floor + Site Plan (A 1.01)
 - d) Azurean Architecture Inc. – Upper Floor (A 1.02)
 - e) Azurean Architecture Inc. – Roof Plan (A 1.03)
 - f) Azurean Architecture Inc. – Green Space (A 1.04)
 - g) Azurean Architecture Inc. – Elevations + Sections (A 2.00)
 - h) Azurean Architecture Inc. – Landscape Layout (L1)
 - i) Azurean Architecture Inc. – Landscape Planting Plan (L2)
 - j) Azurean Architecture Inc. – Details (L3)
 - k) Azurean Architecture Inc. – Landscape Open Space Requirements (L4)
 - l) Azurean Architecture Inc. – Renderings

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

J:\Engineering\Planning\Development Applications\DevelopmentPermits\DP-2021\DP21-15-5019-Montrose-Nordeman-Kwok\Council\DP21-15-5019-MontroseSt-Council.docx

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit No: 112

Registered Owner: Andrew Nordemann dba JamJar Properties Inc.
Subject Property: 5019 Montrose Street, Port Alberni BC
Description of Land: Parcel Identifier: 031-660-258
Legal Description: Lot 1, District Lot 1, Alberni District, Plan 119230
Purpose: To vary the minimum required on-site parking, setbacks, and lot dimensions.

WHEREAS, pursuant to Section 498 of the *Local Government Act, RSBC 2015*, on application of an owner of land, a local government may, by resolution, issue a Development Variance Permit that varies, in respect to the land covered in the Permit, the provisions of a Zoning Bylaw adopted under Part 14 of the *Local Government Act*. Authorization is hereby granted to:

**Andrew Nordemann dba JamJar Properties Inc.
PO BOX 1181, Garibaldi Highlands, BC V0N 1T0**

to:

- a) Vary Section 7.9 Required Amount of Parking to reduce the required parking from a total 10 spaces to 8 spaces for a variance of 2 spaces. A reduction from 1.25 spaces per dwelling unit to 1.0 spaces.
- b) Vary Section 5.15.2 RM2 Site Development Regulations to:
 - i. Reduce the minimum side yard setback from 5.0 metres to 0.48 metres for a variance of 4.52 metres at the south property line.
 - ii. Reduce the minimum front yard setback from 6.0 metres to 0.48 metres for a variance of 5.52 metres at the west property line.
 - iii. Reduce the minimum frontage from 25 metres to 20.11 metres for a variance of 4.89 metres at the west property line.
 - iv. Reduce the minimum lot area from 840 m² to 766 m² for a variance of 74 m².

for development on the lands legally described as Lot 1, District Lot 1, Alberni District, Plan 119230 (PID: 031-660-258) located at 5019 Montrose Street, as shown on the Schedule A map attached.

In accordance with the provisions of Section 498 of the *Local Government Act RSBC 2015*, approval of this Permit was granted by resolution of the City Council on _____, __, 2022.

Authorized by

Corporate Officer

This Permit is issued under the Seal of the City of Port Alberni on _____, __, 2022.

Owner/Agent (signature)

Witness (signature)

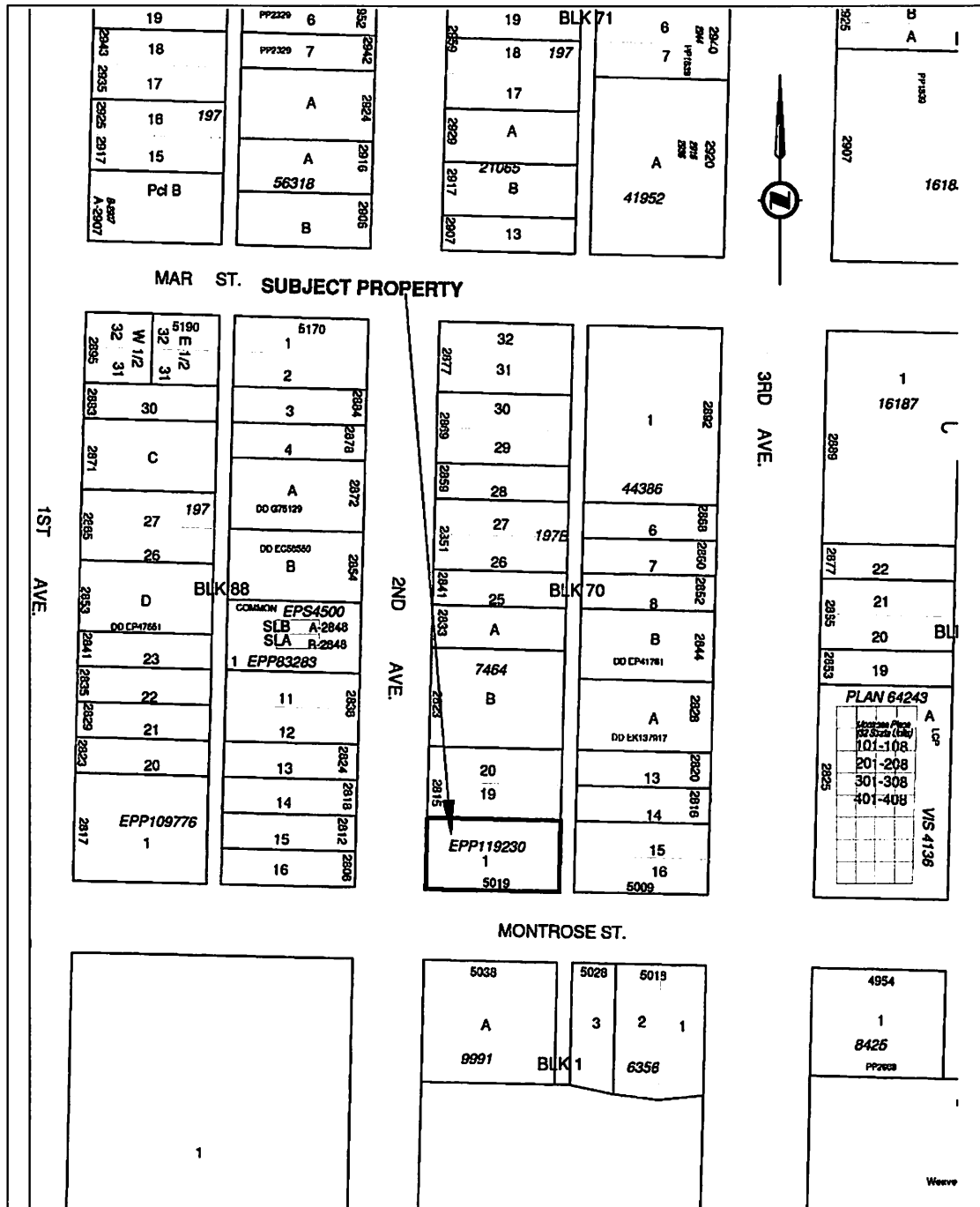
Print Name

Print Name

Date

Date

Schedule A – Location Map





**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on July 28, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ed Francoeur (Chair)
Ken McRae, (Vice - Chair)
Harley Wylie (Alt. – Tseshah (č iśaaʔath) F.N)
Stefanie Weber
Joe McQuaid
Amy Anaka
Councillor Deb Haggard, Council Liaison
Peter Dionne, R.C.M.P. Liaison
Andre Guerin, P.A.F.D. Liaison

Regrets

Jolleen Dick, Councillor, Hupačasath F.N
Ken Watts, (CEO Tseshah (č iśaaʔath) F.N)
Callan Noye
Christine Washington, SD70

Staff

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

Guests

Applicant: A. Nordemann
Applicant: R. DeBeeld via phone
Public: Len Watts, (Tseshah (č iśaaʔath) F.N)

Alternates (not in attendance)

Vicky White, (Tseshah (č iśaaʔath) F.N)
Councillor Helen Poon (Alt.– Council Liaison)
Larry Ransom (Alt.– S.D.70)



1. Acknowledgements and Introductions:

Acknowledgement by Chair that this APC meeting is being held within the un-ceded, traditional territories of the Hupačasath and the Tseshah (č iśaaʔath) First Nations. Welcome and introductions.

2. Minutes: Adoption of June 16, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the June 16, 2022 regular meeting as amended.

(McQuaid / Weber) CARRIED

**3. DEVELOPMENT APPLICATION – Development Variance Permit 107
3747 10th Ave.**

Lot 2, District Lot 1, Alberni District, Plan VIP12949 (PID: 004-680-740)

APPLICANT: Raymond de Beeld dba Raymond de Beeld Architect Inc

- Development Planner (B.M.) summarized his report dated July 28, 2022.
- APC discussed the proposed amendment with respect to the following:
 - APC asked about commercial tenants for the space. Applicant advised on tenant would be a dollar store and another possible tenant may be relocating their existing business into the space.
 - Parking was discussed. The space is generous and the applicant indicated that it is no more than 60% full most of the time.
 - Safety was discussed with regards to any outdoor patio space that might be planned. Currently there are several small seating areas outside existing mall tenants however no larger patio spaces are planned at this time.
 - It was noted that the mall had been around for a long time and retro-fitting for more parking

could become an issue. The Development Planner indicated that the parking calculation was based on floor space. When asked about the possibility of increasing the number of parking spaces by creating spaces geared to motorcycle/motorbike and cyclists he noted that Port Alberni does allow for small car stalls. Port Alberni could improve Zoning Bylaw parking requirements by considering more diverse modes of transportation.

- The applicant advised that bike parking was included in the proposal.

Motions:

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

(McRae / Weber) CARRIED

4. DEVELOPMENT APPLICATION – Development Variance Permit (DVP112)

5019 Montrose St.

Lot 1, District Lot 1, Alberni District, Plan 119230

APPLICANT: A. Nordemann dba JamJar Properties Inc.

- The Development Planner (B.M.) summarized his report dated July 28, 2022.
- APC discussed the proposed amendment with respect to the following:
 - The size of the site and its suitability for the proposal was discussed. The Development Planner indicated to the APC that the proposed density (Floor Area Ratio) was within that allowed by the Zoning bylaw.
 - Impact on the neighbour to the north was mentioned as a concern as the back decks may impact privacy. The Development Planner noted that the landscape plan included a path and greenspace as well as on-site parking that should help mitigate complaints about street parking. A Development Permit will be required and the site plan will be thoroughly reviewed.

Motions:

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

(McQuaid / Weber) CARRIED

5. OCP – Vision and Guiding Principles – Manager of Planning

- At this week's C.O.W. meeting the draft OCP public engagement strategy and process was supported. The recommendation will be presented to Council Aug. 8/22.
- When ready, the draft strategy will be presented to the APC. Staff will consult with the APC Chair to determine the meeting time and format.
- A housekeeping Zoning bylaw amendment is being drafted and will also be brought forward to a C.O.W. meeting for discussion and recommendations to Council.

6. Status Update: Director of Development Services

- No application yet received for property at 4th Ave. and Mar St. Developer may adjust their plans.
- Vimy St. development with BC Housing will likely begin soon.

7. OTHER BUSINESS: None at this time.

8. ADJOURNMENT: The meeting adjourned at 12:45 pm. The next meeting is scheduled for 12:00 pm on **August 18, 2022.**

(McQuaid / Francoeur) CARRIED



Ed Francoeur (Chair)



4850 Argyle Street | Port Alberni BC
V9Y 1V8 Canada
www.portalberni.ca
T. 250-723-2830
F. 250-723-3402

DEVELOPMENT PERMIT

Development Permit No: 21-15

Registered Owner(s): Jamjar Properties Inc., PO BOX 1181, Garibaldi Highlands, BC V0N 1T0
Operator: Andrew Nordemann dba Jamjar Properties, Inc.
Subject Property: 5019 Montrose Street, Port Alberni BC
Description of Land: Parcel Identifier: 031-660-258
Legal Description: Lot 1, District Lot 1, Alberni District, Plan 119230
Purpose: Medium density multi-family residential development

CONDITIONS of PERMIT:

1. Development of the land to be undertaken shall be limited to the area shown on Schedule A.
2. Development of the land to be undertaken shall be in accordance with the development plans shown on Schedule B attached hereto and forming part of Development Permit No. 21-15.
3. An Irrevocable Letter of Credit or other security is required in the amount of \$52,586.69 for landscaping.
4. The owner of the land shall provide the general contractor and all professionals associated with the development with copies of this permit.
5. The owner of the land shall maintain any undeveloped land in a neat and tidy condition at all times.
6. If there has not been any substantial commencement of construction with respect to which the permit was issued within two years after the date it was issued, the permit lapses.

The City of Port Alberni shall file notice of this permit in the Land Title Office stating the land is subject to Development Permit No. 21-15.

THIS IS NOT A BUILDING PERMIT

In accordance with the provisions of Section 489 of the *Local Government Act RSBC 2015*, approval of this Permit was granted by resolution of the City Council on _____.

Authorized by

Corporate Officer

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the City of Port Alberni has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with Jamjar Properties Inc., other than those contained in this Permit.

Owner/Agent (signature)

Witness (signature)

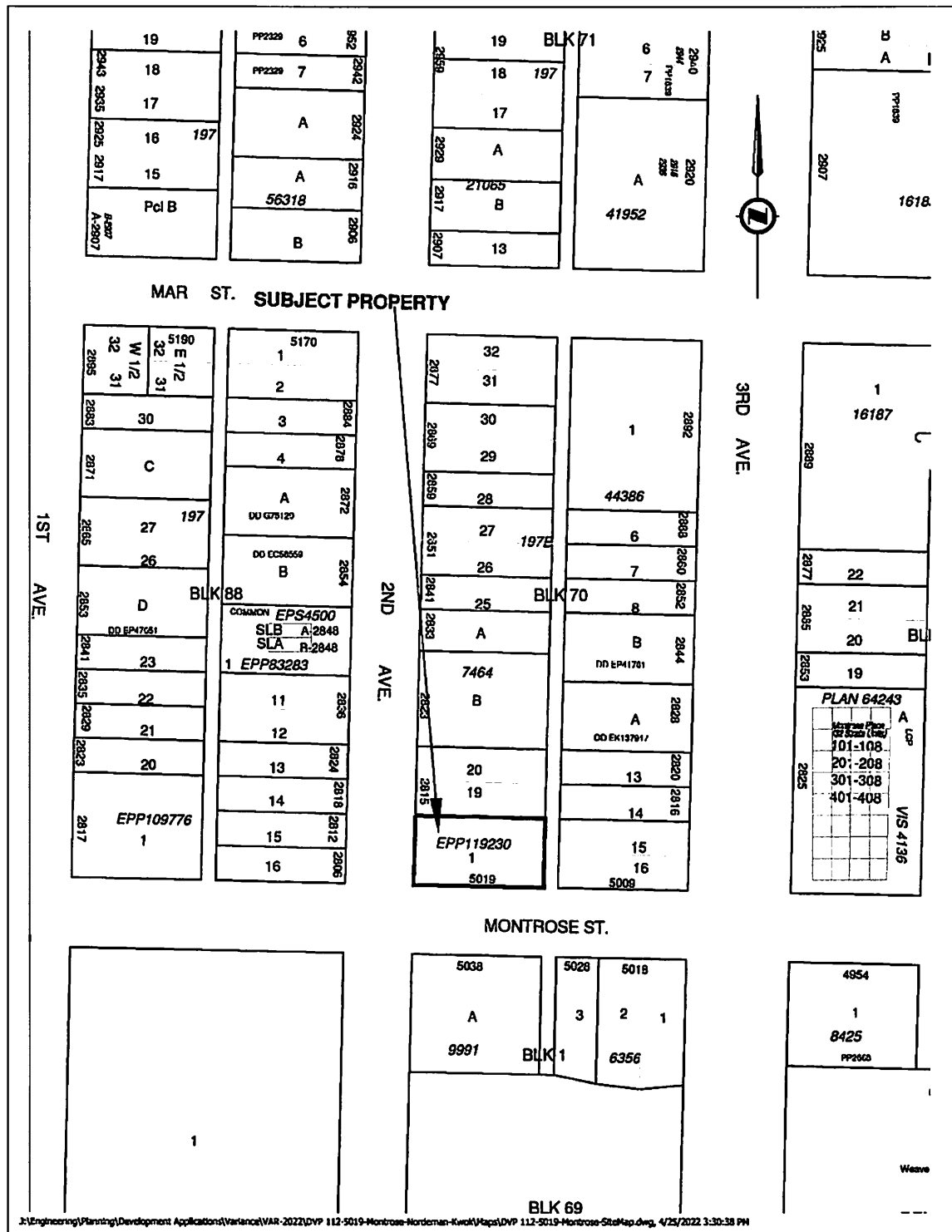
Print Name

Print Name

Date

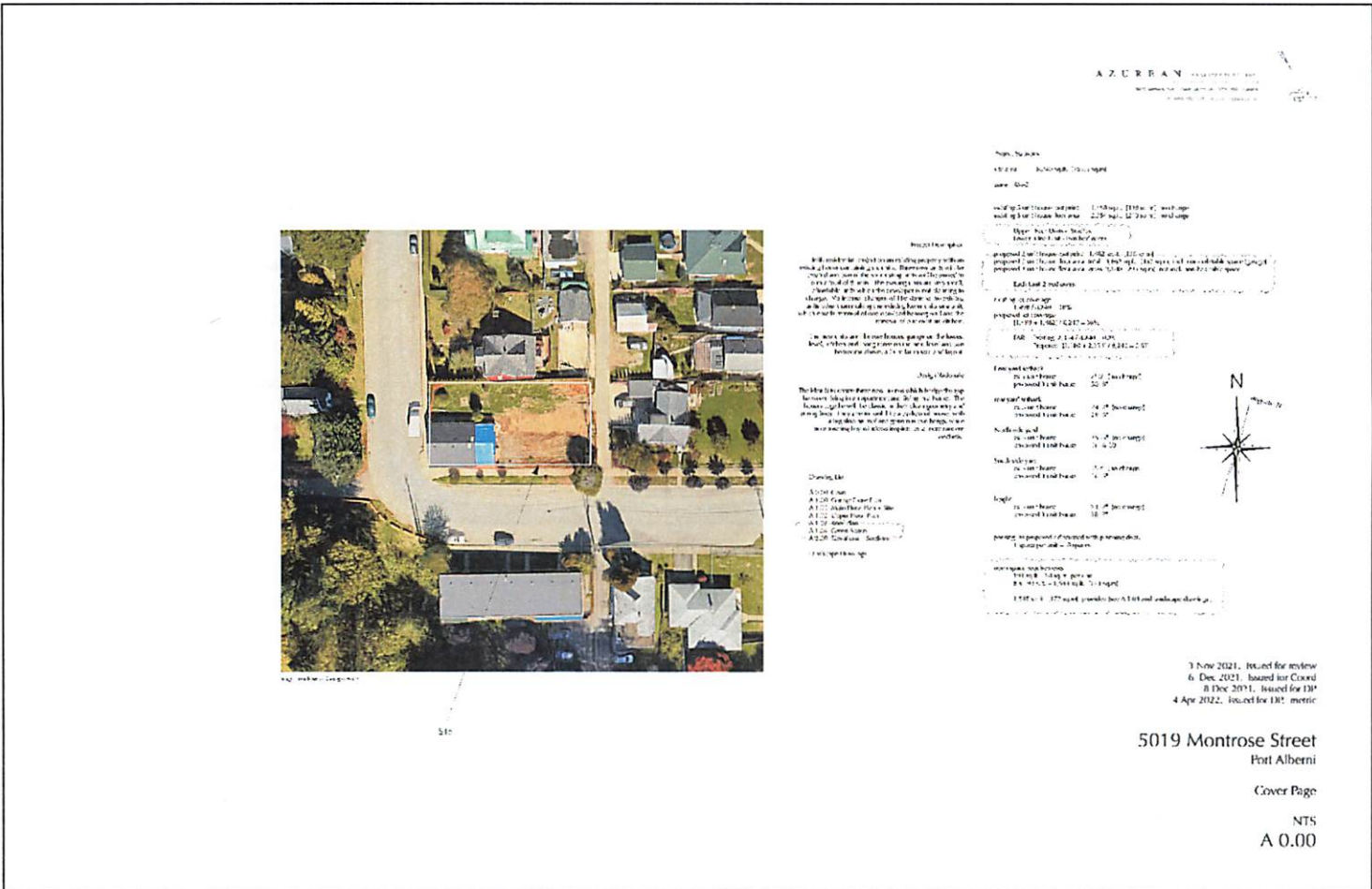
Date

SCHEDULE A – Location Map



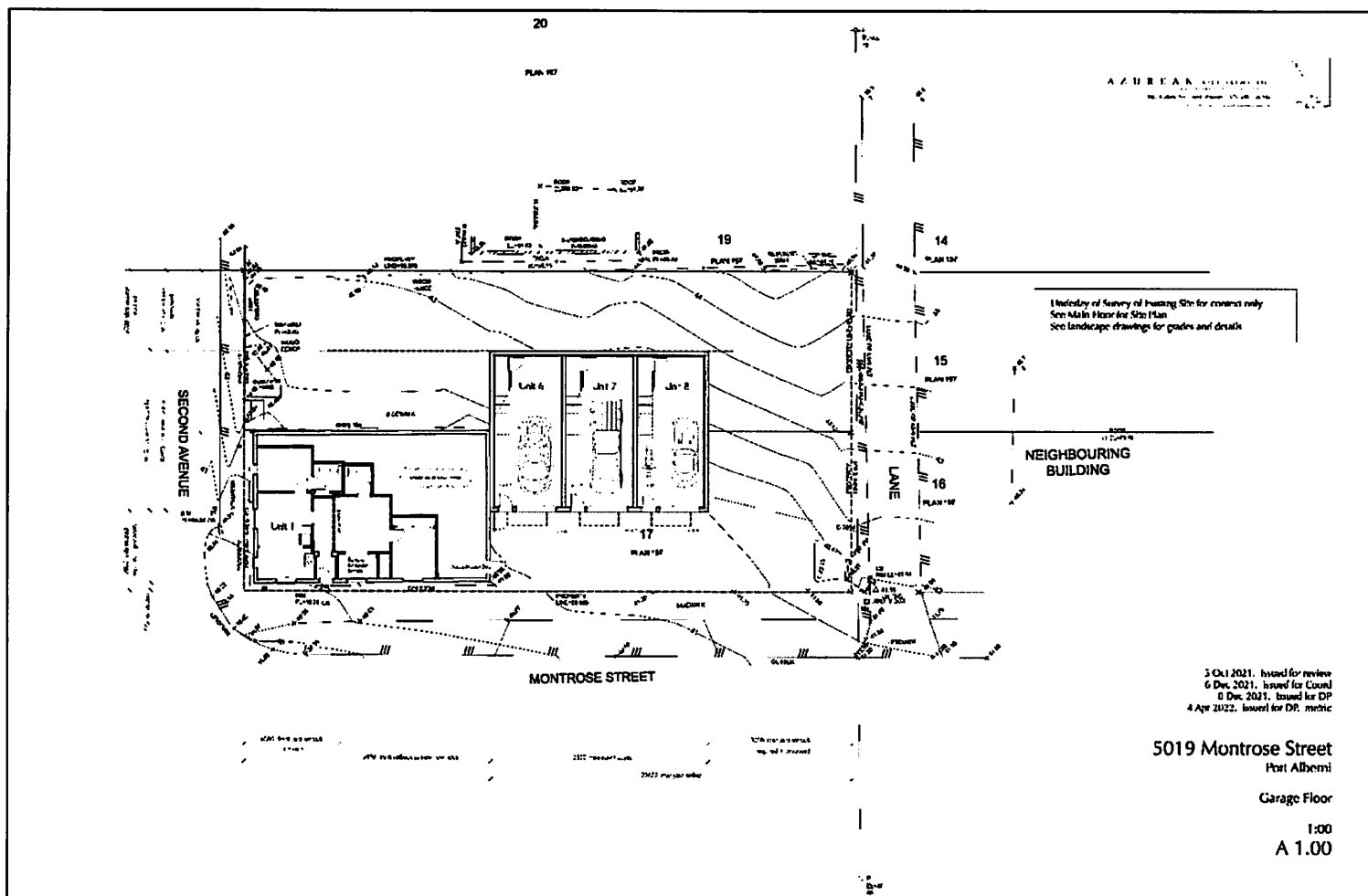
**SCHEDULE B
TO DEVELOPMENT PERMIT 21-15**

a) Azurean Architecture Inc. – Cover (A 0.00)



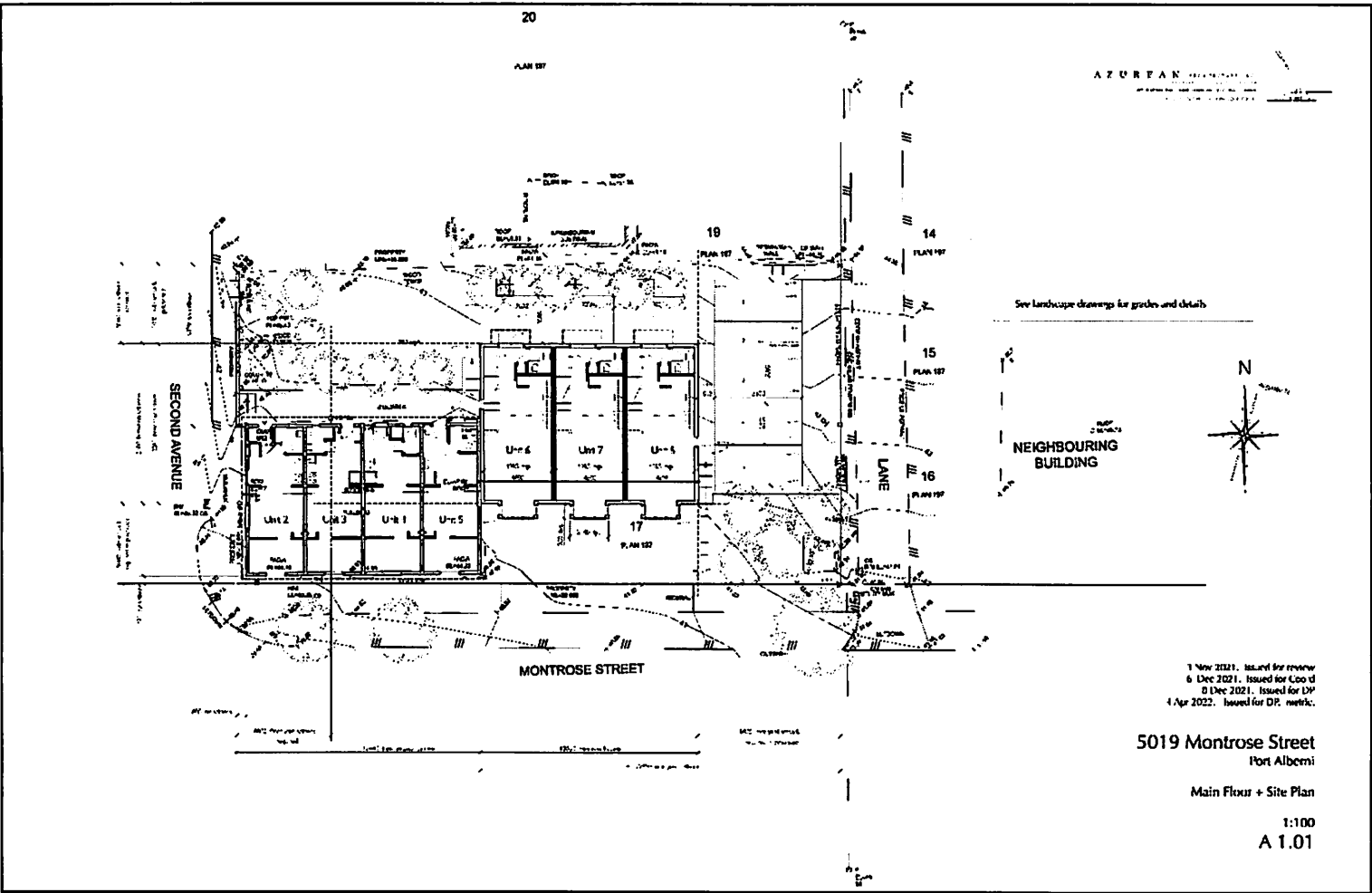
SCHEDULE B
TO DEVELOPMENT PERMIT 21-15

b) Azurean Architecture Inc. – Garage Floor (A 1.00)



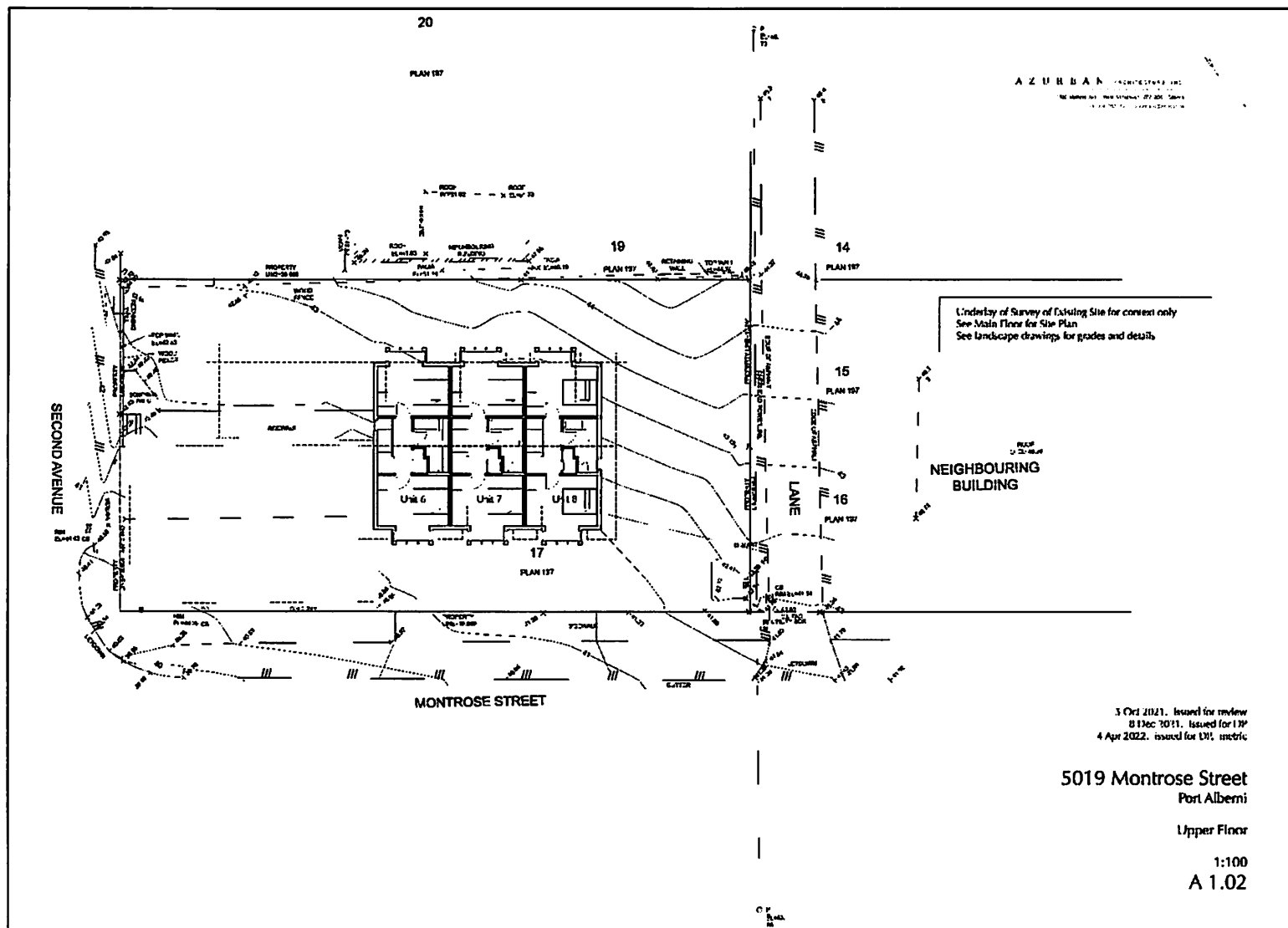
**SCHEDULE B
OPMENT PERMIT 21-15**

c) *Azurean Architecture Inc. – Main Floor + Site Plan (A 1.01)*



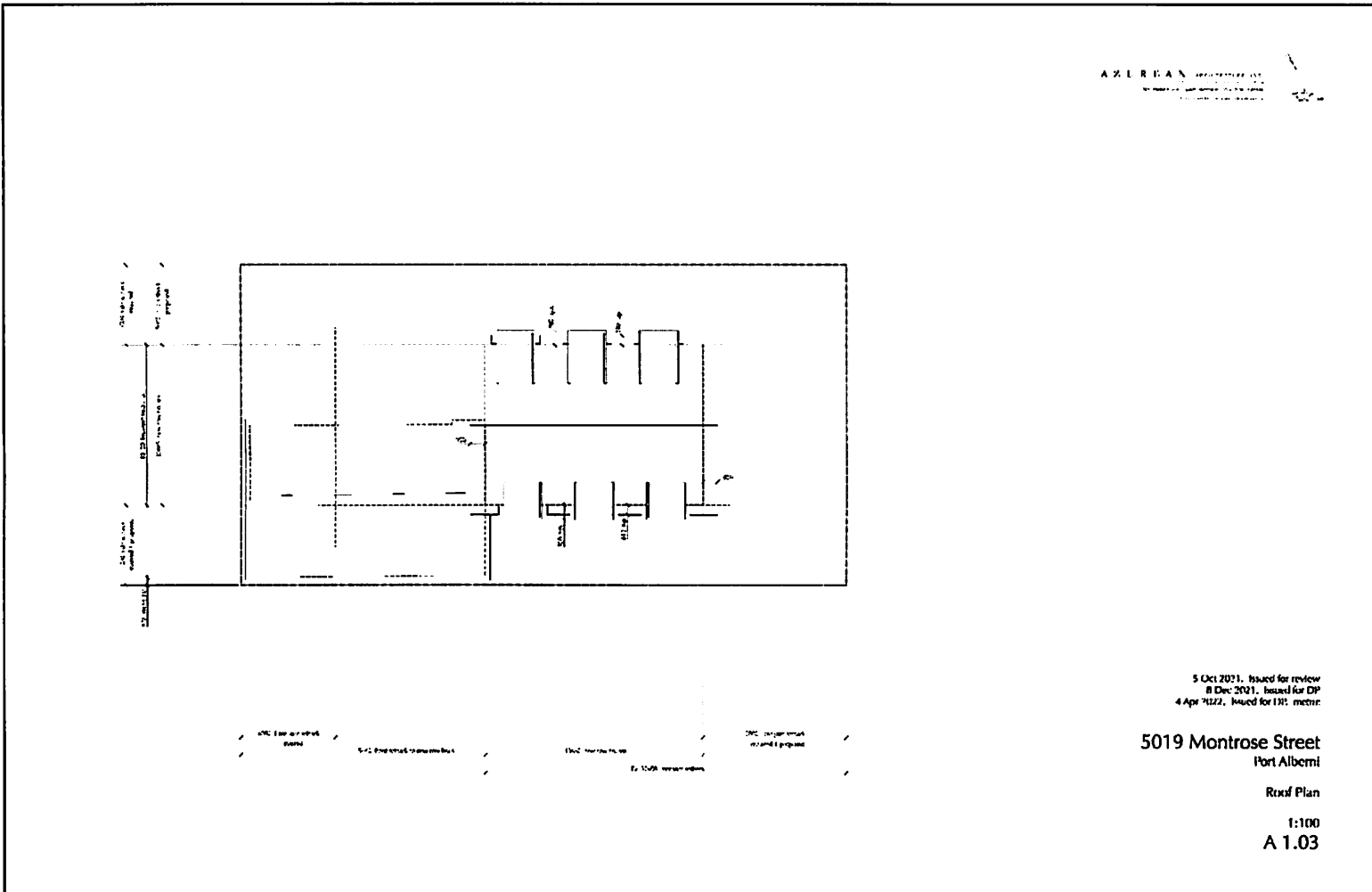
SCHEDULE B
TO DEVELOPMENT PERMIT 21-15

d) Azurean Architecture Inc. – Upper Floor (A 1.02)



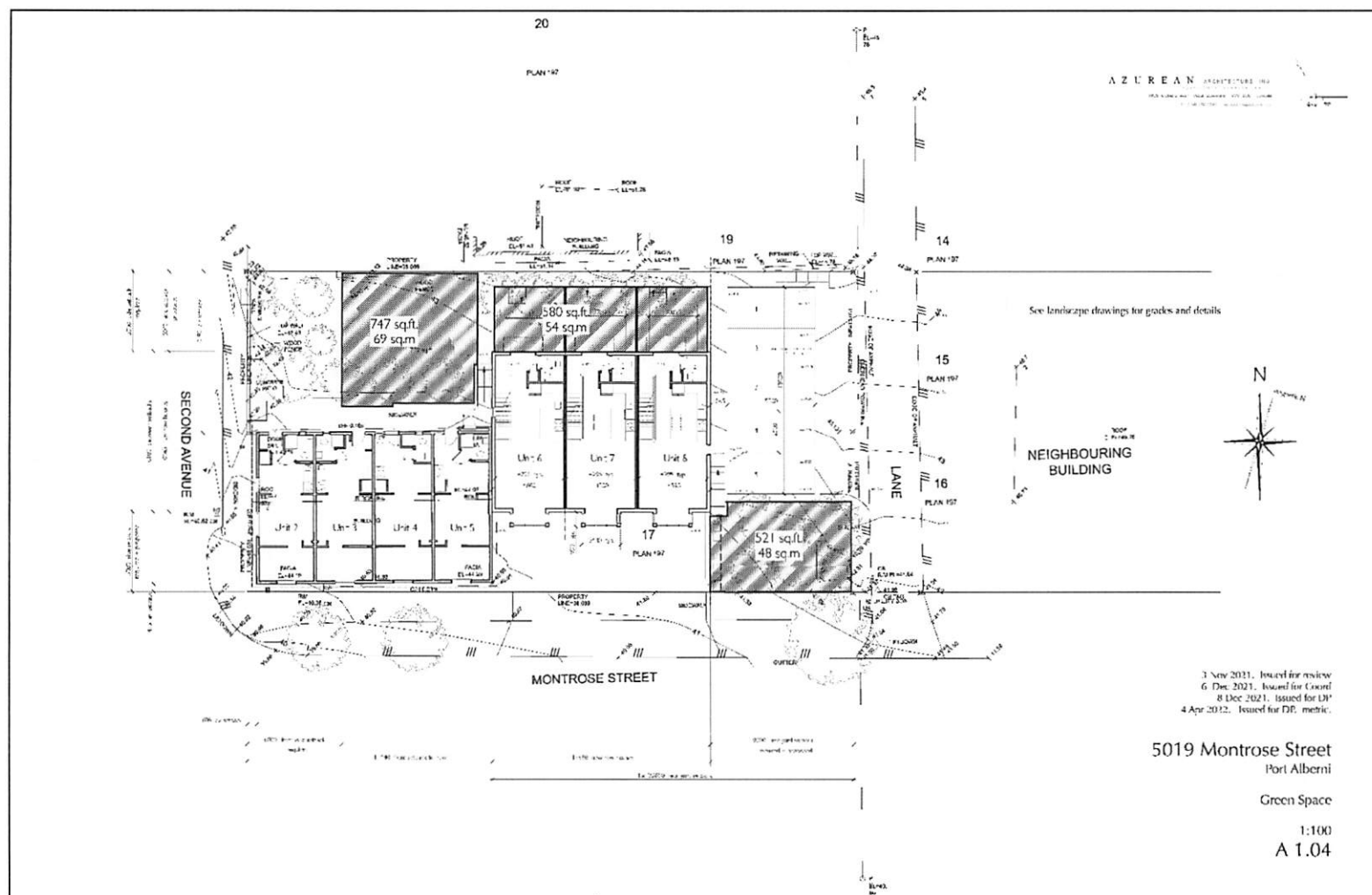
SCHEDULE B
TO DEVELOPMENT PERMIT 21-15

e) Azorean Architecture Inc. – Roof Plan (A 1.03)



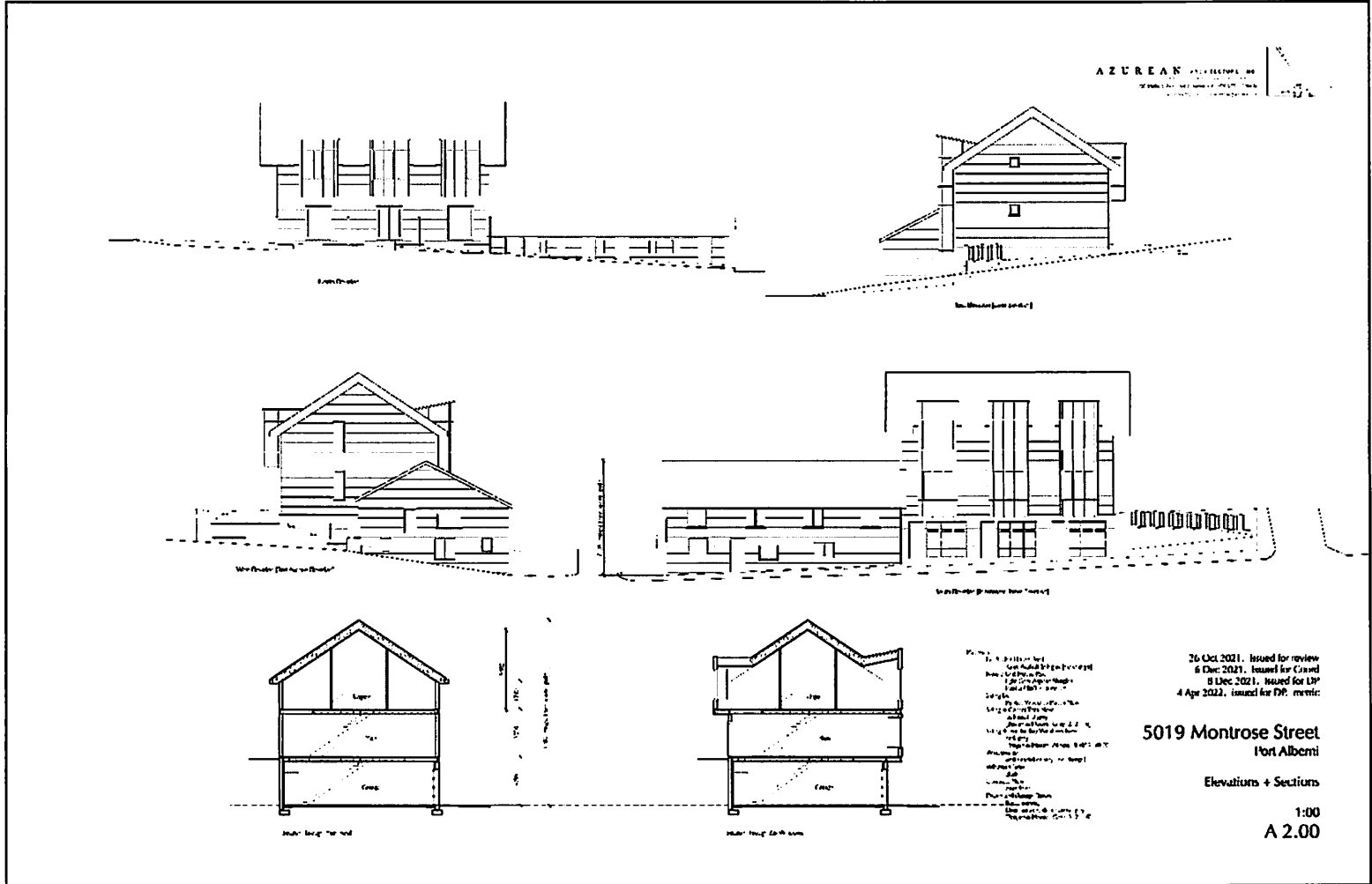
f) Azurean Architecture Inc. – Green Space (A 1.04)

**SCHEDULE B
 TO DEVELOPMENT PERMIT 21-15**



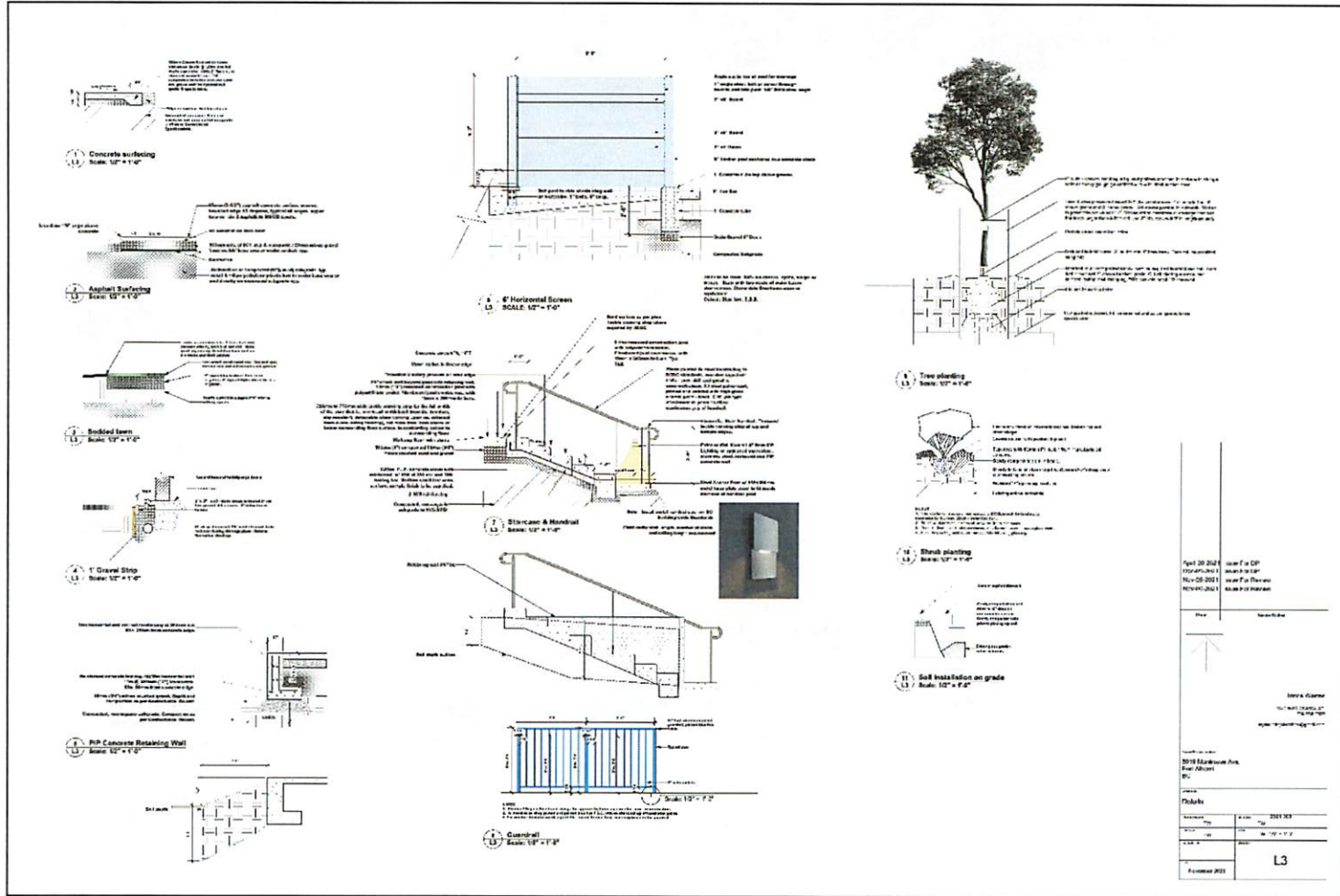
**SCHEDULE B
 TO DEVELOPMENT PERMIT 21-15**

g) Azurean Architecture Inc. – Elevations + Sections (A 2.00)



**SCHEDULE B
 TO DEVELOPMENT PERMIT 21-15**

j) Azurean Architecture Inc. – Details (L3)





**SCHEDULE B
TO DEVELOPMENT PERMIT 21-15**

1) Azurean Architecture Inc. – Renderings



**SCHEDULE B
TO DEVELOPMENT PERMIT 21-15**



RECEIVED

AUG 30 2022

CITY OF PORT ALBERNI

From: JT [REDACTED]
Sent: August 30, 2022 10:01 AM
To: Sharie Minions <sharie_minions@portalberni.ca>
Subject: DVP112

<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 type="checkbox"/> Other

File # 30910-20-DVP112 *Rem Sept 6, 22*

To The Mayor and Council

I would like to say that the proposal of the applicant for 5019 Montrose Street to reduce the total number of parking spaces by two is good.

Please note that the notice that was sent out certainly was not clear and much too legal for most ordinary citizens to decipher. I had to actually go to city hall and have someone explain the letter to me.

Joan Thurston
2851 2nd ave
[REDACTED]

RECEIVED

AUG 30 2022

CITY OF PORT ALBERNI

From: Paul Tobin [REDACTED]
Sent: August 30, 2022 3:28 PM
To: Council <council@portalberni.ca>
Subject: DVP 112 ,5019 Montrose st

<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 type="checkbox"/> Other

File # 3090-20-DVP 112 RCM Sept 6, 22

My name is Paul Tobin I own 5018 Montrose and I oppose this application to vary zoning bylaw 2014, 4832

Paul Tobin

RECEIVED

AUG 30 2022

CITY OF PORT ALBERNI

From: Paul Tobin [REDACTED]
Sent: August 30, 2022 3:16 PM
To: Council <council@portalberni.ca>
Subject: DVP112 5019 Montrose st

How will this affect my residence at 5018 Montrose st.

Thanks,

Paul Tobin

<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 type="checkbox"/> Other

File # 3090-20-DVP112 *RCM Sept 6, 22*

Date: August 29, 2022
File No: 4520-20-TUP22-01
To: Mayor & Council
Subject: Temporary Use permit TUP 22-01 | 3665, 3675, 3689 4th Avenue

Prepared by: <i>M. WADE</i> MARIANNE WADE MANAGER OF PLANNING	Supervisor: <i>S. SMITH</i> SCOTT SMITH DIRECTOR OF DEVELOPMENT SERVICES/DEPUTY CAO	CAO Concurrence:  T. Pley, CAO
------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------

RECOMMENDATIONS

- a. That Council receive this report for a Temporary Use Permit TUP22-01 – Temporary low barrier shelter to permit 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. To be located on City lands at 3665, 3675, and 3689 4th Avenue
- b. That Council direct staff to send notice as per section 494 (2) to (4) of the *Local Government Act* and send to owners and occupants within 75 metres of the subject property.
- c. That Council direct staff to advertise in the newspaper the disposition of land for a two (2) year lease as per section 26 and 94 of the *Community Charter* and Section 286 of the *Local Government Act* to the Port Alberni Friendship Centre for a temporary low barrier shelter.
- d. Whereas there is an urgent need to secure safe and reasonable temporary shelter for people experiencing housing insecurity;
 - a. And whereas the City owns the property at 3665, 3675, and 3689 4th Avenue (the “Lands”), which is designated under the Official Community Plan as being in Development Permit Area No.2:
 - b. And whereas under section 490 of the *Local Government Act* Council may exercise its authority in relation to development permits by resolution;
 - c. Be it resolved that Council make a policy decision to waive the requirement for a development permit in order to facilitate the installation of a temporary low barrier shelter which consists of up to 30 units of temporary transitional housing in “Tiny Shelters”, two sanitation facilities, one office, two outdoor gathering areas with a covering and furnishings, bicycle parking, garbage area, soft landscaping and fencing.

ENTERED
F4

PURPOSE

The City has received an application for a Temporary Use Permit (TUP) to allow a low barrier shelter to be located on City lands at the property at 3665, 3675, and 3689 4th Avenue. The Port Alberni Friendship Centre has received funding from BC Housing to operate a temporary low barrier shelter for a two-year period and will be reviewed annually. These lands are not zoned for this use and an application for a TUP has been made as per section 493 of the *Local Government Act*. The objective of the TUP is to allow a use not permitted in the zone, and to specify general conditions of use in a permit issued by Council.

BACKGROUND

The City partnered with Tseshaht First Nation, Hupacasath First Nation, Nuuchah-nulth Tribal Council and Port Alberni Friendship Centre to look for solutions for “substandard and unsafe housing” and announced this initiative at the December 13, 2021. Through the work of the task force, the City secured lands to make available to a service provider, Port Alberni Friendship Centre, to operate a low barrier shelter with funding from BC Housing for a two-year term. Staff, the Friendship Centre and BC Housing have been working on a site plan and low barrier transition shelter to accommodate up to 30 beds. Research was undertaken by Staff to understand the regulatory requirements for the temporary low barrier transitional shelter to guide the installation of “tiny Shelters” on City land.

ALTERNATIVES/OPTIONS

1. *That Council direct staff to send notice as per section 494 (2) to (4) of the Local Government Act and send to occupants within 75 metres of the subject property.*
That Council direct staff to advertise in the newspaper the disposition of land for a two (2) year lease as per section 26 and 94 of the Community Charter and Section 286 of the Local Government Act to the Port Alberni Friendship Centre for a temporary low barrier shelter.
That Council exercise its authority under section 490 of the Local Government Act, to make a policy decision to waive the requirement for a development permit.
2. *That Council denies the proposed temporary use permit.*
3. *That Council denies the policy decision to waive the requirement for a development permit under section 490 of the Local Government Act.*
4. *That Council through resolution, direct Staff with amendments to the recommendations.*

ANALYSIS

The subject property is designated General Commercial in Schedule A (Land Use Map) in the OCP, Development Permit Area DP 2- Commercial, and is designated in the Zoning Bylaw as C3 Service Commercial zone, this zone is to establish and maintain areas for retail and service operations that are vehicle oriented or require large areas. The subject property along with site context is outlined in *Table 1* below.

Table 1 – Site context	
Location	The site is located mid-block between Bute Street and Burde Street on the east side of 4th Avenue. The lands are vacant.
Current Zoning	C3 Service Commercial
Proposed Temporary Use	A low barrier shelter to permit 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
Total Area	3 lots
Official Community Plan (OCP)	<ul style="list-style-type: none"> Schedule A - Land Use Map: General Commercial Schedule B - Development Permit Areas Map: DPA No. 2 - Commercial
Relevant Guidelines	<ul style="list-style-type: none"> Section C – 3.0 Temporary Use Permits

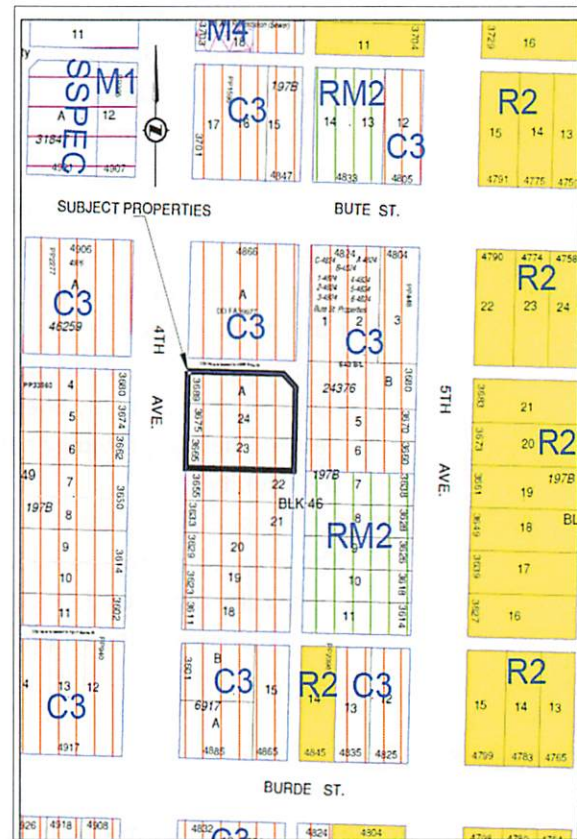


Table 2 – Neighbourhood Surrounding Land Use	
North	General Commercial, multifamily, light Industrial
South	General Commercial, residential
East	General Commercial, Multi-family residential, Residential
West	General Commercial

OCP Section 3.0 Temporary Use Permits (Bylaw Amendment No. 4818)

In June 2013, Council amended the OCP Section C Plan Goals and Land use Designations to include Section 3.0 Temporary Use Permits. Section 3.0 outlines four (4) policies for Council to consider when considering issuance of a TUP. Staff have reviewed the policies below for alignment:

- Temporary Use Permits may be considered on all lands designated as Industrial Use or Commercial Use on the Schedule “A” (Land Use Map).
 - The subject lands are located in the General Commercial land use as per schedule A (Land use Map). As such a temporary Use Permit is permitted as per the OCP.

-
2. The issuance of a Temporary Use Permit is intended to provide a short-term opportunity for uses that either relocate or cease to exist within a maximum of a six-year period.
 - The temporary use permit is for a Two (2) year period. Council can consider a shorter term or up to a three (3) year term if they wish. Over this two (2) year period consideration of this use will be given in the update to the OCP either in this location or other parts of the City. Council will have the option to consider one renewal prior to the expiration of this proposed permit.
 1. Ensure long-term public policy for the area is not changed.
 - In Council's Strategic Plan there are five strategic priorities listed, number five (5) Fostering a Complete Community focuses on supporting our most vulnerable. This proposed low barrier shelter addresses this priority by providing temporary shelter for up to 30 beds in a Tiny Shelter development with support services. This temporary development is providing safe, clean, shelter and services for our most vulnerable community.
 4. Maintain a reasonable level of compatibility with the surrounding development.
 - The proposed temporary low barrier shelter use provides additional shelter for our most vulnerable residents in this neighbourhood. Residential housing exists in the immediate surrounding area. Staff deem this proposed use to be compatible with existing uses in the area.

Zoning Bylaw No. 4832

In our current zoning bylaw, we do not have a definition for low barrier shelter and the closest definition we have is Transition House use which is permitted in Public Institutional (P1) and is defined as:

"Means a facility providing temporary accommodation and/or counselling to persons in need or distress. Facilities operated under the Community Care Facilities Act, Correction Act or Mental Health Act are not included in this definition."

Staff are recommending this use in the TUP be described as: Temporary Use Permit for a low barrier shelter to permit 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.

Life Safety

The applicant has retained a code compliance consultant to review the site plan and buildings as per section 9.9.9 and 9.9.10 of the BC Building Code, they will advise the applicant, architect, and contractor on life safety items that will need to be addressed in the construction specifications and site plan. Further, the contractor will provide architectural drawings stamped and with a schedule B to meet Part 9 of the BC Building Code.

Our Building Inspector, Fire Chief and RCMP Sargent have been involved in these discussions. They will review the Code Compliance report and architectural drawings as part of the building permit application submission.

Any conditions required will be noted in the draft TUP attached to this report and any revisions will be brought to Council's attention when they consider the TUP.

Operating Budget

BC Housing has provided most of the operating funds for the two-year term of the low barrier shelter, the Friendship Centre and BC Housing will enter into an operating agreement which is attached to the LOI and TUP.

IMPLICATIONS

The 2021 Homeless Count for Port Alberni indicates that there are 125 people experiencing homelessness. This program will assist in creating shelter for some of our most vulnerable residents.

This proposed temporary transitional housing development is an outcome of the Task Force to find solutions to unsafe and unsuitable housing for our most vulnerable residents.

There is letter of Intent (LOI) drafted that outlines the financial contributions of each partner in this initiative and is attached to this report for Council's consideration. The partners are the Friendship Centre, BC Housing and the City. At the August 8, 2022 regular Council meeting, Council passed a resolution to allocate \$140,000 towards onsite and off-site utility services, fencing, site preparation, and security to support the low barrier shelter.

The land for the proposed low barrier shelter development is owned by the City and leased to the Friendship Centre for a two-year (2) lease. As per the *Local Government Act* and *Community Charter*, the lands will need to be disposed of by notice and approved by Council. The draft lease is attached to the LOI.

COMMUNICATIONS

The Friendship Centre has begun outreach to residents in the area and work with BC Housing on the Community Advisory Committee. This is a model that BC Housing prefers as part of their operation agreement with societies.

There has been an internal working team consisting of: Fire, RCMP, Building, Parks, and Engineering providing comments on life safety requirements and providing comments to the applicant and their development consultant, M'akola.

Regular meetings have been held with the applicant, M'akola, BC Housing, the contractor and code consultant to address life safety design considerations for the building specifications and site plan to align with the required sections of the BC Building Code.

This application will go to the Advisory Planning Commission (APC) at their next meeting should Council direct staff to move forward with notice.

Property Owners and Occupants in the 75m radius will have the opportunity to submit comments to Council as part of the notice and the public will be invited to comment through the newspaper advertisement.

BYLAWS/PLANS/POLICIES

The proposed application is to issue a Temporary Use Permit (TUP22-02) for a low barrier shelter use at the property located at 3665, 3675, and 3689 4th Avenue for a two (2) year period. Required conditions are

outlined in the draft TUP, and Council can provide comment on this draft today and at the next Council meeting anticipated for September 26, 2022. A draft TUP is attached to this report.

SUMMARY

In considering the application to issue a Temporary Use Permit for a low barrier shelter to permit up to 30 beds for temporary transitional shelter “Tiny Shelters”, two sanitary stations, one office, bicycle parking, two outdoor gathering areas with a cover and furnishings, garbage area, and soft landscaping at 3665, 3675, and 3689 4th Avenue, City Council should consider the Council Policies outlined in this report and if they have been met.

The proposed temporary use aligns with OCP Section C Plan Goals and Land Use Classifications, 3.0 Temporary Use Permits as outlined in this report and addresses Council’s strategic priority #5 Foster a Complete Community.

Respectfully Submitted By

Marianne Wade
Manager of Planning

ATTACHMENTS/REFERENCE MATERIALS

- *Draft TUP22-01*
- *Draft Letter of Intent August 18, 2022*
- *Draft Lease*

T. Slonski, Director of Corporate Services;
A. McGifford Director of Finance
M.Owens, Fire Chief
P.Dionne, Sargent RCMP

TEMPORARY USE PERMIT

Permit No: TUP-2022-01

Registered Land Owner: The City of Port Alberni

Operator: Port Alberni Friendship Centre

LOCATION and LEGAL DESCRIPTION OF SITE:

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

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

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

Proposal: Temporary Use Permit for a low barrier shelter to permit 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, fencing and soft landscaping.—.

Conditions of Permit:

1. This permit is issued subject to compliance with all relevant City of Port Alberni Bylaws, except as specifically varied or supplemented by this Permit.
2. This permit applies to the lands described above, and any buildings, structures, and other developments thereon (hereinafter called ‘the Lands’).
3. The Lands and building which are subject to this Permit shall be developed in accordance with the terms and conditions of this Permit and in accordance with the following schedules:

Schedule A – Legal Plan

Schedule B Temporary Low Barrier Shelter Development

Schedule C – Temporary Use Permit Application Package

Schedule D –BC Housing Operating Agreement

Schedule E- Letter of Intent

4. The following specific conditions must be met:
 - a. That the operator (Port Alberni Friendship Society) adheres to the project program outlined in Schedule C and D of this permit with regards to procedures, on- and off-site support, staffing and security plans, and commitment to the neighbouring community.
 - b. No visitors outside of support, or related services shall be permitted on site.
 - c. Adequate lighting shall be provided in all areas where people will be on site and shall be shielded and reflected away from adjacent uses.
 - d. Adequate management, support staff, and security must be present during the hours of operation of the facility as outlined in the operating agreement between the Operator, Port Alberni Friendship Centre, and BC Housing Management Commission.
 - e. A security plan shall be submitted to the RCMP for review and comment.
 - f. A good neighbor agreement or alternative will be in place approved by the City of Port Alberni.
 - g. All “tiny Shelters”, office, sanitary stations, and other structures must be compliant life safety recommendations made by third party professionals, the City and other government agencies to operate and occupy the development for temporary low barrier shelter as described above.

September 1, 2022

5. This permit authorizes the temporary use, beginning on October 1, 2022, and expiring on October 1, 2024, at which time the rights granted under this permit will cease.
6. This permit may be extended one time, by application to Council, prior to the expiry date of October 1, 2024, for a period not more than the previously issued permit, as per the regulations set out in section 497(2) of the Local Government Act and Section C 3.0 of Official Community Plan Bylaw No. 4602, 2007.
7. This permit is not a building permit.
8. Any damage to City of Port Alberni property fronting the subject property will be borne by the Port Alberni Friendship Centre to repair.
9. City Council has the right to terminate this permit with any breach of the above-mentioned conditions.
10. This Temporary Use Permit is granted to The Port Alberni Friendship Centre for construction of the temporary use and operation of the temporary low barrier shelter and support services. No other agent will be permitted to operate the shelter, unless approved by City Council.

Authorized by

Twyla Slonski, Corporate Officer

Shari Minions, Mayor

I HEREBY CERTIFY that I have read the terms and conditions of the Temporary Use Permit contained herein. I understand and agree that the City of Port Alberni has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with The Port Alberni Friendship Centre, other than those contained in this Permit.

Owner/Agent (signature)

Witness (signature)

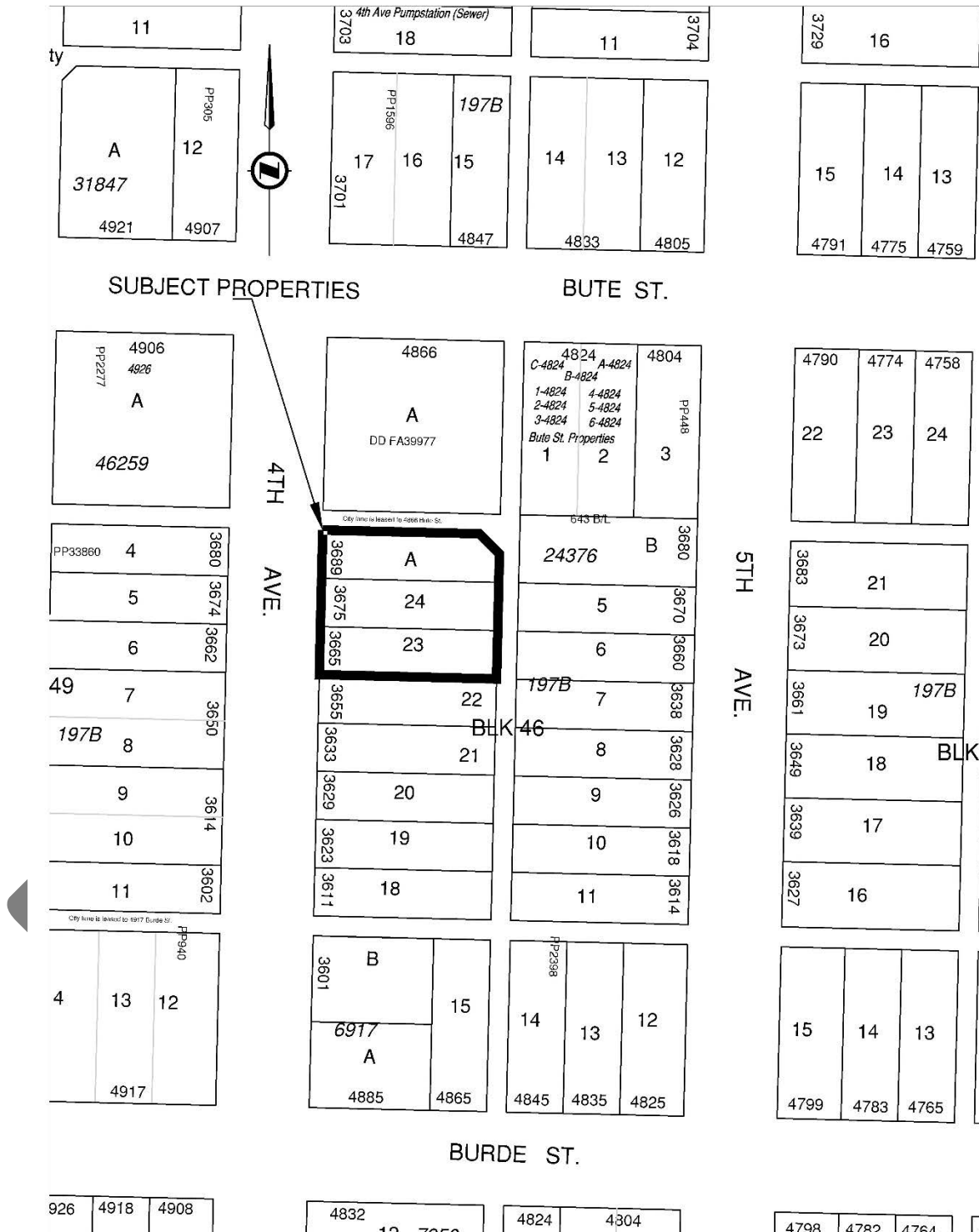
Print Name

Print Name

Date

Date

Schedule A – The Lands



J:\Engineering\Planning\Development Applications\TempUsePermit\TUP-2022\TUP 22-01 -3665-3675-3689-4thAve-Pods\TUP 22-01 Maps\3665-3675-3689-4thAve-SiteMap.dwg, 5/5/2022 3:51:00 PM

Schedule B –
 Proposed Development
 (Draft version 1.2 Aug 9
 2022-needs to be updated
 with revision when
 received)



**Schedule C –
Temporary Use Permit
Application)**

DRAFT



Tiny Home Sleeping Village

Project: Temporary Tiny Home Village
Address: 3600 Block on 4th Avenue
Property Description:

Lead Organization: Port Alberni Friendship Center
Contact: Cyndi Stevens, Executive Director
Address: 3555 4th Avenue, Port Alberni, BC V9Y 4H3
Phone: (250) 723-8281
Email: cstevens@pafriendshipcenter.com

Community Advisory: NTC, Hupacasath First Nation, Tseshaht First Nation

Partner Organizations: Makola Housing
Salvation Army, Kuus Crisis Line, Bread of Life

Project Description: Temporary use of the land – up to 24 months
24-hour Shelter with support services for up to 40 individuals
20 to 30 Temporary Modular Housing Pods 8 x 12
3 meals/day
Fully Fenced with large gate/small gate at back & front
7 days a week Outreach Support Staff (2 staff per shift 8am to 4pm & 4pm to 12pm)
2 Overnight Security (12pm to 8am – Sun to Mon)
2 Cleaning/Sanitation (
1 Project Manager
1 Site Coordinator
Community Advisory Committee

This project will provide a transitional housing solution to improve Port Alberni's capacity to serve the unsheltered population for up to 24 months. Up to 30 Temporary Tiny Homes/Sleeping Units would be placed on property being leased in kind by the City of Port Alberni.

Housing & Supports Services

The purpose of the project is to provide temporary housing in the form of up to 30 Sleeping Units (tiny houses) with individualized support services for unsheltered people in Port Alberni through which their underlying health and social needs can be addressed. Project activities are part of a comprehensive, multi-faceted, and holistic response to homelessness and related issues across the region. In this way, the project is an essential part of the continuum of services for unsheltered people in Port Alberni and represents an important first step in helping people find permanent housing.

People supported through the project will have access to multiple on-site services including but not limited to food security programs, case planning, health and safety programming and community referrals. Site amenities will include washrooms/shower units donated for use by BC Housing, an outdoor eating/social area and a Staff unit with a washroom.

This project is based on an established model of housing which is located in the City of Duncan on the Cowichan Tribes land that has been successful in getting people housed temporarily in warm, dry and safer conditions. The design of this temporary accommodation site minimizes the need for unsheltered persons to travel through the community to meet their needs, allowing them to shelter in a safer space thereby reducing the risk of COVID-19 transmission.

Project Funding and Partnerships

The aim of this program is to support unsheltered homeless populations and address related community impacts for up to 24 months. The Port Alberni Homelessness Task Force which consists of representatives from Tseshaht First Nations, Hupacasath First Nations, Nuuchah-nulth Tribal Council, and City of Port Alberni.

The proposed activities will be overseen by the Port Alberni Friendship Center, in partnership with the City of Port Alberni, Tseshaht First Nations, Hupacasath First Nations, Nuuchah-nulth Tribal Council. A range of community partners will be involved in delivering the activities Bread of Life, Salvation Army, Kuu-us Crisis Line, established partnerships that support the current temporary accommodation project.

Other project partners may include a number of local non-profit societies including the local Community Action Team who provide harm reduction and peer-based programs to the residents.

Security Plan

The Plan is to have the site staffed 24/7 with at least 2 staff each shift. **A minimum of one security guard will be on site.** The staffing compliment may change depending on the best solution.

i.e...security from 12pm to 8am may be considered as opposed to resource staff.

Additional measures taken to improve security include:

- Installation of perimeter fencing around the whole of the property
- The installation of lighting in all areas where people will be on site
- **No visitors outside of support, other related services, will be onsite at any time.**
- Use of personal protective equipment including but not limited to personal alarms, cell/portable phones and walkie talkies.
- **Onsite overdose prevention space** & COVID testing

The site plan consists of fenced area containing 20 to 30 sleeping units, two washroom/shower units, a common eating area under canopies, and a central staff unit. The siting of all buildings is done in such a way that staff have good visibility from their central location.

Additional oversight will be provided through outside community service organizations engaging with the people in the sleeping Tiny homes, including Island Health Mental Health and Substance Use Services teams, Peers in Community program, outreach workers, and clean-up teams etc.

Commitment to the Community

As an integral part of the neighborhood Lookout is committed to:

- Cleaning and providing regular maintenance of the grounds.
- Being responsive to community needs and concerns
- Operating a Community Advisory Committee including local business, neighbors, BC Housing, Island Health, City of Port Alberni and local RCMP.
- Working with residents to understand and sign Good Neighbour Agreements where necessary.

The Port Alberni Friendship Center always works with the broad community to constantly improve the capacity for inclusion. This often includes hosting regular or on-demand community meetings.

The following measures are part of the project to ensure its success and to provide a safe and clean neighbourhood for everybody:

Staffing Plan & Amenities

The sleeping unit sites will be staffed 24 hours a day, 7 days a week to support residents and respond to concerns should they occur. Support services will be provided on site and links will be made to off-site services as appropriate. Services & supports will include the following elements:

- Shared space to promote community
- Daily meals
- Showers & washrooms
- Trauma-informed support and services
- The Port Alberni Friendship Center will actively facilitate opportunities for residents to move on to housing

- The Port Alberni Friendship Center offers peer and low-barrier training, skill-building and employment opportunities for Residents
- Site staffing will include a combination of onsite Resource Workers and security, 24 hours a day, 7 days a week, as well as a Site Coordinator.

Safety & Security

Port Alberni Friendship Center works to create an environment where residents, staff and the community feel secure and safe. Lookout management initiatives include:

- 24/7 staffing to provide a site that is managed at all times to assure a timely response to any safety or security issue. Staff are connected to a myriad of community resources and are trained to pro-actively respond to community safety concerns and emergencies.

As per the project budget, Lookout will be providing for the anticipated life of the project:

- Resource Workers
- Site security covering
- Clean Team
- Garbage Removal
- Cultural and Anti Stigma training for security, clean team and staff

8:00am to 4:00pm Mon-Sun 1 Resource Worker & 1 Security

4:00pm to 12:00pm Mon-Sun 1 Resource Worker & 1 Security

12pm to 8:00am Mon-Sun 1 Resource Worker & 1 Security

2pm to 10pm Tue to Sat - Site Coordinator

Homeless Count – Port Alberni (2021 Homeless Count Snapshot – Port Alberni)

In the spring of 2020, the Province of British Columbia provided funding to conduct homeless counts in 16 B.C. communities. Due to the COVID-19 pandemic, only eight of the 16 communities were able to conduct their counts before March 17, 2020, when British Columbia's Provincial Health Officer declared a public health emergency under British Columbia's Public Health Act. The remaining eight communities completed their counts in 2021 with additional pandemic precautions.

The Homelessness Services Association of BC, with support from BC Non-Profit Housing Association and Urban Matters, coordinated these counts and prepared this report.

Data from counts in the count communities constitutes a benchmark to measure progress made to reduce homelessness over time.

› Point-in-Time (PiT) homeless counts provide a snapshot of people who are experiencing homelessness in a 24- hour period, their demographic characteristics, service use and other information.

› For the purpose of counts conducted in the provincially funded B.C. communities, an individual was defined as experiencing homelessness if they did not have a place of their own where they paid rent and could expect to stay for at least 30 days. This included people who:

- › Stayed overnight on the night of the count in homeless shelters, including transition houses for women fleeing violence and youth safe houses, people with no fixed address (NFA) staying temporarily in hospitals, jails or detox facilities (defined as “sheltered”); and,
- › Stayed outside in alleys, doorways, parkades, parks and vehicles or were staying temporarily at someone else’s place (couch surfing) and/or using homelessness services (defined as “unsheltered”).
- › During the count, we conduct surveys with people who identify as experiencing homelessness. In areas where surveys are not possible, and to support the PiT count, we collect additional information from shelter operators, hospitals, jails and BC Housing.
- › PiT counts are an undercount and represent only those individuals identified during a 24-hour period. › This is because not everyone experiencing homelessness can be found and not everyone who is found consents to be surveyed.
- › While PiT counts are an accepted methodological tool, the numbers are understood to be the minimum number of people who are experiencing homelessness on a given day in that community.
- › Please note the percentages are based on the number of people who responded to survey questions and not the total number of people identified as experiencing homelessness.

Port Alberni, with a population of, has an unsheltered homeless population exceeding 200 individuals. The most recent Point in Time (PIT) count indicated that there were 129 people who were unhoused on March 11, 2020.

Port Alberni - 2021 Homeless Count

The 2021 Point in Time homeless count occurred in Port Alberni on the evening of April 6 and the day of April 7 to help provide an overall snapshot of homelessness in the community.

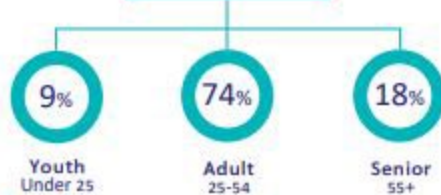
125

People were identified as experiencing homelessness compared to 147 in 2018.

Where did individuals stay the night of the count?



AGE BREAKDOWN



57% Experienced homelessness for the first time as a youth

60% Had been in foster care, a youth group home, or under a youth agreement

GENDER



SEXUAL ORIENTATION

9% of respondents identified as 2SLGBTQIA+

TRANS EXPERIENCE

2% of respondents identified as having trans experience

RACIAL IDENTITY



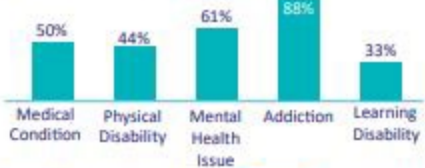
Not listed includes respondents who selected 'Not listed' and may have provided a write-in answer, e.g. nationality, ethnicity or religious group.

INDIGENOUS IDENTITY

65% of respondents identified as Indigenous

Compared to 17% of the general population (2016 Census)

HEALTH CONCERNS



35% Reported an acquired brain injury

81% Reported two or more health concerns

LENGTH OF TIME HOMELESS

11% Under 6 months

73% 1 year or more

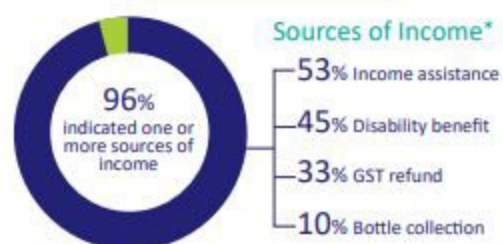
95% of respondents had been in the community for at least 1 year

73% of respondents had been in the community 10 years or more

REASONS FOR HOUSING LOSS*



INCOME

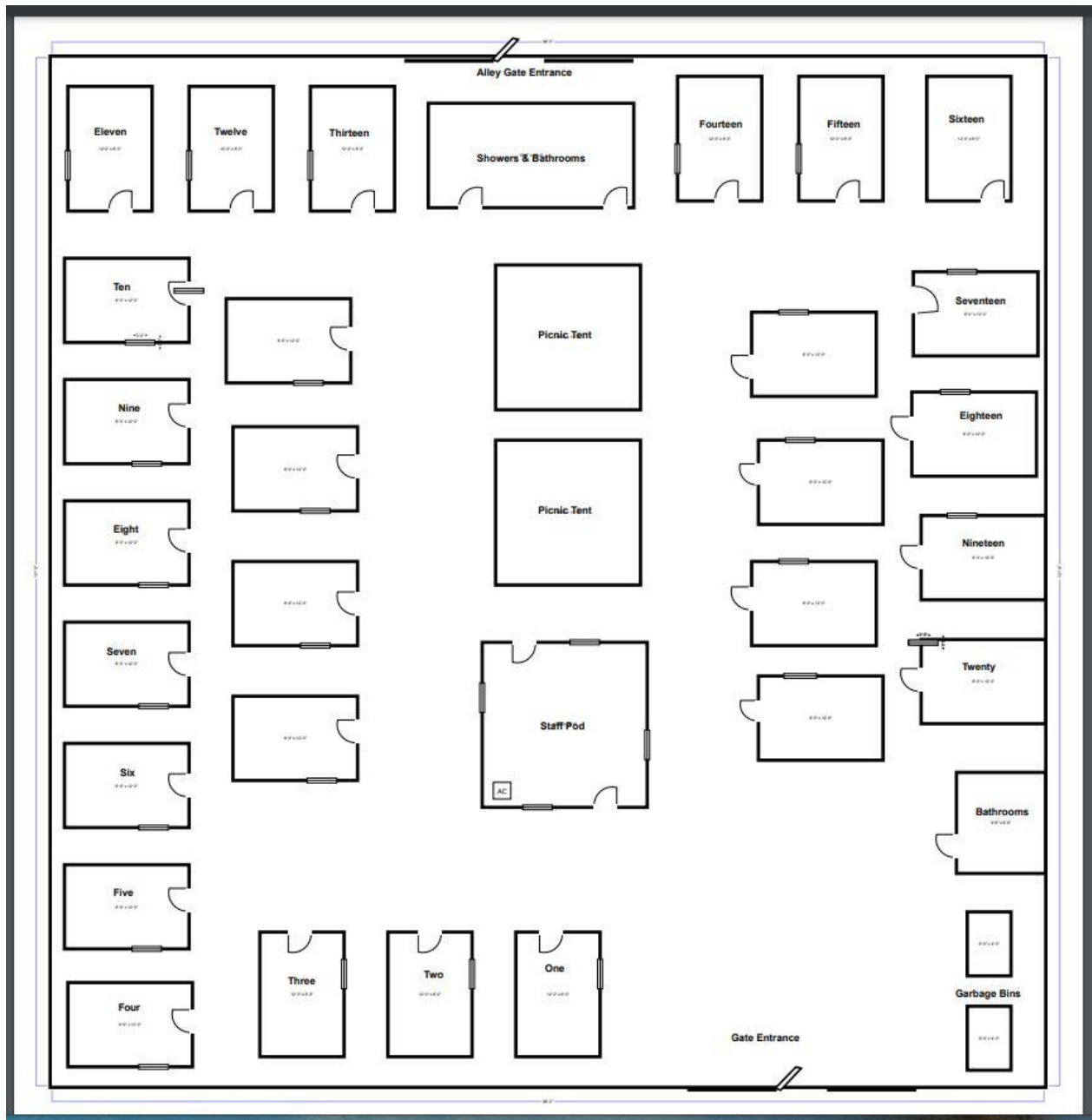


SERVICES ACCESSED*

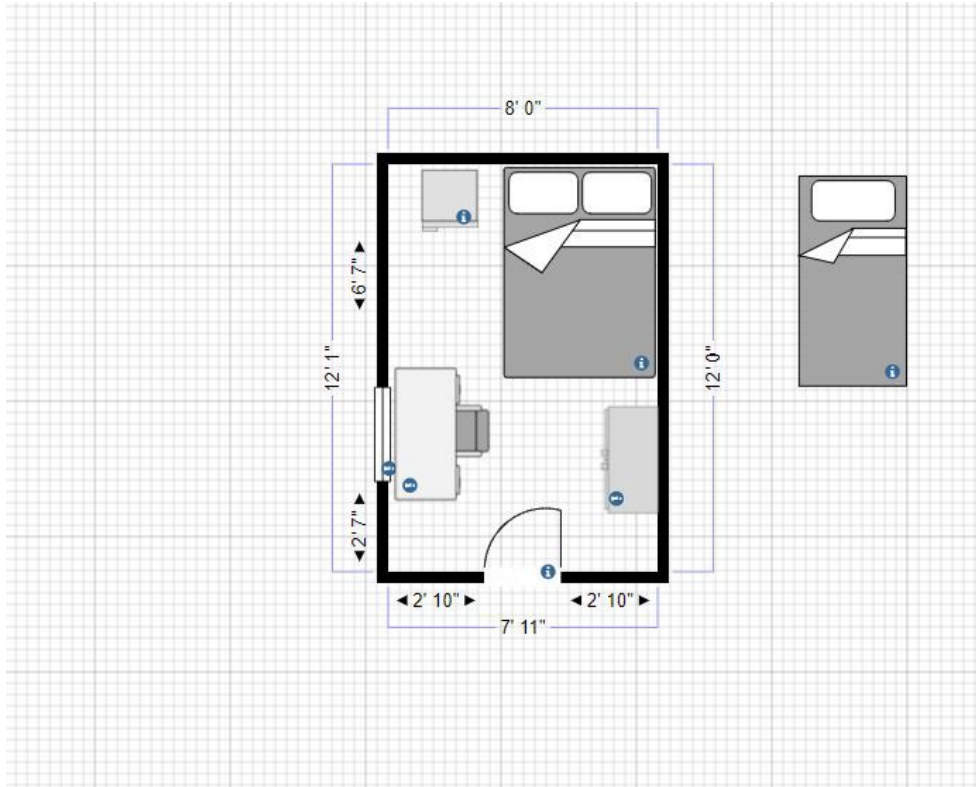


* Top responses highlighted

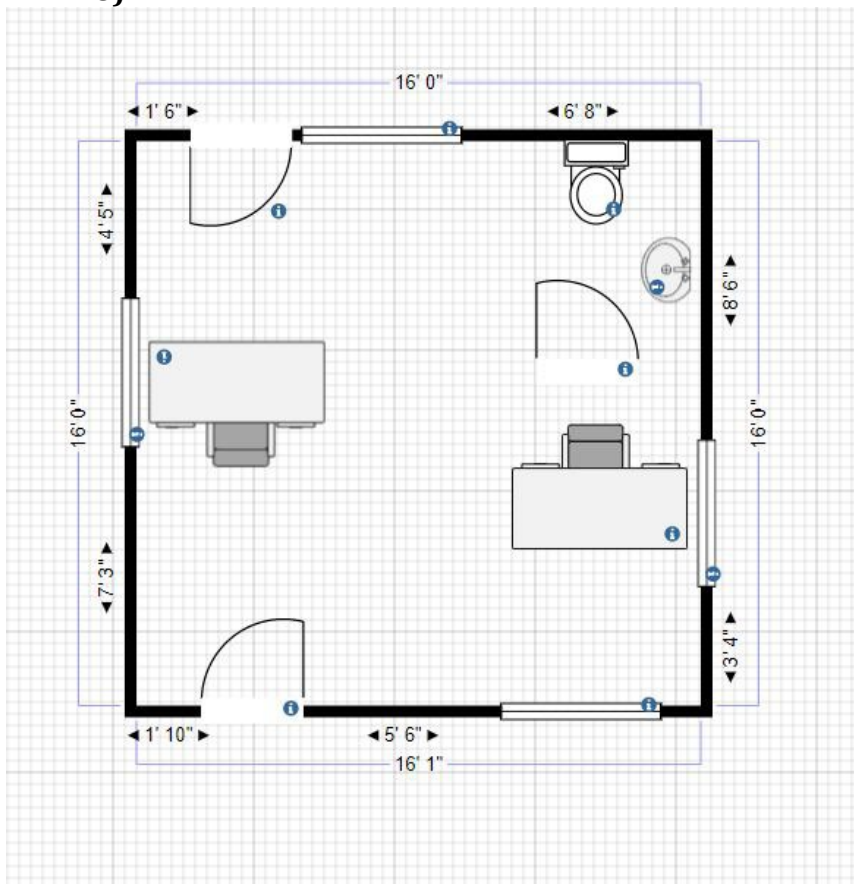
Schedule A - Site Plan - (exact Measurements of Property Required)



Schedule B – Sleeping Pod Layout



Schedule C – Staff Pod (Please note that the size has changed due to structural Costs 12 x 18)



[illegible]

Tiny Home Purchase

<https://zendenz.ca/>

CUSTOM BUILT OUTDOOR FLEX ROOMS

We build all our backyard office kits and prefab outdoor flex rooms from scratch. Because of this, we can customize everything to your specific needs and requirements. If you are an artist or a budding artist, we can create a beautiful light space to help feed your creativity. A garden studio can create and escape and an oasis of calm and tranquility outside your normal busy life.

EVERYTHING INSIDE AND OUT

On the outside of your garden studio, we can custom design your new space to blend seamlessly with your garden or yard environment. This will ensure a stunning addition to your outdoor space. The inside of your new outdoor studio will be just like the inside of our home, with quality finishing that you would expect from professionals. Your new flex room will also be insulated so, come rain or shine, you will be able to enjoy the tranquility of a space that you helped design to your specific standards.

See Attachments

**Schedule D–
BC Housing Operating
Agreement)**

DRAFT



OPERATING AGREEMENT

THIS AGREEMENT is dated for reference June 22, 2022

BCH File 96051-02 / 11140

BETWEEN

THE PORT ALBERNI FRIENDSHIP CENTRE

3555 4th Avenue, Port Alberni, British Columbia, V9Y 4H3

(the "Provider")

AND

BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION

Suite #1701 - 4555 Kingsway, Burnaby, British Columbia V5H 4V8

("BC Housing")

with respect to the Development at

3600 Block of 4th Avenue, Port Alberni, British Columbia

AGREEMENT SUMMARY

PART 1 – BACKGROUND

1. The goal of the this Agreement is to provide safe and affordable housing, together with necessary support services, to individuals who are experiencing Homelessness or are At Risk of Homelessness.
2. The Development is leased by the City of Port Alberni to the Provider and operated by the Provider under this Agreement. The Provider has entered into a two (2) year Lease Agreement which commences on [REDACTED].
3. The Development consists of thirty (30) Residential Units for individuals who are experiencing Homelessness or are At Risk of Homelessness. The Provider will operate the Development, and BC Housing will provide funding, in accordance with the terms of this Agreement. The Provider will ensure that Support Services and programming are delivered to Residents in a way that is culturally appropriate.
4. BC Housing and the Provider are working together to help Residents acquire and maintain housing, and to accomplish this goal, each party recognizes that it is essential to connect Residents with supports that meet their immediate need.
5. The management of property and the delivery of services under this Agreement are guided by these principles:
 - a. services are accessible and Resident-focused;
 - b. operations are financially, physically and environmentally sustainable;
 - c. an atmosphere of dignity and respect for all Residents is to be maintained; and
 - d. service provision is collaborative to improve service effectiveness;
 - e. operations are transparent and accountable.
6. BC Housing and the Provider will work together in good faith to openly confront issues and challenges, and attempt to resolve them expeditiously, always keeping the best interests of the Residents in mind.
7. **Acknowledgements.**
 - a. The Provider is entering into this Agreement to manage and operate the Development and to deliver Support Services, and will do so in a proper, efficient and timely manner as would a prudent operator of similar property and services, and its fundamental purpose in doing so is to benefit the public interest.
 - b. The Provider is a fully independent self-governing entity registered under the *Societies Act* (British Columbia). Operation of the Provider is subject to its Constating Documents and the *Societies Act* (British Columbia). The members of the Provider and its governing board are responsible for all affairs of the Provider related to both Provider operations in general and the ongoing management of the Development.
 - c. BC Housing recognizes that the Provider was established for the advancement of specific social purposes prior to its decision to participate in this particular Agreement.
 - d. BC Housing recognizes that the Provider brings both tangible and intangible assets to the Development. The Provider's board members serve on a voluntary basis, i.e., without recompense for their time and expertise. The Provider and the board bring resources, knowledge and expertise on such things as property management, Resident management and support, and services which specifically relate to the Development and its location.
 - e. The Provider and board are expected to create an environment that is supportive of the needs of the Residents and provide a sense of community within the Development and to that purpose may provide resident services and activities not funded by this Agreement.

PART 2 – SERVICE DESCRIPTION

1. The Provider will deliver services, including Support Services, which are beneficial to Residents at the Development. The Support Services are intended to help Residents achieve and maintain stability in housing, enhance access to other community-based supports and services, and strengthen and foster their ability to live more independently. Support Services include:
 - a. supporting Residents to maintain their residencies, including but not limited to:
 - i. directly assisting with room de-cluttering;
 - ii. repayment plans for outstanding Resident Rent Contributions;

- b. individual or group Support Services such as: life skills; community information; social and recreational programs;
- c. connecting Residents to community supports and services such as: education; employment; health; life skills; independent Housing;
- d. case planning and Resident needs assessment;
- e. assistance with Income Assistance, Pension Benefits, Disability Benefits, obtaining a BC Identification Card, or establishing a bank account as appropriate;
- f. three (3) Meals per day; and
- g. five (5) Staff persons, as outlined in the approved staffing schedule which may be mutually amended from time to time, providing on-site support coverage twenty-four (24) hours per day, seven (7) days per week.

PART 3 – AGREEMENT

1. TERM.

- a. This Agreement will start [◆DATE] and end on [◆DATE], unless earlier terminated in accordance with this Agreement.
- b. In no circumstances will this Agreement survive the expiry or earlier termination of the Lease Agreement.

2. STANDARDS AND OUTCOMES.

- a. The Provider will meet its obligations under this Agreement throughout the Term and will provide written reports and other matters in an acceptable form as outlined in *Schedules B and C*.
- b. The Provider will work collaboratively with other community partners to achieve the standards and outcomes established in this Agreement.

3. PAYMENT.

The Operating Subsidy and the Support Services Subsidy will be based on an annual budget approved by BC Housing, and provided directly to the Provider for such other matters as set out in *Schedule B*.

4. ENTIRE AGREEMENT.

All of the Schedules attached to this Agreement are an integral part of this Agreement:

Schedule A – General Provisions

Schedule B – Financial

Schedule C – Monitoring and Reporting

Schedule D – Resident and Staff Management

Schedule E – Authorization to Disclose Personal Information

Schedule F – Insurance

This Agreement contains the entire agreement between the parties and supersedes all previous expectations, understandings, communications, representations and agreements, whether verbal or written, between the parties with respect to the subject matter hereof.

No amendment or modification to this Agreement will be effective unless it is in writing and duly executed by the parties except where this Agreement allows for otherwise.

IN WITNESS of which the duly authorized signatories of each of the Provider and BC Housing have executed this Agreement effective as of the Commencement Date of this Agreement.

THE PORT ALBERNI FRIENDSHIP CENTRE

BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION

SCHEDULE A – GENERAL PROVISIONS

A. DEFINITIONS

1. **"Assets"** means that the household (applicant and spouse) have less than \$100,000.00 in assets, as defined by BC Housing's Rent Calculation Guide, which may be changed from time to time
2. **"At Risk of Homelessness"** means individuals and families living in accommodation where tenancy will be terminated within three (3) months of application (e.g., given notice by landlord) and having no other Housing options, or living in time-limited housing designed to help them transition from Homelessness to living in a more permanent form of Housing (e.g., transitional housing or second-stage housing).
3. **"Coordinated Access and Assessment (CAA)"** means the process to ensure that individuals experiencing homelessness have fair and equitable access to appropriate housing. The system provides a common assessment process, using the Vulnerability Assessment Tool (VAT), and a single point of entry for individuals experiencing homelessness.
4. **"Commencement Date"** means the first day of the Term in the *Agreement Summary, Part 3, Clause 1*.
5. **"Constituting Documents"** means the constitution and bylaws of the Provider, including any amendments, registered with the appropriate registry.
6. **"Database(s)"** means the computer applications provided by BC Housing to meet the operational and informational needs of the Provider and BC Housing.
7. **"Declaration of Income and Assets"** means the declaration to be completed by a Resident as evidence of the Income and Assets of that Resident.
8. **"Development"** means the housing development operated by the Provider.
9. **"Event of Default"** has the meaning set out in *Schedule A, Part G, Clause 1*.
10. **"Fiscal Year"** means the Fiscal Year of the Provider as of the reference date of this Agreement, or as revised after agreement between BC Housing and the Provider.
11. **"Homelessness"** refers to a situation where an individual or family is not stably Housed or is living in temporary accommodation where they do not have control over the length and conditions of tenure and do not have adequate personal space. This includes living in: public spaces without legal claim (e.g., on the streets, in abandoned buildings or in tent cities); a homeless shelter, a transition house, a public facility or service (e.g., hospital, care facility, rehabilitation or treatment centre, correctional facility) and cannot return to Housing; or where they are financially, sexually, physically or emotionally exploited to maintain their shelter.
12. **"Housed or Housing"** is defined as accommodation allowing for tenancy of more than thirty (30) days, under conditions in which the individual/family has adequate personal space. This range includes supportive, transitional housing to independent social or private market housing. This definition does not include emergency shelters or transition houses.
13. **"Housing Income Limits"** (HILs) represents the maximum income for eligibility to be a Resident. This maximum will be established by BC Housing from time to time.
14. **"Income"** of a Resident means the total income before income tax from all sources of the Resident in accordance with the Rent Scale.
15. **"Land"** means all lands and improvements, including the Development, situated at **3600 Block of 4th Avenue, Port Alberni, British Columbia**, and legally described as PID _____.
16. **"Lease Agreement"** means the two (2) year lease agreement, entered into between the City of Port Alberni and the Provider regarding the Land, as registered in the Land Title Office under registration number _____.
17. **"LGBT2Q+"** is an evolving acronym for lesbian, gay, bisexual, trans, two-spirit, queer, and additional identities
18. **"Maintenance Plan"** means the maintenance standards and practices required to preserve the Development.
19. **"Manageable Costs"** are costs that the Provider, or a prudent operator of similar property and services, is reasonably expected to control or manage, including but not necessarily limited to salaries, benefits, maintenance and administration.
20. **"Meal"** means portions of food from at least three (3) of the food groups in the Eating Well with Canada's Food Guide sufficient to meet the intake requirements outlined in the Eating Well with Canada's Food Guide.

21. **"Non-Manageable Costs"** are costs that the Provider, or a prudent operator of similar property and services, is not reasonably expected to control or manage, including but not necessarily limited to insurance and utilities.
22. **"Operating Budget"** means the annual budget for the Development approved by BC Housing. The Operating Budget will include a staffing schedule, but not include any expenses for the Development paid for directly by BC Housing as set out in this Agreement.
23. **"Operating Deficit"** means the shortfall of revenue compared to expenses as dictated by the approved Operating Budget, Support Services Budget and/or approved by BC Housing.
24. **"Operating Subsidy"** has the meaning ascribed to it in *Schedule B*.
25. **"Operating Surplus"** means the excess of revenue over expenses as dictated by the approved Operating Budget, Support Services Budget and/or approved by BC Housing.
26. **"Record"** means accounts, books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical and other means, but does not include a computer program or any other mechanism that produces records.
27. **"Residency Agreement"** means an agreement, lease, license or other right of a Resident to occupy a Residential Unit.
28. **"Resident"** means the person or persons legally entitled to reside in a Residential Unit pursuant to a Residency Agreement.
29. **"Resident Rent Contribution"** means the amount a Resident is obliged to contribute monthly to the Provider for a Residential Unit based on the Rent Scale.
30. **"Residential Revenue"** means all other net revenues received by the Provider from the Development or activities directly related to the Development other than Resident Rent Contributions and rooftop leases including but not limited to parking fees, laundry machines, vending machines, meal tickets, satellite dishes etc.
31. **"Residential Unit"** means a residential dwelling within the Development.
32. **"SHR"** means the Supportive Housing Registration Service (SHR), being a comprehensive vacancy management system and housing information service for applicants and providers of subsidized rental housing with current application information for applicants who are homeless or At Risk of Homelessness and who require support services to achieve successful residencies.
33. **"Staff"** means personnel who will maintain a presence in the Development to provide safety, security, administrative and other services to Residents.
34. **"Support Services"** means social support programs that encourage and enhance the well being, independence and self-reliance of Residents in the Development as agreed to between the Provider and BC Housing as set out in this Agreement.
35. **"Support Services Budget"** means the annual budget for the Support Services prepared by the Provider and approved by BC Housing as set out in *Schedule B*.
36. **"Support Services Subsidy"** has the meaning ascribed to it in *Schedule B*.
37. **"Term"** means the period set out in *Agreement Summary, Part 3, Clause 1*.
38. **"Vulnerability Assessment Tool (VAT)"** means the assessment tool used to measure an individual's level of vulnerability. The tool is designed for use by service providers accustomed to interacting directly with individuals experiencing homelessness. Training is required to ensure reliable application of the tool. The results are then used by the Provider, or through the CAA process where applicable, to appropriately match clients with housing.

B. RESPONSIBILITY OF THE PROVIDER

1. **Role of the Provider.** The Provider:
 - a. will fulfill its obligations under this Agreement in a proper, efficient and timely manner as would a prudent provider of similar services, and in accordance with this Agreement; and
 - b. agrees and understands that it is solely responsible for all its obligations under this Agreement, including but not limited to its obligations arising as a result of any relationships between the Provider and the applicants, Residents and other occupants of the Development, and any and all relationships with third parties, volunteers, or other invitees.
2. **Corporate Organization.** The Provider will maintain a well-organized corporate structure and in particular will:
 - a. operate as a non-profit entity;
 - b. remain in good standing with the appropriate registry;
 - c. have a purpose that is consistent with the goals and principles of this Agreement;

- d. not permit any director, officer, or member of the Provider to be remunerated except for reimbursement of any expenses necessarily and reasonably incurred by the director, officer, or member while engaged in the affairs of the Provider. Reasonable wages or salary paid to an employee of the Provider who is not an officer or director of the Provider are exempt from this section;
 - e. provide for the disposition of assets to an organization with a similar charitable purpose in the event of dissolution or wind up of the Provider;
 - f. not alter its Constatng Documents in any way that would make them inconsistent with the terms of this Agreement or that would render the Provider unable to fulfill its obligations under this Agreement;
 - g. provide BC Housing with a copy of the Provider's Constatng Documents as requested by BC Housing from time to time; and
 - h. maintain written policies and procedures regarding the Provider's operations, including safety and security, human resource management and Resident management.
3. **Compliance.** The Provider will remain in compliance with all applicable laws, bylaws, regulations, codes and corporate or contractual obligations and is responsible for obtaining and complying with all necessary approvals, licenses and permits relating to the Provider's obligations under this Agreement.
4. **Conflict of Interest.** The Provider will:
- a. conduct its operations in accordance with the Provider's by-laws and in a manner such that no part of the operations, finances and other assets or resources of the Provider under this Agreement, are used directly or indirectly for the provision of any gain or benefit to any officer, director, employee, or member of the Provider or any entity or individual associated with, or related to them, without the prior written approval of BC Housing;
 - b. not, during the Term, enter into a contractual relationship with a third party, conduct business with, perform or receive a service for or provide advice to or receive advice from any entity or individual where such activity may, directly or indirectly, cause an actual or perceived conflict of interest, without the prior written approval of BC Housing; and
 - c. disclose any actual or perceived conflict of interest to the Provider and BC Housing in advance, and all such disclosure and any prior written approval from BC Housing will be recorded in the minutes of the meetings of the directors and/or the relevant committee of the Provider.
5. **Communication.** The Provider will notify BC Housing as soon as possible of any significant changes or incidents that may impact the Provider's obligations under this Agreement. The Provider will provide BC Housing with details on all critical incidents significant enough to threaten the continuous operation of the Services such as fire, floods, infectious disease outbreaks, the serious injury or death of Clients or staff on site and any events that garner media attention. These critical incidents should be reported to BC Housing as soon as reasonably possible but no later than twelve (12) hours after the incident occurring.
6. **Agency.** This Agreement will not be construed as creating any partnership or agency between BC Housing and the Provider and neither party will be deemed to be the legal representative of any other party for the purposes of this Agreement. Neither BC Housing nor the Provider will have, and will not represent itself as having, any authority to act for, to undertake any obligation on behalf of the other party, except as expressly provided in this Agreement.
7. **Restrictions on Disposition and Encumbrance.** The Provider will not transfer, encumber or sell or agree to transfer, encumber or sell or otherwise change or agree to change the legal or beneficial interests of the Development or any part of the Development without the prior written approval of BC Housing, in its sole discretion.
8. **Restrictions on Authority.** The Provider will not commit or otherwise bind BC Housing to any agreements in any manner whatsoever, except to the extent specifically provided in this Agreement and in particular, without limiting the generality of the foregoing, the Provider will not take any action, expend any sum, make any decision, give any consent, approval or authorization or incur any obligation with respect to any lease or any other arrangement involving the rental, use or occupancy of all or part of the Development other than a Residency Agreement in accordance with this Agreement, except with the prior written approval of BC Housing, in its sole discretion.
9. **Maintenance.** The Provider will maintain the Development and all Development related equipment in a state of safe and good repair for the benefit of the Residents and the community

in which the Development is located by carrying out, or arranging for the carrying out of tasks that include but are not limited to the following:

- a. developing a Maintenance Plan for the Development;
- b. all routine maintenance and repair work;
- c. routine inspections to ensure safety hazards are identified and corrected;
- d. regular fire inspections, drills, testing, maintenance, training and maintaining records in respect of the same; and
- e. routine waste management services.

10. Inspection. The Provider will permit BC Housing to inspect the Development or other premises used by the Provider pursuant to this Agreement at any time.

C. RESPONSIBILITY OF BC HOUSING

1. BC Housing will:

- a. assign a BC Housing representative to act as liaison with the Provider;
- b. support the Provider where appropriate in delivering the Support Services to meet the objectives and provisions in this Agreement. To this end BC Housing will work cooperatively with the Provider, taking into account its operational realities and recognizing the Provider's need for adequate financial and organizational resources to meet its obligation of providing Support Services to Residents in need;
- c. provide timely responses to issues raised by the Provider to ensure the Provider receives adequate support;
- d. monitor the operation of the Support Services and the use by the Provider of funding from BC Housing in accordance with this Agreement, to ensure that the standards, objectives and expectations in this Agreement are met; and
- e. develop provincial standards and guidelines in partnership with funded service providers and provide clear guidelines and expectations for the provision of Support Services.

D. RECORDS

1. **Information Management.** The Provider will comply with all applicable privacy legislation and will maintain accurate and complete operational Records, policies and practices necessary for its obligations under this Agreement.
2. **Procedures and Processes.** The Provider will:
 - a. notify BC Housing in writing immediately upon becoming aware of any breach of privacy or security involving the unauthorized collection, use, disclosure or destruction of information relating to its obligations under this Agreement;
 - b. if the *Information Management Act* (British Columbia) applies to the destruction of Records, notify BC Housing for consultation prior to the destruction; and
 - c. cooperate with BC Housing when BC Housing has a request under the *Freedom of Information and Protection of Privacy Act* (British Columbia) to which Records in the Provider's custody apply, by locating and disclosing the relevant Records as directed by BC Housing upon notice and without delay.
3. **Record Retention.** The Provider will retain all Records that pertain to its obligations under this Agreement for the retention period required under applicable provincial and federal laws, but for not less than seven (7) years following the date of receipt or production of those Records.
4. **Audits.** BC Housing and its agents have the right to inspect all Records related to, arising from, or maintained by the Provider to deliver the Provider's obligations, including the right of BC Housing and its agents to enter any premises used by the Provider to deliver the Provider's obligations or used to keep or store Records pertaining to the Provider's obligations under this Agreement, at any time after the delivery of notice to the Provider, and have the immediate right to make extracts from and take copies of those Records. The Provider acknowledges that disclosure to BC Housing and its agents, without consent from the individual the Record is about, for audit purposes, is permitted under information and privacy legislation.

E. LIABILITY

1. **Indemnity.** The Provider will indemnify and save harmless BC Housing, the Provincial Rental Housing Corporation, Her Majesty the Queen in Right of the Province of British Columbia, and each of their ministers, board members, officers, directors, employees, contractors and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from all claims and costs arising directly or indirectly under this Agreement which they or any of them may be liable for or incur, whether before or after this Agreement ends, arising out of any act or omission of the Provider or its officers, directors, employees, agents, contractors or other

persons for whom at law the Provider is responsible, related to the Provider's operation and management under this Agreement, including with respect to any Residency Agreement, except to the extent that such claims or costs are caused solely by the negligence of BC Housing or its employees, agents or contractors.

2. **Release.** The Provider releases BC Housing, the Provincial Rental Housing Corporation, Her Majesty the Queen in Right of the Province of British Columbia, and each of their ministers, board members, officers, directors, employees, contractors and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from all claims arising out of the advice or direction respecting the ownership, lease, operation or management given to the Provider, as the case may be, by any of them, except to the extent that such advice or direction is determined by a court of competent jurisdiction to have been negligent.
3. **Survival.** The indemnities set out in *Schedule A, Part E, Clauses 1 and 2* survive termination of this Agreement.

F. DISPUTE RESOLUTION

1. **Dispute Resolution.** The parties agree that the following dispute resolution process will be used:
 - a. A meeting will be held promptly between the parties, attended by individuals with decision making authority regarding the dispute, to attempt in good faith to negotiate a resolution of the dispute.
 - b. If, within fourteen (14) days after such meeting or such further period agreed to by the parties in writing, the parties have not succeeded in negotiating a resolution of the dispute, the parties agree to try to resolve the dispute by participating in a structured negotiation conference with a mediator agreed upon by the parties or, failing agreement, under the Mediation Rules of Procedure of the British Columbia International Commercial Arbitration Centre, in which case the appointing authority is the British Columbia International Commercial Arbitration Centre.
 - c. After dispute resolution attempts have been made under *Schedule A, Part F, Clauses 1.a-b*, any remaining issues in dispute will be determined by arbitration under the *Arbitration Act* (British Columbia), and the decision of the Arbitrator will be final and binding and will not be subject to appeal on a question of fact, law or mixed fact and law.

G. DEFAULT AND TERMINATION

1. **Event of Default.** Any of the following events will constitute an event of default by the Provider under this Agreement;
 - a. the Provider fails to comply with any provision of this Agreement;
 - b. the Provider fails to remain in good standing with the appropriate registry;
 - c. the Provider is in breach of or fails to comply with any applicable law, regulation, license or permit;
 - d. any representation or warranty made by the Provider under this Agreement is found to be untrue or incorrect; or
 - e. if the Provider knew or ought to have known any information, statement, certificate, report or other document furnished or submitted by, or on behalf of, the Provider pursuant to, or as a result of, this Agreement is untrue or incorrect.
2. **Default.** Upon the occurrence of any event of default set out in *Schedule A, Part G, Clause 1*, BC Housing will provide written notice to the Provider which sets out the breach and the date by which the breach must be rectified. The Provider will be given thirty (30) days to rectify the breach or such longer period as determined solely by BC Housing.
3. **Termination on Continued Default.** If the Provider fails to comply with a written notice given in accordance with this Agreement within the specified period of time, BC Housing, in its sole discretion, may immediately terminate this Agreement or appoint a receiver.
4. **Additional Remedies.** Upon the occurrence of any event of default set out in *Schedule A, Part G, Clause 1*, BC Housing may, in addition to and without prejudice to BC Housing obtaining any other remedy, reduce or suspend any payment that would otherwise be payable by BC Housing to the Provider pursuant to this Agreement.
5. **Appointment of Receiver.** As an alternative to exercising any right of termination provided under this Agreement, BC Housing may elect to appoint, or request a court of competent jurisdiction to appoint, a receiver, with or without bond as BC Housing or the court may determine, and, from time to time, may remove any receiver so appointed and appoint another in its place, or request the court to do so. A receiver so appointed is not an officer or agent of BC Housing, and has all

the necessary and exclusive power to deal with the obligations of this Agreement including the power to:

- a. take control, possession and direction of the Development and the Provider's assets in connection with this Agreement, and carry on the business of the Provider in operating, managing and maintaining the assets in accordance with this Agreement;
- b. demand and recover all the income of the Development by direct action, distress or otherwise, in the name of either the Provider or BC Housing;
- c. observe or perform, on behalf of the Provider, all the Provider's obligations under this Agreement and any other contracts pertaining to the Development;
- d. give receipts, on behalf of the Provider, for any money received; and
- e. carry out such other powers as the court may order.

6. Application of Revenue. The Provider acknowledges that the receiver will apply the gross revenue from the Development, which it recovers or receives from time to time, as follows:

- a. firstly, in payment of all costs, charges and expenses of or incidental to the appointment of the receiver and the exercise by it of all or any of its powers, including the reasonable remuneration of the receiver which is to be approved by BC Housing, and all outgoings properly payable by the receiver, together with all legal costs in respect thereof on a solicitor and client basis;
- b. secondly, in payment of all operating expenses under an Operating Budget and/or Support Services Budget;
- c. thirdly, if required by BC Housing, in repayment of any applicable subsidies and accumulated funds; and
- d. lastly, to pay any balance to BC Housing.

7. No Liability. The Provider acknowledges and agrees that:

- a. BC Housing will be under no liability to the Provider for any act or omission of the receiver; and
- b. the receiver will be under no liability to the Provider for any act or omission of the receiver.

8. Early Termination. Notwithstanding anything stated to the contrary in this Agreement, the parties agree that BC Housing will have the right at any time, by giving twenty-four (24) hours' written notice to the Provider, to terminate this Agreement in any of the following events:

- a. upon the bankruptcy of the Provider or the appointment of a receiver in respect of the Provider;
- b. upon the Provider ceasing to operate on a non-profit basis; or
- c. upon the dissolution of the Provider.

9. Termination arising from Damage or Destruction. If, in the opinion of a professional engineer or architect appointed by the Provider or BC Housing, the Development is damaged or destroyed in excess of twenty-five percent (25%) of its insurable value, BC Housing may, at its sole option, terminate this Agreement by delivering written notice of immediate termination to the Provider.

10. Termination Without Cause. Either party may terminate this Agreement at any time during the Term by giving to the other party 90 days' written notice and this Agreement will terminate on the 90th day following receipt of such notice.

11. Adjustments on Termination. Upon the termination of this Agreement, however effected, the parties will forthwith complete all necessary accounting and adjustments between them to effectively reconcile and finalize their obligations pursuant to this Agreement.

H. GENERAL PROVISIONS AND INTERPRETATION

- 1. Headings.** The headings in this Agreement form no part of the Agreement and will be deemed to have been inserted for convenience only.
- 2. Notices.** All notices, demands or requests of any kind, which the Provider or BC Housing may be required or permitted to serve on the other in connection with this Agreement, will be in writing and may be served on the parties by registered mail, personal service, fax or other electronic transmission, to the addresses set out on the cover page. Any notice, demand or request made to BC Housing, to be effective, will be addressed to the BC Housing representative assigned to this matter by BC Housing.
- 3. Change of Address.** Either party from time to time, by notice in writing served upon the other party, may designate a different address or different or additional personnel to which all those notices, demands or requests are thereafter to be addressed.
- 4. Time.** Time is of the essence of this Agreement. If either party expressly or impliedly waives this requirement, that party may reinstate it by delivering notice to the other party. Any time specified

in this Agreement for observing or performing an obligation is local time in Vancouver, British Columbia.

5. **Governing Law.** This Agreement is to be governed by and construed and enforced in accordance with the laws of the Province of British Columbia, which will be deemed to be the proper law hereof and the courts of British Columbia will have the non-exclusive jurisdiction to determine all claims and disputes arising out of this Agreement and the validity, existence and enforceability hereof.
6. **Validity of Provisions.** If a court of competent jurisdiction finds that any part of this Agreement is invalid, illegal or unenforceable, that invalidity, illegality or unenforceability does not affect any other provisions of this Agreement. The balance of the Agreement is to be construed as if that invalid, illegal or unenforceable provision had never been included, and is enforceable to the fullest extent permitted at law or at equity.
7. **Waiver.** No consent or waiver, expressed or implied, by a party of any default by the other party in observing or performing its obligations under this Agreement is effective unless given in writing, nor is it a consent or waiver of any other default. Failure on the part of either party to complain of any act or failure to act by the other party or to declare the other party in default, irrespective of how long that failure continues, is not a waiver by that party of its rights under this Agreement or at law or at equity.
8. **Extent of Obligations and Costs.** Every obligation of each party in this Agreement extends throughout the Term. To the extent an obligation ought to have been observed or performed before or upon the expiry or earlier termination of the Term, that obligation, including any indemnity, survives the expiry or earlier termination of the Term until it has been observed or performed.
9. **Statutes.** Any reference in this Agreement to a provincial or federal statute includes the statute as it exists on the reference date of this Agreement and any subsequent amendments or replacements.
10. **Binding Effect.** This Agreement will enure to the benefit of and be binding upon the successors and permitted assigns of the parties, as applicable.
11. **Counterparts.** This Agreement may be validly executed and delivered by the parties hereto in any number of counterparts and all counterparts, when executed and delivered, will together constitute one and the same instrument. Executed copies of the signature pages of this Agreement sent electronically will be treated as originals, fully binding and with full legal force and effect, and the parties hereto waive any rights they may have to object to such treatment, provided that this treatment will be without prejudice to the obligation of the parties hereto to exchange original signatures as soon as is reasonably practicable after execution of this Agreement, but failure to do so will not affect the validity, enforceability or binding effect of this Agreement.
12. **Assignment and Subcontracting.**
 - a. The Provider will not without the prior written consent of BC Housing:
 - i. assign, either directly or indirectly, this Agreement or any right of the Provider under this Agreement; or
 - ii. subcontract any obligation of the Provider under this Agreement.
 - b. No subcontract entered into by the Provider will relieve the Provider of any of its obligations under this Agreement or impose upon BC Housing any obligation or liability arising from any such subcontract. The Provider must ensure that any subcontractor fully complies with this Agreement in performing the subcontracted services.

SCHEDULE B – FINANCIAL

A. BUDGET SUBMISSION AND APPROVAL**1. Budget Submission.**

- a. At least four (4) months prior to the end of each Fiscal Year, the Provider will submit to BC Housing for approval their proposed budget for the upcoming Fiscal Year, in a format approved by BC Housing. The budget will be presented in a combined format but must clearly and separately identify which expenses are to be allocated toward each of the following:
 - i. Operating Budget; and
 - ii. Support Services Budget.
- b. The Provider's annual budget submission will show the anticipated gross Resident Rent Contributions and other Residential Revenues for the Development together with all anticipated operating expenses, including utilities, supplies, insurance, wages and administrative fees, replacement of capital items, and maintenance and repair costs.
- c. The Provider will also submit, at the same time as the proposed budget, a staffing schedule for the subsequent Fiscal Year in a format approved by BC Housing from time to time.

2. Budget Approval.

- a. BC Housing will endeavour to approve the Operating and Support Services Budgets for any Fiscal Year prior to the start of that Fiscal Year. The budget submissions will follow the account codes used by BC Housing and such account codes may be changed from time to time with at least thirty (30) days' written notice.

B. SUBSIDY PAYMENT

1. **Monthly Payment.** The Operating Subsidy and the Support Services Subsidy will be paid to the Provider in advance on a monthly basis, and reconciled annually or mid-year. The Provider will maintain a bank account to facilitate electronic fund transfers.

C. RESIDENT RENT CONTRIBUTION

1. **Rent Scale.** The Provider will set the rent at a flat rate of the maximum Income Assistance shelter rate. The current flat rate is \$375.
2. **Online Rent Calculation.** As directed by BC Housing, the Provider will enter into an online rent calculation agreement with BC Housing. Where applicable, the Provider will use BC Housing's online rent calculation system to enter new or updated Resident information, Income and Resident Rent Contribution information, including the Declaration of Income and Assets.

D. OPERATING BUDGET

1. Revenues and Expenses.
 - a. The Provider will be responsible for collecting all Resident Rent Contributions and other Residential Revenue for the Development and the Provider will be responsible for paying out of such revenues all costs associated with the operation of the Development. Such costs may include, but are not limited to:
 - i. liability insurance;
 - ii. sewer, water and garbage pickup;
 - iii. utilities;
 - iv. staffing costs directly related to operating the Development;
 - v. costs for general building maintenance, materials and supplies as required;
 - vi. day-to-day repair and/or replacement of furniture, equipment and appliances such as, stoves, refrigerators, drapes, blinds, floor coverings, washers, dryers, etc.; and
 - vii. administration costs, including accounting and legal fees, if applicable.

E. SUPPORT SERVICES BUDGET

1. **Support Services Subsidy.** BC Housing will allocate funds to enable the Provider to deliver Support Services to the Residents.
2. **Expenses.** The Provider will be responsible for applying the Support Services Subsidy to pay for all costs associated with the provision of Support Services. Such costs will include, but are not limited to:

- a. liability and other insurance required to be provided by the Provider hereunder, except to the extent such insurance may already be carried by the Provider and attributable to its operations other than the provision of the Support Services;
 - b. staffing costs in relation to the Support Services; and
 - c. applicable administration costs, including accounting and legal fees.
- F. OPERATING DEFICIT AND SURPLUS**
 - 1. **Operating Deficit.** The Provider is solely responsible for covering any Manageable Cost increases in any Fiscal Year. In the event that there are unanticipated increases in Non-Manageable Costs, BC Housing may cover such costs through:
 - a. a mid-year budget adjustment that increases the subsidy; or
 - b. an extraordinary expense payment.
 - 2. **Operating Surplus.** If, at any time, the Provider accumulates an Operating Surplus, BC Housing in its sole discretion, may:
 - a. require the Provider to make a repayment to BC Housing, in an amount to be determined by BC Housing; or
 - b. allow the Provider to retain a portion of the Operating Surplus, in which case the Provider may make expenditures, as approved by BC Housing, to:
 - i. make payments for programs for the benefit of the Residents where such programs are related to the Support Services and are consistent with the goals of this Agreement; or
 - ii. make payments for capital repairs, renovations or improvements at the Development.
- G. TRANSFER OF FUNDS**
 - 1. **Transfer of Funds.** Upon the termination of this Agreement, regardless of cause or at the request of BC Housing, all security deposits and accumulated Operating Surplus obtained by the Provider pursuant to this Agreement will be transferred to BC Housing and a reconciliation of the operating balance will be forwarded.
- H. FINANCIAL MANAGEMENT AND ADMINISTRATION**
 - 1. **Finances.** The Provider will establish written policies and procedures for effective control of finances for the Development and, in particular, will:
 - a. establish and maintain books of account and retain invoices, receipts and vouchers for all expenses incurred in form and content satisfactory to BC Housing, to be used as the basis for the calculation of the payment as set out in *Schedule B*
 - b. the Provider is responsible for ensuring that Operating Surpluses and accumulated interest are invested and managed in a separate account; and
 - c. have sound financial operating written policies and procedures in place, including record keeping and financial statements in accordance with Canadian Accounting Standards.
 - 2. **Auditor.** The Provider will appoint an auditor of the Provider who will be in good standing in accordance with the laws of the Province of British Columbia and will not be a member of the Provider. The Provider will cause the auditor to audit the financial statements of the Provider. BC Housing reserves the right to decrease these requirements at its sole discretion.
 - 3. **Administration.** The Provider will
 - a. maintain a company bank account to facilitate electronic fund transfers;
 - b. collect audit arrears; and
 - c. develop purchasing guidelines that include selection criteria for contracting service provision to third parties.
- I. ANNUAL FINANCIAL REVIEW**

BC Housing will conduct an annual financial review of the Provider. To facilitate the annual financial review, the Provider will:

 - 1. submit audited financial statements, and a copy of the related auditor's management letter to BC Housing within four (4) months after the end of each Fiscal Year. Where the Provider provides services in addition to those provided under this Agreement (e.g., outreach, affordable housing, etc.), the audited financial statement will include a separate

- Schedule of Revenue and Expenditure for each service provided in a format approved by BC Housing from time to time;
2. include details of any funding received from another agency or organization and used by the Provider to co-fund the management of the Development and the delivery of Support Services;
 3. provide an auditor's letter or notes with the financial statements indicating that any Operating Surplus is being spent and accounted for as provided in this Agreement; and
 4. submit other financial information requested by BC Housing in a format approved by BC Housing from time to time.

DRAFT

SCHEDULE C – MONITORING AND REPORTING

A. REPORTING

1. Regular reporting allows BC Housing to identify occupancy and service trends, and to monitor the Provider's compliance with the requirements of this Agreement.
2. Providers will use the Databases specified by BC Housing as the primary source of referrals for available units in the Development. Where applicable, the Provider will also use CAA as a source of referrals. The Provider will enter into a concurrent database agreement with BC Housing which may specify other reporting requirements
3. The Provider will also use the Databases specified by BC Housing for ongoing reporting requirements, as directed by BC Housing.
4. BC Housing acting reasonably, reserves the right to change the reporting requirements from time to time, with at least thirty (30) days' written notice to the Provider.

B. OPERATIONAL REVIEW

1. From time to time, BC Housing will conduct an on-site operational review to determine compliance with the terms of this Agreement and any other agreements between the Provider and BC Housing.
2. BC Housing will provide the Provider with at least thirty (30) days' written notice of such an operational review.

SCHEDULE D – RESIDENT AND STAFF MANAGEMENT

A. RESIDENT SELECTION AND MANAGEMENT

1. **No Landlord and Tenant Relationship.** No landlord and tenant relationship will exist between the Resident and BC Housing. It is understood that BC Housing will not be responsible to the Provider for any breach or failure of the Resident to observe any of the terms of the Residency Agreement between the Resident and the Provider, including the covenant to pay the Resident Rent Contribution.
2. **Resident Selection.** All Residents must be experiencing Homelessness or At Risk of Homelessness, with an Income at or less than HILs and must be placed in a Residential Unit appropriate to their household size, as determined by BC Housing from time to time.
3. **Resident Management.** The Provider will make all reasonable efforts to support and maintain the residency, however, the Provider is not expected to maintain the residency in the event of extenuating health and safety risks to the Resident, staff or other Residents (e.g. assaults/threats to Residents or staff and/or medical needs beyond what the Provider can accommodate).
4. **Coordinated Access and Assessment.** The Provider will collaborate with other providers in the community to select Residents using the Coordinated Access and Assessment process, where possible.
5. **Database.** Unless otherwise approved by BC Housing, Providers will use the Database specified by BC Housing to select Residents.
6. **Discrimination.** The Provider will select Residents without unlawful discrimination on the basis of race, religion, culture, sexual orientation, gender identity, social condition, or level of physical ability. Where specific populations are targeted, consideration of and compliance with applicable anti-discrimination legislation must be documented and submitted to BC Housing on request.
7. **Full Occupancy.** The Provider will use all reasonable efforts to maintain full occupancy of the Development, and will notify BC Housing of any extended vacancies.
8. **Membership in Provider.** The Provider will not require a Resident to be a member of the Provider.
9. **Residency Agreements.** The Provider will enter into a Residency Agreement with each Resident and all Residency Agreements will be in compliance with the governing legislation.
10. **Resident Relations.** The Provider will establish policies and procedures to:
 - i. select Residents in an open, fair, consistent and non-discriminatory way;
 - ii. serve Residents promptly and courteously, with clear and informative communication;
 - iii. provide each Resident with access to information concerning that Resident and protect the privacy of Residents; and
 - iv. develop an appeals process for Resident related issues. The process must be transparent and accessible for all applicants and Residents.
11. **Proof of Income.** As directed by BC Housing, the Provider will obtain a declaration ("Declaration of Income") and supporting documentation as evidence of the Income of that Resident at the time of the initial occupancy and annually thereafter. The declaration will be in a form approved by BC Housing as may be amended by BC Housing from time to time. Where applicable, the Provider will maintain a copy of each Resident's proof of Income in a file available to BC Housing on request.
12. **Wellness Checks.** The Provider will establish regular health and wellness checks for Residents, including an escalation procedure which may warrant room checking, when a Resident has not been seen or heard from for an extended period, not to exceed forty-eight (48) hours.
13. **Access to Housing.** The Provider will strive to accommodate individuals who may otherwise encounter barriers to Housing because of certain circumstances. In particular, the Provider will:

- a. reasonably accommodate individuals with pets; particularly in situations where individuals are transitioning from shelters or other forms of Homelessness to Housing;
- b. accommodate individuals who may require harm reduction supplies on site, including clean needles, access to safe disposal (i.e. sharps containers), condoms etc; and
- c. ensure that appropriate overdose prevention measures are in place for Residents of the Development.

B. STAFF REQUIREMENTS

1. The Provider will ensure that all staff at the Development, whether part-time or full-time, paid or voluntary, have the appropriate skills, training and qualifications for the tasks that they perform. The Provider will:
 - a. have written policies on eligibility, selection, remuneration, training, safety and security. The safety and security policies and procedures must be in accordance with current Occupational Health and Safety Regulations contained within the *Workers Compensation Act*;
 - b. ensure staff have orientation on the Support Services and standards specified in this Agreement;
 - c. ensure staff have orientation on the Provider's standards, written policies and procedures related to the Support Services, including health and safety procedures. This will include written policies and procedures to deal with prevention of infections, infectious diseases, exposure to blood and body fluids, and the safe handling of needles;
 - d. ensure that the staff undergoes a criminal record check in accordance with the *Criminal Records Review Act* and keep evidence on file that the criminal record check was completed. The Provider is required to have a written policy on the frequency of subsequent criminal record checks; and
 - e. have written policies regarding the use of hazardous cleaning materials that are in accordance with Workplace Hazardous Materials Information System (WHMIS) guidelines.
2. **Food Safety.** The Provider will ensure all food handling, preparation, storage, serving, premises etc., is completed in accordance with the Food Premises Regulation of the *Public Health Act*, the *Food Safety Act* and other relevant regulations. At least one (1) person with FOODSAFE Level I certification shall be present at all times wherever food is handled or served. It is strongly encouraged that one staff member hold a valid FOODSAFE Level II certificate.
3. **Training.** The Provider will also ensure staff have the following training to a level approved by BC Housing:
 - a. Crisis prevention training and/or de-escalation training, non-violent intervention;
 - b. Standard First Aid and CPR. At least one(1) staff member certified in Standard First Aid and the appropriate CPR level training must be on duty at all times;
 - c. Indigenous awareness training;
 - d. Mental health first aid training;
 - e. Domestic violence safety planning;
 - f. Substance use awareness and safety training, including naloxone training;
 - g. LGBT2Q+ awareness training;
 - h. Trauma-informed practice training
 - i. Staff self-care training;
 - j. Vulnerability Assessment Tool (VAT) training; and
 - k. BC Housing Database training.

SCHEDULE E – AUTHORIZATION TO DISCLOSE PERSONAL INFORMATION

If a Resident's information needs to be shared with other service agencies, the Resident's permission must be obtained in writing prior to sharing the information. The EXCHANGE OF INFORMATION FORM below, or an equivalent form that meets the requirements of the *Personal Information Protection Act* (British Columbia) and the *Freedom of Information and Protection of Privacy Act* (British Columbia), may be used.

**THE PORT ALBERNI FRIENDSHIP CENTRE
EXCHANGE OF INFORMATION**

Part 1 – To OBTAIN information

I, _____, born on (date) _____

authorize _____ to obtain the minimum information necessary from:

Agency name: _____

Agency contact: _____

Address: _____

Phone: _____

For the purpose of: _____

This consent is effective for six months from the date of signing unless withdrawn by me in writing.

Signature: _____ Witness: _____

Date: Month _____ Day _____ Year _____

Part 2 – To RELEASE information

I, _____, born on (date) _____

authorize _____ to release the minimum information necessary to:

Agency name: _____

Agency contact: _____

Address: _____

Phone: _____

For the purpose of: _____

Signature: _____ Witness: _____

This consent is effective for six months from the date of signing unless withdrawn by me in writing.

Dated at _____ this _____ day of _____, _____

The Port Alberni Friendship Centre complies with all applicable privacy laws. If you have questions about the way we handle your private information, please ask to speak to the Executive Director.

SCHEDULE F – INSURANCE

A. INSURANCE – THE PROVIDER

1. The Provider will, without limiting its obligations or liabilities herein and at its own expense, provide and maintain the following insurance with insurers licensed in Canada and in forms and amounts acceptable to BC Housing, in its sole discretion.
 - a. Commercial general liability in an amount not less than \$10,000,000.00 inclusive per occurrence, insuring against bodily injury, personal injury and property damage, and include liability assumed under this Agreement, a cross liability or severability of interests clause, British Columbia Housing Management Commission as an additional insured, and an endorsement to provide thirty (30) days' advance written notice to the Provider of material change or cancellation.
 - b. The foregoing insurance will be primary and not require the sharing of any loss by any insurer of BC Housing.
 - c. The Provider will provide to BC Housing evidence of all required levels of insurance within thirty (30) days of the execution of this Agreement and within thirty (30) days of renewal of such written policies. When requested by BC Housing, the Provider will provide certified copies of such policies.
2. The Provider will promptly notify BC Housing of any circumstance known or which becomes known to the Provider which might materially affect the coverage under the Provider's insurance policies.
3. Any requirement or advice by BC Housing regarding the amount of coverage under any policy of insurance does not constitute a representation by BC Housing that the amount required is adequate.
4. The Provider will provide, maintain, and pay for, any additional insurance which the Provider is required by law to carry, or which the Provider considers necessary to cover risks not otherwise covered by insurance specified in this Schedule.
5. The Provider hereby waives all rights of recourse against BC Housing with regard to any damage, theft or loss of the Provider's property and agrees to carry adequate insurance coverage against such damage, theft or loss of property.
6. The Provider will obtain and maintain, or cause to be obtained and maintained, workers compensation coverage in respect of all workers, employees and other persons engaged in any work in or upon the Development required by the *Workers Compensation Act* (British Columbia).

**Schedule E–
Letter of Intent
)**

DRAFT

This Agreement dated for reference the 18th day of August, 2022

BETWEEN:

THE CITY OF PORT ALBERNI

(the "**City**")

AND:

PORT ALBERNI FRIENDSHIP CENTRE

(The "**Society**")

AND:

BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION

(the "**Commission**")

WHEREAS:

- A. The City is the registered owner of the lands, having a civic address of 3665, 3675, and 3689 4th Avenue, which are shown on the plan attached hereto as Schedule A (the "**Lands**");
- B. The City, proposes to lease the Lands for a two-year term for a temporary low barrier shelter consisting of an office, two (2) sanitary stations, two (2) common areas and up to 30 tiny shelters as outlined in the site plan attached hereto as Schedule B (the "**Development**"), with no other structures permitted on the Lands without the written approval of the City; and
- C. The Lands are currently zoned C-3 which does not permit the proposed Development and as such a Temporary Use Permit ("**TUP**") under s. 493 of the *Local Government Act* (BC) will be required to permit the Development for up to two (2) years on the Lands.

NOW THEREFORE in consideration of the mutual promises set out herein, the parties hereto agree as follows:

Temporary Use Permit and Lease of Lands

- 1. The Society, at its own expense, shall make application to the City for a TUP satisfactory to permit the Development on the Lands. Subject to the unfettered discretion of the City's

municipal council, the TUP will outline the conditions of use, regulate the construction of buildings or structures in respect of the use for which the TUP is issued. A draft TUP is attached hereto as Schedule C and the parties agree that issuance of the TUP by the City is a condition precedent to the parties further obligations under this Agreement.

2. Subject to the terms and conditions of this Agreement, the City will lease the Lands to the Society for a two-year (2) term substantially in accordance with the terms of the Lease hereto as Schedule D (the “**Lease**”).

Development of the Lands

3. The City will at its own expense:
 - a. provide and install both offsite and on-site utility connections for water, sanitary, storm, and electrical to the Lands, including sanitary, sewer and water to the office building to be located on the Lands;
 - b. provide and install chain link perimeter fencing for the Lands;
 - c. prepare the Lands with gravel and be ready for the Development; and
 - d. City will provide \$10,000 for the purpose of purchasing security cameras.
4. The Society will be responsible for all other capital and other costs for the Development and shall design, construct and install the Development at its own expense in accordance with the site plan attached as Schedule B.
5. The Commission will:
 - a. provide two (2) sanitary stations to the Lands which they will deliver and install on the Lands; and City responsible for sanitary and water connection to the Sanitary Stations.
 - b. funding for development costs required to address the conditions in the TUP.
6. Any landscaping required for the Lands will be at the cost of the Commission and the Society.

Development Operating Costs

7. The Commission will enter into an Operating Agreement with the Society for a two (2) year term in substantially the form attached as Schedule E (the “**Operating Agreement**”) which will detail the operations of the Development and the operating costs that the Commission will fund.

8. The City will pay all utility fees for water, sewer, storm for the Lands during the term of the Lease. The Society will forward all invoices for these costs to the City.
9. Security cameras and monitoring costs and responsibility for their costs will be identified in the Lease and the Operating Agreement and will be funded by the Commission.

Conditions Precedent

10. This Agreement is subject to the following conditions precedent being satisfied or waived by the City by or before November 1, 2022:
 - a. Issuance of the TUP by the City;
 - b. Execution of the Lease by the City and the Society;
 - c. Execution of the Operating Agreement by the Society and the Commission in form and substance satisfactory to the City in its absolute discretion; and
 - d. Approval of all agreements and transactions contemplated herein by the City's municipal council and compliance by the City with all of statutory and legal obligations.

These conditions precedent are for the sole benefit of the City and the City has the right to waive one or all of the conditions precedent at its discretion within the time stipulated and proceed with the transaction herein contemplated. In the event any one or more of the foregoing conditions is not waived, extended or satisfied in the time allowed, this Agreement shall terminate and be at an end.

11. This Agreement is subject to the following conditions precedent being satisfied or waived by the Society by or before November 1, 2022:
 - a. Issuance of the TUP by the City;
 - b. Execution of the Lease by the City and the Society; and
 - c. Execution of the Operating Agreement by the Society and the Commission.

These conditions precedent are for the sole benefit of the Society and the Society has the right to waive one or all of the conditions precedent at its discretion within the time stipulated and proceed with the transaction herein contemplated. In the event any one or more of the foregoing conditions is not waived, extended or satisfied in the time allowed, this Agreement shall terminate and be at an end.

12. This Agreement is subject to the following conditions precedent being satisfied or waived by

the Commission by or before November 1, 2022:

- a. Issuance of the TUP by the City;
- b. Execution of the Lease by the City and the Society; and
- c. Execution of the Operating Agreement by the Society and the Commission.

These conditions precedent are for the sole benefit of the Commission and the Commission has the right to waive one or all of the conditions precedent at its discretion within the time stipulated and proceed with the transaction herein contemplated. In the event any one or more of the foregoing conditions is not waived, extended or satisfied in the time allowed, this Agreement shall terminate and be at an end.

General Terms

- 13. The Society and the Commission acknowledges and agrees that despite the City's acknowledgment of the intended Temporary Use Permit (TUP) application set out herein, that all TUP applications are subject to a public process and nothing herein shall in any way fetter, limit or restrict the legislative discretion of City Council of the City of Port Alberni.
- 14. The Society and the Commission acknowledges and agrees that despite the City's acknowledgment of the intended disposition of the Lands, land dispositions are subject to a public process and nothing herein shall in any way fetter, limit or restrict the legislative discretion of City Council of the City of Port Alberni.
- 15. The Society, City and the Commission acknowledge and agree that the nature of this Agreement involve broad understandings that may require further agreements in the future. In recognition of that, each party agrees to act reasonably and cooperate with the other in achieving completion of the various aspects of Development and use of Lands.
- 16. Each party represents to the other that it has taken all necessary steps to secure approval for execution and delivery of this Agreement and that it is an agreement that is within its lawful authority and binding on it.
- 17. The parties agree that time shall be considered of the essence in this Agreement.
- 18. This Agreement sets forth the entire agreement and understanding of the parties with respect to its subject matter and this Agreement supersedes all prior proposals, writings, statements (oral or otherwise), agreements and understandings between the parties with respect to the matters herein, and there are no oral or written agreements, promises, warranties, terms,

conditions, representations or collateral agreements whatsoever, express or implied, other than those contained in this Agreement.

19. This Agreement may be altered or amended only by an agreement in writing signed by the parties.
20. Any notice or other writing required or permitted to be given to any party shall be sufficiently given if delivered by mail, by hand, or by prepaid courier to such party at the addresses noted above or such other address or addresses as a party may advise in writing. Any notice or other writing sent in compliance with this section shall be deemed to have been given and received on the date it is so delivered unless it is mailed in which case delivery shall be deemed to have occurred on the earlier of the date of delivery or 3 business days after the date of mailing.
21. This Agreement shall be governed by the laws and courts of British Columbia and Canada applicable therein and each of the parties attorns to the exclusive jurisdiction of the courts of the Province of British Columbia.
22. Each of the parties hereto shall, with reasonable diligence, do all such things and provide all such reasonable assurances as may be required to consummate the transactions contemplated and each such party shall provide such further documents or instruments required by the other party as may reasonably be necessary or desirable to give effect to the terms and purpose of this Agreement.
23. Nothing contained or implied in this Agreement shall fetter in any way the discretion of the District or the Council of the District. Further, nothing contained or implied in this Agreement shall derogate from the obligation of the Society under any other agreement with the City or, if the City so elects, prejudice or affect the City's rights, powers, duties or obligation in the exercise of its functions pursuant to the *Community Charter* or the *Local Government Act*, as amended or replaced from time to time, or act to fetter or otherwise affect the City's discretion, and the rights, powers, duties and obligations of the City under all public and private statutes, by-laws, orders and regulations, which may be, if the City so elects, fully and effectively exercised in relation to the Lands.
24. No supplement, modification, waiver or termination of this Agreement shall be binding unless executed in writing by the party to be bound by it.
25. No waiver of any of the provisions of this Agreement shall be deemed to or shall constitute a waiver of any other provisions (whether or not similar) nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.
26. Any reference in this Agreement to any statute or any section of it shall, unless otherwise

expressly stated, be deemed to be a reference to such statute or section as amended, restated or re-enacted from time to time.

27. The headings appearing in this Agreement have been inserted for reference and as a matter of convenience and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
28. In the event that any provision of this Agreement or portion of it should be illegal, invalid or unenforceable in respect of any applicable law, the validity, legality and enforceability of the remainder of this Agreement shall not be affected or impaired.
29. 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 so requires.
30. This Agreement may be executed in counterpart with the same effect as if both Parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

WHEREFORE, THE PARTIES HAVE EXECUTED THIS AGREEMENT WHERE INDICATED BELOW:

**The Port Alberni Friendship Society
by its authorized signatories:**

Signature:

Print Name:

**British Columbia Housing Commission
by its authorized signatories:**

Signature:

Print Name:

**The City of Port Alberni
by its authorized signatories:**

Signature:

Print Name:

SCHEDULE A

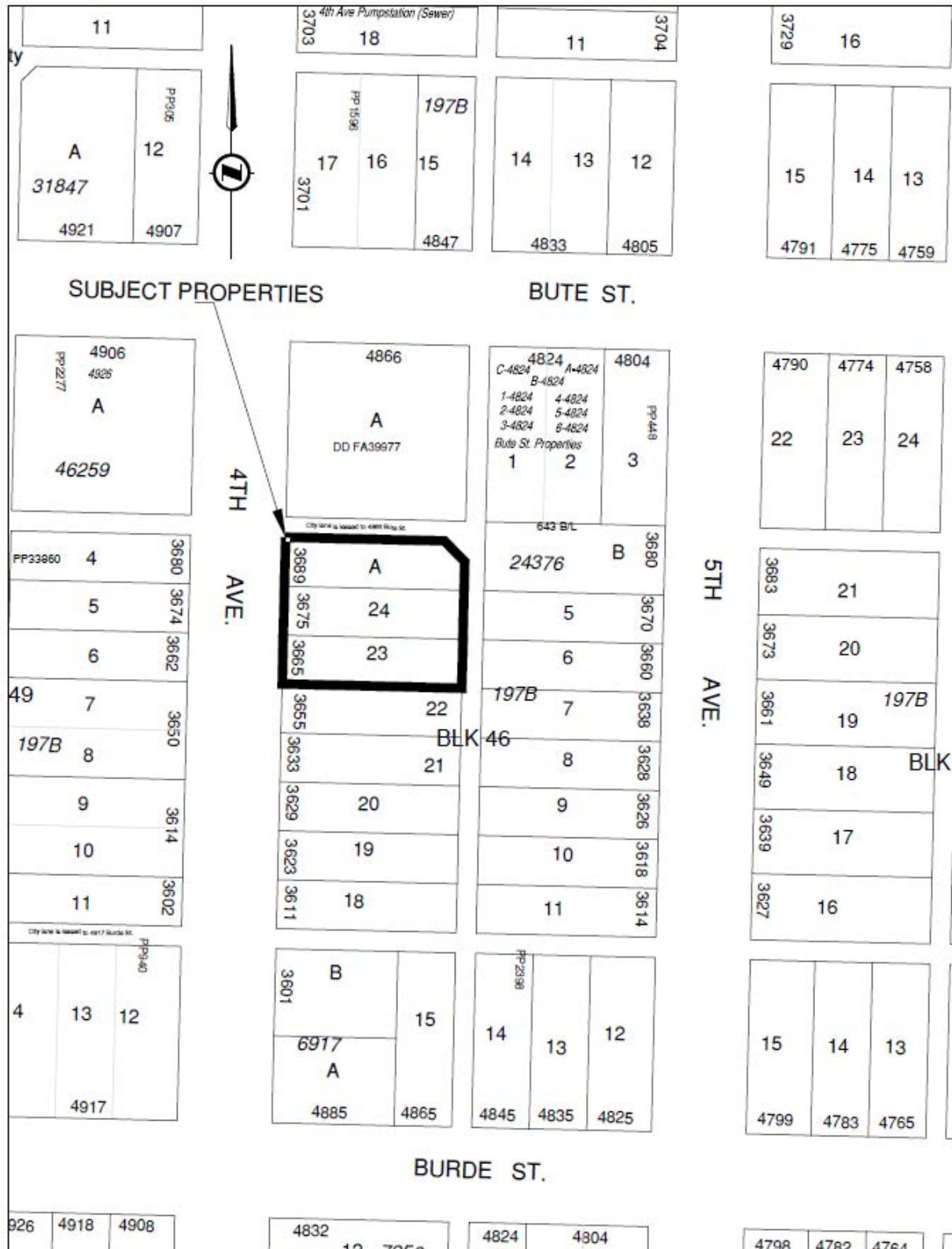
THE LANDS

3665 3675 3689 4th Avenue Port Alberni BC

PID 009-243-372 PID 009-243-399 PID 003-029-808

(and as shown on following page)

DRAFT



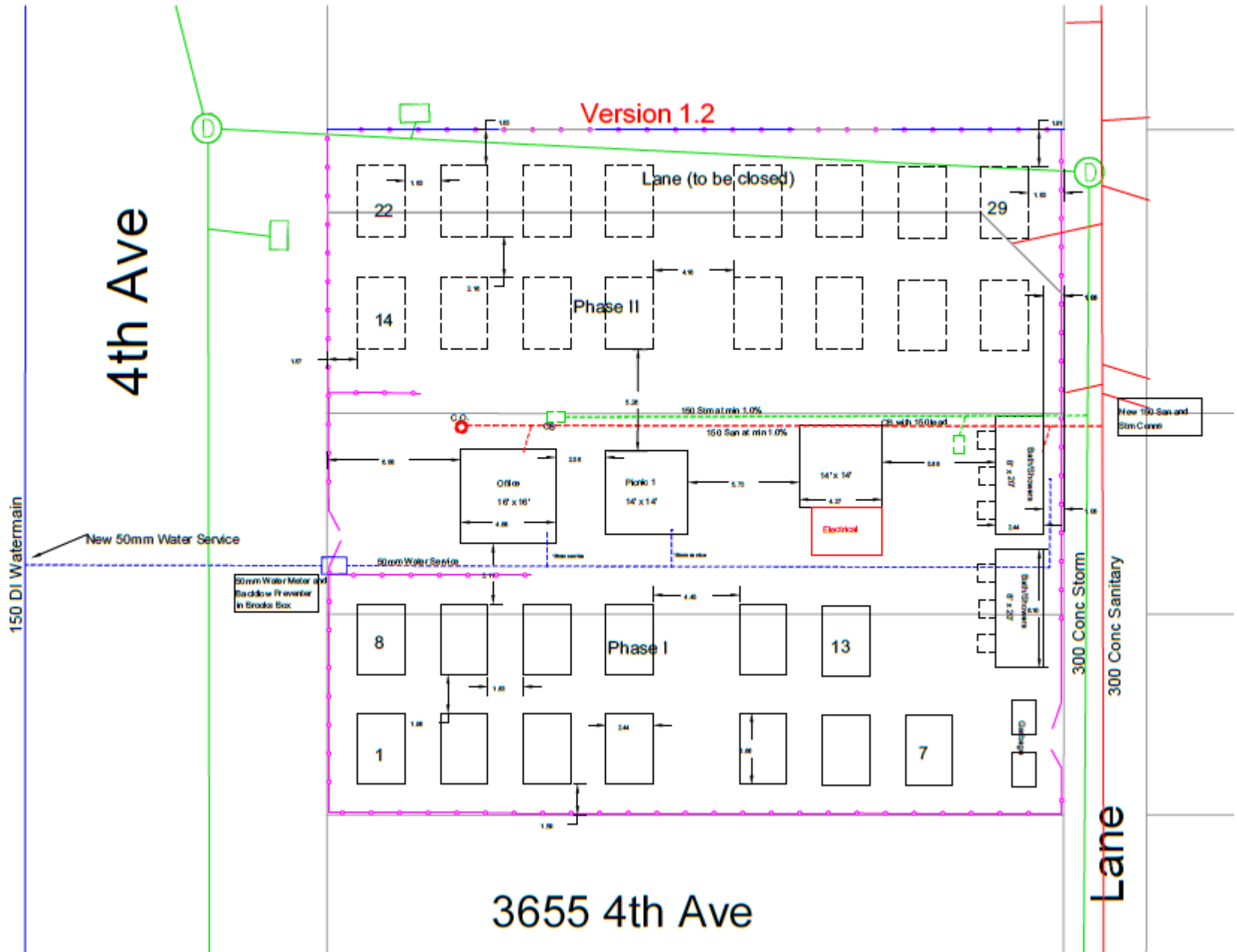
SCHEDULE B

THE DEVELOPMENT

(Draft version 1.2 site plan Aug 9, 2022)

(and as shown on following page)

DRAFT



SCHEDULE C

TEMPORARY USE PERMIT

(Draft Aug 15, 2022)

DRAFT

SCHEDULE D

THE LEASE

(Draft Aug 15, 2022)

DRAFT

SCHEDULE E

OPERATING AGREEMENT

(Draft Aug 15, 2022)

DRAFT

THIS LEASE dated for reference the 1st day of September, 2022

BETWEEN:

THE CITY OF PORT ALBERNI

(the "**City**")

AND:

PORT ALBERNI FRIENDSHIP CENTRE

(the "**Lessee**")

WHEREAS:

- A. The City is the registered owner of the lands, having a civic address of 3665, 3675, and 3689 4th Avenue, Port Alberni, British Columbia and legally described respectively as:

PID: 009-243-372, LOT 23, BLOCK 46, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 197B,

PID: 009-243-399, LOT 24, BLOCK 46, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 197B, and

PID: 003-029-808 LOT A, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 24376 ("**Lot A**")

which are shown outlined in bold on the plan attached hereto as Schedule A (collectively, the "**Lands**");

- B. The City, the Lessee and the British Columbia Housing Commission ("**BC Housing**") have entered into a letter of intent dated for reference August 18th, 2022, an excerpt of which is attached hereto as Schedule B (the "**Letter of Intent**") whereby the parties have detailed their intentions to use the Lands for the purpose of temporary housing for the homeless;
- C. The Lands are currently zoned C-3 which does not permit the proposed temporary housing use and as such a Temporary Use Permit under s. 493 of the *Local Government Act* (BC) will be required to permit the use for up to two (2) years on the Lands, a draft of which is attached hereto as Schedule C (the "**TUP**");
- D. The Lessee and BC Housing have also entered into an operating agreement dated for reference *, 2022, an excerpt of which is attached as Schedule D (the "**Operating Agreement**");

- E. In accordance with the Letter of Intent, the Lessee desires to lease the Lands for the purpose of operating and maintaining a temporary housing facility for the homeless on the terms and subject to the conditions set out herein,

NOW THEREFORE in consideration of the premises and the payment of \$1.00 (one dollar) from each party to the other, the receipt and sufficiency of which both parties hereby acknowledge, the parties agree as follows:

1. **Demise and Term** - The City hereby demises and leases to the Lessee the Lands for a term of two (2) years from the _____ day of _____, 2022 (the “**Commencement Date**”) to and including the _____ day of _____, 2022 (the “**Term**”) to have and to hold for the Term for the purpose of installing, constructing, operating and maintaining temporary housing for the homeless substantially in accordance with the Letter of Intent, the TUP, the Operating Agreement and the plans shown in Schedule E (the “**Permitted Use**”).
2. **Quiet Enjoyment** - Subject to this Lease, the Lessee will and may peaceably hold and enjoy the Lands during the Term without interruption or disturbance by the City or any person lawfully claiming under the City.
3. **Renewal** – This Lease may only be renewed by the mutual agreement of the parties.
4. **Rent** – The Lessee shall pay to the City rent in the amount of \$1.00 per year, to be paid in advance on the first day of each year of the Term (the “**Rent**”) and the Lessee shall pay to City, from time to time upon demand, all other sums payable to the City pursuant to this Lease (the “**Additional Rent**”).
5. **Lessee’s Right of Access** – The Lessee shall have the right to access the Lands from any location on 4th Avenue adjacent to the Lands.
6. **Lands Accepted “As Is”** – The Lessee accepts the Lands “as is” and acknowledges that it has had the opportunity to undertake such inspections, tests and surveys of the Lands as it considers necessary and that the City has made no representations or warranties respecting the Lands, and that by entering into this Lease, it is satisfied that the Lands are suitable for its purposes.
7. **Ownership of Improvements** – The City and the Lessee agree that the title to and ownership of any temporary fixtures or improvements erected or to be erected on the Lands by or on behalf of the Lessee in accordance with the TUP, together with all replacements, alterations, additions, changes, substitutions, improvements and repairs thereto (the “**Improvements**”), shall at all times during the Term be vested in the Lessee, notwithstanding any rule of law to the contrary. At the expiration or early termination of the Term, the City may require the Lessee to remove all or part of the Improvements and any part of the Improvements not removed by the Lessee shall become the absolute property of the City free of all encumbrances, without payment of any compensation to the Lessee.

8. **Net Lease** – It is the intention of the parties that this is a “Net Lease” and at all expenses, costs and payments incurred in respect of the Lands and any other improvement to the Lands or anything affecting the Lands shall be borne by the Lessee.
9. **Taxes** – The Lessee shall promptly pay when due municipal, regional district, school, hospital district and other property taxes and all other taxes, charges, levies, assessments, and other fees which may be imposed or that may arise in respect of the Lands or the Lessee’s use of the Lands.
10. **GST** – The Lessee shall pay to the City all taxes, charges, levies and other fees, including Goods and Services Tax or any replacement tax, which may be payable in respect of this Lease.
11. **Utilities** – The City shall pay all charges for water supply and sanitary sewage disposal and the Lessee shall be responsible for all other charges and fees with respect to any other utility services rendered in respect of the Lands.
12. **Assigning and Subletting** - The Lessee shall not assign this Lease in whole or in part, and shall not sublet all or any part of the Lands or Improvements and shall not licence all or any part of the Lands or Improvements without the Lessee obtaining the prior written consent of the City in each instance, which consent will not be unreasonably withheld. In requesting the City’s consent to an assignment, sublease or licence, the Lessee must provide the City with all information requested by the City. The Lessee must, if required by the City, enter into sub-leases, assignment agreements or licences on terms required by the City, including requirements for insurance and indemnities.
13. **Use of Lands** – The Lessee will use the Lands and Improvements for the primary purpose of the Permitted Use defined herein and, if the Lessee obtains the prior written consent of the City, which consent may not be unreasonably withheld, for another use ancillary to the Primary Use.
14. **Construction** – The Lessee may, if the Lessee is not then in default under this Lease and in accordance with the prior written consent of the City, construct, renovate or replace the Improvements, provided such Improvements are consistent with the TUP and the Permitted Use. In giving its consent, the City may impose any conditions, including, without limitation, location requirements, parking and access requirements, construction requirements, design requirements, use restrictions, financial restrictions, and security obligations.
15. **Permits Required** – The Lessee acknowledges that prior to any construction on the Lands, including construction, renovation or replacement of the Improvements, the Lessee must obtain all permits contemplated in the TUP and other applicable bylaws and comply with all other bylaw requirements imposed by the City on construction within its boundaries.
16. **Compliance with Operating Agreement and Laws** – The Lessee will at all times during the Term use and occupy the Lands in compliance with the TUP, the Operating Agreement and all statutes, laws, regulations and orders of any authority having

jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws relating to environmental matters and relating to Lands, including all the rules, regulations, policies, guidelines, criteria or the like made under or pursuant to any such laws.

17. **Use of Lands** – The Lessee acknowledges that the Lessee must not use the Lands or permit a use of the Lands in breach of the TUP or other applicable enactments.
18. **No Nuisance** - The Tenant will not, at any time during the Term, use, exercise or carry on or permit or suffer to be used, exercised or carried on, in or upon the Lands or Improvements or any part thereof any noisy, noxious or offensive art, trade, business, occupation or calling and, the Tenant will not carry on, or suffer or permit to be carried on, on the Lands or Improvements any act, matter or thing which will or may constitute a nuisance or an unreasonable annoyance to the City, to any occupant of lands and premises in the vicinity of the Lands and Improvements.
19. **Liens and Judgments** – The Lessee will not permit any liens, judgments or other charges to be registered against the Lands. If any lien, judgment or other charge is registered, the Lessee will obtain its discharge within 30 days of the said registration.
20. **Filing Notice of Interest** – Throughout the term, the City is entitled to file a Notice of Interest pursuant to Section 3 (2) of the *Builders Lien Act* in the appropriate Land Title Office against title to the Lands.
21. **Repairs and Maintenance** – Throughout the Term at its own expense, the Lessee shall repair and maintain the Improvements and will keep the Improvements in a state of good repair as a prudent owner would do. The City will not be obliged to repair, maintain, replace or alter the Lands or the Improvements or any other building or structure or any part thereof on the Lands during the Term or to supply any services or utilities thereto save and except for such services and utilities as the City may be required to provide strictly in its capacity as a municipality and not in its capacity as a landlord. The Lessee hereby assumes the full and sole responsibility for the condition, operation, maintenance, repair, replacement and management of the Lands and Improvements during the Term.
22. **Maintenance of Grounds** – The Lessee shall clear all ice and snow, cut grass, landscape, repair and replace as necessary all sidewalks, driveways, parking areas and other public areas on or adjacent to the Lands in a well maintained, clean, tidy and safe state as befits land used for the Permitted Use and as a prudent owner would do.
23. **Public Safety** – The Lessee shall take all possible precautions to ensure the safety of person using the Lands and Improvements.
24. **Waste** – The Lessee will not commit, suffer, or permit any wilful or voluntary waste, spoil or destruction of the Lands.
25. **Right to Inspect** – The Lessee shall permit the City to enter the Lands and the Improvements at all reasonable times to determine if the Lessee is complying with all its promises under this Lease.

26. **Insurance Clauses –**

- (a) The Lessee is responsible for insuring the Improvements and all other structures located on the Lands and the contents of them, to full replacement cost against risk of fire and other risks against which a prudent owner would insure.
- (b) Without limiting the Lessee's obligations and liabilities under this Lease, the Lessee shall obtain, at its own expense, and keep in force a policy of comprehensive/commercial general liability insurance providing coverage for death, bodily injury, property loss, property damage and other potential loss and damage arising out of the Lessee's use and occupation of the Lands in an amount of not less than Five Million (\$5,000,000) Dollars inclusive per occurrence and the City, and its elected officials, officers, employees, agents and others, shall be named as additional insureds under the policy.
- (c) On the Commencement Date and at other times upon demand by the City, the Lessee shall deliver to the City certified copies of the policies of insurance required to be maintained by the Lessee under this Lease.
- (d) The City may, from time to time, notify the Lessee to change the amount of insurance required by this Lease and the Lessee will, within 45 days of receiving such a notice, cause the amounts to be changed and deliver to the City a letter from its insurer certifying the change in the amount of insurance.
- (e) The Lessee shall ensure that all policies of insurance pursuant to this Lease are:
 - (i) placed with insurers licensed in British Columbia;
 - (ii) are written in the name of the Lessee and the City with loss payable to them as their respective interests may appear;
 - (iii) contain a cross liability clause and a waiver of subrogation clause in favour of the City;
 - (iv) primary and does not require the sharing of any loss by any insurer that insures the City;
 - (v) contain a clause to the effect that any release from liability entered into by the City prior to any loss shall not affect the right of the Lessee or the City to recover; and
 - (vi) endorsed to provide the City with 30 day's advance notice in writing of cancellation or material change.

27. **Release** – The Lessee hereby releases the City and its elected officials, officers, employees, agents and others from and against all demands and claims, which the Lessee may have, now or in the future, in relation to this Lease, the Lands or the Lessee's use or occupancy of the Lands.

28. **Indemnity** – Save and except for the negligence of the City, its employees and contractors the Lessee will and hereby does indemnify and save harmless the City from any and all liabilities, damages, costs, claims, suits or actions whatsoever in connection with or arising from:

- (a) any breach of any obligation set forth in this Lease to be observed or performed by the Lessee;
- (b) any act, omission, or negligence of the Lessee, its members, officers, directors, employees, agents, contractors, subcontractors, subtenants, licensees, invitees or others for whom it is responsible;
- (c) any damage to property occasioned by the Lessee's use and occupation of the Lands and Improvements or any injury to person or persons, including death, resulting at any time from the Lessee's use and occupation of the Lands and Improvements; or
- (d) the granting of this Lease.

29. **Environmental Clauses**

(a) **Definitions** – For the purpose of this Part:

- (i) **"Environmental Law"** means all federal, provincial, municipal or local laws, statutes or ordinances relating to environmental matters, including all rules, regulations, policies, guidelines, criteria or the like promulgated under or pursuant to any such laws;
- (ii) **"Hazardous Substance"** means a contaminant, pollutant, dangerous good, waste, toxic substance, special waste or hazardous substance as defined in or pursuant to any Environmental Law;
- (iii) **"Notice"** means any citation, directive, order, claim, litigation, investigation, proceedings, judgment, letter or other communication, written or oral, actual or threatened, from any person, including any governmental agency;
- (iv) **"Permit"** means any authorization, permit licence, approval or administrative consent issued pursuant to Environmental Law.

(b) **Compliance with Laws** – The Lessee will conduct its business and operation on the Lands in compliance with all Environmental Laws and all Permits.

(c) **Notice to District** – The Lessee will forthwith notify the City of the occurrence of any of the following and will provide the City with copies of all relevant documentation in connection therewith:

- (i) a release of a Hazardous Substance on the Lands, except as is authorized under Environmental Law;

- (ii) the receipt by the Lessee of a Notice from any governmental agency of non-compliance pursuant to any Environmental Law, including a Notice of non-compliance respecting a Permit;
 - (iii) the receipt by the Lessee of a Notice of a claim by a third party relating to environmental concerns; or
 - (iv) the receipt by the Lessee of information which indicates that Hazardous Substances are present in or on the Lands.
- (d) **Storage of Hazardous Substances** – The Lessee will not permit the storage, treatment or disposal of Hazardous Substances on the Lands except in accordance with all Environmental Laws.
- (e) **Investigations** – The Lessee will conduct such investigations, searches, testing, drilling and sampling (“Investigations”) as may at any time be required by the City where any reasonable evidence exists that the Lessee's current or prior use or occupation of the Lands may be introducing or increasing the existence of any Hazardous Substance on the Lands. If the Lessee does not complete the Investigations to the satisfaction of the City, the City may enter on the property of the Lessee and take any actions necessary to complete the Investigations, the cost of which actions will be borne by the Lessee.
- (f) **Remediation** – If Hazardous Substances are present on or in the Lands as a result of the Lessee's use or occupation of the Lands, the Lessee will take all necessary action, at the cost of the Lessee to remediate the Lands to a level acceptable to the City and to governmental authorities.
- (g) **Condition of Lands on Termination** – Prior to the termination of the Lease, the Lessee will conduct all Investigations required by the City where any reasonable evidence exists that the Lessee's use or occupation of the Lands has introduced or increased the existence of any Hazardous Substance on or in the Lands. The Lessee will provide the result of the Investigations to the City. Where any Hazardous Substance is found on or in the Lands as a result of the Lessee's use or occupation of the Lands, the Lessee will take all necessary action, at the cost of the Lessee, to remediate the Lands to a level acceptable to the City and to governmental authorities.
- (h) **Permits** – The Lessee will provide to the City satisfactory documentary evidence that all Permits are valid and in good standing as requested by the City from time to time.
- (i) **Indemnity (Environmental)** – The Lessee will indemnify and save harmless the City, their officers, directors, employees, agents and shareholders from and against any and all losses, claims, costs, expenses, damages and liabilities, 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, their officers, directors, employees, agents and shareholders arising, directly or indirectly, out of:

- (i) a breach by the Lessee of any of the covenants contained in this Lease;
- (ii) where the Lessee's use or occupancy of the Lands results in the presence, release or increase of any Hazardous Substance on the Lands (or on any other land by way of migration, seepage or otherwise);
- (iii) any reasonable action taken by the City with respect of the existence of or remediation for any such Hazardous Substance on the Lands (or on any other land by way of migration, seepage or otherwise); or
- (iv) any reasonable action taken by the City in compliance with any Notice of any governmental authority with respect to the existence of any such Hazardous Substance on the Lands (or on any other land by way of migration, seepage or otherwise).

30. **Survival of Indemnities** – The indemnities contained in this Lease will survive the expiration or earlier termination of the Term.

31. **Notice** – Any notice, document or communication required or permitted to be given hereunder shall be in writing and shall be deemed to be satisfactory if and deemed to have occurred when:

- (a) when delivered by hand, on the date of receipt; or
- (b) mailed by prepaid registered mail, on the date received or on the fifth day after receipt of mailing by any Canada post office, whichever is the earlier,

PROVIDED the notice is sent to the party at the address provided herein or to whatever other address the City and Lessee may from time to time advise by written notice. If normal mail service is interrupted by strike, slowdown, force majeure or other cause, then the party sending the notice, document or communication shall fax or deliver such notice, document or communication in order to ensure its prompt receipt.

32. **Notice of Default** – If the Lessee fails to observe, comply with or perform any of its covenants, agreements or obligations under this Lease, the City may deliver to the Lessee a notice of default (in the manner required herein for giving notices) stipulating that the default must be rectified or cured within 30 days of the notice for other defaults, but less or no notice is required to be given by the City in emergency or urgent circumstances, as determined by the City in its sole discretion, acting reasonably, or where the Lessee has failed to keep the Lands and Improvements insured.

If the default (other than the failure to keep the Lands and Improvements insured) reasonably requires more time to rectify or cure than 30 days, the Lessee will be deemed to have complied with the rectification or curing of it if the Lessee commences rectifying

or curing the default within 30 days after notice from the City and diligently completes the same.

33. **City's Right to Perform** – If the Lessee fails to rectify or cure a default within the time and in the manner specified in a notice under section 32 and if the default is one that can be rectified or cured by the City, the City may, without further notice to the Lessee, take all steps considered in its sole discretion necessary to rectify or cure the default and all costs of doing so, including the cost of retaining professional advisors, shall be payable immediately by the Lessee as Additional Rent. Nothing in this Lease obligates the City to rectify or cure any default of the Lessee but should the City choose to do so, the City shall not be liable to the Lessee for any act or omission in the course of rectifying or curing or attempting to rectify or cure any default.
34. **Distress** – If the Rent or Additional Rent payable by the Lessee is in arrears, the City or a person authorized in writing by the City may enter upon the Lands and seize any goods or chattels and may sell the same.
35. **Provisos** – Provided always and it is hereby agreed that the City may, without further notice to the Lessee, terminate this Lease and re-enter and take possession of the Lands if:
 - (a) the Rent or any Additional Rent is unpaid for fifteen (15) days after notice pursuant to section 32; or
 - (b) the Lessee fails to observe, comply with or perform any of its covenants, agreements or obligations herein and the failure is not rectified or cured by the Lessee within the time specified in section 32.

The Lessee will make no claim for compensation, in damages or otherwise, upon the lawful termination of this Lease under this section. If the City terminates this Lease, the City retains the right to proceed at law against the Lessee for all of Rent and Additional Rent and other loss or damage and costs, including all prospective losses or prospective damages suffered or to be suffered by the City arising from the default of the Lessee under this Lease.

36. **Remedies Cumulative** – The City's remedies in this Lease are cumulative and are in addition to any remedies of the City at law or in equity.
37. **Dissolution** – If the Lessee is a corporation and if an order is made, a resolution passed or a petition filed for the liquidation or winding up of the Lessee or if a receiver or receiver-manager is appointed to administer or carry on the Lessee's business, then at the option of the City, the Rent, Additional Rent and all outstanding levies and charges shall become immediately due and payable and this Lease shall immediately become forfeited and void and the City may re-enter and take possession of the Lands.
38. **Bankruptcy** – If this Lease is at any time seized or taken in execution or in attachment by any creditor of the Lessee, or if the Lessee should become insolvent or make any assignment for the benefit of creditors, or commit an act which entitles a person to take

action under the *Bankruptcy and Insolvency Act* (Canada) or a bankrupt petition is filed or presented against the Lessee or the Lessee consents to the filing of the petition or a decree is entered by a court of competent jurisdiction adjudging the Lessee to be bankrupt under any law relating to bankruptcy and insolvency, then at the option of the City, the Rent, Additional Rent and all outstanding levies and charges shall become immediately due and payable and this Lease shall immediately become forfeited and void and the City may re-enter and take possession of the Lands.

39. **Holding Over** – If the Lessee should hold over after the expiration of the Term and the City should accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month.
40. **Yielding Up** – The Lessee agrees to deliver to the City the Lands, including the Improvements or the portion thereof removed by the Lessee pursuant to section 7, at the expiry or earlier termination of this Lease in good repair, subject only to reasonable wear and tear, and in compliance with the environmental clauses in this Lease.
41. **Legal Costs** – Each of the City and the Lessee is responsible for its own legal costs in relation to the preparation and negotiation of this Lease.
42. **Own Cost** – The Lessee shall perform all of its obligations, covenants and agreements under this Lease solely at its own cost.
43. **Law to the Contrary** – This Lease shall enure to the benefit of and be binding on the parties notwithstanding any rule of law or equity to the contrary.
44. **Severance** – If any portion of this Lease is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Lease.
45. **Governing Law** – This Lease shall be governed by and construed in accordance with the laws of the Province of British Columbia.
46. **No Waiver** – Waiver by the City of any default by the Lessee shall not be deemed to be a waiver of any subsequent default. A waiver is effective only if it is in writing.
47. **References** – Every reference to each party is deemed to include the heirs, executors, administrators, successors, directors, employees, members, servants, agents, officers, and invitees of such party where the context so permits or requires.
48. **Amendment** – This Lease may not be modified or amended except by an instrument in writing signed by the City and the Lessee.
49. **Remedies Not Exclusive** – No remedy conferred upon or reserved to the City is exclusive of any other remedy herein or provided by law, but all such remedies shall be cumulative and may be exercised in any order or concurrently.

50. **No Joint Venture** – Nothing in this Lease shall constitute the Lessee the agent, joint venturer or partner of the City or give the Lessee any authority or power to bind the City in any way.
51. **Charges on Title** – The Lessee shall abide by and observe all requirements and restrictions on the title to the Lands registered prior to the Commencement Date.
52. **Other Dispositions** – The City reserves the right to grant rights of way, easements, covenants and other dispositions of the Lands or any part of it in a manner consistent with this Lease and the Lessee shall execute any such document if requested by the City. For greater certainty, but without limiting the generality of the foregoing, a right of way, easement, covenant or other disposition is not inconsistent with this Lease if it does not charge the Lands.
53. **Powers Preserved** – Nothing in this Lease affects the right of the City to exercise its powers within its jurisdiction.
54. **Authority** – The Lessee represents and warrants to the City that it has full authority to enter into this Lease and to carry out the actions contemplated herein, that all resolutions and other preconditions to validity have been validly adopted, and that those signing this Lease on its behalf are authorized to bind the Lessee by their signatures.
55. **Enurement** – This Lease shall enure to the benefit of and be binding upon the parties hereto and their respective successors.
56. **Captions** – The captions appearing in this Lease have been inserted for reference and as a matter of convenience and do not define, limit or enlarge the scope or meaning of this Lease.
57. **Interpretation** – Wherever the singular or masculine or neuter is used in this Lease, the same shall be construed as meaning the plural, the feminine or body corporate where the context so requires.
58. **Entire Lease** – The provisions herein contained constitute the entire agreement between the parties and supersede all previous communications, representations, warranties, covenants and agreements whether verbal or written between the parties with respect to the subject matter hereof.
59. **Time of Essence** – Time is of the essence of this Lease.
60. **Further Assurances** – The parties shall execute and do all such further deeds, acts, things and assurances as may be reasonably required to carry out the intent of this Lease.
61. **Covenants and Conditions** – All of the provisions of this Lease shall be deemed and construed to be conditions as well as covenants as though the words specifically expressing or importing covenants and conditions were used in each separate section.

62. **No Abatement** – The Lessee is not entitled to any abatement or reduction or deduction from the Rent or Additional Rent.
63. **Estoppel Certificate** – The Lessee will, upon request, execute and deliver a certificate certifying the current status of this Lease.
64. **Registration** – the Lessee may register this lease against the title to the Lands, in which case the Lessee must pay all registration costs and property transfer tax.

IN WITNESS WHEREOF, the parties have executed this Lease as of the dates set out below:

THE CITY OF PORT ALBERNI, but its authorized signatories, has executed this Lease this _____, 2022, at Port Alberni, British Columbia.

Name:

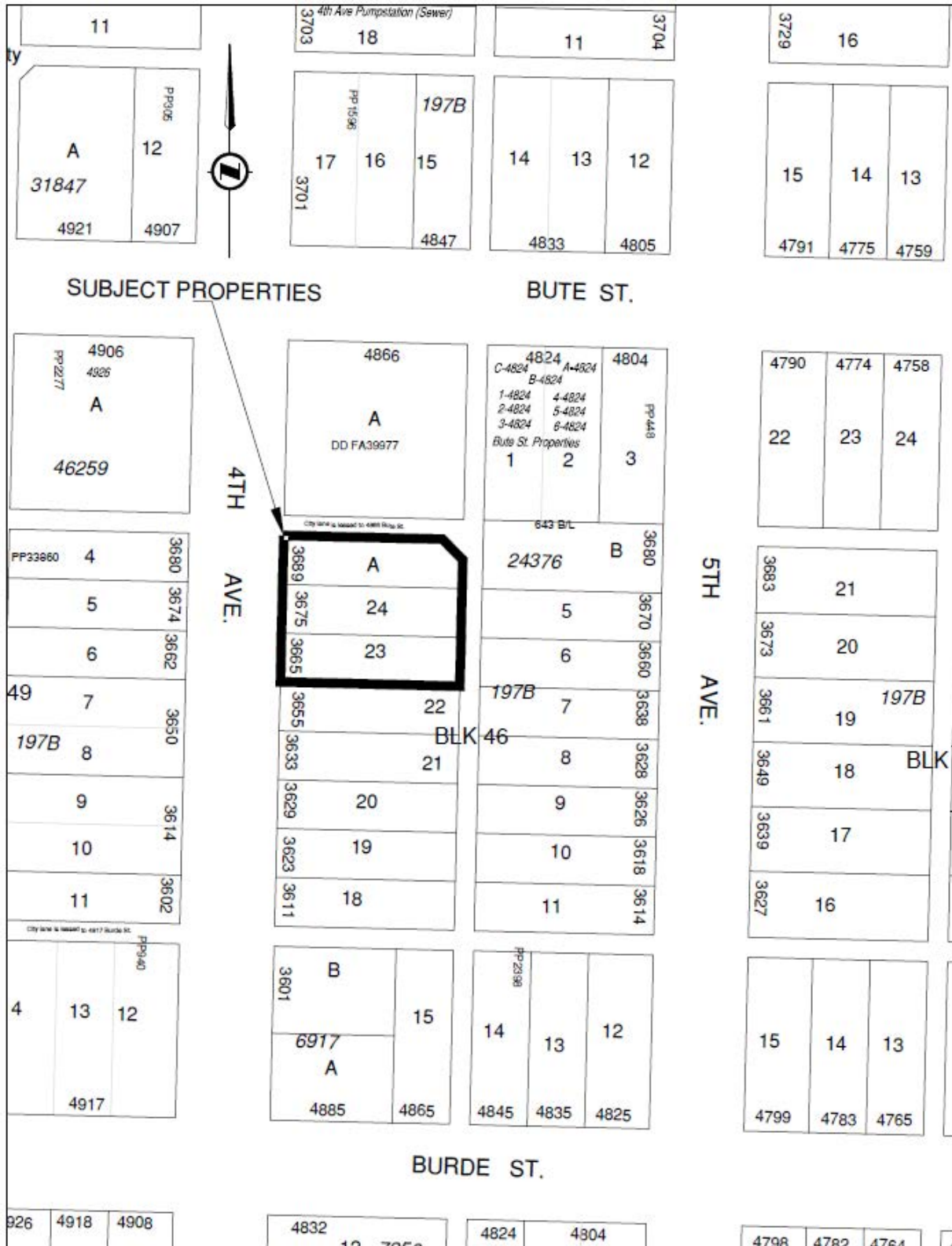
Name:

PORT ALBERNI FRIENDSHIP CENTRE, but its authorized signatories, has executed this Lease this _____, 2022, at Port Alberni, British Columbia.

Name:

Name:

SCHEDULE A
PLAN OF THE LANDS



SCHEDULE B
EXCERPT OF LETTER OF INTENT

DRAFT

SCHEDULE C
TEMPORARY USE PERMIT

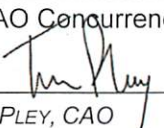
DRAFT

SCHEDULE D
OPERATING AGREEMENT EXERPT

DRAFT



Date: August 30, 2022
File No: 1855-01
From: T. Pley, CAO
To: Mayor & Council
Subject: Seeking Council Direction on Two Grant Opportunities

Prepared by: <u>P. DEAKIN</u> Economic Development Manager	Supervisor: <u>T. PLEY</u> CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  T. PLEY, CAO
---------------------------------------------------------------------	------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------

RECOMMENDATION[S]

- That Council authorize staff to amend "City of Port Alberni 2022 – 2026 Financial Plan Bylaw No. 5045, 2022" by allocating \$290,000 towards the Roger Creek Connector Trail Project in 2023.
- That Council support applications to the BC Active Transportation Infrastructure Grant Program and the Natural Infrastructure Fund for respective portions of a multi-modal Roger Creek Connector Trail Project linking the Roger Creek and Scott Kenny Trails.

PURPOSE

To seek Council direction regarding grant opportunities presented by the BC Active Transportation Infrastructure Grants Program (ATIGP) and the federal Natural Infrastructure Fund (NIF). This report proposes making an application to each of the funds for portions of a multi-modal link between the Roger Creek and Scott Kenny Trails.

BACKGROUND

The BC Active Transportation Infrastructure Grants Program (ATIGP) intake opens Sept 6, 2022 and closes October 21, 2022. Municipal governments can apply for two grants for different projects or different phases of the same project if certain conditions are satisfied. Infrastructure grants are cost shared to a maximum of \$500,000 per project. Municipalities of Port Alberni's size are required to come up with 40% of the project costs.

The Natural Infrastructure Fund (NIF) was created to support natural and hybrid infrastructure projects across Canada. The application period closes September 27, 2022. The fund may provide grants up to \$250,000 and contributions up to \$1 million. Projects with eligible costs between \$30,000 and \$3 million are to deliver any of the following community services: climate change resilience; increased access to nature; improved environmental quality; enhanced biodiversity and habitat; climate change mitigation. Municipalities that apply are required to fund 20% of the project.

ENTERED
F5

Alternatives for each grant type will be discussed after a case is made for applying to each fund for a portion of the proposed multi-modal link between the Roger Creek and Scott Kenny Trails.

ANALYSIS

The \$751,250 cost estimates for the 500-metre link were developed in late 2020 and early 2021. Within that cost, a crossing of the steep slope to the east of the Roger Creek Trestle was estimated at \$150,000. It is assumed, the total costs will now be approximately \$825,000 and within that, a hybrid naturalized approach to the steep slope would be approximately \$200,000.

The municipal share of an application to the ATIGP would be \$250,000 (\$825,000 minus \$200,000 times 40%). The municipal share of an application to the NIF would be \$40,000 (\$200,000 times 20%).

The total municipal share of applications to both funds would be \$290,000.

Applying to both funds for portions of a multi-modal pathway linking the Roger Creek and Scott Kenny Trails has the following pros and cons:

Pro: The trail would connect two existing trails thus addressing strategy 5.3.2 in Council's *Corporate Strategic Plan*.

Pro: Project design and costs were developed in late 2020 and early 2021 so would only need to be updated.

Pro: Increased public traffic in the Roger Creek corridor could help to minimize damage from human caused fires and habitation.

Pro: Combining the two grant applications could lessen the City's costs by approximately \$40,000.

Pro: The steep slope adjacent to Roger Creek to the east of the trestle is failing and would likely cost more than \$290,000 if a portion of the bank failed.

Con: The project is not currently in the budget

Con: It is conceivable that only one of the applications would be successful.

Annual maintenance and replacement costs estimated at \$7,000 per year would also have to be allocated for every year beyond 2023.

ALTERNATIVES/OPTIONS FOR THE BC ACTIVE TRANSPORTATION INFRASTRUCTURE GRANT

Option 1: Apply for a multi-modal trail loop between the upper reaches of the Kitsuksis Dyke and Roger Creek trails proposed in the Johnston Road/Northport Concept Plan (Charrette)

Pro: The trail would connect two existing trails thus addressing strategy 5.3.2 in Council's *Corporate Strategic Plan*.

Pro: It is probable that the costs would be considerably less than the estimate for linking the Roger Creek and Scott Kenny trails.

Con: Design and costing for the project have not been completed.

Option 2: Apply for a multi-modal trail on the waterfront perimeter of the Somass Lands

Pro: Would advance one of the intended outcomes of the purchase of the Somass Lands.

Pro: Would become part of the Connect the Quays Pathway.

Con: The development plan for the site has not been completed.

Con: Design and costing for the project have not been completed.

Option 3: Make no application.

Pro: Trail project budget allocations could be made in future years.

Pro: There would be no added staff time required.

Con: There is no guarantee that current criteria for Active Transportation funding will remain the same in future years.

ALTERNATIVES/OPTIONS FOR THE NATURAL INFRASTRUCTURE FUND

1. Apply for a project naturalizing the shoreline at Esso Beach.
2. Apply for a project naturalizing the shoreline at the Somass Lands.
3. Make no application.

Option 1: Apply for a project naturalizing the shoreline at Esso Beach

Pro: A portion of the bank at the Esso Beach site is being undercut and, even though it is fenced, poses a safety hazard.

Pro: Naturalizing the beach will increase accessibility to more of the waterfront.

Pro: A conceptual plan for the site has been done.

Con: Design and costing for the project have not been done.

Option 2: Apply for a project naturalizing the shoreline at the Somass Lands

Pro: Naturalizing the beach may make the waterfront more accessible

Con: Doing this before a development plan has been completed may compromise future site proposals

Con: design and costing for the project have not been done

Option 3: Make no application

Pro: Prior to this opportunity, no projects with a naturalized or hybrid focus had been identified in Council's Strategic Plan or in the additional work plans of City departments

Con: There is no guarantee that current criteria for NIF will remain the same in future years.

IMPLICATIONS

The primary implications are:

- A multi-modal pathway linking the Roger Creek and Scott Kenny trails could be built
- \$290,000 that is not currently budgeted for this project would have to be allocated in 2023.
- Annual maintenance and replacement costs estimated at \$7,000 per year not currently budgeted for this project would have to be allocated for every year beyond 2023.

COMMUNICATIONS

Should Council authorize grant applications and if the City were successful, staff would work with the respective grant funders to announce funding.

BYLAWS/PLANS/POLICIES

Corporate Strategic Plan Strategy 5.3.2 'Improve connectivity of existing City pathways and trails.

SUMMARY

Council is being asked to approve applications to two grant funds for their respective portions of a multi-modal pathway linking the Roger Creek and Scott Kenny trails.

ATTACHMENTS/REFERENCE MATERIALS

- Link to BC Active Transportation Infrastructure Grant Program
<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/active-transportation-infrastructure-grants>
- Link to Natural Infrastructure Fund
<https://www.infrastructure.gc.ca/nif-fin/applicant-guide-demandeur-eng.html>

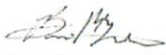
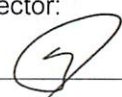
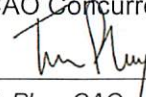
Copies:

- *T. Pley, CAO*
- *T. Slonski, Director of Corporate Services*
- *A. McGifford, Director of Finance*
- *W. Thorpe, Director of Parks, Recreation and Heritage*

Date: August 24, 2022
File No: 3360-20-4738 Athol

To: Mayor & Council
From: T. Pley, CAO

SUBJECT: **DEVELOPMENT APPLICATION – Proposed OCP & Zoning Bylaw Amendments – Multi-Family Residential In-Fill at 4738 Athol Street**
LOT 1, BLOCK 22, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 197B (PID: 009-262-962)
Applicant: Kim Rai dba Hukam Holdings Ltd.

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

RECOMMENDATION

- a. THAT "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046" be read a third time.
- b. THAT "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047" be read a third time.
- c. THAT "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048" be read a third time.
- d. THAT as part of the development process for 4738 Athol Street, the applicant be required to complete the following before Council considers final adoption of Bylaw No.'s 5046, 5047 and 5048:
 - i. Design of required off-site works with cost estimate;
 - ii. Storm water management plan;
 - iii. Geotechnical report; and
 - iv. Site grading plan.

PURPOSE

The City has received an application requesting amendments to the Official Community Plan (OCP) No. 4602 and Zoning Bylaw 2014, No. 4832 that would enable a high-density, multi-family infill development at 4738 Athol Street. The applicant is proposing to construct a three-storey building with 6 apartments, and to create a Comprehensive Development zone for the building that will limit the units to rental-only.

BACKGROUND

The applicant is requesting to change the permitted land use at 4738 Athol Street from Residential to Multi-Family Residential and to include it in Development Permit Area No.1 (multi-family). The applicant has also requested that a new Comprehensive Development (CD) zone be created to enable the purpose-built rental housing development. The proposed zone description is captured in the attached June 13, 2022 report to Council, and includes permitted uses, regulations, and conditions that would be specific to this development.

Status of the Application

The Advisory Planning Commission (APC) reviewed the application for OCP Bylaw Amendment No. 5046 and Zoning Bylaw Amendments No. 5047 and 5048 at the February 17, 2022 APC meeting. Comments from the Commission are included in the staff report dated June 13, 2022 and attached to this report. The Commission passed a motion to support the proposed bylaw amendments.

At the June 13, 2022 Regular meeting, Council gave 1st and 2nd Reading to the proposed amending bylaws and scheduled a Public Hearing for July 11, 2022. The Public Hearing was later re-scheduled to August 8, 2022 due to a lack of signage at the property advertising the date and time of the hearing. The Public Hearing was held on August 8, 2022.

ALTERNATIVES/OPTIONS

The Development Services department supports Option #1.

1. THAT "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046" be read a third time.

THAT "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047" be read a third time.

THAT "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048" be read a third time.

THAT as part of the development process for 4738 Athol Street, the applicant be required to complete the following before Council considers final adoption of Bylaw No.'s 5046, 5047 and 5048:

- i. Design of required off-site works with cost estimate;
 - ii. Storm water management plan;
 - iii. Geotechnical report; and
 - iv. Site grading plan.
2. That Council not proceed with 3rd reading of the proposed bylaw amendments.
3. That Council provide staff with alternative direction.

ANALYSIS

The applicant proposes to construct a three-storey apartment building on this property with a total of six rental dwelling units, with a mix of one, two, and three-bedroom apartments. The 2021 *Alberni Valley Housing Needs Assessment* identifies a need for one and three-bedroom units in the community.

The OCP section 4.3 Multi-family Residential (MFR) outlines Council policy for Multi-Family Residential. In section 4.3.4, three specific criteria are listed for Council to consider when re-designating lands to Multi-Family Residential. Staff reviewed the proposed development utilizing these criteria, and are satisfied it aligns with Council policy. A detailed analysis of this policy, including the proposed Comprehensive Development zone and infrastructure requirements, is in the attached *Staff Report to Council* dated June 13, 2022.

IMPLICATIONS

Supporting this application would enable 6 rental dwelling units with a mix of one, two, and three-bedroom rental housing which is identified in the 2021 *Alberni Valley Housing Needs Assessment* as high need.

This property is located in a neighbourhood that has mixed land uses that include single-family housing. There may be impacts related to this development concerning traffic, noise, privacy, and building shadows.

Staff considered these possible impacts and worked with the applicant to try to mitigate concerns heard by the APC and residents through the design of the site, but they remain common sources of public concern in the development of multi-family housing. Staff support this application because the location of the property at the edge of a core commercial area is ideal for high-density multi-family development, and meets the section 4.3 Council policies of the OCP. It also addresses Council's strategic priority 5.1.2 "*fostering a complete community*" by providing much needed purpose-built rental housing.

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

COMMUNICATIONS

Prior to the Public Hearing on August 8, 2022 all required statutory notifications were completed. This included mailed letters to owners and occupants of property within 75 metres as per section 5 of the City's *Development Application Notice Bylaw No. 4614*. Notices were placed in the newspaper as required by sections 465 and 466 of the *Local Government Act* (LGA). As per section 475 of the LGA, the City also provided an additional opportunity for input by those whose interests may be affected by the development. Owners and occupants of surrounding properties were contacted between March 8, 2022 to March 28, 2022 to provide feedback on the proposal.

Public Hearing August 8, 2022

Eleven speakers addressed City Council at the Public Hearing with their concerns regarding the proposed OCP and Zoning Bylaw amendments. The Public Hearing report has been included as an attachment. An overview of Issues raised by speakers included:

- Density of development
- Building height (shadows, loss of privacy)
- Increased vehicle traffic
- Potential changes to the character of the neighbourhood
- Use of Comprehensive Development zones
- Council authority to determine land use
- Rental vacancy rate
- Location of multifamily housing
- Rental housing and perceptions of crime
- Proposed amendments in relation to the OCP review and update presently underway

Clarification on Statements from Attendees

The following clarifications are provided in response to some of the issues presented by residents to Council at the Public Hearing.

Issue	Clarification
City Council ability to determine land use.	City Council has broad authority to determine the use of land by establishing and maintaining OCP and Zoning bylaws. Authority is granted by Part 14 of the <i>BC Local Government Act</i> , and has been repeatedly affirmed by the courts where statutory processes have been followed.
Due process on the development application.	The City provided all required statutory notices and engagement opportunities for the development application according to the <i>BC Local Government Act</i> , and the <i>City's Development Application Notices Bylaw No. 4614</i> . Where necessary the City took additional measures to ensure process requirements were met.
Comprehensive Development zones	Authority to create a 'zone' to regulate land use is granted by the <i>Local Government Act</i> . Comprehensive Development zones are typically used to create comprehensive site-specific land use regulations in cases where other zones would be inadequate. Considerations are made based on existing or future surrounding developments, and the interest of the public and applicant. While the current OCP does not specify when a CD zone will be considered, Council has the authority to designate new zones following a statutory public process.
Proposed amendments in relation to the OCP review and update	Council has the authority to amend an Official Community Plan while it is under review. The review and update that is presently underway is expected to continue into 2023.

BYLAWS/PLANS/POLICIES

Summary of Requested Bylaw Amendments

The following list is a summary of amendments to the OCP and Zoning Bylaws that would be required in order to enable the proposed development:

1. Change the designation of 4738 Athol Street from *Residential* to *Multi-Family Residential* on *OCP Bylaw No. 4602 Schedule A - Land Use Map*.
2. Add the property at 4738 Athol Street to *Development Permit Area No.1 Multiple Family Residential* on *OCP Bylaw No. 4602 Schedule B – Development Permit Areas Map*.

3. Update *Zoning Bylaw, 2014 No. 4832 Schedule A Zoning Map* to change the zoning classification of 4738 Athol Street from *R2 One and Two Family Residential* to “CD2-Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street”.
4. Add the following text to *Zoning Bylaw, 2014 No. 4832* under Part 5, section 5.1 *Establishment of Zones*: “CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.”.
5. Add the attached zone description “CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.” to *Zoning Bylaw, 2014 No. 4832* as a new section under *Part 5 Establishment of Zones*.

SUMMARY

Staff consider this proposal to meet the policy guidelines established in section 4.3 of the OCP for Council consideration of new Multi-Family Residential lands. Additionally, this application meets Council’s strategic priority 5.1.2 of fostering a complete community through the in-fill of vacant lots to enable those sites to contribute to the vibrancy of the community.

Given the need for rental housing in Port Alberni, staff support this application as it meets OCP policy, and addresses the need for rental units identified by the *Alberni Valley Housing Needs Assessment*.

Respectfully submitted,



Brian McLoughlin, MCP
Planner II

ATTACHMENTS:

- *Public Hearing Report – August 8, 2022*
- *Staff Report to Council, June 13, 2022 – 4738 Athol Street*

c: T. Slonski, Director of Corporate Services
R. Dickinson, Director of Engineering and Public Works

J:\Engineering\Planning\Development Applications\ZoningAmend\ZON-2021\ZON2021-08-4738-AtholSt-Rai\Council\ZON21-08 - 4738-AtholSt-Rai - Council Memo 3rd.docx

PUBLIC HEARING REPORT
Monday, August 8, 2022 @ 6:00 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
Councillor H. Poon
Councillor C. Solda
Councillor D. Washington

Staff: T. Pley, Chief Administrative Officer
S. Smith, Director of Development Services | Deputy CAO
T. Slonski, Director of Corporate Services
M. Wade, Manager of Planning
B. McLoughlin, Development Planner
S. Darling, Deputy City Clerk

Gallery: 25

CALL TO ORDER & APPROVAL OF THE AGENDA

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

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

CARRIED

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

1. Description of the Application:

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

The applicant is applying to amend the Official Community Plan Bylaw and the Zoning Bylaw to facilitate the development of a high-density, multi-family infill development at 4738 Athol Street consisting of a three-storey building which will have 6 apartments and create a Comprehensive Development Zone for the building that will limit the 6 units to rental-only.

The proposed bylaws are:

- i. "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046".

The bylaw if amended, will change the designation of the site from 'Residential' use to 'Multi-Family Residential' prompting the addition of the site to Development Permit Area No. 1 – Multiple Family Residential.

- ii. "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047".

The bylaw if amended, will add the following text and zone description 'CD2 - Comprehensive Development - Multi-Family Residential Infill – 4738 Athol St.'.

- iii. "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048".

The bylaw if amended, will change the zoning classification from 'R2 One and Two Family Residential' to 'CD2 - Comprehensive Development - Multi-Family Residential Infill – 4738 Athol Street'.

2. **Background Information from the Development Services Department:**

The Development Planner provided background information regarding the proposed amendments by way of summarizing the report of June 13, 2022.

3. **Correspondence:**

- Emails dated March 25 and 28, 2022 from V. Baggaley
- Letter dated March 28, 2022 from C. Doman and A. Cullen
- Email dated July 4, 2022 from K. Moore
- Letter dated August 1, 2022 from C. Quach, P. Huynh, K. Huynh and L. Huynh
- Email dated August 3, 2022 from M. Pearson
- Email dated August 3, 2022 from T. Pearson

4. **Late Correspondence Regarding the Matter:**

1. Email dated August 8, 2022 from J. Banks

5. **Questions/Comments from Council:**

Questions from Council included the following:

- What is your experience with comprehensive developments of this nature with regards to placement, best practices, etc.?

6. **Chair Minions called for input from the public:**

Kaylee Huynh, Athol Street commented as follows:

- Believes there are conflicts of interest present with Council.

Val Baggaley, 6th Avenue commented as follows:

- Comprehensive development zones should be placed on larger sites.
- The present area is zoned R2 not multi-family.
- The infill size is half of that of regular sites.
- Allowable coverage amount of 58 percent of lot does not include the overhang of the proposed building.
- Notification was not received and required property signage didn't have information regarding Public Hearing date until a few days ago.
- The rescheduling of the Public Hearing was not adequately communicated.

Kathy Moore, Athol Street commented as follows:

- Proposed development completely shadows neighboring yard/garden.
- Most residences in the neighborhood are single family homes.
- The development would negatively impact the mood of the neighbourhood.
- Lanes will need to be utilized by emergency vehicles and are not presently paved.

Scott Staley, 5th Avenue commented as follows:

- Beautiful complex, wrong location.
- Dwarfs neighboring properties.
- Increased parking will cause issues.

Graham McDonald, Dunbar Street commented as follows:

- Agrees with need for hi-density housing, shares concerns over the size of lot.
- Official Community Plan does not offer enough guidance on where and when a Comprehensive Zone may be developed.

Suzanne Green, Dunbar Street commented as follows:

- Use of Comprehensive Development zones stems from Climate Action and though the zone has been made available to municipalities, it is not made for a single small lot.
- The Official Community Plan [OCP] provides no guidance.
- The development is in conflict with the current zoning regulations.
- City appears to be providing one-sided projection of development.
- Perhaps complete the OCP and upgrade planning bylaws first.
- 15 resident letters were received in relation to the development and are not fully reflected in the staff report.
- The process needs to be followed and communicated.

Todd Patola, Lathom Road commented as follows:

- Comprehensive Development zone is a particular use and in this case being mis-used.
- The community needs further density but also needs to follow a specific process as would be outlined in an Official Community Plan [OCP] of which the City is currently conducting a review and update.
- It was noted that Council desires to continue current nature of neighborhoods, this development would not align with that sentiment.
- How many developments are going to be approved and constructed before making a long-term plan, before the potential for other small properties to be rezoned at high density without an updated OCP in place?
- On the basis that Council proceed simply because they are allowed, doesn't mean they should and puts all properties at risk of being redeveloped.
- The shadow analysis provided is misleading given the time of year it was conducted not accurately reflecting the times of year that do not have extended daylight.
- What is the City's experience with high density developments?
- Is there a flaw in the process given the previous public comments?

- Recommend instead of slipping in an individual application, review the process and wait to have a cohesive process within the updated OCP.

Richard Andrew, 6th Avenue commented as follows;

- Opposed to a 6-unit apartment building in this area.
- The building, so high in comparison to neighboring buildings and close in proximity to surrounding family homes, would be an eye sore.
- Added concentration of additional people and associated parking could have a negative effect on the neighborhood.
- Concerns over building becoming underregulated and undermanaged.

Suzanne Green, Dunbar Street commented as follows:

- Process appears imbalanced.
If the resounding comments from neighbours and residents are in opposition, why is the City not reflecting that?

Chair Minions re-stated that the intent of the Public Hearing is for Council to hear from the public and those who believe that their interest in property is affected by the proposed bylaws.

Graham McDonald, Dunbar Street commented as follows:

- Interested in the numbers of correspondence received that are in support versus in opposition of the development?

Kathy Moore, Athol Street commented as follows:

- Why not develop other more suitable properties with this development?

Scott Staley, 5th Avenue commented as follows:

- Does staff have experience with other developments of this proportion on a similar lot size?

Gail Bull, Athol Street commented as follows:

- Lives two properties down on a similar lot size and can't imagine that number of units and people living in that space.
- Parking a concern.
- Building will loom over neighbouring properties.

Thomas Pearson, Athol Street commented as follows:

- Will this affect the crime rate in the area?

Annette Agar, Athol Street commented as follows:

- Has previously lived in areas with rental and high-density units and crime rate was prevalent and upsetting.
- Purchased this home as a retirement home and privacy will be affected negatively with the construction of this development.

Kaylee Huynh, Athol Street commented as follows:

- Staff report of June 13th states Comprehensive Development Zones are to be used for an area where it would not otherwise be permitted.
- Other areas in town where similar developments reside match those of their neighbouring properties and are placed on larger lots.
- The *Alberni Valley Housing Needs Assessment* reports that the vacancy rate in Port Alberni is on par with the national average.
- The allotted parking spaces are not adequate.
- Staff report notes alternative options available to Council of 'do not proceed' or 'provide alternate direction'. Would like to see alternate direction provided.
- Single family homes surround the development, this development does not 'fit in'.
- Site specifications noted in the staff report for lot sizes only fits single family residential.
- Quality of life for those living in the neighbourhood will be impacted.
- The neighbourhood meeting planned for December 2021 was largely unattended due to snow.
- Access to arterial streets will be limited with additional parking on streets.
- Zoning states permanent roof structures are not permitted except for access – is the patio space presented in the development not a permanent roof structure?
- An alternative and adequate transition would be to encourage more legal suites.
- A greater impact on housing needs would be increased high rise buildings.

7. Closing Remarks by the Chair:

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

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

Graham McDonald, Dunbar Street commented as follows:

- Wonders if the rest of the community were aware of this proposed development what the consensus would be?

Councillor Washington inquired what the rough number of residences within the 75 metre notification radius was?

Todd Patola, Lathom Road commented as follows:

- Were mail outs sent to owners and/or also to renters?
- Does the 90 pieces of correspondence distributed include the 40 or more people who would have been under one address?

Suzanne Green, Dunbar Street commented as follows:

- Are notices sent to the civic address or tax payer?

Councillor Haggard asked of there is a possibility to reduce the development to 2- storeys?

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

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

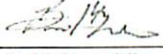
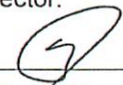
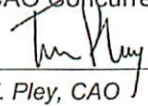
8. **Termination of the Public Hearing:**

MOVED AND SECONDED, THAT this Public Hearing terminate at 7:30 pm

CARRIED

Twyla Slonski, Corporate Officer

Date: May 25, 2022
File No: 3360-20-4738 Athol
To: Mayor & Council
From: T. Pley, CAO
SUBJECT: DEVELOPMENT APPLICATION – Proposed OCP & Zoning Bylaw Amendments – Multi-Family Residential In-Fill at 4738 Athol Street
LOT 1, BLOCK 22, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 197B (PID: 009-262-962)
Applicant: Kim Rai dba Hukam Holdings Ltd.

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

RECOMMENDATION

- a. THAT "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046" be now introduced and read a first time.
- b. THAT "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047" be now introduced and read a first time.
- c. THAT "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048" be now introduced and read a first time.
- d. THAT "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046" be read a second time.
- e. THAT "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047" be read a second time.
- f. THAT "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048" be read a second time.
- g. THAT appropriate consultation as required for an Official Community Plan amendment has been undertaken in accordance with section 475 of the Local Government Act.
- h. THAT the proposed amending bylaws for 4738 Athol Street and numbered 5046, 5047 and 5048, be advanced to a Public Hearing on Monday July 11, 2022 at 6:00 pm in City Hall, Council Chambers.

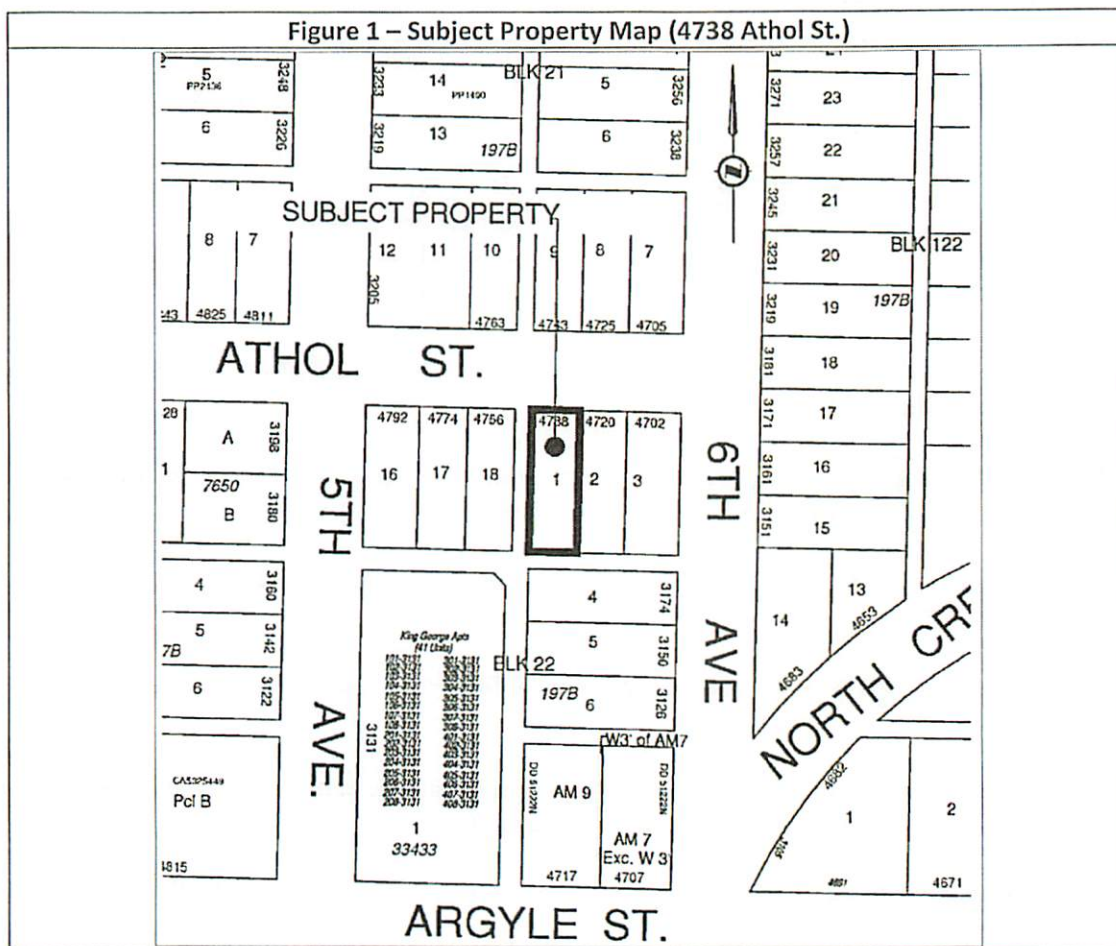
ENTERED
62

PURPOSE

The City has received an application requesting amendments to the Official Community Plan (OCP) No. 4602 and Zoning Bylaw 2014, No. 4832 that would enable a high-density, multi-family infill development at 4738 Athol Street. The applicant is proposing to construct a three-storey building which will have 6 apartments and to create a Comprehensive Development Zone for the building that will limit the 6 units to rental-only.

BACKGROUND

Subject Property Map



Status of the Application

The Advisory Planning Commission (APC) reviewed the application for OCP Bylaw Amendment No. 5046 and Zoning Bylaw Amendments No. 5047 and 5048 at the February 18, 2022 APC meeting. Summary meeting minutes are attached to this report. The Commission supported the proposed development and bylaw amendments. The APC discussed a number of issues related to the proposal including accessibility, building height, and the use of the rooftop as useable open space.

The APC expressed concern that the building did not have an elevator, and that the ground floor dwelling unit did not have a level-entry. The applicant responded to the APC's concerns to include a level entry for the ground floor dwelling unit in their updated plans.

Existing and Proposed Land Use

The applicant is requesting amendments to the Official Community Plan (OCP) No. 4602 and Zoning Bylaw No. 4832 to change the permitted land use at 4738 Athol Street from *Residential* to *Multi-Family Residential* and to have it included in development permit area No.1 (*multi-family*). The proposed change in land use is shown in Table 1.

Table 1 – Existing and Proposed Land Use at 4738 Athol Street		
	Existing Land Use	Proposed Land Use
<i>Official Community Plan (Bylaw No. 4602)</i>	Residential	Multi-Family Residential
<i>Zoning Bylaw No. 4832</i>	R2 – One and Two Family Residential	CD2 – Comprehensive Development - Multi-Family Residential Infill - 4738 Athol Street

The applicant is also requesting that a new Comprehensive Development (CD) zone be created to enable the purpose-built rental housing development. This would be accomplished through a combination of map and text amendments to the *Official Community Plan Bylaw No. 4602* and *Zoning Bylaw No. 4832*. The proposed zone description is attached to this report, and includes permitted uses, regulations, and conditions that would be specific to this development.

Official Community Plan (OCP) Policy

The OCP sets the policy direction for the City regarding the designation and regulation of multi-family residential lands, including where the City should consider additional density. This application proposes to change the OCP land use designation of 4738 Athol Street from *Residential* to *Multi-Family Residential* which will enable this form of development on the property, the existing OCP policy statements related to Multi-Family land use in Port Alberni are attached to this report.

Comprehensive Development Zones

Comprehensive Development (CD) zones are typically one-off zones created to enable development according to a specific site plan in a specific location. CD zones are usually created when a proposed development cannot easily comply with a local government's existing zones. Creating a new CD zone allows the City, and the owner, to engage in creative negotiation to form a feasible plan for development that also meets the goals of the community. Most importantly, CD zones allow greater flexibility in the design so a development can be shaped to fit its context. In this case, the creation of a CD zone is an option for meeting the community's need for multi-family rental housing on where it would otherwise not be permitted due to the dimensions of the lot and limits of existing zone.

New CD Zone vs Rezoning with Variances

A new CD zone provides the developer more flexibility in their design, and allows the City to streamline the application review, while undertaking the same rigorous public process. The alternative would be to rezone the properties for high-density multi-family residential, and follow this with a multitude of variances at the Development Permit stage. This process would be administratively complex, and limits both the City and the developer's ability to achieve a positive outcome for the community. However, the Official Community Plan provides no guidance to City Council on when or where a new CD zone should be supported.

Alberni Valley Housing Needs Assessment – Final Report (2021)

The *Alberni Valley Housing Needs Assessment* was completed by the City in February 2021. The list below summarizes the findings of the report as relates to the provision of multi-family housing in Port Alberni:

- Primary rental vacancy rates reached a low of 0.7% in October 2018 but increased to 3% in October 2020.
- The low vacancy rate means that many people are forced to choose housing options that are expensive, inadequate, and/or unsuitable.
- In Port Alberni, most primary rental units have either only one or two bedrooms, which often does not meet the needs of young families.
- There is a shortage of both smaller units such as bachelor and 1-bedroom, and those with 3+ bedrooms.
- The demand for affordable housing is increasing in Port Alberni, with an increasing number of renters spending more than 30% of their income on shelter costs.
- The average household is two people in Port Alberni, and the number of households containing only one or two people has steadily increased in Port Alberni.
- Between 2021 and 2025 a total of 194 units of housing will need to be added to the community in order to keep up with projected demand. However, this estimate is based on data from the 2016 federal census meaning it may not reflect current conditions in the community.

Residential Rental Housing and the *Local Government Act*

Section 481.1 of the BC *Local Government Act* gives the Council the authority to designate lands for multi-family rental housing in the Zoning Bylaw. This power was enacted by the Province in July 2018, and was subsequently upheld in a ruling by the BC Supreme Court in March 2019. This new zoning power means municipalities have the ability to plan for the creation and retention of rental housing in their communities, which is important in addressing the housing crisis and meeting the goals of the *Alberni Valley Housing Needs Assessment* (2021).

ALTERNATIVES/OPTIONS

The Development Services department supports Option #1.

1. Proceed with 1st and 2nd Readings of:
 - "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046"
 - "Zoning Text Amendment No. T31 (4738 Athol Street - Rai), Bylaw No. 5047"
 - "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048"

And advance to a Public Hearing on Monday, July 11, 2022 at 6:00 pm in City Hall, Council Chambers.

2. Do not proceed with the proposed bylaw amendments.
3. Provide alternative direction.

ANALYSIS

The following section contains an analysis of the OCP and Zoning Bylaw amendments proposed by the applicant. If the application proceeds, technical engineering details including servicing and off-site works will be resolved. If the amending bylaws are adopted by Council, the applicant would still require a Development Permit. At this time staff would conduct additional review.

Development Concept at 4738 Athol Street

The subject property is approximately 0.11 acres with frontage on Athol Street, and laneways to the side and rear. The applicant is proposing to construct a three-storey apartment building on this property for a total of six dwelling units, with a mix of one, two, and three-bedroom apartments. The *Alberni Valley Housing Needs Assessment* (2021) identifies a need for one and three-bedroom units in the community. One-bedroom apartments are considered to be more affordable option for renters in that rates are typically at the lower end of the market, while the two and three-bedroom units are more suited to families. *Table 2* identifies the mix of unit types in the proposed building.

Table 2 – Proposed Dwelling Units in Development Concept	
Unit Type	Number of Units
1-Bedroom	2
2-Bedroom	2
2-Bedroom + Den	1
3 Bedroom	1
Total Units	6

The design of the development benefits from its location at laneway intersection. Lanes on two sides are favourable for in-fill development because it improves site access, expands options for utility servicing and garbage removal.

Surrounding Area and Land Use

The subject property is located on Athol Street between 5th Avenue and 6th Avenue, one block north of Argyle Street. Directly to the south is the Uptown Commercial area with residential lands to the east, west, and north. Several multifamily properties, including apartment buildings are located in the vicinity along Argyle Street, Athol Street, and directly south of the property on 5th Avenue.

OCP Guidelines for Designation of lands as Multi-Family Residential

The OCP section 4.3 Multi-family Residential (MFR) outlines Council policy for multi-family residential. In section 4.3.4 three specific criteria are listed for Council to consider when re-designating lands to *Multi-Family Residential*. Staff have reviewed the proposed development utilizing the three criteria, and outlined how the proposed development aligns with Council Policy.

1. *Should be within walking distance (approximately 800 metres) of commercial, recreational, public/institutional nodes, or community scale parks;*

The subject property is located within the Port Alberni *Active Transportation Plan*, a 5-minute “commercial walkshed” of the uptown commercial area. It is good planning practice to encourage multi-family development on the edges of commercial areas to provide residents with access to services and amenities. This reduces automobile trips and increases walkability. See the attached *Walkability Map* for estimated walking times to nearby parks, recreation, and commercial areas. Additionally, *Table 3* contains a breakdown of estimated distances via nearest street and estimated walk times. The proposed development meets these criteria with services, parks, etc. being less than 800 metres from the subject property.

Table 3 - Distance to Services, Parks, and Amenities		
To Commercial Areas / Services	Distance	Approx. walking time
Uptown commercial area (at 4 th Ave.)	250 m	3 min.
10 th Ave & China Creek Rd. neighbourhood commercial area (Quality Foods)	730 m	9 min.
Harbour Quay (via Athol St.)	780 m	10 min.
To Recreation and Parks		
Dry Creek Park / Trails	485 m	6 min.
Gyro Recreation Park	237 m	3 min.

2. *Should be located on or in proximity to major collectors or arterial roads in order reduce traffic impacts on local roads;*

The subject property is located within close proximity to major collector roads and arterial roadways as shown in *Table 4* Proximity to major roadways is a matter of access to the transportation network. Increased access means less traffic congestion, and less wear and tear on smaller roads which may not be designed for a heavy volume of vehicles. While Athol Street is a local road, it is a short distance to Argyle Street, 3rd Avenue, and 4th Avenue which are major collectors and arterials. The proposed development is in proximity to major and arterial roadways, meeting these criteria.

Table 4 – Access to Transportation Network	
Distance to Argyle Street (arterial road)	130 m
Distance to 3 rd Avenue (arterial road)	250 m
Distance to 4 th Avenue (major collector)	151 m
Distance to 10 th Avenue (arterial road)	580 m

3. *An adequate transition between lower density housing, and compatibility with adjacent land uses must be provided;*

At the neighbourhood level, the proposed change in OCP land use from *Residential* to *Multi-Family Residential* is compatible with adjacent land uses:

- Lands to the west are designated Residential, Multifamily Residential, and Commercial
- Lands to the east are designated Residential
- Lands to the north are designated Residential
- Lands to the south are designated Residential, Multifamily Residential and Commercial

The subject property is located on the boundary of the uptown commercial area where multiple land uses interface, which makes it a suitable location for multi-family development including single-family homes with suites, multi-family apartments, and commercial businesses.

The four-storey King George apartments are located approximately 20 metres south east of the property at 3131 5th Avenue, and the four-storey Downtown Manor apartments are located 160 metres west at 4916 Athol Street. The proposed *Multi-Family* land use is characteristic of the area.

The residential uses on neighbouring properties to the west and the east, although designated residential, have more than one dwelling unit contained within them according to City records. The buildings are large in size, with a comparable height to the proposed building as shown in *Figure 2*. The transition from the existing two-family land use to six dwelling units is an adequate transition and meets this criterion.

Additionally, the three criteria outlined in section 4.3.4 of OCP policy, Part D section 4.0 recognizes that multi-family development will typically occur “within or adjacent to established single-family residential neighbourhoods” (p. 35). The proposed use on these lands meets this policy.

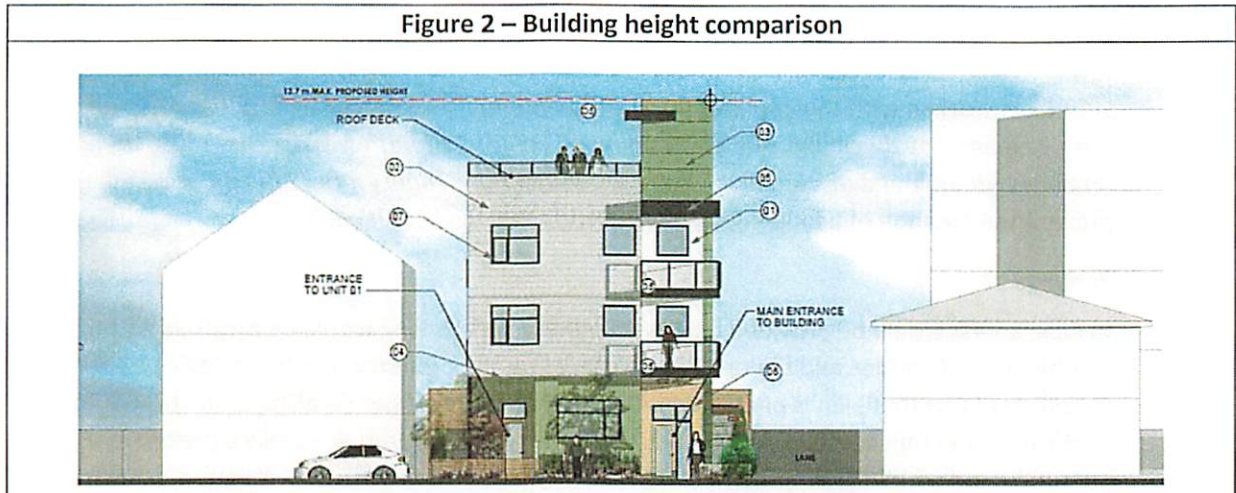
Proposed Comprehensive Development Zone (CD2)

The following table shows how the proposed CD2 zone compares with existing residential zones in the Zoning Bylaw. The RM3 zone is currently the highest density zone for residential development in Port Alberni. The CD2 zone would permit a denser form of development than permitted in the RM3 zone. This is not unusual for multifamily in-fill development since the intent is to add more dwelling units to an existing lot within an established neighbourhood. The density by Floor Area Ratio would be 1.34, which is greater than the 1.2 permitted by the RM3 zone. Accordingly, the proposed zone would also permit greater lot coverage, and reduced front, side, and rear yard setbacks. See notes below:

- “Coverage” in the Zoning Bylaw is defined at the first storey meaning the proposed 58% lot coverage does not include the portion of the building that overhangs two parking spaces to the rear of the site.
- Reduced side yard setback on the east property line (1.5 metres) is less than other multi-family zones; however, the architect has ensured the design meets all building/fire code regulations.

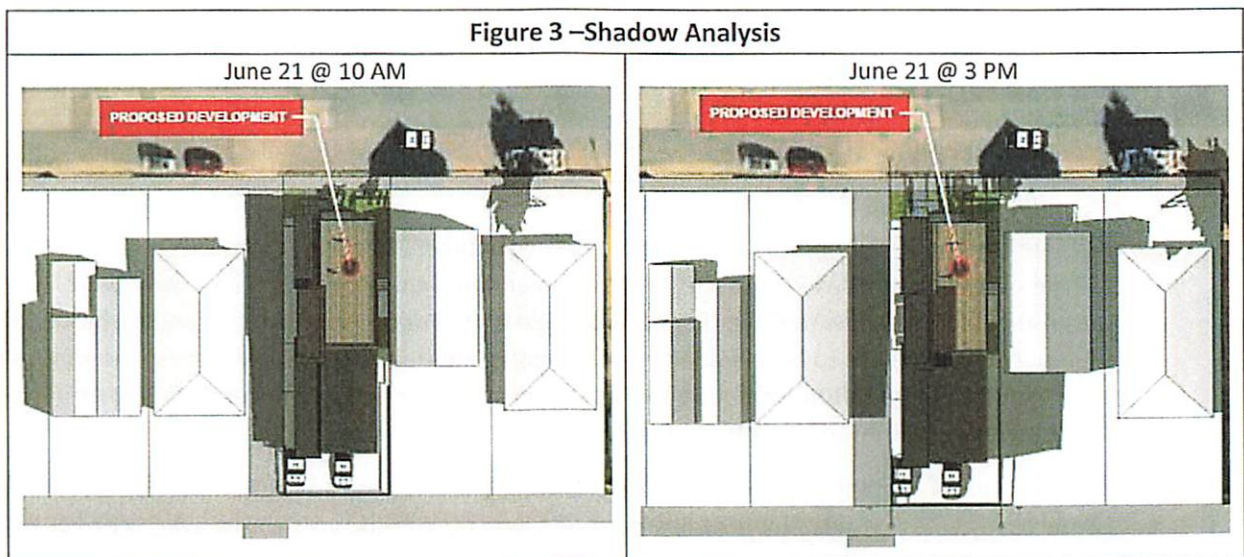
Table 5 – Comparison of Site Development Regulations for Existing Zones							
<i>Site Development Regulations</i>	R1	R2	R3	RM1	RM2	RM3	Proposed CD2
<i>Minimum Lot area</i>	600 m ²	500 m ²	350 m ²	500 m ²	840 m ²	1,120 m ²	443 m ²
<i>Minimum Frontage</i>	15 m	15 m	10 m	30 m (+4 units)	25 m	30 m	12 m
<i>Maximum Coverage</i>	40%	50%	50%	40%	50 %	50%	58%
<i>Front yard</i>	7.5 m	7.5 m	5.0 m	7.5 m	6.0 m	6.0 m	3.5 m
<i>Rear yard</i>	9.0 m	9.0 m	5.5 m	9.0 m	9.0 m	9.0 m	5.0 m
<i>Side yard</i>	1.5 m	1.5 m	1.5 m	1.5 m	5.0 m	5.0 m	1.5 m
<i>Maximum Floor Area Ratio</i>	0.5	0.5	0.5	0.5	0.8	1.2	1.34
<i>Maximum Height, Principal Building</i>	10 m	10 m	10 m	10 m	12.5 m	14 m	13.7 m (to stairwell)
<i>Maximum Number of Principal Building Storeys</i>	2	2.5	2.5	2.5	3	4	3
<i>Maximum Number of Dwelling Units per lot</i>	2	2	-	-	-	-	6

The applicant has also provided conceptual images to illustrate how the proposed development would appear next to neighbouring properties. The height of the building to the roofline would be 11 metres, though the maximum height would be 13.7 metres to account for the roof access stairwell structure. The height is in keeping with the surrounding existing buildings.



Shadow analysis

Shadow analysis provided by the applicant shows that during winter solstice the longest shadows will be cast to the north and northwest across Athol Street resulting in minimal shadow impact to surrounding properties. However, during summer solstice the property at 4720 Athol Street would be partially impacted by shadows cast into the rear yard during mid to late afternoon as shown in Figure 3. Residents will still have full sun in the morning but partial access to direct sunlight in the late afternoon.



Conditions of Use - CD2 Zone

Conditions of Use are requirements that must be met in order to develop or use land in a particular zone. Generally, the *Conditions of Use* of the proposed CD2 zone have been written to grant the developer more flexibility with their site design and to restrict permitted uses.

1. Residential Rental Tenure

Staff have worked with the applicant to draft *Conditions of Use* for the proposed CD2 zone which limits the occupancy of dwelling units to *Residential Rental Tenure*. All tenancies must be governed by a tenancy agreement that complies with the *Residential Tenancy Act*. The zoning regulations will also prevent the creation of a building strata, and the sale of individual units.

2. Parking

Vehicle access would be provided from the laneway and parking would be provided through a combination of surface and under-building spaces on the property. The proposed CD2 zone includes a *Condition of Use* that allows parking to be provided at 1 space per dwelling unit. This is a reduction of 0.25 spaces per unit compared to what is currently required for multi-family development (1.25 spaces per unit). Staff support this reduction because it ensures that each unit will have a dedicated parking space. Visitors will be required to park on the street. As part of the engineering requirements, the applicant will be required to improve the road/sidewalk in a way that ensures this parking is safe and useable.

Table 6 contains a breakdown of parking requirements for residential dwelling types in the Zoning Bylaw. Additionally, the CD2 zone contains a *Condition of Use* allowing two of the required on-site parking spaces to be provided at the dimensions specified in the Zoning Bylaw for small cars.

Table 6 – Comparison of Parking Requirements in Zoning Bylaw					
Dwelling Type	Suites	Multi-family	Single family	Two family	CD2
Parking Spaces Required per unit	1	1.25	2	4	1

3. Useable Open Space

Useable open space is important for multi-family development because it provides residents with access to safe outdoor space, which has the potential to enhance quality of life. The *Conditions of Use* in the proposed CD2 zone allow flexibility in how this space is provided. Currently, the Zoning Bylaw allows 50% of *Useable Open Space* to be provided by roof tops gardens, balconies, and patios. The proposed CD2 zone would increase this to 100%, and allow *Useable Open Space* to be provided entirely through private decks, patios, and the large rooftop common area.

This allowance is necessary due to the size of the lot, and the need to provide parking on-site. All units would have access to one or more patios/balconies, and the rooftop area will be available to all residents. In total, 169 m² of outdoor private and common space would be provided which exceeds the amount of *Useable Open Space* normally required by the Zoning bylaw.

Engineering Servicing Report

Infrastructure upgrades would be required to properly service the proposed development at 4738 Athol Street. These requirements are detailed in the attached *Engineering Servicing Report*. Key considerations are the capacity of the underground sewer on Athol Street, improvements to the storm drain main and service connection, management of site drainage, and hard-surfacing of the laneway. Improvements to the site frontage and off-site requirements will be outlined in the works and services agreement by the City's Engineering department.

Based on the *Engineering Servicing Report*, the following items will be required from the applicant prior to Final Adoption of the amending bylaws:

- Design of required off-site works with associated cost estimate
- Storm water management plan
- Geotechnical report
- Site grading plan

REFERRALS

Staff's review of OCP and Zoning Bylaw amendments include referral to other agencies. The following table summarizes feedback received for this development application.

AGENCY/DEPARTMENT	COMMENTS
TSESHAHT FIRST NATION	<i>Tseshaht has no objections at this time to the work proposed.</i>
RCMP	<i>No Policing issues with the application.</i>
CPA PARKS, RECREATION, HERITAGE	<i>Interests unaffected.</i>
CPA ENGINEERING DEPARTMENT	<i>See attached Engineering Servicing Report.</i>
VIHA	<i>There are no concerns with the approval of this rezoning application given the properties will be connecting to the municipal drinking water system and sewer system.</i>
CANADA POST	<i>If approved, to avoid delay and ensure delivery can be provided we request the developer contact us in advance to confirm mail delivery requirements. A developer supplied lock box to current standards and building access will be required.</i>

IMPLICATIONS

At this stage of the application process, Council should consider the appropriateness of the proposal including its location, potential neighbourhood impacts, and potential benefit to the community. This application will create 6 units of one, two, and three-bedroom rental housing that is in high demand according to the 2021 *Alberni Valley Housing Needs Assessment*.

This property is located in a neighbourhood that includes single-family housing, and there may be impacts related to this development including increased traffic, noise, decreased privacy, and building shadows. Staff consider these to be mitigated by the location of the property and the design of the site, but they remain common sources of public concern in the development of multi-family housing.

Staff support this application because the location of the property at the edge of a core commercial area is ideal for high-density multi-family development. This project will also provide much needed purpose-built rental housing.

COMMUNICATIONS

As per section 475 of the *Local Government Act* (LGA), the City has provided an additional opportunity for input by those whose interests may be affected by the development – specifically, owners and occupants of surrounding properties. This is required for all amendments to an Official Community Plan. This pre-engagement was conducted from March 8, 2022 to March 28, 2022. Further details are provided below:

In December of 2021, the applicant invited neighbouring residents to an informal meeting to discuss the proposed development. This was intended to meet the LGA requirement, and was conducted at the direction of City staff. This meeting had no attendees and staff have heard from residents that this was likely due to the pandemic, snowy weather, and a lack of information provided. The applicant also submitted a summary of their one-on-one conversations with neighbours that was included in the February 10, 2022 staff report to the Advisory Planning Commission. The residents have since informed staff that that they feel the summary provided by the applicant does not accurately represent their concerns.

In consideration of the above, along with feedback from the Advisory Planning Commission, staff determined that additional engagement was required to meet the City's obligation under section 475 of the LGA.

On March 8, 2022, staff mailed letters to all owners and occupants of property within 75 metres of 4738 Athol Street as per *Development Application Notice Bylaw No. 4614*. The letter contained information and images regarding the proposed OCP amendment and development plans. Recipients were invited to provide feedback by March 28, 2022. A total of 90 letters were mailed, and 15 responses were received. Respondents included residents both inside and outside the 75-metre mailing area.

In general, concern was expressed regarding:

- Density of development
- Building height (shadows, loss of privacy)
- Increased vehicle traffic
- Potential changes to the character of the neighbourhood

A summary of comments is attached to this report. If the application proceeds further through the process, a full Public Hearing will be held, and all required statutory notices will be provided.

BYLAWS/PLANS/POLICIES

The applicant is requesting amendments to the Official Community Plan (OCP) and Zoning Bylaws to enable a multifamily development. This includes the creation of a new Comprehensive Development (CD) zone. The proposed zone description is attached to this report, and includes permitted uses, site development regulations, and conditions of use that are specific to this development.

Summary of Requested Bylaw Amendments

The following list is a summary of amendments to the OCP and Zoning Bylaws that would be required in order to enable the proposed development:

1. Change the designation of 4738 Athol Street from *Residential* to *Multi-Family Residential* on OCP Bylaw No. 4602 Schedule A - Land Use Map;
2. Add the property at 4738 Athol Street to *Development Permit Area No.1 Multiple Family Residential* on OCP Bylaw No. 4602 Schedule B – Development Permit Areas Map.
3. Update *Zoning Bylaw, 2014 No. 4832 Schedule A Zoning Map* to change the zoning classification of 4738 Athol Street from *R2 One and Two Family Residential* to “CD2-Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street”;
4. Add the following text to *Zoning Bylaw, 2014 No. 4832* under Part 5, section 5.1 *Establishment of Zones*: “CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.”;
5. Add the attached zone description “CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.” to *Zoning Bylaw, 2014 No. 4832* as a new section under *Part 5 Establishment of Zones*.

SUMMARY

The applicant is requesting amendments to the OCP and Zoning Bylaw that would enable the construction of an apartment building and create six rental dwelling units of mix bedroom type. This would involve the creation of a Comprehensive Development (CD) zone that would apply to only 4738 Athol Street.

Staff consider this proposal to meet the policy guidelines established in section 4.3 of the OCP for Council’s consideration of new Multi-Family Residential lands. In addition, this application also meets Council’s strategic priority 5.1.2 of fostering a complete community through the in-fill of vacant lots that contribute to vibrancy.

Through the use of a CD zone, the proposed development has been designed to best utilize the site for multi-family dwellings, while considering its context on a residential street near a commercial area. Given the need

for housing in Port Alberni, staff support this application as it meets OCP policy, and addresses the need for rental housing identified by the *Alberni Valley Housing Needs Assessment*.

Respectfully submitted,



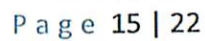
Brian McLoughlin, MCP
Development Planner

ATTACHMENTS:

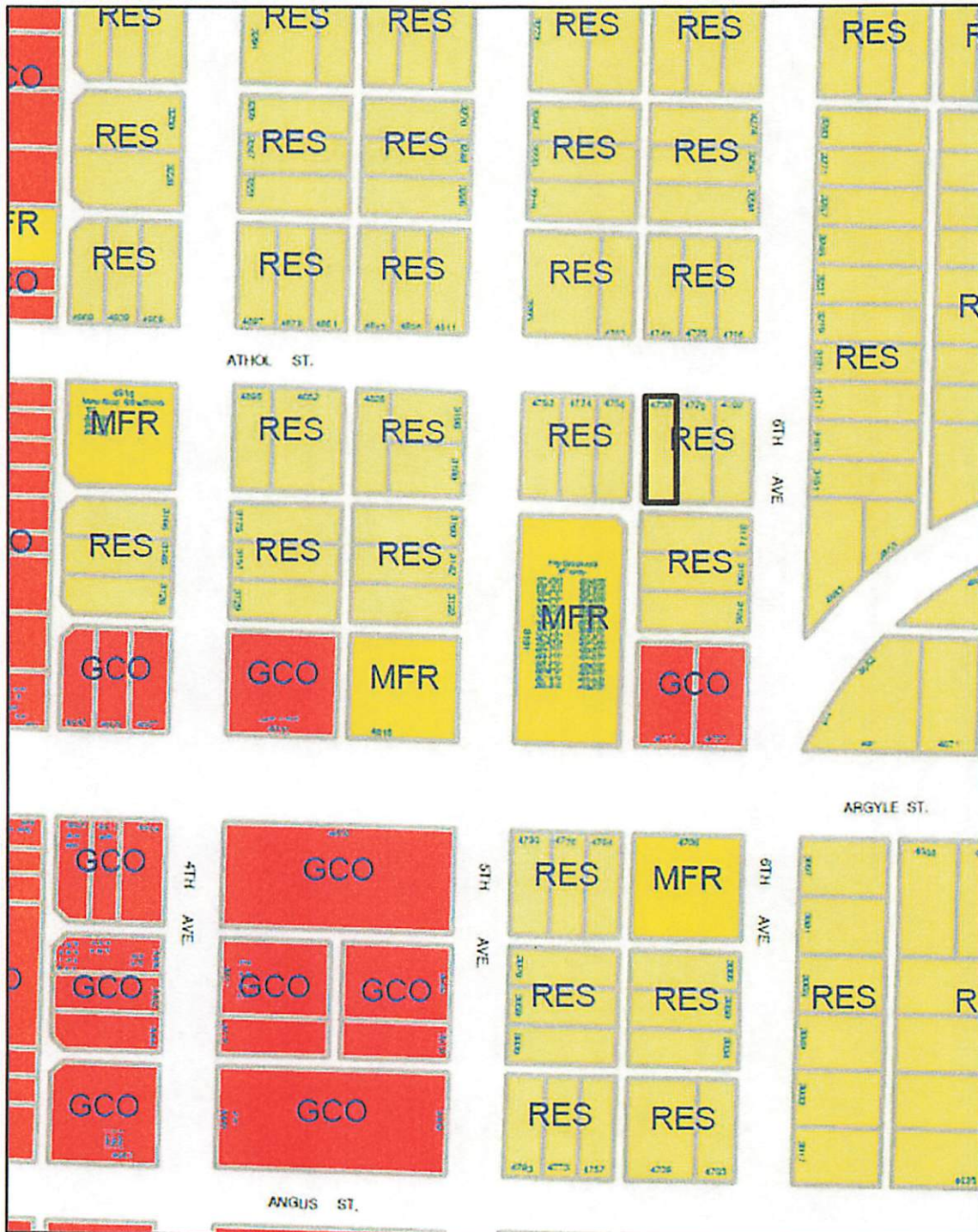
- Subject Property Map
- Current OCP Land Use Designation
- Current Zoning Designation
- Proposed New Zone Description
- Walkability Map
- OCP Policy for Re-designation of Multi-Family Residential Lands
- Advisory Planning Commission Minutes dated February 18, 2022
- Pre-Engagement Letter and Feedback Summary
- Engineering Servicing Report
- Development Concept Plans

C: to T. Slonski, Director of Corporate Services

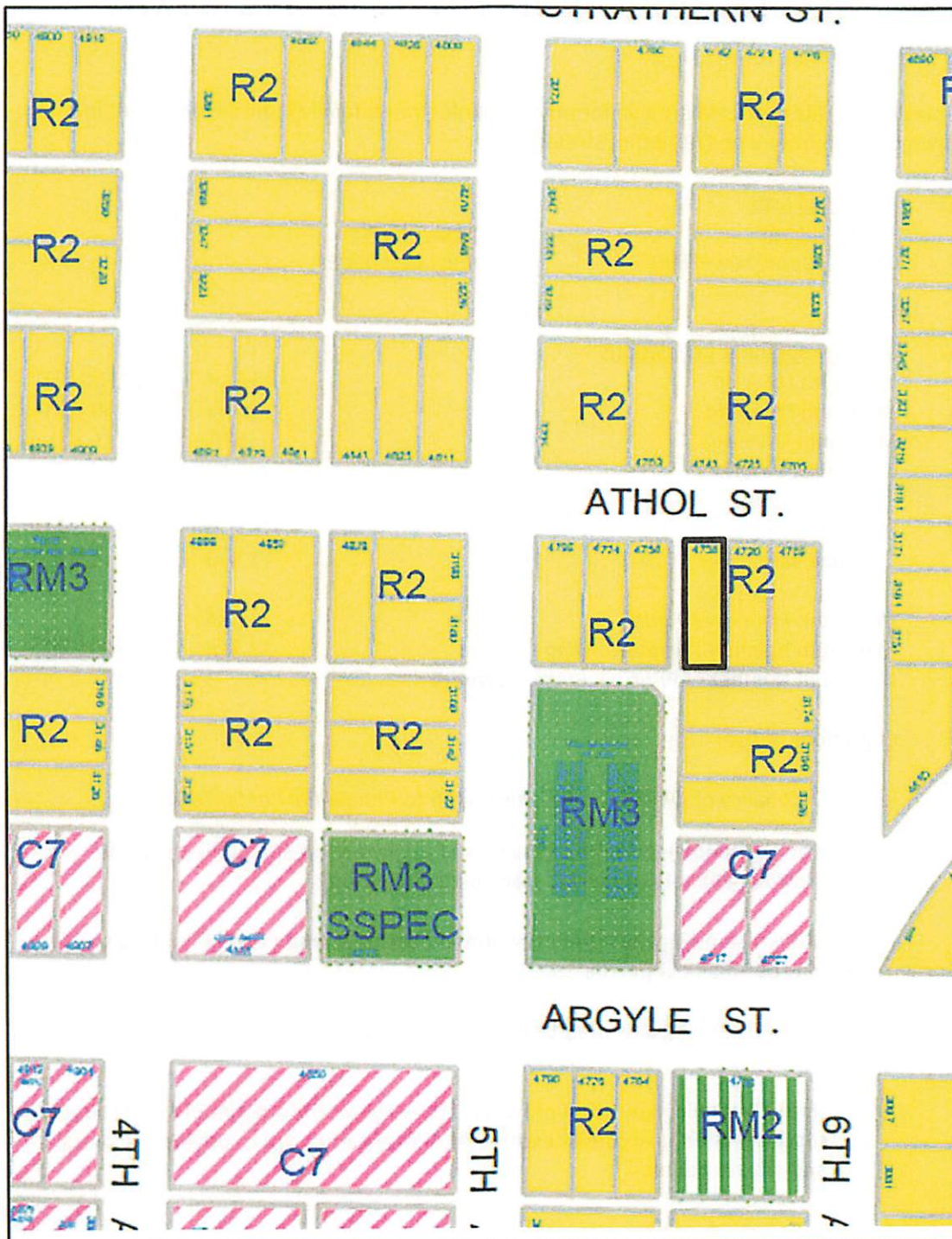
J:\Engineering\Planning\Development Applications\ZoningAmend\ZON-2021\ZON2021-08-4738-AtholSt-Res\Council\ZON21-08 - 4738-AtholSt-Res - Council Memo 1st_2nd.docx



CURRENT OCP LAND USE DESIGNATION – 4738 ATHOL STREET



CURRENT ZONING CLASSIFICATION – 4738 ATHOL STREET



PROPOSED NEW ZONE DESCRIPTION

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

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

8.2.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.2.2 Site Development Regulations

Minimum Lot Area	443 m ²	(4,768 ft ²)
Minimum Frontage	12 m	(39.4 ft)
Maximum Coverage	58%	
Minimum Setbacks:		
Front yard	3.5 m	(11.5 ft)
Rear yard	5.0 m	(16.4 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	1.34	
Maximum Height, Principal Building	13.7 m	(45.9 ft)
Maximum Number of Principal Building Storeys	3	

8.2.3 Conditions of Use

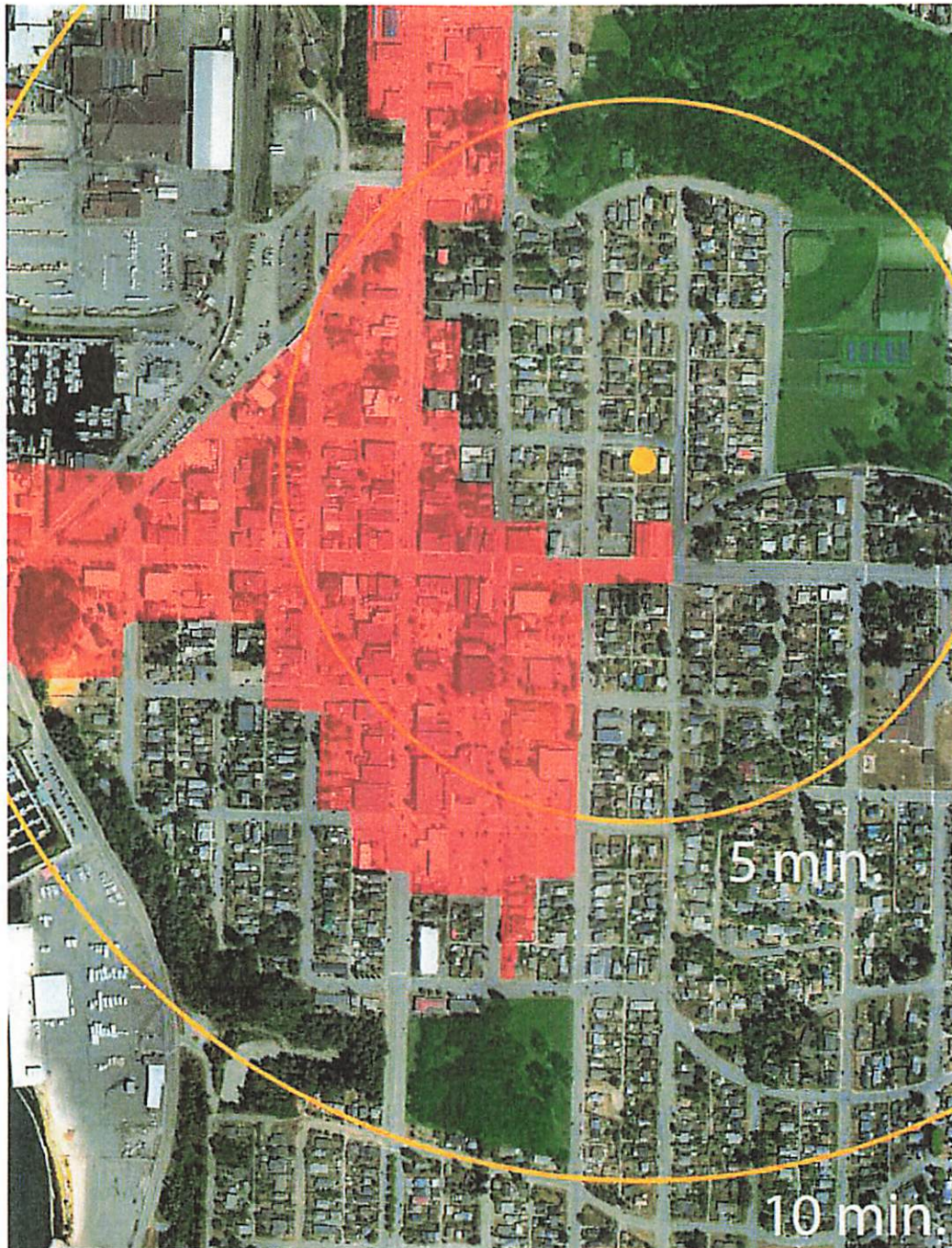
- (a) Occupancy of dwelling units is restricted to *Residential Rental Tenure*.
- (b) Notwithstanding any other provision of the Bylaw, on-site parking shall be provided at a rate of one (1) space per dwelling unit.
- (c) Notwithstanding any other provision of the Bylaw, up to two (2) parking spaces may be Small Car parking spaces.
- (d) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required shall be 169 m².
- (e) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required may consist exclusively of roof garden areas, private balconies, and private patios.

- (f) Permanent roof top structures are not permitted except where required for access.
- (g) Home occupation as a permitted use is restricted to office space for a business which is lawfully carried on at another location.

WALKABILITY MAP – 4738 STREET

**The orange walk rings are based on a 5 min. per 400 m standard.

**Red = commercial, Green = park

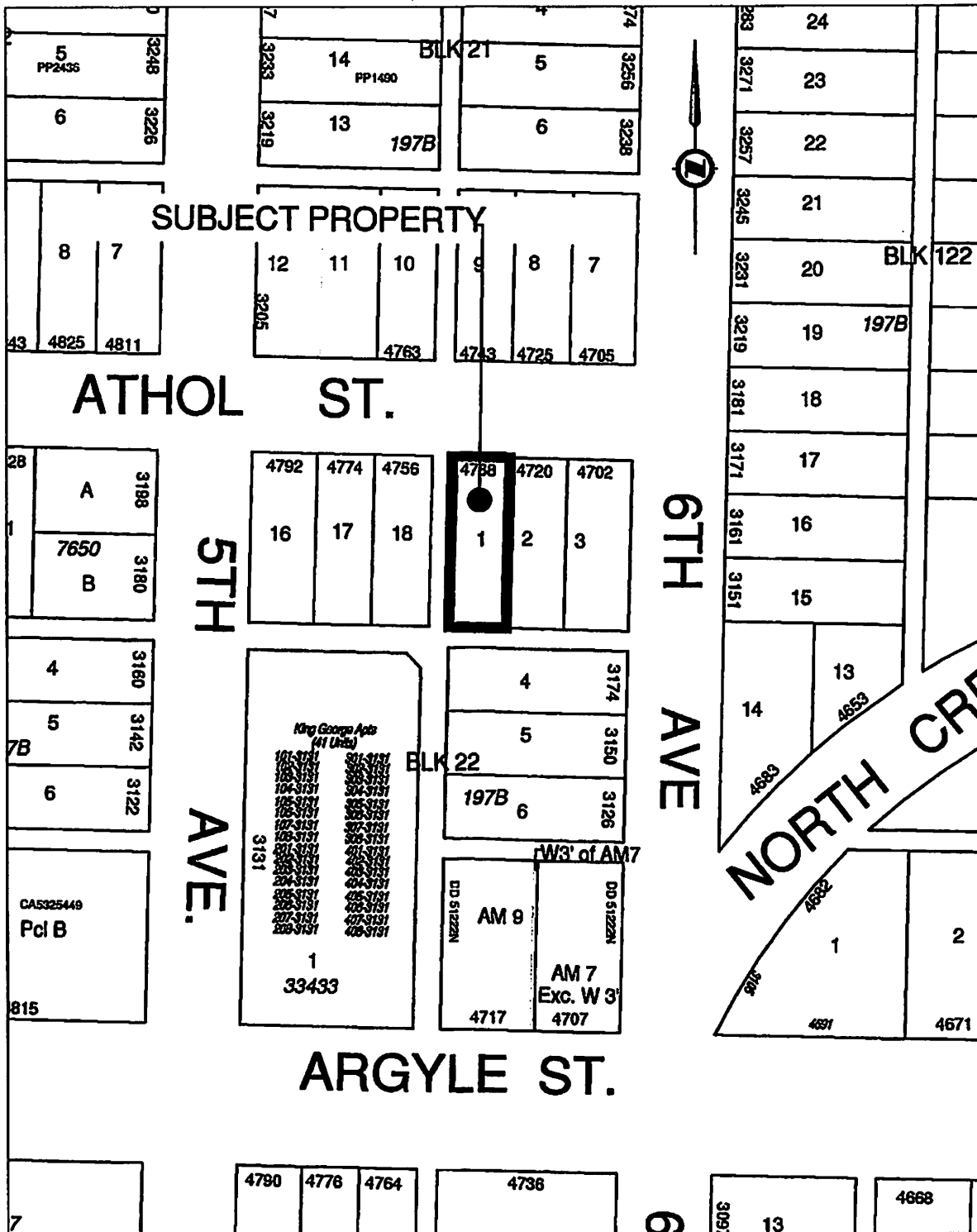


OCP Policy for Re-Designation of Multi-Family Residential Lands

SECTION	OCP TEXT
1.1 Growth	<ul style="list-style-type: none"> To encourage the efficient use of land and infrastructure, and development of compact built form by encouraging sensitive in-fill and intensive forms of development in key locations of the City.
1.5 Community	<p><i>Residential</i></p> <ul style="list-style-type: none"> To ensure that a range of housing choice is provided in order to meet the needs of current and future residents.
Table 3 – Multi-Family Residential	<ul style="list-style-type: none"> This type of residential should be located in proximity to community services or major amenities.
Plan Policies - 4.0 Residential	<ul style="list-style-type: none"> Residential capacity could be substantially increased well beyond the 20-year horizon through the provision of a range of higher density housing forms... A wider choice of housing options translates into greater access to housing and a more livable community for a greater range of age groups. This is a fundamental objective in creating complete and inclusive communities.
Plan Policies - 4.0 Residential – Multi-Family Housing	<p>Typically, this form of housing is within or adjacent to established single-family residential neighbourhoods.</p> <ul style="list-style-type: none"> They are also typically situated near strategic amenity or service locations such as commercial nodes, parks, schools, community facilities, or in relation to significant transportation corridors. The objective is to facilitate compact urban form which reduces vehicle trips, increases the likelihood of social interaction, increases the economic viability of commercial nodes, and leads to a more sustainable lifestyle.
Plan Policies - 4.0 Residential – Affordable Housing	<p>...A range of affordable housing options should be provided to accommodate a wide range of lifestyles and economic profiles such as young families, seniors, singles, those on a fixed income or are low-income households. Such housing can consist of a range of forms including multi-family, high density detached single-family residential, or secondary suites within or associated with single-family dwellings in single-family neighbourhoods.</p> <p>[The OCP] promotes integration of such housing throughout the community in order to provide greater housing diversity.</p>

4.1 General Provisions	<p><i>Council Policy</i></p> <p><i>2. The provision of a wide-range of housing choice for the benefit of all demographic and socioeconomic segments is encouraged.</i></p> <p><i>3. The City supports efforts to provide integrated special needs, affordable, and rental housing within the community.</i></p> <p><i>4. The City will encourage greater residential density in locations near commercial nodes and near transit routes.</i></p>
4.3 Multi-Family Residential (MFR)	<p><i>Council Policy</i></p> <p><i>3. Land designated Multi-Family Residential (MFR) on Schedule “A” (Land Use Map) shall be designated as a Development Permit Area to control the form and character of development in order to ensure an appropriate fit with the adjacent neighbourhood.</i></p> <p><i>4. When considering re-designation of areas to Multi-Family Residential (MFR), the City shall consider the following criteria:</i></p> <ul style="list-style-type: none"> <i>• Should be within walking distance (approximately 800 metres) of commercial, recreational, public/institutional nodes, or community scale parks;</i> <i>• Should be located on or in proximity to major collectors or arterial roads in order reduce traffic impacts on local roads;</i> <i>• An adequate transition between lower density housing, and compatibility with adjacent land uses must be provided;</i>

Schedule "A" to Bylaw No. 5048





**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on February 17, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ken McRae (Vice-Chair)
Amy Anaka
Ken Watts, (CEO Tseshah (č išaa?ath) F.N)
Stefanie Weber
Chris Washington, S.D.70
Peter Dionne, R.C.M.P. Liaison
Andre Guerin, P.A.F.D. Liaison
Councillor Helen Poon (Alt.- Council Liaison)

Regrets

Ed Francoeur (Chair)
Callan Noye
Joe McQuaid
Amy Needham, Parks Operations Liaison
Councillor Deb Haggard, Council Liaison
Jolleen Dick, Councillor, Hupačasath F.N.

Staff

Scott Smith, Dir. of Dev. Services/Acting CAO
Brian McLoughlin, Development Planner
Price Leurebourg, Development Planner
Cara Foden, Planning Technician

Guests

L. Sam, (Alt. – Tseshah (č išaa?ath) F.N)
Applicants: K. Rai

Alternates (not in attendance)

Larry Ransom (Alt.- S.D.70)
Roger Nopper CEO, (Alt. - Hupačasath F.N.)



1. Acknowledgements and Introductions –

Acknowledgement, by the Chair, that this APC meeting is being held within the un-ceded, traditional territories of the Hupačasath and the Tseshah (č išaa?ath) First Nations.
Welcome and introductions.

2. Minutes - Adoption of January 20, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the January 20, 2022 regular meeting as amended.

(Weber / Washington) CARRIED

**3. DEVELOPMENT APPLICATION – Official Community Plan and Zoning Bylaw amendment
4738 Athol Street -**

Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962

Applicant: K. Rai

- City Development Planner (B.M.) summarized his report dated February 15, 2022.
- APC discussed the proposed amendments and report.
 - There was a question regarding the numbering for the CD2 zone proposed. It was clarified that two applications for new “CD” zones are being processed and numbering will be adjusted accordingly as the amendments move forward.
 - Accessibility was discussed. The Planner indicated that there are no plans for an Elevator to be included. The applicant will require a Development Permit and a Building Permit prior to construction. The APC inquired whether there were plans for a wheelchair ramp to be

included and if there would be an accessible, level access to the building through the back, adjacent to the parking lot. The applicant verbally indicated that accessibility was important to consider. It was noted by the Director of Development Services that the final plan and construction details would be evaluated during the permitting stages.

- RCMP commented that the lack of an elevator was a concern. Emergency response will be more challenging. An elevator is not a requirement for a building less than 4 storeys.
- The Fire Department commented that the addition of a fire hydrant (private or city owned) would be desirable. One of the units cannot be reached by a ladder truck for emergency access. The Planner indicated that the Architect has designed the building to meet the Building and Fire Codes.
- There was concern expressed regarding the height of the building. The APC discussed the proposal with respect to the potential impact of the building to immediate residential neighbours due to its height. It was noted that the OCP currently indicates that there should be an adequate transition, between lower and higher density housing, that is respectful of the scale and character of the neighbourhood. The building itself is comparable to the height permitted in the RM2 zone but a stairwell enclosure, to access the rooftop open space, has added additional height comparable to that of an elevator shaft.
- Several members noted that the height may not be out of line with the immediate neighbourhood and that many suites existed in the area already adding to density. There was an indication that the community was generally supportive of increased density for much needed housing units. It may not be possible to decrease the height of the development and preserve its economic viability.
- Open space was considered. APC had questions regarding open space requirements, use of the proposed roof top and balconies and how the roof top space would be used, or not used, by tenants. The Planner indicated that the balcony areas are included in meeting the open space area requirement. Open space calculations also include the rooftop space. He also noted that balconies are generally considered to increase the quality of life for tenants.
- The project will provide much needed housing in the community (6 units). The APC voiced the opinion that the number of similar applications is likely to increase in the future and the OCP review will be an opportunity to gauge community support for increased density. The OCP review should consider neighbourhood impacts in specific areas.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that with respect to Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962 located at 4738 Athol Street the City proceed with the following map amendments to the Official Community Plan bylaw:*
 - a. *Amend the Official Community Plan (Schedule A – Land Use Map) to change the designation of the properties from 'General Commercial' to 'Multi-Family Residential' use;*

- b. Amend the Official Community Plan (Schedule B – Development Permit Areas Map) to remove the properties from Development Permit Area No. 2 General Commercial and to include the properties in **‘Development Permit Area No. 2 Multiple Family Residential’**.
2. That with respect to Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962 located at **4738 Athol Street** the City proceed with the following text amendments to the Zoning Bylaw:
- a. Define ‘Residential Rental Tenure’ by adding the following text to Section 4-Definitions:
“Residential Rental Tenure means, in relation to a dwelling unit in a multi-family residential building or multiple dwelling, a tenancy governed by a tenancy agreement that complies with the Residential Tenancy Act”.
- b. In Section 5.0 Establishment of Zones add the following text to the list of zones under Section 5.1
“CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.”
- c. Under Section 8.0 Comprehensive Development Zones add Section 8.2 text as follows:

8.2

CD2 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL INFILL – 4738 ATHOL ST.

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

8.2.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.2.2 Site Development Regulations

Minimum Lot Area	400 m ²	(4,305 ft ²)
Minimum Frontage	12 m	(39.4 ft)
Maximum Coverage	58%	
Minimum Setbacks:		
Front yard	3.5 m	(11.5 ft)
Rear yard	5.0 m	(16.4 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	1.34	
Maximum Height, Principal Building	13.7 m	(45.9 ft)
Maximum Number of Principal Building Storeys	3	

8.2.3 Conditions of Use

- (a) Occupancy of dwelling units is restricted to *Residential Rental Tenure*.

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

3. *That with respect to Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962 located at **4738 Athol Street** the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of the property from 'R2 One and Two Family Residential' to '**CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.**'*

(Washington / Weber) CARRIED

4. STATUS UPDATE:

The Director of Development Services updated the APC with respect to the following:

- o A.C.A.W.S. (Vimy St. project) – Public Hearing held. Bylaws to Council for 3rd Read on February 28th
- o 5405 Argyle (B. Toor) – Public Hearing held.
- o 4841 Redford (Uchucklesaht) - Development Variance Permit to Council on February 28th
- o 5th Ave. & Burde St. (Carniato) – Bylaws to Council on February 28th for 1st reading.

5. OTHER BUSINESS

6. **ADJOURNMENT** – The meeting adjourned at 12:40 pm. The next meeting is scheduled for 12:00 pm on **March 17, 2022.**

(Dionne / McRae) CARRIED

Ken McRae (Vice-Chair)



Summary of Pre-engagement

Application: OCP/ZON21-08	
Address: 4738 Athol St.	Date: April 14 2022
Applicant: Hokum Holdings	

RE: Application to amend Official Community Plan to change land designation from Residential to Multi-Family Residential

Description:	On Tuesday March 8 th , 2022, a letter was mailed to all owners and occupants of property within 75 metres of 4738 Athol St. This letter contained a description of the requested OCP amendment and proposed development, along with two conceptual images provided by the applicant as part of their application. The letter provided instructions on how to contact City staff with comments on the proposal either in-person at City Hall, or by email or phone. The letter requested that all feedback be received by Monday March 28 th .
Details:	<p>A total of 90 letters were mailed to property owners, occupants within 75 metres of the 4738 Athol St. The distance of the mail-out is consistent with the City of Port Alberni's <i>Development Application Notice Bylaw</i>.</p> <p>A total of 15 responses were received. Respondents included residents both inside and outside the 75 metre mailing area.</p>
Summary of Responses:	<p><u>Areas of Support</u></p> <ul style="list-style-type: none"> • Support for making Port Alberni more dense to make services more accessible for residents • Support for making Port Alberni more dense to and reduce required driving • Support for providing housing <p><u>Areas of concern:</u></p> <p>Impact on Neighbourhood</p> <ul style="list-style-type: none"> • Concern that people chose to live in the neighbourhood because they perceive it to be single-family. • Concern that apartment building does not "belong" on a residential street. • Concern that rental-only units would remove opportunity for private home ownership. • Concern this will make developers buy local properties for for-profit rentals • Concern development will reduce values of homes in the neighbourhood. • Concern common area on roof will create noise and reduce privacy of neighbours • Concern overall development will reduce privacy for some neighbours • Concern that building height is too much compared to surrounding homes • Concern shadow from building would affect neighbours' physical and mental health, and ability to garden in yards. • Concern development will block views • Concern the size of the building is too big for the lot and will "cramp" area



	<ul style="list-style-type: none"> • Concern the building does not fit neighbourhood character • Concern development would change the character of the neighbourhood as “quiet, low density, neighbourhood”. • Concern there is already enough multifamily housing in the area. • Concern 6-unit building would “ruin the aesthetics” of the neighbourhood. • Concern that short setbacks are a fire hazard. • Concern construction process would disrupt the neighbourhood <p>Nuisance and Crime</p> <ul style="list-style-type: none"> • Concern development would cause significant disruption of neighbourhood and residents. • Concern that too many people living on one property will have a negative effect on the community • Concern building would be poorly managed and a source of crime and nuisance • Concern that six vehicles means more CO2 emissions, dust, and noise. • Concern over pet waste on neighbours’ yards because of lack of open space in development. • Concern that tenants smoking outside will affect air quality • Concern that crime will increase meaning residents cannot leave courier packages outside. • Concern that complex will not be maintained. <p>Parking, Access and Traffic</p> <ul style="list-style-type: none"> • Concern there is not enough on-site parking for building • Concern that reduced parking will create problems for local residents • Concern over guests parking in street and decreasing available street parking • Concern over traffic safety in neighbourhood (means more congestion) • Concern about increased traffic issues at intersections of 5th and Athol • Concern that traffic on alley to rear of development will increase • Concern that lanes at side and back are single lane and not suitable for traffic from this development. • Concern about truck access to laneway for garbage removal • Concern about fire truck access to laneway • King George apartments uses street parking • Street parking used most at evening/night. Movie theatre customers use street parking on 6th Ave. <p>Utilities</p> <ul style="list-style-type: none"> • Water run-off/drainage issues in laneway need to be solved. • Are there adequate water and sewer to support six units? <p>Technical</p> <ul style="list-style-type: none"> • Concern that covered not parking included in lot coverage • Concern that OCP policy 4.3.4. regarding designation of new lands as multifamily has not been met (consideration of transition to and compatibility with adjacent land uses) • Concern that OCP is under review and application should wait.
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



	<ul style="list-style-type: none">• Disagree with how a comprehensive development zone is used.• Disagree with changing the OCP and Zoning Bylaw to increase density and allow multifamily housing.
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



CITY of PORT ALBERNI

PLANNING DEPARTMENT

4850 Argyle Street, Port Alberni, B.C. V9Y 1V8

T: 250.720.2830 or visit our website: www.portalberni.ca

Tuesday, March 8, 2022

File: OCP2021-05

RE: DEVELOPMENT APPLICATION – Amendments to the City of Port Alberni Official Community Plan
4738 Athol Street
Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962
Applicant: K. Rai dba Hukam Holdings Ltd.

Dear Sir/Madam:

You are receiving this letter because you are the occupant or owner of property within 75 metres of 4738 Athol Street in Port Alberni, BC. The City of Port Alberni has received an application to redevelop 4738 Athol Street for multi-family housing consisting of six apartment units. The City of Port Alberni is providing you an early opportunity to ask questions or send comments on this proposal.

The applicant has requested an amendment to the Official Community Plan (OCP) to change the land use designation at 4738 Athol Street from 'Residential' to 'Multi-Family Residential'. The property would also be added to 'Development Permit Area No. 1 – Multi-Family Residential'. These amendments to the OCP would enable a rezoning of the property for multi-family development.

If you have any questions or comments on this amendment to the Official Community Plan, please contact the Development Services Department at City Hall by Monday, March 28th in one of the following ways:

- In-person at the Development Services counter (Monday to Friday 8:30 am to 4:30 pm)
- By email: brian_mcloughlin@portalberni.ca
- Or by phone: **250-720-2806**

Information related to the proposed OCP amendments may be viewed at the Development Services counter at City Hall during regular hours. If the development application proceeds, a full Public Hearing will be held at a later date.



Page 1 of 2



Sincerely,

A handwritten signature in black ink, appearing to read 'Brian McLoughlin'.

Brian McLoughlin, Development Planner
City of Port Alberni

THE CITY OF PORT ALBERNI
ENGINEERING SERVICING REPORT

FILE:

DATE: May 16, 2022

LEGAL: LOT 1, BLK22, Plan 197B

LOCATION: 4738 Athol St.

SUBJECT: Rezoning Application

Engineering has no objection to the proposed rezoning provided it conforms to current bylaw standards. The following report identifies key site specific requirements and bylaw issues which are to be satisfactorily addressed.

1.00 ROADS:

- 1.01 The Applicant to engage a Civil Engineer licensed in the Province of BC to provide a half road design to be approved by the CPA Director of Engineering. Design to include non mountable concrete curb and gutter, 1.52m sidewalk tight to C&G, grass Blvd and 5.5m of pavement center in the road ROW. A design for hard surface and drainage will also be required for the existing gravel lane West of the property.

2.00 Sewerage

- 2.01 The Applicant to engage a Civil Engineer licensed in the Province of BC to confirm sewer capacity in the existing sewer main on Athol St between SMH's F136 and F140. Size confirmation of the existing 100mm sanitary connection at the P/L should also be done if reused for the proposed new build.

3.00 Drainage

- 3.01 The Applicant to engage a Civil Engineer licensed in the Province of BC to provide a storm water management plan and related drain design to be approved by the CPA Director of Engineering. A storm drain main will need to be designed and installed on Athol St from DMH KB10 to the shared P/L between 4720 & 4738 Athol St. Design should include future proposed gravity storm drain connection to each of the properties on the South side of Athol, East of 5th Ave. A storm drain connection to be sized and installed to the P/L of 4738 Athol St.

4.00 Water

- 4.01 The CPA will install a new water service connection as per approved Building Plans plumbing fixture count. The cost to the Applicant will be the current CPA Fees and Charges rate.

5.00 SHALLOW UTILITIES:

- 5.01 All conditions of BC Hydro, Telus, Fortis Gas and CATV must be satisfied. All shallow utilities must be shown on the engineering plans prior to approval.

6.00 GEOTECHNICAL:

- 6.01 A geotechnical investigation of the site will be required. The report should address all geotechnical issues which may affect the proposed development such as:
- a) Site soil and groundwater characteristics.
 - b) Site suitability for intended development.
 - c) Recommendations for foundation design.
 - d) Recommendations for slab-on-grade construction.
 - e) Any special requirements for construction.
 - f) Location and stability of fill areas.
 - g) Restricted building areas.
 - h) Road design.
 - i) Drainage practices.
 - j) Potential flood areas.

7.0 SITE GRADING:

- 7.01 Site grading plans for on site development will be required to ensure the proposed grading fits with surrounding areas, drainage and any identified hazards.

8.00 GENERAL

8.01 Approved engineering plans will be required for all servicing and for connections to existing infrastructures. The Applicant's Engineer should consult with the Engineering Department prior to commencement of detailed engineering design.

8.01 All works within existing City Rights of Way will require that the applicant:

- a) Provide engineering drawings for the works

- b) Enter into a Development Agreement; provide security in a form acceptable to the Director of Engineering in the amount of 100% of the cost of construction of the road works and 100% for the pipe works within the City road or Right of Way.
- c) Obtain a Work on City Streets Permit from the Engineering Department for construction within a City Right of Way.



BUILDING VIEW



STREET VIEW



AERIAL VIEW OF SITE

SHEET NUMBER SHEET NAME

A000	COVER SHEET
A001	AERIAL VIEW
A100	SITE PLAN
A101	LEVEL 1
A102	LEVEL 2
A103	LEVEL 3
A200	ELEVATIONS
A201	ELEVATIONS
A300	SECTIONS
A400	PERSPECTIVES
A500	SHADOW STUDY

PROJECT CONSULTANTS

PROJECT CONSULTANTS:
ARCHITECT:
 JOYCE TROOST
 JRT ARCHITECTURE
 250 714 8749
 joyce@jrtarchitecture.com

LANDSCAPE ARCHITECT:
 KATE STEFUK
 KINSHIP DESIGN ART ECOLOGY
 250-753-8093
 kate.stefuk@kinshipdesign.ca

PROJECT DATA

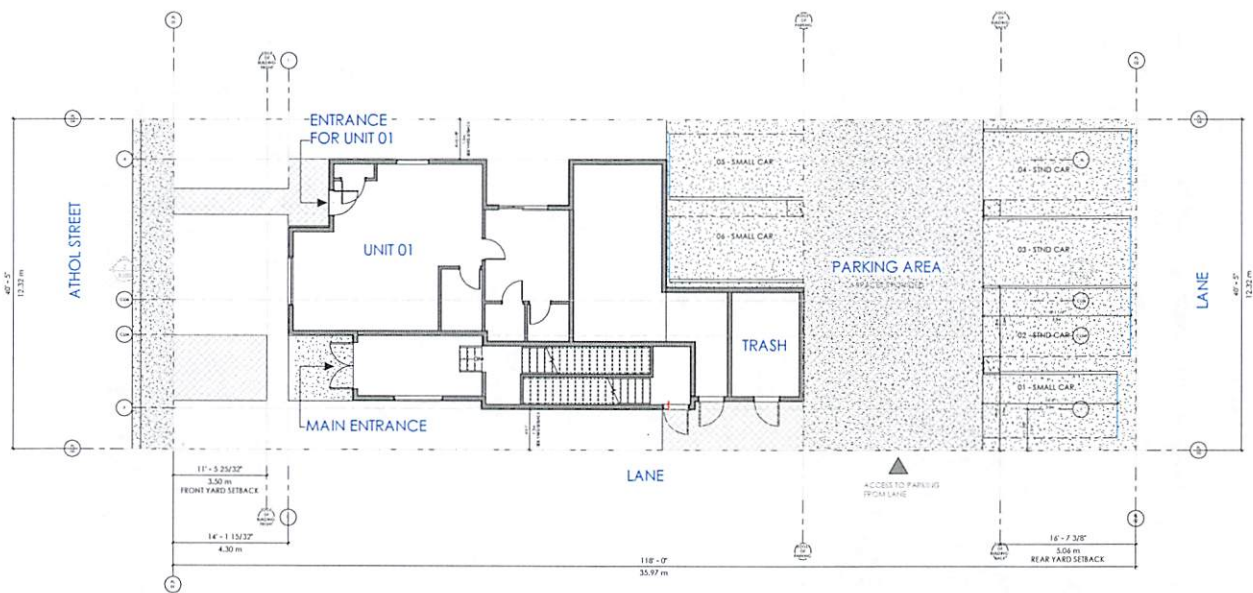
SITE AREA	4,769.17 SF	SOIL CALCULATION
ZONE	R2 (Original Zone)	Bakery Areas
PROPOSED ZONE	CD3	Level 2 126 SF + 56 SF
PROPOSED:		Unit 3 129 SF
FAR	1.34 (GFA 6,429 SF)	Level 3
SETBACKS	Front Yard = 3.5 m	Unit 4 126 SF
	Side Yard = 1.5 m	Unit 5 56 SF
	Rear Yard = 3.0 m	Unit 6 129 SF
LOT COVERAGE	50% (Footprint 2,777 SF)	Total Bakery Areas 622 SF
BUILDING HEIGHT	13.7 m	Front Porches
PARKING REQUIREMENT	1.25 STALLS/UNIT 7.5 STALLS REQUIRED (1 Small Car Allowed)	Level 1 41 SF
	Accessible Parking 0	Unit 1 Main Entrance 63 SF
		Total Front Porches 104 SF
PARKING REQUIREMENT	Provided & spaces: 4 Standard 2 Small cars (1.5 variance in total count)	Rear Top Porches 1099 SF
UNITS	6 UNITS: 2-1 BDRM 2-2 BDRM 1-2 BDRM + DEN 1-2 BDRM	TOTAL UGS 1815 SF
	UNIT 01: 18 UNIT 02: 28 UNIT 03: 28 + DEN UNIT 04: 28 UNIT 05: 18 UNIT 06: 28	

<p>JOYCE TROOST ARCHITECTURE 457 COLLEMAN DRIVE VANCOUVER, BC V6C 2B9 250.714.8749 joyce@jrtarchitecture.com</p>	<p>2122 0815</p>	<p>6 PLEX, ATHOL STREET</p> <p>4750 ATHOL STREET, PORT ALBERT, BC</p>	<p>CLIENT</p> <p>HERDIA HOLDINGS LTD</p>	<table border="1"> <tr> <th>REV.</th> <th>DATE</th> <th>NUMBER</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>2022-09-06</td> <td>1</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2</td> <td>2022-09-06</td> <td>2</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>3</td> <td>2022-09-06</td> <td>3</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>4</td> <td>2022-09-06</td> <td>4</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>5</td> <td>2022-09-06</td> <td>5</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>6</td> <td>2022-09-06</td> <td>6</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>7</td> <td>2022-09-06</td> <td>7</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>8</td> <td>2022-09-06</td> <td>8</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>9</td> <td>2022-09-06</td> <td>9</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>10</td> <td>2022-09-06</td> <td>10</td> <td>ISSUED FOR PERMIT</td> </tr> </table>	REV.	DATE	NUMBER	DESCRIPTION	1	2022-09-06	1	ISSUED FOR PERMIT	2	2022-09-06	2	ISSUED FOR PERMIT	3	2022-09-06	3	ISSUED FOR PERMIT	4	2022-09-06	4	ISSUED FOR PERMIT	5	2022-09-06	5	ISSUED FOR PERMIT	6	2022-09-06	6	ISSUED FOR PERMIT	7	2022-09-06	7	ISSUED FOR PERMIT	8	2022-09-06	8	ISSUED FOR PERMIT	9	2022-09-06	9	ISSUED FOR PERMIT	10	2022-09-06	10	ISSUED FOR PERMIT	<table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2022-09-06</td> <td>JOYCE TROOST</td> <td>ISSUED FOR PERMIT</td> </tr> </table>	DATE	BY	DESCRIPTION	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT	<p>COVER SHEET</p> <p>A000</p>
				REV.	DATE	NUMBER	DESCRIPTION																																																																									
1	2022-09-06	1	ISSUED FOR PERMIT																																																																													
2	2022-09-06	2	ISSUED FOR PERMIT																																																																													
3	2022-09-06	3	ISSUED FOR PERMIT																																																																													
4	2022-09-06	4	ISSUED FOR PERMIT																																																																													
5	2022-09-06	5	ISSUED FOR PERMIT																																																																													
6	2022-09-06	6	ISSUED FOR PERMIT																																																																													
7	2022-09-06	7	ISSUED FOR PERMIT																																																																													
8	2022-09-06	8	ISSUED FOR PERMIT																																																																													
9	2022-09-06	9	ISSUED FOR PERMIT																																																																													
10	2022-09-06	10	ISSUED FOR PERMIT																																																																													
DATE	BY	DESCRIPTION																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														
2022-09-06	JOYCE TROOST	ISSUED FOR PERMIT																																																																														



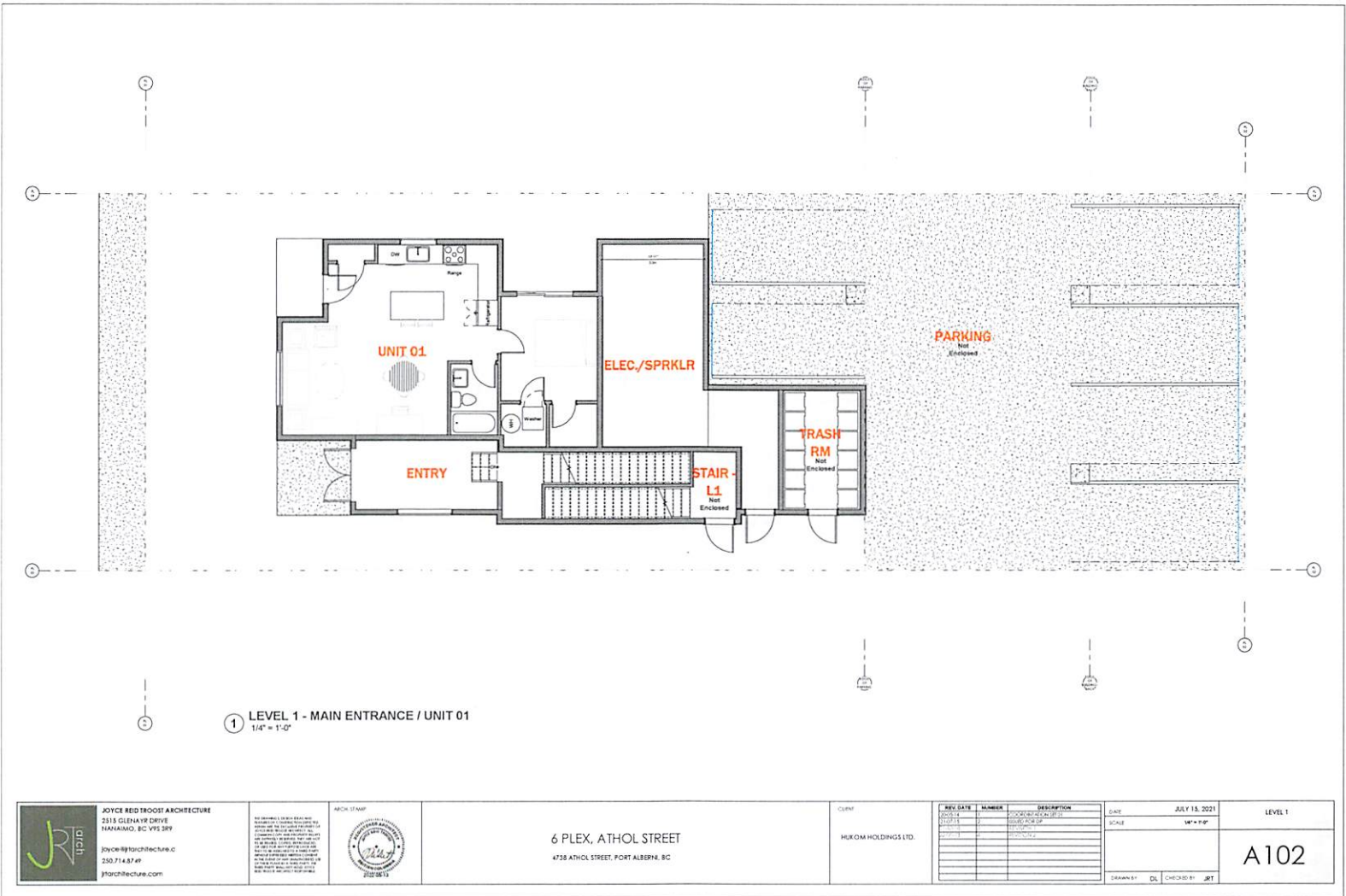
BIRDS EYE VIEW OF PROPOSED DEVELOPMENT AND NEIGHBOURHOOD

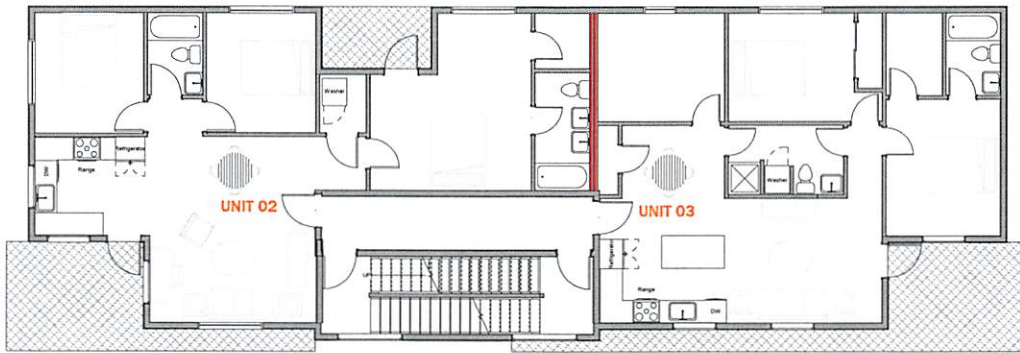
 <p>JOYCE REID THROFT ARCHITECTURE 25 E. CLARKSON DRIVE NORWALK, IL 60551-1099 630.684.0000 25 E. CLARKSON DRIVE NORWALK, IL 60551-1099</p>	<p>THE DEVELOPER: 100% OF THE PROPOSED DEVELOPMENT IS OWNED BY THE CITY OF NORWALK, ILL. THE CITY OF NORWALK, ILL. IS THE DEVELOPER OF THE PROPOSED DEVELOPMENT. THE CITY OF NORWALK, ILL. IS THE DEVELOPER OF THE PROPOSED DEVELOPMENT. THE CITY OF NORWALK, ILL. IS THE DEVELOPER OF THE PROPOSED DEVELOPMENT.</p>		<p align="center">6 PLEX ATHOL STREET 4750 ATHOL STREET, PONTIAC, IL 60462-1000</p>	<p>10-0000 HEURON HOLDINGS LTD.</p>	<table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/01/2022</td> <td>INITIAL DESIGN</td> </tr> <tr> <td>2</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>3</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>4</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>5</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>6</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>7</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>8</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>9</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> <tr> <td>10</td> <td>08/01/2022</td> <td>REVISIONS</td> </tr> </tbody> </table>	REV	DATE	DESCRIPTION	1	08/01/2022	INITIAL DESIGN	2	08/01/2022	REVISIONS	3	08/01/2022	REVISIONS	4	08/01/2022	REVISIONS	5	08/01/2022	REVISIONS	6	08/01/2022	REVISIONS	7	08/01/2022	REVISIONS	8	08/01/2022	REVISIONS	9	08/01/2022	REVISIONS	10	08/01/2022	REVISIONS	<p>25/11/2021 25/11/2021 25/11/2021 25/11/2021 25/11/2021 25/11/2021 25/11/2021 25/11/2021 25/11/2021 25/11/2021</p>	<p align="center">AERIAL VIEW A001</p>
REV	DATE	DESCRIPTION																																						
1	08/01/2022	INITIAL DESIGN																																						
2	08/01/2022	REVISIONS																																						
3	08/01/2022	REVISIONS																																						
4	08/01/2022	REVISIONS																																						
5	08/01/2022	REVISIONS																																						
6	08/01/2022	REVISIONS																																						
7	08/01/2022	REVISIONS																																						
8	08/01/2022	REVISIONS																																						
9	08/01/2022	REVISIONS																																						
10	08/01/2022	REVISIONS																																						



1 SITE PLAN
3/16" = 1'-0"

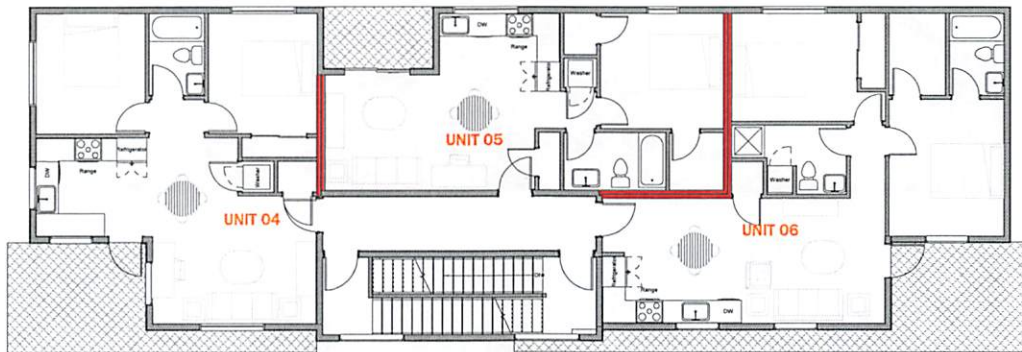
 <div>JOYCE RIGG TRUST ARCHITECTURE 4510 CLUNY DRIVE VANCOUVER, BC V6J 3H9 250.681.1111 250.771.4774 jrarch@jrtarch.com</div>	<div>THE DRAWING IS TO BE USED FOR THE PROJECT DESCRIBED ONLY. IT IS NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS DRAWING. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE REGULATIONS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND ITS STRUCTURAL ELEMENTS. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE RESULTS OF ANY ANALYSES OR CALCULATIONS PERFORMED BY OTHER PROFESSIONALS. THE ARCHITECT'S SERVICES ARE LIMITED TO THE DESIGN OF THE BUILDING AND ITS STRUCTURAL ELEMENTS. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE RESULTS OF ANY ANALYSES OR CALCULATIONS PERFORMED BY OTHER PROFESSIONALS.</div>		<div>6 PLEX, ATHOL STREET 4738 ATHOL STREET, PORT ALBERNI, BC</div>	<div>PROJECT HOODMAY HOLDINGS LTD.</div>	<table><tr><th>REV.</th><th>DATE</th><th>NUMBER</th><th>DESCRIPTION</th></tr><tr><td>1</td><td>2022-09-06</td><td>1</td><td>ISSUED FOR PERMIT</td></tr><tr><td>2</td><td>2022-09-06</td><td>2</td><td>ISSUED FOR PERMIT</td></tr><tr><td>3</td><td>2022-09-06</td><td>3</td><td>ISSUED FOR PERMIT</td></tr><tr><td>4</td><td>2022-09-06</td><td>4</td><td>ISSUED FOR PERMIT</td></tr><tr><td>5</td><td>2022-09-06</td><td>5</td><td>ISSUED FOR PERMIT</td></tr><tr><td>6</td><td>2022-09-06</td><td>6</td><td>ISSUED FOR PERMIT</td></tr><tr><td>7</td><td>2022-09-06</td><td>7</td><td>ISSUED FOR PERMIT</td></tr><tr><td>8</td><td>2022-09-06</td><td>8</td><td>ISSUED FOR PERMIT</td></tr><tr><td>9</td><td>2022-09-06</td><td>9</td><td>ISSUED FOR PERMIT</td></tr><tr><td>10</td><td>2022-09-06</td><td>10</td><td>ISSUED FOR PERMIT</td></tr></table>	REV.	DATE	NUMBER	DESCRIPTION	1	2022-09-06	1	ISSUED FOR PERMIT	2	2022-09-06	2	ISSUED FOR PERMIT	3	2022-09-06	3	ISSUED FOR PERMIT	4	2022-09-06	4	ISSUED FOR PERMIT	5	2022-09-06	5	ISSUED FOR PERMIT	6	2022-09-06	6	ISSUED FOR PERMIT	7	2022-09-06	7	ISSUED FOR PERMIT	8	2022-09-06	8	ISSUED FOR PERMIT	9	2022-09-06	9	ISSUED FOR PERMIT	10	2022-09-06	10	ISSUED FOR PERMIT	<div>DATE: 2022-09-06 SCALE: NOT SHOWN</div>	<div>SITE PLAN A100</div>
					REV.	DATE	NUMBER	DESCRIPTION																																											
1	2022-09-06	1	ISSUED FOR PERMIT																																																
2	2022-09-06	2	ISSUED FOR PERMIT																																																
3	2022-09-06	3	ISSUED FOR PERMIT																																																
4	2022-09-06	4	ISSUED FOR PERMIT																																																
5	2022-09-06	5	ISSUED FOR PERMIT																																																
6	2022-09-06	6	ISSUED FOR PERMIT																																																
7	2022-09-06	7	ISSUED FOR PERMIT																																																
8	2022-09-06	8	ISSUED FOR PERMIT																																																
9	2022-09-06	9	ISSUED FOR PERMIT																																																
10	2022-09-06	10	ISSUED FOR PERMIT																																																





① LEVEL 2
1/4" = 1'-0"

 <div>JOYCE REID TRUST ARCHITECTURE 25 E. CLARK STREET PORT ALBERT, BC V2Y 1B1 TEL: 250.731.1111 WWW.JRARCHITECTURE.COM</div>	<div>PREPARED: 2022-08-15 DRAWN: 2022-08-15 CHECKED: 2022-08-15 APPROVED: 2022-08-15 PROJECT: 6 PLEX, ATHOL STREET SHEET: A102</div>		<div>6 PLEX, ATHOL STREET 4755 ATHOL STREET, PORT ALBERT, BC</div>	<div>TO: JRM HOLDINGS LTD. FROM: JR ARCHITECTURE</div>	<table><tr><th>REV.</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>1</td><td>2022-08-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>2</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>3</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>4</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>5</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>6</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>7</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>8</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>9</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr><tr><td>10</td><td>2022-08-15</td><td>REVISED PER COMMENTS</td></tr></table>	REV.	DATE	DESCRIPTION	1	2022-08-15	ISSUED FOR PERMIT	2	2022-08-15	REVISED PER COMMENTS	3	2022-08-15	REVISED PER COMMENTS	4	2022-08-15	REVISED PER COMMENTS	5	2022-08-15	REVISED PER COMMENTS	6	2022-08-15	REVISED PER COMMENTS	7	2022-08-15	REVISED PER COMMENTS	8	2022-08-15	REVISED PER COMMENTS	9	2022-08-15	REVISED PER COMMENTS	10	2022-08-15	REVISED PER COMMENTS	<table><tr><th>DATE</th><th>BY</th><th>DESCRIPTION</th></tr><tr><td>2022-08-15</td><td>JR</td><td>ISSUED FOR PERMIT</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr><tr><td>2022-08-15</td><td>JR</td><td>REVISED PER COMMENTS</td></tr></table>	DATE	BY	DESCRIPTION	2022-08-15	JR	ISSUED FOR PERMIT	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS	2022-08-15	JR	REVISED PER COMMENTS
					REV.	DATE	DESCRIPTION																																																																	
1	2022-08-15	ISSUED FOR PERMIT																																																																						
2	2022-08-15	REVISED PER COMMENTS																																																																						
3	2022-08-15	REVISED PER COMMENTS																																																																						
4	2022-08-15	REVISED PER COMMENTS																																																																						
5	2022-08-15	REVISED PER COMMENTS																																																																						
6	2022-08-15	REVISED PER COMMENTS																																																																						
7	2022-08-15	REVISED PER COMMENTS																																																																						
8	2022-08-15	REVISED PER COMMENTS																																																																						
9	2022-08-15	REVISED PER COMMENTS																																																																						
10	2022-08-15	REVISED PER COMMENTS																																																																						
DATE	BY	DESCRIPTION																																																																						
2022-08-15	JR	ISSUED FOR PERMIT																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
2022-08-15	JR	REVISED PER COMMENTS																																																																						
					<div>LEVEL 2</div> <div>A102</div>																																																																			

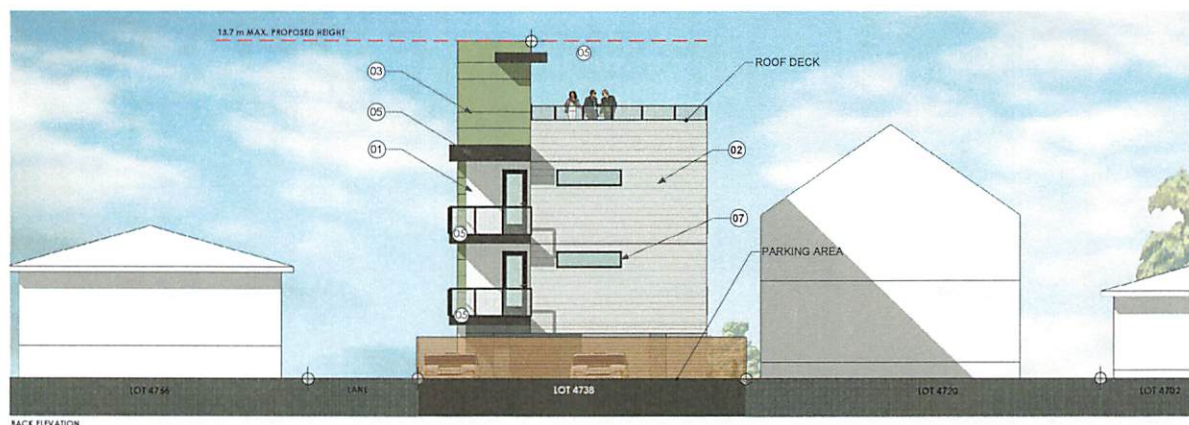
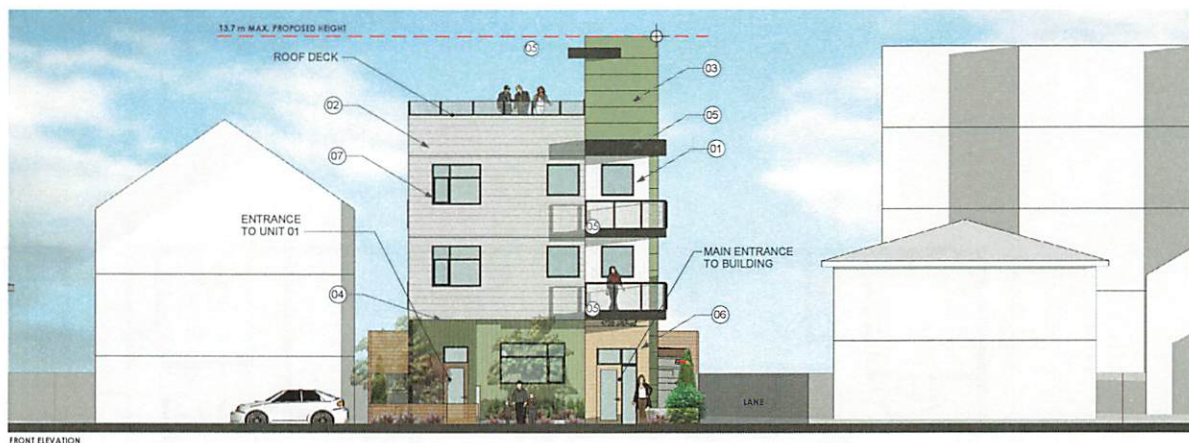


① LEVEL 3
1/4" = 1'-0"

 JR arch	JOYCE BIG DOOD & ARCHITECTURE 4510 GLENVIEW DRIVE VANANCO, BC V9S 5P9 250.668.1111 www.jrarchitect.com	THE FOLLOWING IS A SUMMARY OF THE PROJECT INFORMATION FOR THE 6 PLEX, ATHOL STREET, PORT ALBERNI, BC. THE PROJECT WAS DESIGNED BY JR ARCHITECTURE AND THE ARCHITECTURE WAS REVIEWED BY THE PORT ALBERNI BOARD OF HEALTH SERVICES. THE PROJECT WAS DESIGNED AND REVIEWED BY JR ARCHITECTURE AND THE ARCHITECTURE WAS REVIEWED BY THE PORT ALBERNI BOARD OF HEALTH SERVICES. THE PROJECT WAS DESIGNED AND REVIEWED BY JR ARCHITECTURE AND THE ARCHITECTURE WAS REVIEWED BY THE PORT ALBERNI BOARD OF HEALTH SERVICES.	 21020815	6 PLEX, ATHOL STREET 4510 ATHOL STREET, PORT ALBERNI, BC	TOWN PUBLIC WORKS DEPARTMENT	<table><tr><th>REV.</th><th>DATE</th><th>REVISION</th></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	REV.	DATE	REVISION																															<table><tr><th>DATE</th><th>REVISION</th></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table>	DATE	REVISION																					<table><tr><th>DATE</th><th>REVISION</th></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table>	DATE	REVISION																					<table><tr><th>DATE</th><th>REVISION</th></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table>	DATE	REVISION																					LEVEL 3 A103
	REV.	DATE	REVISION																																																																																																										
DATE	REVISION																																																																																																												
DATE	REVISION																																																																																																												
DATE	REVISION																																																																																																												

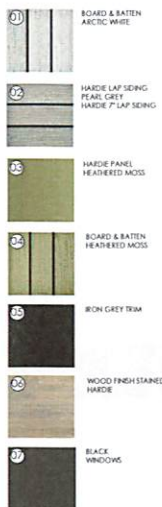
MATERIAL LEGEND

- 01 BOARD & BATTEN
ARCTIC WHITE
- 02 HARDE LAP SIDING
PEARL GREY
HARDE PLAP SIDING
- 03 HARDE PANEL
HEATHERED MOSS
- 04 BOARD & BATTEN
HEATHERED MOSS
- 05 IRON GREY TRIM
- 06 WOOD FINISH STAINED
HARDE
- 07 BLACK WINDOWS

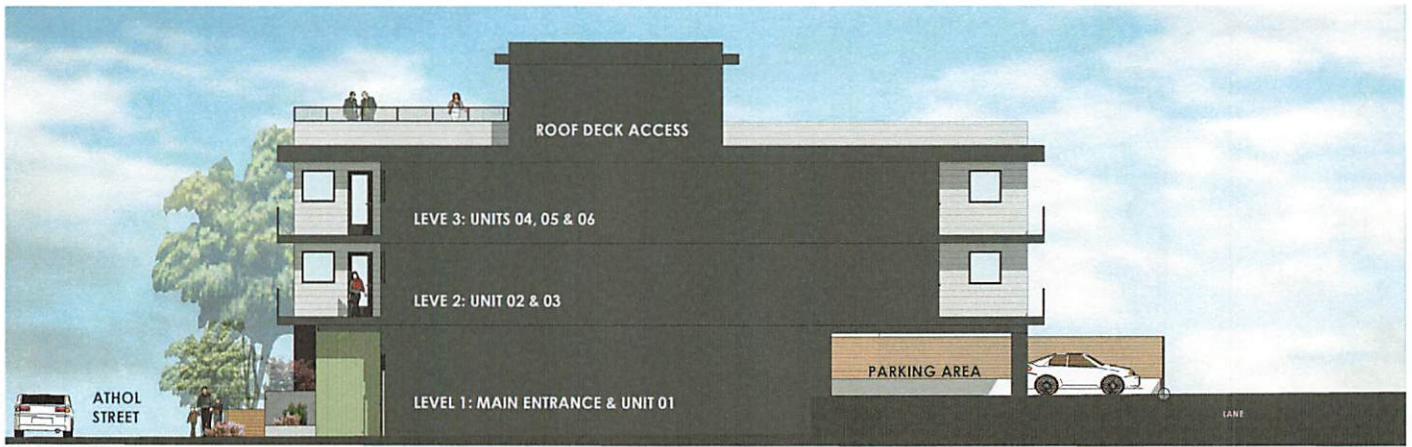


<div><div>JOYCE KING TROOST ARCHITECTURE</div><div>2510 CLARK ST. SUITE 100</div><div>VANCOUVER, BC V6J 1K6</div><div>(604) 251-0000</div><div>2510 CLARK ST. SUITE 100</div><div>VANCOUVER, BC V6J 1K6</div></div>	<div>PREPARED: 2021-09-01</div> <div>DRAWN: 2021-09-01</div> <div>CHECKED: 2021-09-01</div> <div>APPROVED: 2021-09-01</div> <div>PROJECT: 6 PLEX ATHOL STREET</div> <div>CLIENT: HURON HOLDINGS LTD.</div> <div>ADDRESS: 6 PLEX ATHOL STREET, PORT ALBERT, BC</div> <div>LOT: 4738</div> <div>ZONE: R1-12</div> <div>AREA: 10,000 SQ. FT.</div> <div>HEIGHT: 13.7 M</div> <div>FLOOR AREA: 10,000 SQ. FT.</div> <div>TOTAL AREA: 10,000 SQ. FT.</div> <div>TOTAL HEIGHT: 13.7 M</div> <div>TOTAL FLOOR AREA: 10,000 SQ. FT.</div>	<div></div>	<div>6 PLEX ATHOL STREET</div> <div>6 PLEX ATHOL STREET, PORT ALBERT, BC</div> <div>LOT 4738</div>	<div>CLIENT: HURON HOLDINGS LTD.</div>	<table><thead><tr><th>REV.</th><th>DATE</th><th>NUMBER</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td>01</td><td>2021-09-01</td><td>01</td><td>ISSUED FOR PERMIT</td></tr><tr><td>02</td><td>2021-09-01</td><td>02</td><td>ISSUED FOR PERMIT</td></tr><tr><td>03</td><td>2021-09-01</td><td>03</td><td>ISSUED FOR PERMIT</td></tr><tr><td>04</td><td>2021-09-01</td><td>04</td><td>ISSUED FOR PERMIT</td></tr><tr><td>05</td><td>2021-09-01</td><td>05</td><td>ISSUED FOR PERMIT</td></tr><tr><td>06</td><td>2021-09-01</td><td>06</td><td>ISSUED FOR PERMIT</td></tr><tr><td>07</td><td>2021-09-01</td><td>07</td><td>ISSUED FOR PERMIT</td></tr><tr><td>08</td><td>2021-09-01</td><td>08</td><td>ISSUED FOR PERMIT</td></tr><tr><td>09</td><td>2021-09-01</td><td>09</td><td>ISSUED FOR PERMIT</td></tr><tr><td>10</td><td>2021-09-01</td><td>10</td><td>ISSUED FOR PERMIT</td></tr></tbody></table>	REV.	DATE	NUMBER	DESCRIPTION	01	2021-09-01	01	ISSUED FOR PERMIT	02	2021-09-01	02	ISSUED FOR PERMIT	03	2021-09-01	03	ISSUED FOR PERMIT	04	2021-09-01	04	ISSUED FOR PERMIT	05	2021-09-01	05	ISSUED FOR PERMIT	06	2021-09-01	06	ISSUED FOR PERMIT	07	2021-09-01	07	ISSUED FOR PERMIT	08	2021-09-01	08	ISSUED FOR PERMIT	09	2021-09-01	09	ISSUED FOR PERMIT	10	2021-09-01	10	ISSUED FOR PERMIT	<table><thead><tr><th>DATE</th><th>REVISION</th><th>ELEVATIONS</th></tr></thead><tbody><tr><td>2021-09-01</td><td>01</td><td>A200</td></tr></tbody></table>	DATE	REVISION	ELEVATIONS	2021-09-01	01	A200
	REV.	DATE	NUMBER	DESCRIPTION																																																				
	01	2021-09-01	01	ISSUED FOR PERMIT																																																				
	02	2021-09-01	02	ISSUED FOR PERMIT																																																				
	03	2021-09-01	03	ISSUED FOR PERMIT																																																				
	04	2021-09-01	04	ISSUED FOR PERMIT																																																				
	05	2021-09-01	05	ISSUED FOR PERMIT																																																				
	06	2021-09-01	06	ISSUED FOR PERMIT																																																				
	07	2021-09-01	07	ISSUED FOR PERMIT																																																				
	08	2021-09-01	08	ISSUED FOR PERMIT																																																				
09	2021-09-01	09	ISSUED FOR PERMIT																																																					
10	2021-09-01	10	ISSUED FOR PERMIT																																																					
DATE	REVISION	ELEVATIONS																																																						
2021-09-01	01	A200																																																						

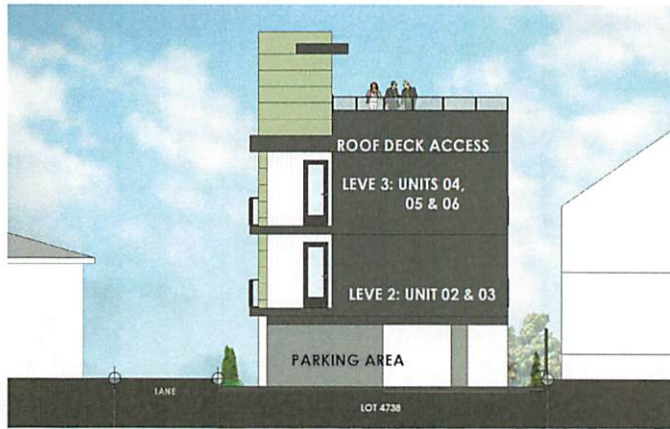
MATERIAL LEGEND



 <div>JOYCE RESIDUAL ARCHITECTURE 2510 CLYDEMAN DRIVE NANAIMO BC, V9S 3B9 (250) 241-0000 2510 CLYDEMAN DRIVE (250) 241-0000 2510 CLYDEMAN DRIVE</div>	<div>THE DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DRAWING. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THIS DRAWING. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE RESULTS OF THE DESIGN OR CONSTRUCTION. THE ARCHITECT'S SERVICES ARE LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THIS DRAWING. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE RESULTS OF THE DESIGN OR CONSTRUCTION.</div>		<div>6 PLEX ATHOL STREET 4738 ATHOL STREET, PORT ALBERNI, BC</div>	<div>CLIENT TRIM HOLDINGS LTD.</div>	<table><tr><th>REV.</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>01</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>02</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>03</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>04</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>05</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>06</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>07</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>08</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>09</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr><tr><td>10</td><td>2022-09-15</td><td>ISSUED FOR PERMIT</td></tr></table>	REV.	DATE	DESCRIPTION	01	2022-09-15	ISSUED FOR PERMIT	02	2022-09-15	ISSUED FOR PERMIT	03	2022-09-15	ISSUED FOR PERMIT	04	2022-09-15	ISSUED FOR PERMIT	05	2022-09-15	ISSUED FOR PERMIT	06	2022-09-15	ISSUED FOR PERMIT	07	2022-09-15	ISSUED FOR PERMIT	08	2022-09-15	ISSUED FOR PERMIT	09	2022-09-15	ISSUED FOR PERMIT	10	2022-09-15	ISSUED FOR PERMIT	<table><tr><th>DATE</th><th>BY</th><th>CHKD.</th><th>DATE</th><th>BY</th><th>CHKD.</th></tr><tr><td>2022-09-15</td><td>JRTH</td><td>2022-09-15</td><td>JRTH</td><td>2022-09-15</td><td>JRTH</td></tr></table> <div>ELEVATIONS A201</div>	DATE	BY	CHKD.	DATE	BY	CHKD.	2022-09-15	JRTH	2022-09-15	JRTH	2022-09-15	JRTH
	REV.	DATE	DESCRIPTION																																																
01	2022-09-15	ISSUED FOR PERMIT																																																	
02	2022-09-15	ISSUED FOR PERMIT																																																	
03	2022-09-15	ISSUED FOR PERMIT																																																	
04	2022-09-15	ISSUED FOR PERMIT																																																	
05	2022-09-15	ISSUED FOR PERMIT																																																	
06	2022-09-15	ISSUED FOR PERMIT																																																	
07	2022-09-15	ISSUED FOR PERMIT																																																	
08	2022-09-15	ISSUED FOR PERMIT																																																	
09	2022-09-15	ISSUED FOR PERMIT																																																	
10	2022-09-15	ISSUED FOR PERMIT																																																	
DATE	BY	CHKD.	DATE	BY	CHKD.																																														
2022-09-15	JRTH	2022-09-15	JRTH	2022-09-15	JRTH																																														



NORTH-SOUTH CROSS SECTION



EAST-WEST CROSS SECTION, BACK OF BUILDING



EAST-WEST CROSS SECTION, FRONT OF BUILDING

<p>JOYCE REID TROST ARCHITECTURE 2510 CLARKSON DRIVE NANAIMO, BC V9T 5B3 (250) 751-4772 JOYCE@JOYCE-REID-TRUST.COM</p>	<p>NOTED: THIS ARCHITECTURAL PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.</p>		<p>6 PLEX ATHOL STREET ATHOL STREET, PORT ALBERT, BC</p>		<p>TITLE: 6 PLEX ATHOL STREET HURON HOLDINGS LTD.</p>	<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>NUMBER</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2022-08-15</td> <td>1</td> <td>PRELIMINARY DESIGN</td> </tr> <tr> <td>2</td> <td>2022-08-15</td> <td>2</td> <td>FINAL DESIGN</td> </tr> <tr> <td>3</td> <td>2022-08-15</td> <td>3</td> <td>CONSTRUCTION</td> </tr> <tr> <td>4</td> <td>2022-08-15</td> <td>4</td> <td>MAINTENANCE</td> </tr> </tbody> </table>	REV.	DATE	NUMBER	DESCRIPTION	1	2022-08-15	1	PRELIMINARY DESIGN	2	2022-08-15	2	FINAL DESIGN	3	2022-08-15	3	CONSTRUCTION	4	2022-08-15	4	MAINTENANCE	<table border="1"> <thead> <tr> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>2022-08-15</td> <td>JOYCE</td> <td>DESIGN</td> </tr> <tr> <td>2022-08-15</td> <td>JOYCE</td> <td>CONSTRUCTION</td> </tr> <tr> <td>2022-08-15</td> <td>JOYCE</td> <td>MAINTENANCE</td> </tr> </tbody> </table>	DATE	BY	DESCRIPTION	2022-08-15	JOYCE	DESIGN	2022-08-15	JOYCE	CONSTRUCTION	2022-08-15	JOYCE	MAINTENANCE	<p>SECTIONS</p> <p>A300</p>
			REV.	DATE		NUMBER	DESCRIPTION																																	
1	2022-08-15	1	PRELIMINARY DESIGN																																					
2	2022-08-15	2	FINAL DESIGN																																					
3	2022-08-15	3	CONSTRUCTION																																					
4	2022-08-15	4	MAINTENANCE																																					
DATE	BY	DESCRIPTION																																						
2022-08-15	JOYCE	DESIGN																																						
2022-08-15	JOYCE	CONSTRUCTION																																						
2022-08-15	JOYCE	MAINTENANCE																																						
						<p>DATE: 2022-08-15</p> <p>BY: JOYCE</p> <p>DESCRIPTION: DESIGN</p>																																		



PERSPECTIVE VIEW



PERSPECTIVE VIEW



 <div>JOYCE RED TROOP ARCHITECTURE 2500 MARKET AVENUE AUBURN, BC V3C 3P9 (604) 243-1774 joyce@joyce-red-troop.com</div>	<div>PROJ. NO. 2020-001 6 PLEX ATHOL STREET 4750 ATHOL STREET, POINT AUBURN, BC 2020-09-15</div> 	<div>6 PLEX ATHOL STREET 4750 ATHOL STREET, POINT AUBURN, BC</div>	<div>CLIENT HURON HOLDINGS LTD.</div>	<table><tr><th>DATE</th><th>REVISION</th><th>DESCRIPTION</th></tr><tr><td>2020-09-15</td><td>REV. 001</td><td>CONCEPTUAL DESIGN</td></tr><tr><td>2020-09-15</td><td>REV. 002</td><td>SCHEMATIC DESIGN</td></tr><tr><td>2020-09-15</td><td>REV. 003</td><td>PRELIMINARY DESIGN</td></tr><tr><td>2020-09-15</td><td>REV. 004</td><td>FINAL DESIGN</td></tr></table>	DATE	REVISION	DESCRIPTION	2020-09-15	REV. 001	CONCEPTUAL DESIGN	2020-09-15	REV. 002	SCHEMATIC DESIGN	2020-09-15	REV. 003	PRELIMINARY DESIGN	2020-09-15	REV. 004	FINAL DESIGN	<table><tr><th>DATE</th><th>REVISION</th><th>DESCRIPTION</th></tr><tr><td>2020-09-15</td><td>REV. 001</td><td>CONCEPTUAL DESIGN</td></tr><tr><td>2020-09-15</td><td>REV. 002</td><td>SCHEMATIC DESIGN</td></tr><tr><td>2020-09-15</td><td>REV. 003</td><td>PRELIMINARY DESIGN</td></tr><tr><td>2020-09-15</td><td>REV. 004</td><td>FINAL DESIGN</td></tr></table>	DATE	REVISION	DESCRIPTION	2020-09-15	REV. 001	CONCEPTUAL DESIGN	2020-09-15	REV. 002	SCHEMATIC DESIGN	2020-09-15	REV. 003	PRELIMINARY DESIGN	2020-09-15	REV. 004	FINAL DESIGN
				DATE	REVISION	DESCRIPTION																													
				2020-09-15	REV. 001	CONCEPTUAL DESIGN																													
				2020-09-15	REV. 002	SCHEMATIC DESIGN																													
				2020-09-15	REV. 003	PRELIMINARY DESIGN																													
2020-09-15	REV. 004	FINAL DESIGN																																	
DATE	REVISION	DESCRIPTION																																	
2020-09-15	REV. 001	CONCEPTUAL DESIGN																																	
2020-09-15	REV. 002	SCHEMATIC DESIGN																																	
2020-09-15	REV. 003	PRELIMINARY DESIGN																																	
2020-09-15	REV. 004	FINAL DESIGN																																	

CITY OF PORT ALBERNI

BYLAW NO. 5046

**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. 37 (4738 Athol Street – Rai)**, Bylaw No. 5046".

Respecting Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B (PID: 009-262-962) located at **4738 Athol Street** and shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw, the following amendments apply:

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 the properties from 'Residential' use to '**Multi-Family Residential**' use.

2.2 **Schedule B (Development Permit Areas Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended by including the property in '**Development Permit Area No. 1 (Multiple Family Residential)**'.

READ A FIRST TIME this 13th day of June, 2022.

READ A SECOND TIME this 13th day of June, 2022.

A PUBLIC HEARING WAS HELD this 8th day of August, 2022.

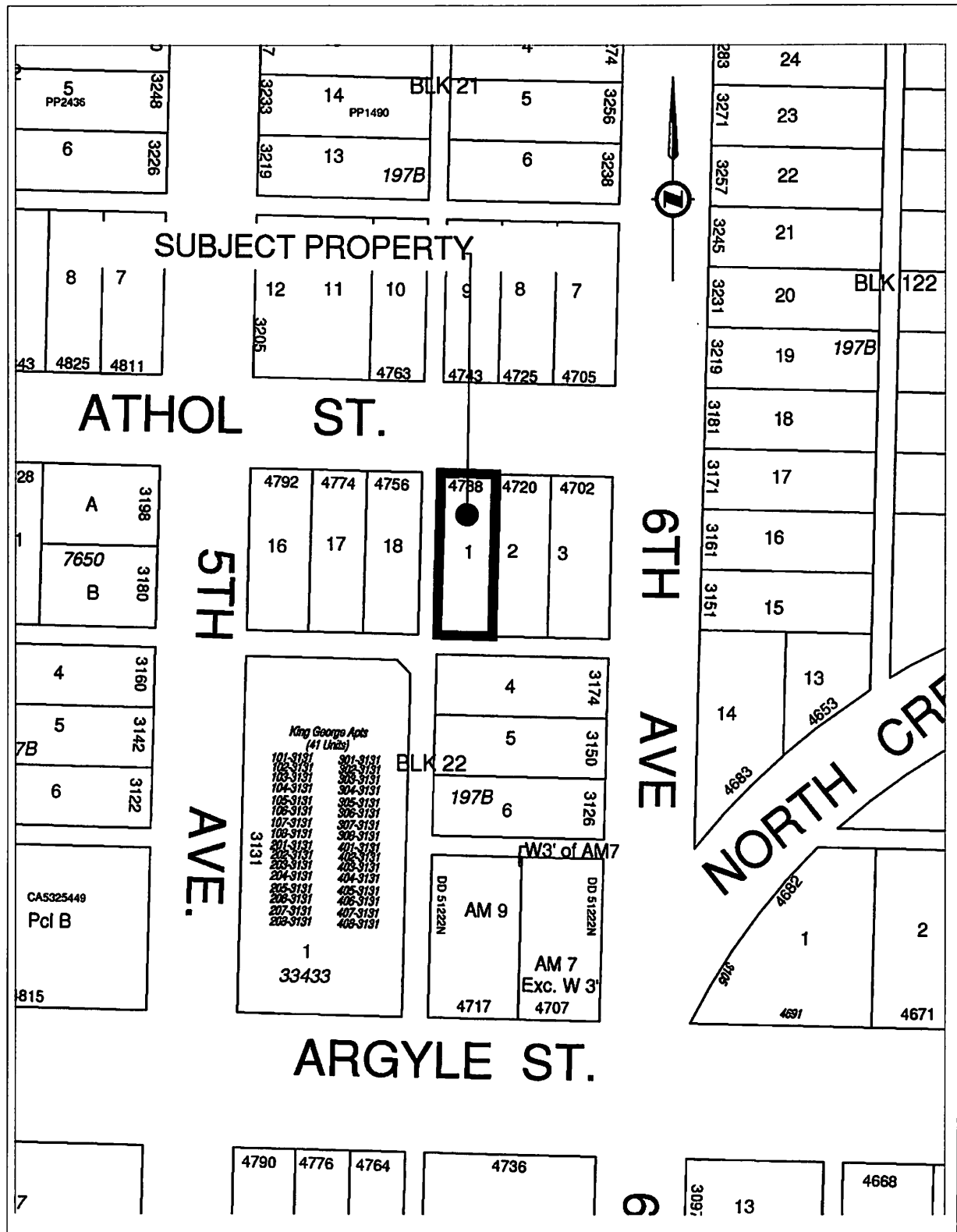
READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

Mayor

Corporate Officer

Schedule "A" to Bylaw 5046



4738-AtholSt-Rai-OCPAmend37Bylaw5046

CITY OF PORT ALBERNI

BYLAW NO. 5047

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 Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047**".

2. Zoning Text Amendments

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

"CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St."

2.2 Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended by adding the following text under Section 8 Comprehensive Development Zones:

"8.2

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

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

8.2.1 Permitted uses
Principal Uses
Multiple family dwellings

Accessory Uses
Home occupation

8.2.2 Site Development Regulations

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

8.2.3 Conditions of Use

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

READ A FIRST TIME this 13th day of June, 2022.

READ A SECOND TIME this 13th day of June, 2022.

A PUBLIC HEARING WAS HELD this 8th day of August, 2022.

READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

Mayor

Corporate Officer

CITY OF PORT ALBERNI

BYLAW NO. 5048

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. 48 (4738 Athol Street – Rai), Bylaw No. 5048**".

2. Zoning Amendment

The property legally described as Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B (PID: 009-262-962), and located at **4738 Athol Street**, as shown outlined in heavy black line on Schedule A attached hereto and forming part of this bylaw, is hereby rezoned from 'R2 One and Two Family Residential' to the '**CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street**' 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 13th day of June, 2022.

READ A SECOND TIME this 13th day of June, 2022.

A PUBLIC HEARING WAS HELD this 8th day of August, 2022.

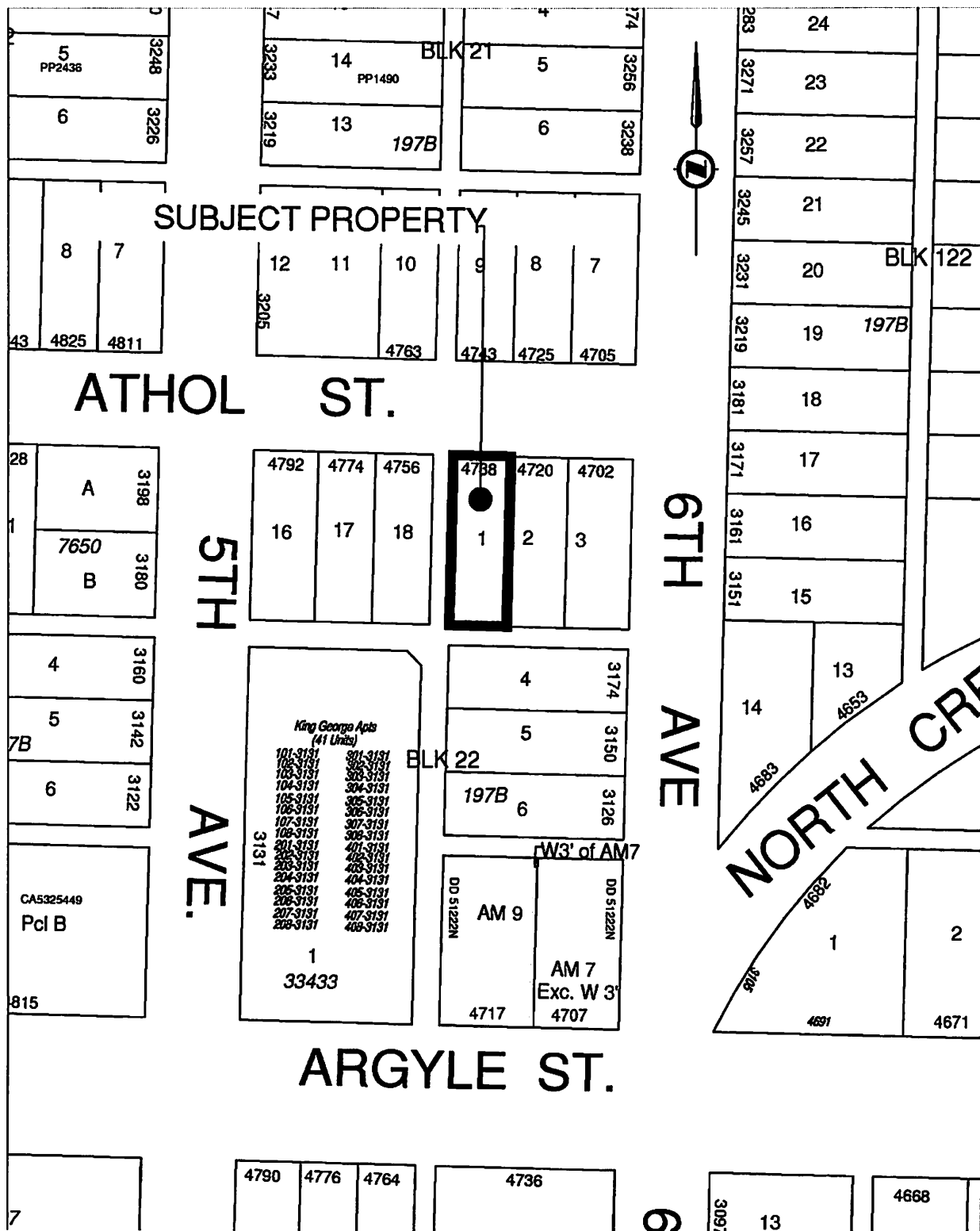
READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

Mayor

Corporate Officer

Schedule "A" to Bylaw No. 5048



RECEIVED

AUG 22 2022

CITY OF PORT ALBERNI



The Rotary Club of
Port Alberni Arrowsmith
Box 351, Port Alberni, BC, V9Y 7M8
www.facebook.com/ArrowsmithRotary/



Mayor & Council
City of Port Alberni
4850 Argyle St, Port Alberni, BC V9Y 1V8
C/O Sara Darling
E: sara.darling@portalberni.ca

August 18, 2022

<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 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 type="checkbox"/> Agenda	<input type="checkbox"/> Other _____
File #	<u>0230-20-RC</u>

Re: Special Event Approval

Dear Mayor and Council:

The Rotary Club of Port Alberni-Arrowsmith (Arrowsmith Rotary) is requesting approval of our annual fundraiser "The Alberni Valley Hops Festival". Please note we have missed 2 years due to the inability to host a public event during Covid Restrictions. The Special Event Permit application has been submitted for the following:

Event: "Returning" 14th Annual Hops Festival

Date: Saturday, September 24, 2022

Location: Echo Centre, 4255 Wallace Street, Port Alberni

Time: 6pm to 7pm Industry Representatives only; and 7pm to 9pm public ticket holders

Tickets: \$50 per person, pre-sale only (no tickets sold at the door).

Arrowsmith Rotary anticipates 350 people in total, including vendors and volunteers. All food vendors will have the appropriate Island Health Authority permits. Arrowsmith Rotary is purchasing Special Event insurance through Schill Insurance, with the City of Port Alberni named as additional insured. A Commissionaire has been requested through the booking at Echo Centre.

If you have any questions regarding this request, please contact me directly through the contact information provided with my signature.

Yours in Rotary,

A handwritten signature in black ink that reads "T Deakin".

Ms. Terry Deakin, 2022/23 President Elect

E: terry@ineoemployment.com

P: 250-723-4675 or C: 250-720-6604

ENTERED
H1

RECEIVED

JUN 21 2022

CITY OF PORT ALBERNI

From: Madeline Leaf
Sent: June 21, 2022 10:48 AM
To: Sharie Minions <sharie_minions@portalberni.ca>
Subject: Wrongful Conviction Day Proclamation

<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 type="checkbox"/> Other
File #	

Rm Sept 6, 22
0630-D1

Mayor Minions,

On behalf of the International Wrongful Conviction Committee, I am writing to request that the City of Port Alberni proclaim **October 2, 2022, as "Wrongful Conviction Day"**.

Wrongful Conviction Day is designated as an annual International Day to recognize the tremendous personal, social and legal costs associated with wrongful criminal convictions. This day recognizes those persons who have been forced to endure the tremendous consequences brought by a wrongful criminal conviction. The purpose of this day is to inform and educate the broader international community on the causes, consequences and complications associated with wrongful criminal convictions. More information on the day can be found at:
<http://wrongfulconvictionday.com>.

It is important to raise awareness in order to work toward the prevention of further wrongful convictions. Proclaiming October 2nd as Wrongful Conviction Day can direct the public's attention to this issue and generate support and understanding.

Wrongful Conviction Day was spearheaded by the International Wrongful Conviction Day Committee and now many organizations are leading events in its honour. The committee is committed to raising awareness of and advocacy against wrongful convictions globally.

Last year the province of British Columbia proclaimed October 2nd as Wrongful Conviction Day, and we are asking that the city does as well. I will attach the proclamation to this email.

Our organization, partners in Wrongful Conviction Day, and those who have been wrongly convicted would greatly appreciate your support.

Respectfully,

Madeline Leaf

International Wrongful Conviction Day Committee
Madeline Leaf
She/her/hers

ENTERED



Canada
Province of British Columbia
A Proclamation

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom,
Canada and Her other Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith

To all to whom these presents shall come – Greeting

WHEREAS the loss of freedom due to a wrongful conviction has far-reaching and devastating consequences that not only affect the lives of individuals wrongfully convicted, but also affect their families and have a harmful effect on society as a whole, and

WHEREAS wrongful convictions are serious miscarriages of justice that call into question the integrity and fairness of the criminal justice system and, unless corrected, undermine public trust in the criminal justice system, and

WHEREAS British Columbia Crown Counsel take very seriously their obligation to detect and prevent wrongful conviction and, if detected, to take steps to correct wrongful conviction as soon as possible, and

WHEREAS the British Columbia Prosecution Service has undertaken measures to address the causes of wrongful convictions in a systematic and meaningful way through the implementation of related policies and practices, and through the education of Crown Counsel and ongoing participation in the national Heads of Prosecution Wrongful Conviction Working Group, and

WHEREAS Wrongful Conviction Awareness Day is a global movement dedicated to advocating for innocent individuals who have been wrongfully convicted, and is an opportunity to advocate, educate and create awareness around miscarriages of justice, to minimize the effects of wrongful conviction in the future;

NOW KNOW YE THAT We do by these presents proclaim and declare that October 2, 2021, shall be known as

“Wrongful Conviction Awareness Day”

in the Province of British Columbia.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Our Province of British Columbia to be hereunto affixed.

WITNESS, The Honourable Janet Austin, Lieutenant Governor of Our Province of British Columbia, in Our City of Victoria, in Our Province, this first day of October, two thousand twenty-one and in the seventieth year of Our Reign.

BY COMMAND.

Attorney General and
Minister Responsible for Housing
(counter signature for the Great Seal)

Lieutenant Governor



Fire Prevention Office
Port Alberni Fire Department

3699 10th Avenue Port Alberni, BC V9Y 4W3
Ph: 250.724.1351 Fax: 250.723.5652

RECEIVED

AUG 11 2022

CITY OF PORT ALBERNI

August 11th, 2022

Mayor and Council
City of Port Alberni
4850 Argyle Street
Port Alberni, B.C.

<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 type="checkbox"/> Other _____
File #	RCM Sept. 6/22
	0630-01

Mayor and Council,

On behalf of the Office of the British Columbia Fire Commissioner, the Fire Prevention Officers Association of British Columbia and the Port Alberni Fire Department, I herein respectfully request that the week of October 9th to October 15th 2022, be proclaimed as "Fire Prevention Week" in Port Alberni.

The theme this year is **"Fire Wont Wait. Plan Your Escape"**.

Fire Prevention Week 2022 will focus on reinforcing the critical importance of developing a home escape plan with all members of the household and practicing it regularly.

We will re-inforce these fire safety messages through out, "Fire Prevention Week".

Thank you for your support,

Andre Guerin
Chief Fire Prevention Officer
Port Alberni Fire Department
E-mail: andre_guerin@portalberni.ca

ENTERED
12



PORT ALBERNI ASSOCIATION FOR COMMUNITY LIVING (PAACL)

August 23rd, 2022

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

RECEIVED

AUG 26 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 type="checkbox"/> Other _____
File #	

RCM Sept 6, 22
0630-01

Re: Community Inclusion Month

Dear Mayor and Council,

I am writing to request that the city of Port Alberni proclaim October as, "Community Inclusion Month".

The Province of British Columbia and Inclusion BC have proclaimed October as Community Inclusion Month. Throughout the month of October, communities around the province put on various activities to create a strong unified message of inclusion for children & youth with special needs and adults with intellectual disabilities. PAACL is also celebrating a milestone this year celebrating 65 years of providing "Community living" in the Alberni/Clayoquot Region! Throughout the month of October we will be hosting and facilitating events promoting inclusion and the variety of services & supports our organization provides.

If you would like further information about our programs, services or history please feel free to contact me anytime or visit our website @ www.paacl.ca

Warm regards,

Craig Summers, Executive Director
Port Alberni Association for Community Living
Phone: 250-724-7155
Email: executivedirector@paacl.ca

INCLUSIVE COMMUNITIES = STRONGER COMMUNITIES

ENTERED
I3

From: Aaron Brevick
Date: 2022-08-11 1:34 p.m. (GMT-08:00)
To: Twyla Slonski <Twyla_Slonski@portalberni.ca>
Subject: Mayor and council

RECEIVED

AUG 12 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 checked="" type="checkbox"/> Development Services
<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input type="checkbox"/> Agenda	<input type="checkbox"/> Other
File #	0890-20-4th Ave

Aaron brevick

Attention mayor and council

I have a question regarding the new sleeping pods for 4th Ave... these are not considered tiny homes or cottages... did we create a new word and make a text amendment to bylaws allowing people to have homes or "sleeping pods" this small...

And how does this apply to the rest of town..

There are many small lots and double lots that are subdividable but wouldn't be large enough to build a regular home.. as councillor Corbeil stated in the previous meeting, many people aren't looking for larger homes they just want something small... many people would be fine to just have something affordable so I was hoping to get clarification as to if the rest of the community can now put tiny homes, sleeping pods whatever magical English word we choose to use to help accommodate people who need them if people are able to do so... many of the people whom the pods are designed for that currently live at winter green Apts do have loved ones and family but private quarters is a better option to house them,

But I need to know if the current rezoning, text amendments. Are site specific to that property or if they apply to the rest of us as well...

I am under the impression that lot my be owned by council members so I'm hoping this isn't a conflict of interest by getting involved in housing management while baring others from even having family staying in motorhomes.

Just a little clarification on the subject would be great..thanks

ENTERED
J.L.A.

From: Aaron Brevick [REDACTED]
Sent: Monday, August 8, 2022 4:21 PM
To: Twyla Slonski <Twyla_Slonski@portalberni.ca>
Subject: Somass mill site environmental

Aaron Brevick
4714 Mar st Port alberni

Attention mayor and council

☒ Mayor
☒ CAO
☒ Finance
☒ Corporate Services
☒ Agenda
File # 0890-20-Somass

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

RECEIVED

AUG 11 2022

CITY OF PORT ALBERNI

RCM Sept 6/22
Cor. Summary

In regards to the somass mill site it was my understanding that any time industrial lands are purchased, change ownership or change of Use it becomes legal to have the environmental lvl 2 completed and previous assessments don't qualify for this and the environmental assessment must be completed...

I also find it troubling that all that information is hidden in a non disclosure...

In this same Aug 8th meeting you discussed moving the salmon fest to these lands but when questioned the public is not able to get any Information about the potentially toxic site we are being asked to let out children play on....worse is that it comes right after another member of the public accused the city of lack of transparency...

So either this is common practice to avoid these type of hard questions or perhaps the city over stepped it's legal obligations by using a previously existing environmental report...

Would it not make sense to get a report after the lands were cleared by the previous occupants? Not knowing what year the survey was done one can only assume it was done in perhaps the 60s or 70s? How do we the public know... we are possibly looking at another 40 years of contamination after the survey....

I would like legal clarification as to the requirements about industrial lands, and these reports as it would also appear the sans group never completed one prior to starting up across from the Barclay...

From: Aaron Brevick [REDACTED]
Sent: Monday, August 8, 2022 6:27 PM
To: Twyla Slonski <Twyla_Slonski@portalberni.ca>
Subject: Mayor and council

Aaron Brevick 4714 Mar st Port alberni
Attention mayor and council

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
File # 0530-01

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

RECEIVED

AUG 11 2022

CITY OF PORT ALBERNI

I would like to know why council has not decided to allow for comments on its you tube live stream?
Is any public input not better than none... it doesn't need to be considered for the meeting that's internal policy but surely someone has had a valuable idea or comment but is stifled by the city's lack of willingness to engage.

It doesn't make sense that we can't chime in u less we are physically present and able to leave work.
In the name of transparency I would request opening this avenue up to allow for a bit more input.
Perhaps if council is not willing to allow comments, they could explain to the people who can't make it during the day why that may not be acceptable.

We can't judge the masses based on the comments of few however should someone comment something negative it's a simple click to remove that comment..

I would like to think that the city is interested in more public input.

RECEIVED

AUG 05 2022

CITY OF PORT ALBERNI

From: Aaron Brevick
Sent: Tuesday, July 26, 2022 8:34 PM
To: Twyla Slonski <Twyla_Slonski@portalberni.ca>
Subject: Business license fees

Aaron Brevick
4714 Mar st
Port Alberni
[REDACTED]

<input checked="" type="checkbox"/> Council	<input checked="" 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>Comm Summary</i>
File # <u>4320-50</u> <i>RCM Sept. 6/22</i>	

Attention mayor and council

I would just like to ask council how they came to the conclusion that a regular business be it a gym, restaurant or t shirt store has a business license fee of less than \$300 but a cannabis processing facility is requested to pay a fee of \$2500...

Almost 10X more than any other business license..

I was once told while looking at licensing fees that Port Alberni charges \$2,200 for a business license if someone wanted to open an escort agency and the reason for the high price was designed to be prohibitive to people wanting to open the business... there is no other reason to charge 10X more than other fees...

I believe council has set this number so high for cannabis for one of two reasons... either this is just a money grab by the city because it's a new industry and the city is really good at driving new business away or they are trying to make it prohibitive....

The city of Port Alberni is one of the hardest places for anyone to open a new business and I personally wouldn't recommend anyone try to bring new money or ideas to this town because the city has done nothing except put up a series of road blocks for me so In light of me not having a business license yet, at this point I would like to start writing council again and trying to figure out just what the mind set is when deciding to charge people extortion rates for their license fees...

My business license would cost me as much as my property tax...

This does not seem like good accounting

So I am wondering if this was simply because that's what vancouver charges??

Should we expect our property taxes to soon model vancouver also...

If we are trying to force local residents out so we can change this town into a retirement village please tell the people openly what your intentions are but sliding these hidden fees into the schedule for select business only seems like shady practice and certainly isn't a good model to get people to move from black market cannabis to legal market...in fact Inwould recommend cannabis producers stay away from the legal market after my experience dealing with the city..

Please give me clarity as to why this license is 10 times more than any other non cannabis business and how is this simply not a money grab

RECEIVED

AUG 16 2022

CITY OF PORT ALBERNI

From: Katrina Kiefer <katrina.kiefer@cmhaportalberni.ca>
Sent: August 12, 2022 12:19 PM
To: Katrina Kiefer <katrina.kiefer@cmhaportalberni.ca>
Subject: Invitation to CMHA-Port Alberni's Annual Lantern Walk

Hello

I hope all is well with you, your family, and loved ones.

I wanted to invite you to CMHA-Port Alberni's annual Lantern Walk on Friday, September 9, 2022, to respect and honour World Suicide Prevention Day (which occurs annually on September 10th).

If it is at all possible, we would love to have you join us in support of our community, and if you feel so inclined, to speak to the intent of the evening. We wish to honour the memory of the people we have lost to suicide, and acknowledge the strength of those left behind, who carry the torch of hope into the future.

We will be making lanterns in our downstairs Clubhouse space at **3178 2nd Avenue**, from 6:00pm to 7:00pm and then walking around the block on 2nd Avenue, returning to the Clubhouse approximately 7:30pm where we will have special guests and attendees pay tribute to their lost loved ones. We will join together in fellowship and refreshments following the sharing. If you are able to join us, we would be thrilled.

Please find a poster attached that we ask you to distribute at will. Thank you so much for your help getting the word out.

Thanks again and we hope to see you soon.

Regards,

Katrina

Katrina Kiefer

she/her/hers

Executive Director

CMHA Port Alberni

3178 2nd Avenue

Port Alberni, B.C. V9Y 4C3

PH: 250-724-7199 extension 3

FX: 250-724-5635

<https://cmhaportalberni.ca/>

<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 <i>Corr. Summary</i>

File # 0230-20-CMHA *Rcm Sept 6/22*

CMHA Port Alberni is an accredited organization through Imagine Canada's Standards Program, providing service on the traditional territories of the Ahousaht, Ditidaht, Hesquiaht, Hupačasath, Huu-ay-aht, Tla-o-qui-aht, Toquaht, Tse-shaht, Uchucklesaht, and Yuułu?iŋ?ath.



Canadian Mental
Health Association
Port Alberni



ENTERED

JLB

September 9, 2022

Canadian Mental Health Port Alberni Presents

LANTERN WALK

Let's light the path to suicide safer communities

@ New Horizons Clubhouse
3178 2nd Ave, Port Alberni
6:pm-9:pm
FMI 250.724.7199 – Ext 7

Make a lantern
Bring a lantern

Donations gratefully accepted
Benefits support local programs and services at
Canadian Mental Health-Port Alberni Branch

RECEIVED

AUG 15 2022

CITY OF PORT ALBERNI

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☒ Development Services
☒ Community Safety
☒ Other
File # 4520-20-TUP 22-02
Rcm Sept 6/22
Corr Summary

-----Original Message-----

From: Heather dePencier OR Wayne Harison

Sent: Monday, August 15, 2022 9:12 AM

To: michael.ramsay@salvationarmy.ca; colin.minions@salvationarmy.ca; Council

<council@portalberni.ca>; Ron Paulson <ron_paulson@portalberni.ca>

Subject: Not so good neighbours

This email wouldn't send as photos were to big I will get copies of the photos made showing all of these vehicles parked in our driveway and the over flowing garbage . Photos have been texted to Bylaw also .

Attached are photos of Salvation Army / Bread of Life , sub-trades , del truck , food truck and personal vehicles. Parked in front of our drive way so our tenants and garbage truck cannot get in our yard . Our tenant has had to go in and try and find who is parked in our driveway many times. We have told Colin about this problem many times only to see he is one that also parks there. We have informed bylaw and we're told he also has told Colin But nothing happens. On Wednesday our garbage truck could not get in as they had someone parked there unloading so we didn't get our bin emptied. All weekend we got calls about our overflowing garbage , now we have to hire someone to take out overflow of garbage and clean around bin because of this. Not to mention the community driving by seeing this mess. And it's not our fault. So now what are we supposed to do about this.

Heather dePencier

Wayne Harrison

Managers of Harbourview Apartments

ENTERED

JL.C



RECEIVED

AUG 18 2022

CITY OF PORT ALBERNI

August 16, 2022

Sharie Minions
Mayor
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: <i>Comm. Summary</i>
File # <u>0400-20-MOF</u>	

VIA EMAIL: sharie_minions@portalberni.ca

Dear Her Worship Mayor Minions,

I am writing to you today regarding the establishment of a new provincial advisory council in support of forestry workers and communities in B.C.

In my mandate letter from the Premier, I was tasked with developing and implementing a new Forestry Worker Supports and Community Resiliency Council ("Forestry Resiliency Council").

The Ministry of Forests is currently recruiting members for the Forestry Resiliency Council from diverse backgrounds to advise the Province on a variety of issues focused on:

- The implementation of the Old Growth Strategic Review Recommendation 14: *Supporting forest sector workers and communities as they adapt to changes resulting from a new forest management system*, and;
- Government's vision for resilient, thriving communities through the development of innovative and forward-looking economic development initiatives.

Budget 2022 included \$185 million over three years to provide co-ordinated and comprehensive supports for forestry workers, industry, communities and First Nations who may be affected by deferrals on old growth logging.

The Forestry Resiliency Council will serve the important function of providing the Minister of Forests and the Ministries of Advanced Education and Skills Training, Jobs, Economic Recovery and Innovation, and Labour with advice on improvements to existing programs and the development of new initiatives, as well as other issues related to forestry workers and economic resiliency for communities in BC.

Your background and individual experience would be invaluable to the Forestry Resiliency Council.

ENTERED
J.L.D.

Page 1 of 2

Ministry of Forests

Office of the Minister

Mailing Address:
PO BOX 9049 Stn Prov Govt
Victoria, BC V8W 9E2

Tel: 250 387-6240
Fax: 250 387-1040
Website: www.gov.bc.ca/for

RECEIVED

Attached is a copy of the Terms of Reference for your information. Reasonable expenses will be reimbursed when incurred while in pursuit of your duties on the committee.

If you are interested in becoming a member of the Forestry Resiliency Council and/or would like more information, please contact Courtney Malo, Executive Assistant, at courtney.malo@gov.bc.ca.

Sincerely,



Doug Routley
Parliamentary Secretary for Forests

Attachment

pc: Melissa Sanderson, ADM, Timber, Range & Economics Division
Katrine Conroy, Minister of Forests

Forestry Worker Supports and Community Resiliency Council

TERMS OF REFERENCE

Background

In recent years, communities have faced several challenges including severe wildfire seasons, flooding events, the COVID-19 pandemic, and reductions in timber supply. In addition to providing immediate supports to worker and communities impacted by these events, the province wants to support communities in diversifying their local economies and creating jobs to achieve the vision of a thriving, resilient B.C.

An independent, strategic review of B.C.'s old-growth forest management practices was released in 2020. *A New Future for Old Forests* called for significant changes to provincial forest management practices as part of improving the protection of old-growth forests. This Report included 14 recommendations that the province has since committed to implementing. This includes supporting workers, businesses and communities economically impacted by old-growth protection as outlined in Recommendation 14: *Supporting forest sector workers and communities as they adapt to changes resulting from a new forest management system.*

In November 2021, the province announced its intention to work in partnership with First Nations to defer harvest in 2.6 million hectares of B.C.'s most at-risk old-growth forests. To mitigate the impact of old-growth deferrals on workers, businesses and communities, the Ministries of Forests (FOR); Advanced Education and Skills Training (AEST); Jobs, Economic Recovery, and Innovation (JERI); and Labour (LBR) developed a suite of Forest Worker and Community Support (FWCS) programs.

This suite of programs includes immediate, short-term supports for impacted forestry workers, businesses, and communities as well as the development of long-term economic diversification initiatives that support a vision for thriving and resilient communities. These new initiatives will focus on industry innovation, infrastructure development, and economic growth, as well as the creation of a Worker Training and Job Opportunity Office (WTJO) – an office that will bridge and leverage cross-ministry strategic collaboration to drive forward long-term economic resilience.

To support the development and implementation of the FWCS programs, the province is creating the Forestry Worker Supports and Community Resiliency Council (Council). The Council will provide guidance and advice to the Minister of Forests (the Minister), and the Ministries of AEST, JERI, and LBR on the development of new initiatives and improvements for existing programs. In this work, the Council will support the province in ensuring forestry workers and communities impacted by old growth deferrals have the opportunities for long term economic resilience in B.C.

Mandate:

The mandate of the Council is to:

1. Advise the province on the implementation of the Old Growth Strategic Review, Recommendation 14: *Supporting forest sector workers and communities as they adapt to changes resulting from a new forest management system.*

2. Inform government's vision for resilient, thriving communities through the development of innovative and forward-looking economic development and diversification initiatives.

To achieve this mandate, the Council will:

- Advise on the development and delivery of new FWCS programs related to industry innovation, infrastructure development and economic diversification in communities.
- Advise on program improvements for existing FWCS programs including Bridging to Retirement, Forest Employment Program, Skills Training for Job Pathways and Rural Business and Community Recovery Initiative.
- Provide strategic advice on stakeholder engagement in impacted forestry-dependent communities needing to diversify their local economies.
- Provide feedback and advice on government initiatives including the Community Transition Rapid Response Teams and the WTJO to address key barriers and identification of innovative economic opportunities.
- Prepare summary reports on recommendations and advice provided to the Minister related to items listed above.
- Advise on additional topics at the direction of the Minister.

Accountability:

- The Minister will be responsible for setting the broad policy direction of the Council.
- The Council is not a decision-making body but will provide recommendations and/or advice to government through the Minister.
- Council will provide recommendations and perspectives to enhance the implementation of the FWCS programs and forward-looking economic development opportunities.

Guiding Principles:

Accountability: Members are accountable to the Minister through the Chair and commit to upholding the operating principles and provisions of this terms of reference.

Confidentiality: All business of the Council is confidential until such time as it is approved by the province for public announcement.

Cooperation: A commitment to anticipate, prevent, or alternatively minimize conflict and dispute with respect to the implementation of these Terms of Reference, by establishing clear lines of communication and resolving differences in a respectful manner.

Healthy and Sustainable Communities: Applying a GBA+ lens to achieve a diversity of perspectives to improve and support the economic and social well-being of communities, especially those individuals and diversity groups most impacted by the Old Growth Strategic Review.

Reconciliation: To support meaningful reconciliation by working respectfully with Indigenous Council members to understand and incorporate Indigenous knowledge and worldviews.

Working effectively: To collaborate with each other in a respectful and transparent manner.

Roles and Responsibilities:

The Minister will:

- Appoint the Council Chair.
- Appoint members to the Council based on criteria of experience, diversity, regional and sectoral representation.
- Ensure that the Council fulfils its mandate by:
 - Communicating with the Chair about Council activities.
 - Sharing information about Council activities with other relevant Ministers as needed.
 - Review reports, advice, and recommendations received from the Council and action at their discretion.
 - At their discretion release documents and advice received from the Council.

The Chair will:

- Communicate on behalf of the Council to the Minister.
- Prepare meeting agendas in consultation with members and Council Secretariat
- Chair meetings
- Monitor members' conduct as it relates to the Council's Guiding Principles and [the General Conduct Principles for Public Appointees](#) set out by Government.
- At their discretion, invite guests to attend and participate in Council meetings.

Council members will:

- Bring their knowledge, perspective and experience and will take a constructive approach to discussions and reaching consensus on advice, guidance, and recommendations.
- Stay informed about the issues facing their region/sector but will not represent Nations, organisations, political parties, or consult with communities/stakeholders on behalf of the Council.
- Under the guidance of the Chair, liaise with relevant stakeholders to ensure regional and sector interests are accounted for in the recommendations and advice provided to the Minister.
- Attend and participate in all scheduled Council meetings given sufficient prior notice.
- Provide a report to the Minister within six months that outlines its perspective on the progress and implementation of FWCS programs including advice/recommendations for improvement.
- Provide a report to the Minister within 12 months on forward-looking economic development advice/recommendations that support economic recovery and diversification in impacted communities.
- Provide further reports at the request of the Minister.

The Ministry will:

- Provide Secretariat support to the Council.
- Facilitate internal engagement and collaboration with relevant ministries (in particular JERI and LBR).
- Report to relevant Ministers on advice and recommendations received from the Council.
- Provide public communications support.

Appointments and Terms

- The term of the Council is for one year with the possibility of a one-year extension.
- Council members will serve a minimum of one year term.
- Council members and the Chair will be appointed by the Minister.
- Council members will be appointed through a Minister's letter.
- The Minister may choose to end Council's activities at their discretion.

Membership

- The Council will represent diverse interests and perspectives including those of First Nations and Indigenous communities, forest sector workers, licensees and local enterprises, non-government organizations, the business sector, communities, and economic regions.
- The Council will have a minimum of seven and up to fourteen members, appointed by the Minister, who represent broad aspects of B.C. society with varied areas of expertise to include at least one representative from each of the following groups:
 - Local governments including rural and remote community representation.
 - Indigenous community and organization representation.
 - Business community representation.
 - Labour representation.
 - Forest industry representation.
 - Academic representation.
 - Non-profit representation.
- Members will be recognized as leaders in their community or sector and will provide advice, as well as champion agreed upon actions within the groups they represent.
- Council membership will be voluntary. Members will assume their responsibilities without salary or remuneration for their time associated with meeting their duties.

Operation:

- The Council will meet a minimum of four times per year and may meet at other times, at the discretion of the Chair.
- Meetings will be held by teleconference/video conference, in person, or by phone.
- Appointment of members is at the discretion of the Minister.
- Alternates will not be permitted at meetings.
- A quorum for all meetings shall be the Chair and one more than half of the remaining total of Council members.

Communications Protocols:

- Members must not, either during or following the termination of an appointment, reveal or divulge confidential information (defined as that which cannot be obtained from other sources) received in the course of their duties. If in doubt about what is considered confidential, members should seek guidance from the Chair.
- High-level, non-attributed Council meeting summaries or minutes will be generated after each meeting and circulated to members within one month of the meeting.
- Only the Chair is authorized to speak on behalf of the Council unless specifically authorized by the Minister for a specific purpose.

- Media are not invited to participate in Council meetings.
- Press releases will be developed and released by the province in concert with GCPE.
- Any other media interactions, including social media, are to be non-attributed and reflect only the perspective of the individual and not the views of the Council as a whole.

Standards of Conduct:

- Provincial appointees are expected to meet high standards of conduct which enhance and maintain public confidence in the operation of B.C.'s public agencies, boards and commissions.
- Council members agree to act in accordance with the Council's Guiding Principles.
- Council members agree to comply with the [General Conduct Principles for Public Appointees](#) set out by the Government.

Per Diems and Expenses:

- Council members are eligible to claim reimbursement for their travel expenses as per the approved B.C. government expense guidelines unless expenses are otherwise covered.

Secretariat Support:

- Secretariat support for the Council will be provided by FLNRORD. Secretariat responsibilities will include:
 - Providing strategic support to the Council in achieving its mandate.
 - Consulting other ministers and ministries on matters pertaining to the Council mandate and priorities.
 - Providing public communications (in coordination with Government Communications and Public Engagement) and reporting out on the Council's progress.
 - Ensuring that the policy and fiscal implications of the advice brought forward by the Council are fully reviewed and clearly articulated.
 - Scheduling Council meetings including preparing meeting materials and providing technical or administrative support to the Chair/Council as necessary.
 - Taking and distributing meeting minutes to Council members within one month of the meeting.

RECEIVED

AUG 22 2022

CITY OF PORT ALBERNI



August 19, 2022

Mayor Sharie Minions and Council
City of Port Alberni
4850 Argyle Street
Port Alberni, BC V9Y 1V8
via email: sharie_minions@portalberni.ca

☒ Council
☒ Mayor
☒ CAO
☒ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☒ Development Services
☐ Community Safety
☒ Other *Comm Summary*
File # *1855-20-UDRS*

Reference: AP6351

**Re: 2020 Poverty Reduction Planning and Action – Stream 1 - Uptown District
Revitalization Strategy**

Dear Mayor Minions and Council,

Thank you for providing a final report and financial summary for the above-noted project. We have reviewed your submission and all reporting requirements have been met.

The final report notes a total actual project expenditure of \$25,300. Based on this, a payment in the amount of \$10,975 will follow shortly by electronic funds transfer. This transfer represents final payment of the grant and is based on fifty per cent (50%) of the total reported expenditure (to a maximum of the approved grant of \$21,950) minus the initial payment of \$10,975 provided in August 2020.

I would like to congratulate the City of Port Alberni for undertaking this project and responding to the opportunity to reduce poverty at the local level and to support the Province's poverty reduction strategy.

If you have any questions, please contact Local Government Program Services at 250-952-9177 or lgps@ubcm.ca.

Sincerely,

Sasha Pryn, Program Officer
Local Government Program Services

cc: Scott Smith, Director of Development Services, City of Port Alberni

ENTERED
J.L.E

The Poverty Reduction Planning & Action program is funded by the Province of BC



**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on July 28, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ed Francoeur (Chair)
Ken McRae, (Vice - Chair)
Harley Wylie (Alt. – Tseshah (č iśaa?ath) F.N)
Stefanie Weber
Joe McQuaid
Amy Anaka
Councillor Deb Haggard, Council Liaison
Peter Dionne, R.C.M.P. Liaison
Andre Guerin, P.A.F.D. Liaison

Regrets

Jolleen Dick, Councillor, Hupačasath F.N
Ken Watts, (CEO Tseshah (č iśaa?ath) F.N)
Callan Noye
Christine Washington, SD70

Staff

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

Guests

Applicant: A. Nordemann
Applicant: R. DeBeeld via phone
Public: Len Watts, (Tseshah (č iśaa?ath) F.N)

Alternates (not in attendance)

Vicky White, (Tseshah (č iśaa?ath) F.N)
Councillor Helen Poon (Alt.– Council Liaison)
Larry Ransom (Alt.– S.D.70)



1. Acknowledgements and Introductions:

Acknowledgement by Chair that this APC meeting is being held within the un-ceded, traditional territories of the Hupačasath and the Tseshah (č iśaa?ath) First Nations. Welcome and introductions.

2. Minutes: Adoption of June 16, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the June 16, 2022 regular meeting as amended.

(McQuaid / Weber) CARRIED

**3. DEVELOPMENT APPLICATION – Development Variance Permit 107
3747 10th Ave.**

Lot 2, District Lot 1, Alberni District, Plan VIP12949 (PID: 004-680-740)

APPLICANT: Raymond de Beeld dba Raymond de Beeld Architect Inc

- Development Planner (B.M.) summarized his report dated July 28, 2022.
- APC discussed the proposed amendment with respect to the following:
 - APC asked about commercial tenants for the space. Applicant advised on tenant would be a dollar store and another possible tenant may be relocating their existing business into the space.
 - Parking was discussed. The space is generous and the applicant indicated that it is no more than 60% full most of the time.
 - Safety was discussed with regards to any outdoor patio space that might be planned. Currently there are several small seating areas outside existing mall tenants however no larger patio spaces are planned at this time.
 - It was noted that the mall had been around for a long time and retro-fitting for more parking

could become an issue. The Development Planner indicated that the parking calculation was based on floor space. When asked about the possibility of increasing the number of parking spaces by creating spaces geared to motorcycle/motorbike and cyclists he noted that Port Alberni does allow for small car stalls. Port Alberni could improve Zoning Bylaw parking requirements by considering more diverse modes of transportation.

- The applicant advised that bike parking was included in the proposal.

Motions:

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

(McRae / Weber) CARRIED

4. DEVELOPMENT APPLICATION – Development Variance Permit (DVP112)

5019 Montrose St.

Lot 1, District Lot 1, Alberni District, Plan 119230

APPLICANT: A. Nordemann dba JamJar Properties Inc.

- The Development Planner (B.M.) summarized his report dated July 28, 2022.
- APC discussed the proposed amendment with respect to the following:
 - The size of the site and its suitability for the proposal was discussed. The Development Planner indicated to the APC that the proposed density (Floor Area Ratio) was within that allowed by the Zoning bylaw.
 - Impact on the neighbour to the north was mentioned as a concern as the back decks may impact privacy. The Development Planner noted that the landscape plan included a path and greenspace as well as on-site parking that should help mitigate complaints about street parking. A Development Permit will be required and the site plan will be thoroughly reviewed.

Motions:

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

(McQuaid / Weber) CARRIED

5. OCP – Vision and Guiding Principles – Manager of Planning

- At this week's C.O.W. meeting the draft OCP public engagement strategy and process was supported. The recommendation will be presented to Council Aug. 8/22.
- When ready, the draft strategy will be presented to the APC. Staff will consult with the APC Chair to determine the meeting time and format.
- A housekeeping Zoning bylaw amendment is being drafted and will also be brought forward to a C.O.W. meeting for discussion and recommendations to Council.

6. Status Update: Director of Development Services

- No application yet received for property at 4th Ave. and Mar St. Developer may adjust their plans.
- Vimy St. development with BC Housing will likely begin soon.

7. OTHER BUSINESS: None at this time.

8. ADJOURNMENT: The meeting adjourned at 12:45 pm. The next meeting is scheduled for 12:00 pm on **August 18, 2022.**

(McQuaid / Francoeur) CARRIED



Ed Francoeur (Chair)

Ron Corbeil: Report to City Council September 6, 2022

On behalf of the Port Alberni City Council I attended:

1. August 13, 2022, I toured the HMCS Ottawa. As well, with short notice we set up a community volunteer project at the empty lot on 10th Avenue and Redford Street for Navy members from the to ship. Approximately 20 members attended and did an excellent job.
2. August 15, 2022, I attended the Port Alberni Community Agreement-Protection of Youth Under 19 years signing. The agreement among other things; assists frontline workers when youth present at adult sites, identifies the specialization of youth services, provides a referral pathway for assessment/treatment channels, training for frontline workers, and aligns services and supports on harm reduction services.
3. August 24, 2022, I attended the Alberni-Clayoquot Regional District Board of Directors meeting. Highlights of the meeting were:
 - Cst. Elizabeth O'Connor, Indigenous Policing Services, gave a presentation on, youth violence and associated gang and affiliated lifestyle.
 - David Michaud, President, Alberni Valley Bulldogs request for sponsorship and what the ACRD would receive for that sponsorship.
 - Pursue Maplehurst trail expansion on adjacent Crown Lands and to maintain governance structure and fund operations for Maplehurst Park within the Cherry Creek Community Park service.
 - Consider the Franklin Bridge project when appropriate grants become available for a Suspension Bridge on the Alberni Inlet trail.

L\

Councillor Report

For September 6, 2022

Councillor Debbie Haggard

August 3, 2022 – I met with Bill Collette, CAO of the **Alberni Valley Chamber of Commerce**, regarding the current struggles that the local business community are facing, including the current labour shortage, which all business, both large and small and all industries, are facing.

August 8, 2022 – A **Public Hearing** was held in order to amend the Official Community Plan and Zoning Bylaw to facilitate the development of a high-density, multi-family infill development at 4738 Athol Street consisting of a three-story building which will have 6 apartments.

August 17, 2022 – **Candidate Information Session** for those seeking a position on City Council, School District or as a Director for the Alberni-Clayoquot Regional District. The session was about running for office and serving the City of Port Alberni.

August 18, 2022 – **Advisory Planning Commission** meeting – Highlights include:

- A Development Variance Permit for 3045 & 3053 Kingsway Avenue. The applicant is proposing to construct a four-unit multifamily townhouse on the property.
- Zoning Bylaw Amendment for 3151 3rd Avenue. The property is currently occupied by a single detached residential family home that would be converted to a business use along with the outdoor spaces on the property in order to support the existing business located at 3141 3rd Avenue.

August 19, 2022 – I met with the Coordinator of the Community Action Team in order to finalize planning of the community event to recognize International Overdose Awareness Day on August 31, 2022.

August 24, 2022 – I met with two new residents to Port Alberni who have just recently purchased a home here. They are part of a growing trend of a younger demographic who work from home and choosing to move to Port Alberni because of the still relative affordability of housing prices. It was very interesting to hear their perspective on Port Alberni and ideas for growing and attracting new residents to the community.

August 25, 2022 – I met with a resident who is part of a provincial committee on the needs of complex housing for our community. He identified what complex housing is and the needs of the residents who are eligible for complex housing.

L\

Council report

13 Aug 2022 - Along with Acting Mayor Corbeil, I attended a tour of the HMCS Ottawa. We toured several areas of the vessel with the Captain and later had coffee with him. We extended a warm welcome to the Captain and crew. The crew was also engaged with volunteering at the 10th and Redford street corner garden project.

Helen Poon
Councillor, City of Port Alberni

L\