

**MINUTES OF A SPECIAL MEETING OF COUNCIL HELD  
MONDAY, DECEMBER 14, 2009 AT 1:40 PM  
IN THE CITY HALL COUNCIL CHAMBERS**

**PRESENT:** Mayor McRae, Councillors Douglas, McLeman, Patterson, Solda and Whiteman.

**A. APPROVAL OF AGENDA**

*Patterson/McLeman  
That the agenda be adopted as circulated.*

*Carried*

**B. DELEGATION**

**1. West Coast Aquatic**

Jake Martens, Director of Communications, West Coast Aquatic, provided an overview of their terms of reference for the information of Council.

**C. OTHER COMPETENT BUSINESS      NIL**

**D. ADJOURNMENT**

*Patterson/Douglas  
That the meeting adjourn at 2:12 pm.*

*Carried*

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD  
MONDAY, DECEMBER 14, 2009 AT 7:00 PM  
IN THE CITY HALL COUNCIL CHAMBERS**

**PRESENT:** Mayor McRae, Councillors Chopra, Douglas, McLeman, Patterson, Solda and Whiteman

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

*Patterson/Solda*

*That the agenda be approved as circulated with the addition of late items E.5.1 Parking Space Requests; F.14 BC Hydro Donations & Sponsorships Program and I.6.1 report on 4711 Elizabeth Street.*

*Carried*

**B. ADOPTION OF MINUTES**

*Solda/Chopra*

*That the minutes from the Regular Council Meeting held November 23, the Special Council Meeting held at 3:30 pm and the Annual Organizational Meeting held at 7:00 pm on December 7, 2009 be approved as circulated.*

*Carried*

**C. DELEGATIONS**

**1. Tracy Smyth, Make Children First**

Tracy Smith presented Council with their "Make Children First" calendars and invited Council to a presentation about their Early Development Indication research results on February 8, 2010.

**2. ADSS Build A Board Project**

Anne Ostwald, teacher, and Quinlan Jager, student, requested Council's support for their Grade 10 Socials Class project to promote the City of Port Alberni and the Valley's many wonders.

*Solda/McLeman*

*That Council for the City of Port Alberni support in principal the ADSS Grade 10 Socials class project to promote the City of Port Alberni and the Valley's many wonders, provide a link from the City's website and receive donations on their behalf for the project.*

*Carried*

**3. Joe Krizek**

Joe Krizek of 8165 Faber Road was recognized by the Mayor. He described how a group of local men saved him from drowning at Loon Lake. He commended Desi & Lucas Jack and Charlie Williams.

**D. PROCLAMATIONS**

Nil

**E. CORRESPONDENCE FOR ACTION**

**1. Ministry of Agriculture and Lands - Crown Land Restoration Branch  
(Brownfield and Program Development)**

*Chopra/Solda*

*That the letter dated November 19, 2009 from the Ministry of Agriculture and Lands - Crown Land Restoration Branch (Brownfield and Program Development), be received and Council for the City of Port Alberni approve the Brownfield Renewal Funding Program Contribution Agreement and authorize the Mayor and City Clerk to sign the Agreement.*

*Carried*

**2. Kin Canada**

*Chopra/Douglas*

*That the letter from Kin Canada dated November 16, 2009 requesting support for fund-raising by placing a "Message of Support" ad in their "KIN Magazine, be received with no further action.*

*Carried*

**3. Award Nominations**

*Chopra/Solda*

*That the letters from the Citizenship and Immigration Canada and the Coast Mental Health Foundation be received and Council for the City of Port Alberni request staff to post a Notice on the Public Notice Posting Place calling for nominations for the "Paul Yuzyk Award for Multiculturalism" and the "Courage to Come Back" awards.*

*Carried*

**4. Opposition Critics for Transportation and Infrastructure**

*McLeman/Solda*

*That the letter from the Opposition Critics for Transportation and Infrastructure dated November 17, 2009 inviting input regarding transportation and highways, be received and Council identify the need for a connector through Horne Lake and assistance for snow removal on Johnston Road.*

*Carried*

**5. Parking Space Requests**

*McLeman/Solda*

*That the letters from the John Paul II Catholic School dated December 2; the Ministry of Housing and Social Development dated December 4 and the Ministry of Children & Family Development dated December 7, 2009, be received and the requests that parking spaces in their vicinity be changed from parallel to angle parking be referred to the City Engineer and the Advisory Planning Commission.*

*Carried*

**6. Catalyst Paper Corporation**

*Chopra/Douglas*

*That the letter dated December 4, 2009 from Catalyst Paper Corporation encouraging Council to seek the Premier's leadership in support of interim relief and a long-term solution on municipal taxation, be received.*

*Carried*

**7. Association of Vancouver Island and Coastal Communities (AVICC)**

*Chopra/Solda*

*That the memo dated November 27, 2009 from the Association of Vancouver Island and Coastal Communities (AVICC) regarding planning for the 2010 Annual General Meeting & Convention, be received and Council work with the City Clerk to prepare Resolutions that Council would like to bring forward.*

*Carried*

**8. City of Burnaby**

*Solda/Patterson*

*That the copy letter dated November 23, 2009 from the City of Burnaby requesting an urgent review of the PRIME cost and governance structure, be received.*

*Carried*

**9. 5355 Cherry Creek Road, Agricultural Land Reserve (ALR) Exclusion Application**

*Chopra/Solda*

*That the letters received from Jen Fisher-Bradley and Dorsey & Joan Cunliffe opposing the City's application to the Agricultural Land Commission (ALC) to exclude 5355 Cherry Creek Road from the Agricultural Land Reserve (ALR), be forwarded to the ALC with the application.*

*Carried*

**F. INFORMATIONAL CORRESPONDENCE**

**1. Wally Samuel**

Copy of a fax dated November 23, 2009 to the School District 70 Board of Directors requesting school gyms be open on weekends and holidays.

**2. Minister of Housing and Social Development**

Letter dated November 24, 2009 replying to the Mayor's letter dated November 3, 2009 regarding community gaming grants and a letter dated November 24, 2009 responding to a meeting held with the Minister of Housing and Social Development at the Union of British Columbia Municipalities (UBCM) Conference regarding the *Manufactured Home Park Tenancy Act* and Direct Access Grants.

**3. Port Alberni International Twinning Society**

Letter dated November 25, 2009 thanking the Mayor and Council for the 2009 grant-in-aid received for cultural and educational exchanges with Abashiri, Japan.

**4. Alberni Valley Social Planning Committee**

Minutes of the meeting held November 17, 2009.

**5. Federation of Canadian Municipalities (FCM)**

Letter dated November 23, 2009 regarding payment in the amount of \$59,618.05 for Green Municipal Fund, Stage 2 Preliminary Site Investigation, Former Alberni Plywood Site.

**6. 2010 Legacies NOW**

Letter dated November 30, 2009 regarding the 2010andBeyond.ca website featuring Legacy stories from BC communities.

**7. Minister of Health Services**

Letter dated November 27, 2009 responding to a meeting at the Union of British Columbia Municipalities (UBCM) Conference regarding concerns about ambulance services in Bamfield and physician and health care practitioner recruitment and retention in Port Alberni.

**8. Ombudsman**

Providing a copy of the Ombudsman 2008/09 Annual Report.

**9. Port Alberni Farmers' Market**

Letter dated December 1, 2009 thanking the City for the pending improvements to the Market Square at Alberni Harbour Quay and for their support for agriculture in the District.

**10. Richard Berg**

E-mail dated December 5, 2009 regarding tax ratios.

**11. Union of British Columbia Municipalities (UBCM)**

- Letter dated November 2, 2009 advising that funding from Phase 1 of the Community Tourism program for McLean Mill National Historic Site has been approved in the amount of \$11,305,39.
- Letter dated November 26, 2009 enclosing a cheque in the amount of \$384,243.66 representing the Gas Tax Agreement, Community Works Fund payment.
- Member Notice dated December 4, 2009 providing a copy of the joint news release with the Province regarding the Elections Task Force, created to review and make recommendations for B.C.'s local government electoral process.

**12. Vancouver Island Health Authority (VIHA)**

News Release dated December 9, 2009 advising that H1N1 Flu clinics are winding down.

**13. Chris Bowers**

E-mail received December 10, 2009 regarding TILMA and changes to the AIP, and other trade agreements.

**14. BC Hydro, Vancouver Island Community Relations**

E-mail dated December 10, 2009 requesting support in bringing BC Hydro's regional Donations & Sponsorships program to the attention of non-profit organizations and registered charities in Port Alberni.

*Solda/Patterson*

*That Informational Correspondence items numbered 1 through 14, be received and filed.*

*Carried*

**G. UNFINISHED BUSINESS**

Nil

**H. BYLAWS**

Councillor McLeman left the meeting at 6:38 pm on account of a perceived conflict of interest.

**1. City Clerk – Public Hearing Report for Bylaw No. 4735**

The City Clerk summarized the Public Hearing held at 6:00 pm.

*Solda/Chopra*

*That the verbal report of the Public Hearing held December 14, 2009 at 6:00 pm regarding "Zoning Amendment No. 79 (4003 Johnston Road – Deluca), Bylaw No. 4735", be received.*

*Carried*

**2. "Zoning Amendment No. 79 (4003 Johnston Road – Deluca), Bylaw No. 4735"**

*Solda/Chopra*

*That "Zoning Amendment No. 79 (4003 Johnston Road – Deluca), Bylaw No. 4735", be read a third time.*

*Defeated*

*Solda/Chopra*

*That the matter of "Zoning Amendment No. 79 (4003 Johnston Road – Deluca), Bylaw No. 4735", be tabled to the next Council meeting.*

*Carried*

Councillor McLeman returned to the meeting at 7:48 pm.

**3. City Planner - Advisory Planning Commission**

C. and E. Power - Development Application on Tomswood Road

*Solda/Douglas*

*That Council for the City of Port Alberni endorse the recommendations of the Advisory Planning Commission as follows:*

- 1. That the City proceed with the applicable OCP and Zoning Bylaw amendments for the development application on Tomswood Road.*
- 2. The applicants be required to complete the following:*
  - a) Submission of preliminary engineering plans for the development prior to the public hearing.*
  - b) Receive a Preliminary Layout Approval for the proposed subdivision from the City of Port Alberni Approving Officer before final adoption of the bylaws.*
- 3. And that, as part of the Subdivision Approval process, the Approving Officer consider requiring that a covenant be placed on those lots located in the centre of the strata development (lots 23 to 31), and having double frontages to ensure the following:*
  - a. That dwellings constructed on the lots uniformly front face north or south; and*
  - b. That the easterly lot (Lot 31) have the additional option of front facing east; and*
  - c. That the westerly lot (Lot 23) have the additional option of front facing west.*

*Carried*

**4. "Official Community Plan Amendment No. 7 (Tomswood Road – C. and E. Power), Bylaw No. 4739"**

*Solda/Chopra*

*That "Official Community Plan Amendment No. 7 (Tomswood Road – C. and E. Power), Bylaw No. 4739", be now introduced and read a first time.*

*Carried*

*Solda/Douglas*

*That "Official Community Plan Amendment No. 7 (Tomswood Road – C. and E. Power), Bylaw No. 4739", be read a second time.*

*Carried*

**5. "Zoning Amendment No. 80 (Tomswood Road – C. and E. Power), Bylaw No. 4740"**

*Solda/Patterson*

*That "Zoning Amendment No. 80 (Tomswood Road – C. and E. Power), Bylaw No. 4740", be now introduced and read a first time.*

*Carried*

*Solda/McLeman*

*That "Zoning Amendment No. 80 (Tomswood Road – C. and E. Power), Bylaw No. 4740", be read a second time.*

*Carried*

**I. REPORTS**

**1. Accounts**

*Chopra/Whiteman*

*That the certification of the Director of Finance dated December 14, 2009 be received and the cheques numbered 108169 to 108440 inclusive, in payment of accounts totalling \$2,210,067.16, be approved.*

*Carried*

**2. Director of Finance – Audit Committee Minutes**

*Chopra/McLeman*

*That the minutes of the November 23, 2009 Audit Committee Meeting, the report dated November 4, 2009 from the Director of Finance responding to questions from the October 26, 2009 meeting and the financial statements ending October 31, 2009, be received.*

*Carried*

**3. Fire Chief – Franklin River Road Fire Protection, New Agreement**

*Solda/Chopra*

*That the report from the Fire Chief dated December 2, 2009 be received, and the Mayor and City Clerk be authorized to sign the agreement between the City and the Alberni Clayoquot Regional District to enable the Port Alberni Fire Department to provide fire protection services to the Franklin River Road Service Area.*

*Carried*

**4. City Clerk - Argyle Street Rotary Arts Project**

*Patterson/Chopra*

*That the report dated December 9, 2009 from the City Clerk be received and Council for the City of Port Alberni support in principle the Arrowsmith Rotary Club's Art District project for Argyle Street.*

*Carried*

**5. City Clerk - Interest in City Owned Lands - 6<sup>th</sup> and Wallace Street**

*Chopra/McLeman*

*That the report dated December 9, 2009 from the City Clerk regarding interest in a BMX Bike Track at 6<sup>th</sup> and Wallace, be received.*

*Carried*

**6. City Clerk - Application to the Agricultural Land Commission for the Exclusion of 5355 Cherry Creek Road from the Agricultural Land Reserve**

*Chopra/Whiteman*

*That Council for the City of Port Alberni proceed with the application to exclude the City owned property at 5355 Cherry Creek Road from the Agricultural Land Reserve as outlined in the Outlook Land Design Report, with an alternative presented to the Agricultural Land Commission for use of the property as an RV Park and the City explore with the Land Commission reasonable benefits to agriculture to mitigate the lands exclusion.*

*Carried*

Councillor McLeman left the meeting at 8:05 pm on account of a perceived conflict of interest.

## 6.1 City Clerk - 4711 Elizabeth Street

The City Clerk reported that Council had adopted the following two resolutions at its November 23, 2009 Special In-Camera meeting.

*That the Pacific Rim Health Cooperative be offered a one year lease of the property at 4711 Elizabeth Street on the condition that the lease payment covers all costs to maintain the building as well as the value of property taxes.*

*That the Pacific Rim Health Cooperative continue to pursue a contribution from the Alberni-Clayoquot Regional District for 40% of the value of the building at 4711 Elizabeth Street to be paid to the City in order for the building to be donated to the Cooperative.*

*Solda/Douglas*

*That the verbal from the City Clerk advising of the status of the building at 4711 Elizabeth Street, be received.*

*Carried*

Councillor McLeman returned to the meeting at 8:07 pm.

## 7. Current Status Report

*Chopra/Solda*

*That the Current Status Report be received.*

*Carried*

## 8. Mayor's Report

*Solda/Patterson*

*That the Mayor's Report be received.*

*Carried*

## 9. Councillor Whiteman - Community Services, Economic Development & Tourism Report

## 10. Councillor Solda - Planning, Health and Protective Services Report

*Solda/Patterson*

*That the monthly report from the Planning and Building Department providing information about current departmental operations, be received.*

*Carried*

*Solda/Chopra*

*That the monthly report from the Fire Chief providing information about current departmental operations, be received.*

*Carried*

- 11. **Councillor Patterson - Heritage, Culture and Education Report**
- 12. **Councillor McLeman - Transportation, Utilities and Forestry Report**

*McLeman/Solda*

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

*Carried*

- 13. **Councillor Douglas - Environmental Services and Library Report**
- 14. **Councillor Chopra - General Government Services Report**

**J. QUESTION PERIOD**

There was none.

**K. OTHER COMPETENT BUSINESS Nil**

**L. ADJOURNMENT**

*Solda/Patterson*

*That the meeting adjourn at 8:25 pm.*

*Carried*

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk