
AGENDA - REGULAR MEETING OF COUNCIL
Monday, June 10, 2024 @ 2:00 PM
In the City Hall Council Chambers & Via Video-Conference
4850 Argyle Street, Port Alberni, BC

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

Watch the meeting live at www.portalberni.ca

Register to participate via webinar at: <https://portalberni.ca/council-agendas-minutes>

A. CALL TO ORDER & APPROVAL OF THE AGENDA

1. Council would like to acknowledge and recognize that we work, live and play in the City of Port Alberni which is situated on the unceded territories of the Tseshaht [čišaaʔath] and Hupačasath First Nations.
2. Late items identified by Councillors.
3. Late items identified by the Corporate Officer.
4. Notice of Video Recording (live-streaming and recorded/broadcast on YouTube).

That the agenda be approved as circulated.

B. ADOPTION OF MINUTES - Page 7

1. Minutes of the Special meeting held at 11:30 am and Regular Council meeting held at 2:00 pm on May 27, 2024 be adopted, as presented.

C. DELEGATIONS

D. UNFINISHED BUSINESS

Includes items carried forward from previous Council meetings.

E. STAFF REPORTS

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

1. Accounts

THAT the certification of the Director of Finance dated June 10, 2024, be received and the cheques numbered _____ to _____ inclusive, in payment of accounts totalling \$_____, be approved.

F. BYLAWS

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

1. Lane Closure Bylaw | 4th Avenue - Page 12

Report dated May 31, 2024 from the Director of Development Services/Deputy CAO requesting Council consideration for adoption of the proposed bylaw.

THAT “City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5103.

2. Zoning Bylaw No. 5105, 2024 | Small Scale Multi-Unit Housing (SSMUH) Update - Page 18

Report dated June 3, 2024 from the Manager of Planning requesting Council consideration for adoption of the proposed bylaw.

THAT “Zoning Bylaw No. 5105, 2024” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5105.

G. CORRESPONDENCE FOR ACTION

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

1. Port Alberni Community Action Team - Page 124

Letter received May 27, 2024 from the Port Alberni Community Action Team requesting installation of a semi-permanent art memorial on the fence at Dry Creek Park.

THAT Council authorize the installation of a semi-permanent art memorial on the fence at Dry Creek Park following International Overdose Awareness Day [August 30th] in support and remembrance of lives claimed due to the toxic drug crisis.

2. Wesco Food Society - Page 127

Email dated May 29, 2024 from Wesco Food Society requesting a letter of support.

THAT Council direct staff to prepare a letter in support of Wesco Food Society ‘Little Kitchen Academy’ and Good Food Boxes’ programs subject to receipt of a valid City business licence.

H. PROCLAMATIONS

1. **Port Alberni Community Action Team | International Overdose Awareness Day -**
Page 128

Letter received May 27, 2024 from the Port Alberni Community Action Team requesting a proclamation.

THAT Council on behalf of Port Alberni Community Action Team, proclaim August 31, 2024 as 'International Overdose Awareness Day' in Port Alberni.

2. **Island Kids Cancer Association -** Page 131

Email dated May 27, 2024 from the Island Kids Cancer Association requesting a proclamation.

THAT Council on behalf Island Kids Cancer Association, proclaim the month of September 2024 as 'Childhood Cancer Awareness Month' in Port Alberni.

I. CORRESPONDENCE FOR INFORMATION

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

1. **Correspondence Summary -** Page 133
 - a. BC Ferries | Invitation to *Charting the Course* Workshop June 13, 2024
 - b. Alberni-Clayoquot Regional District | Appreciation of Councillor Haggard's contribution as Chair on the Alberni Valley Aquatics Feasibility Study Committee
 - c. BC Games Society | 2028 BC Winter and BC Summer Games Host Communities Announcement

J. REPORT FROM IN-CAMERA

K. COUNCIL REPORTS

1. **Council and Regional District Reports -** Page 138

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

L. NEW BUSINESS

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

1. **Echo Aquatic Centre Study | Notice of Motion from May 27, 2024**

THAT Council direct staff to obtain a quote to conduct a study of the Echo Aquatic Centre regarding the potential for expansion [renovation] for Council consideration compared to the current feasibility study for a new build.

2. **Potential Uses of the Existing Rollins Building on 8th Avenue** - Page 142
Report dated May 30, 2024 from the Director of Development Services/Deputy CAO regarding future use of the existing Rollins building.

THAT Council direct staff to discuss the potential use of the existing Rollins building on 8th Avenue with the Saltair Childcare Society for additional childcare spaces.

3. **5170 Argyle Street [Port Pub] – Revised Remedial Action Order** - Page 146
Report dated June 4, 2024 from the Director of Corporate Services requesting Council pass a resolution for a remedial action requirement.

THAT Council pass a resolution for a remedial action requirement in the following terms:

WHEREAS Division 12 of Part 3 of the Community Charter authorizes Council to impose a remedial action requirement on the owner of a building or structure which is in a hazardous condition, including a requirement to demolish or remove the building or structure or to otherwise deal with it in accordance with the directions of Council or a person authorized by Council;

AND WHEREAS Division 12 of Part 3 of the Community Charter authorizes Council to declare a building or other structure to be a nuisance and so dilapidated or unclean as to be offensive to the community, and to impose a remedial action requirement on the owner of such a building or structure, including a requirement to demolish or remove the building or structure or to otherwise deal with it in accordance with the directions of Council or a person authorized by Council;

AND WHEREAS 1052162 BC Ltd. is the registered owner (the "Owner") of the property at 5170 Argyle St and having a legal description of: LT 24 BLK 86 DL 1 ALD PL VIP197 & LT 23 BLK 86 DL1 ALD PL VIP197 (the "Property");

AND WHEREAS section 17 of the Community Charter provides that the authority of Council to require that something be done includes the authority to direct that, if a person subject to the requirement fails to take the required action, the Municipality may fulfill the requirement at the expense of the person;

AND WHEREAS Council passed a previous resolution for a remedial action requirement on the Property on January 22, 2024 [the "January Remedial Action Requirement"], which has not been carried out by the Owner within 30 days of receiving notice, or at all;

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

1. *THAT Council hereby considers that the building located on the Property (the "Structure") is unsafe and contravenes the BC Building Code and the Port Alberni Building Standards Bylaw No. 4975, 2018, and therefore is in a hazardous condition within the meaning of Section 73 of the Community Charter;*

2. *THAT Council hereby considers that the Structure and the discarded materials and refuse about the Structure on the Property are a nuisance and are so dilapidated and unclean as to be offensive to the community, within the meaning of Section 74 of the Community Charter;*
 3. *THAT Council hereby requires, pursuant to its powers under Section 72(2)(b) of the Community Charter, that the Owner, within 30 days of the date this Resolution is sent to the Owner, do all things necessary to apply for a demolition permit for the Structure under the Port Alberni Building Standards Bylaw;*
 4. *THAT the Owner, within 30 days of receiving a demolition permit under Section 3 of this Resolution, must demolish the Structure and remove all resulting debris, and comply with all requirements of the demolition permit and the Building Standards Bylaw in relation to the demolition, including but not limited to requirements for the abatement and handling of hazardous materials;*
 5. *THAT the Owner may request that Council reconsider the terms of this Resolution by providing the City with written notice within 14 days of the date on which notice of this Resolution is sent to the Owner under Section 77 of the Community Charter; and*
 6. *THAT if the Owner has not completed any requirement imposed by this Resolution within the time limit for so doing, City staff and contractors are authorized to enter on to the Property for the purpose of and to fulfil the applicable requirement(s) without further notice to and at the expense of the Owner, and may recover the cost of so doing from the Owner, together with costs and interest, as a debt and in the same manner as municipal taxes in accordance with sections 17, 258 and 259 of the Community Charter.*
4. **Council Letter of Support | Legislative Reform Initiative - Page 307**
Report dated June 3, 2024 from the Director of Corporate Services requesting Council direct staff to send a letter of support for the Regional District of Nanaimo Legislative Reform Initiative.
- THAT Council direct staff to send a letter of support for the Regional District of Nanaimo [RDN] Legislative Reform Initiative indicating Council's support for a comprehensive review of the Local Government Act ensuring that consideration is made to fair distribution of funding for joint services between regional districts and municipalities.*
5. **Train Station | Building Modification - Page 316**
Report dated June 5, 2024 from the Director of Parks, Recreation and Culture regarding modifications to the Train Station.
- THAT Council direct staff to proceed with installation of an additional exterior door at the Train Station.*

M. QUESTION PERIOD

An opportunity for the public to ask questions of Council on decisions or recommendations made during the course of the meeting. A maximum of three [3] questions will be permitted per speaker. For those participating electronically, please use the 'Raise your Hand' feature.

N. MOTION TO CLOSE THE MEETING TO THE PUBLIC

THAT Council closes the meeting to the public, pursuant to section(s) 90(1)(a), 90(1)(c), 90(1)(e), 90(1)(i), 90(1)(k) and 90(1)(l) of the Community Charter for the purpose of considering:

- *personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality*
- *labour relations or other employee relations;*
- *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;*
- *the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- *negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;*
- *discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].*

Following adoption of the above motion, the meeting will be closed to the public and not recorded.

MEETING REOPENS & Council RECONVENE's its Open Meeting @

O. ADJOURNMENT

That the meeting adjourn at PM.

MINUTES OF THE IN-CAMERA MEETING OF COUNCIL
MONDAY, May 27, 2024 @ 11:30 AM
City Hall Committee Room | 4850 Argyle Street, Port Alberni, BC

PRESENT: Acting Mayor C. Mealey
Councillor D. Dame
Councillor D. Haggard
Councillor T. Patola
Councillor C. Solda

Regrets: Mayor S. Minions
Councillor J. Douglas

Staff: M. Fox, Chief Administrative Officer
S. Smith, Director of Development Services | Deputy CAO
A. McGifford, Director of Finance
D. Leurebourg, Director of Corporate Services
S. Darling, Deputy Director of Corporate Services
J. MacDonald, Director of Infrastructure Services
W. Thorpe, Director of Parks, Recreation and Culture [Electronically]

Call to order: @ 11:30 a.m.

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)(c) labour relations or other employee relations;

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

Section 90 (1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

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

CARRIED

The meeting was adjourned at 1:35 p.m.

CERTIFIED CORRECT

Mayor

Corporate Officer

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, May 27, 2024 @ 2:00 PM
In the City Hall Council Chambers & Via Video-Conference
4850 Argyle Street, Port Alberni, BC

Present: Acting Mayor C. Mealey
Councillor D. Dame
Councillor D. Haggard
Councillor C. Solda
Councillor T. Patola

Absent: Mayor S. Minions
Councillor J. Douglas

Staff: M. Fox, Chief Administrative Officer
S. Smith, Director of Development Services | Deputy CAO
D. Leurebourg, Director of Corporate Services
A. McGifford, Director of Finance
S. Darling, Deputy Director of Corporate Services | Recording Secretary
J. Pelech, Manager of Information Services

Gallery: 1 & 1 Electronically

A. CALL TO ORDER & APPROVAL OF THE AGENDA

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

MOVED AND SECONDED, THAT the agenda be amended to include an item under 'Council Reports' K.1 | Councillor Solda and items under 'New Business' L.3 | Uptown District Vandalism and L.4. | 5170 Argyle Street - Remedial Action Order Update. The agenda was then adopted, as amended.

CARRIED

B. ADOPTION OF MINUTES

MOVED AND SECONDED, THAT the Minutes of the Special meeting held at 9:30 am and Regular Council meeting held at 2:00 pm on May 13, 2024 be adopted, as presented.

CARRIED

C. DELEGATIONS

D. UNFINISHED BUSINESS

E. STAFF REPORTS

1. Accounts

MOVED AND SECONDED, THAT the certification of the Director of Finance dated May 27, 2024, be received and the cheques numbered 154876 to 154965 inclusive, in payment of accounts totalling \$2,648,426.26, be approved.

CARRIED | Res. No. 24-209

F. BYLAWS

1. OCP and Zoning Bylaw Amendments | 2856 – 4th Avenue

MOVED AND SECONDED, THAT “Official Community Plan Amendment (2856 4th Avenue) Bylaw No. 5098” be read a third time.

CARRIED | Res. No. 24-210

MOVED AND SECONDED, THAT “Zoning Amendment (2856 4th Avenue) Bylaw No. 5099” be read a third time.

CARRIED | Res. No. 24-211

MOVED AND SECONDED, THAT “Official Community Plan Amendment (2856 4th Avenue) Bylaw No. 5098” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5098.

CARRIED | Res. No. 24-212

MOVED AND SECONDED, THAT “Zoning Amendment (2856 4th Avenue) Bylaw No. 5099” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5099.

CARRIED | Res. No. 24-213

2. Zoning Bylaw No. 5105, 2024 | Small Scale Multi-Unit Housing Update

MOVED AND SECONDED, THAT “Zoning Bylaw No. 5105, 2024” be now introduced and read a first time.

CARRIED | Res. No. 24-214

MOVED AND SECONDED, THAT “Zoning Bylaw No. 5105, 2024” be read a second time.

CARRIED | Res. No. 24-215

MOVED AND SECONDED, THAT “Zoning Bylaw No. 5105, 2024” be read a third time.

CARRIED | Res. No. 24-216

G. CORRESPONDENCE FOR ACTION

1. Community Arts Council | Summer Solstice Art Festival

MOVED AND SECONDED, THAT Council authorize the Community Arts Council request for a road closure at the entrance of the Harbour Quay for the purpose of the Solstice Art Festival on Saturday, June 15, 2024 from 6:00 am to 5:00 pm on subject to:

- *the notification of emergency services and BC Transit*
- *consultation with all affected businesses/residents*
- *implementation of a Traffic Safety Plan to be approved by the City of Port Alberni, including qualified Traffic Control personnel as required*
- *provision of standard liability insurance in the amount of \$5M [minimum]*

CARRIED | Res. No. 24-217

H. PROCLAMATIONS

I. CORRESPONDENCE FOR INFORMATION

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

- a. Union of BC Municipalities | Council 2024 AVICC Resolution Endorsement
- b. BC Transit | Strategic Plan Update
- c. Ministry of Housing Infrastructure and Communities | Response to City Letter sent in Support of the Loaves and Fishes Food Bank Food Security Project
- d. Alberni-Clayoquot Regional District | Keeping you Connected April 2024
- e. MP Gord Johns | Certificate of Appreciation – Bill C-310

MOVED AND SECONDED, THAT Council receive correspondence for information, as presented.

CARRIED

J. REPORT FROM IN-CAMERA

Council released for public consumption the removal of the Council liaison from the Community Action Team Committee.

K. COUNCIL REPORTS

1. Council and Regional District Reports

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

CARRIED | Res. No. 24-218

L. NEW BUSINESS

1. 2023 Procurement Summary

MOVED AND SECONDED, THAT Council receive the report '2023 Procurement Summary' dated April 9, 2024.

CARRIED | Res. No. 24-219

2. Appointment of Corporate Officer and Deputy Corporate Officer

MOVED AND SECONDED, THAT Council appoint Danielle Leurebourg, Director of Corporate Services, as Corporate Officer and assign the responsibility of corporate administration for the City of Port Alberni to Ms. Leurebourg in accordance with s.148 of the Community Charter effective May 27, 2024.

CARRIED | Res. No. 24-220

MOVED AND SECONDED, THAT Council appoint Sara Darling, Deputy Director of Corporate Services, as Deputy Corporate Officer, to fulfill the responsibility of corporate administration in accordance with s. 148 of the Community Charter for the City of Port Alberni during vacation, leaves or other absences of the appointed Corporate Officer effective May 27, 2024.

CARRIED | Res. No. 24-221

3. **Uptown District Vandalism**

The CAO provided a verbal report at Council's request regarding the City's response to vandalism experienced by merchants in the Uptown District noting that the Community Safety and Social Development department recently completed a gap analysis to identify gaps in services for safety, security and social development to help inform the development of a Community Well-Being and Safety Strategy.

4. **5170 Argyle Street | Remedial Action Order Update**

The CAO provided a verbal report at Council's request noting that the remedial action order for 5170 Argyle Street continues to be actioned. Council will receive a formal update regarding next steps at a future Council meeting.

5. **Notice of Motion | Councillor Solda**

That Council direct staff to obtain a quote to conduct a study of the Echo Aquatic Centre regarding the potential for expansion [renovation] for Council consideration compared to the current feasibility study for a new build.

M. QUESTION PERIOD

N. ADJOURNMENT

MOVED AND SECONDED, THAT the meeting adjourn at 3:00 p.m.


CARRIED

CERTIFIED CORRECT

Mayor

Corporate Officer

Date: May 31, 2024
File No: 3320-20- 2866 4th Avenue
To: Mayor & Council
From: M. Fox, CAO
Subject: "City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024"

Prepared by: <i>S. SMITH</i> Director of Development Services/ Deputy CAO	Supervisor: <i>M. Fox</i> Chief Administrative Officer	Supervisor:  Chief Administrative Officer
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RECOMMENDATION

1. THAT "City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5103.

PURPOSE

For Council to consider final adoption of "City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024" authorizing the closure of the unconstructed lane adjacent to 2866 4th Avenue.

BACKGROUND

Section 40 of the *Community Charter* permits a Council, by bylaw, to close all or part of a highway to traffic and remove the dedication as a highway. Prior to adopting a highway closure bylaw and disposing of the land, municipalities must publish notice and provide opportunity for persons affected by the closure to make representations to Council.

The Lefevre Group purchased the majority of the former Zeller's parking lot properties in the Uptown District. They are currently working on a potential five storey mixed-use building consisting of ground level commercial and approximately 40 residential units. The site they are considering for the development is located at 4th Avenue and Mar Street and currently consists of two legal parcels (owed by Lefevre Group) with an unconstructed City owned lane dividing the site as shown on the attached plan. This property is zoned C7 – Core Business and the proposed mixed-use building is a permitted use. The Lefevre Group has made an application for a lane closure and purchase of the unconstructed lane.

City Council gave three readings of "City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024" on May 13, 2024.

ALTERNATIVES/OPTIONS

1. THAT “City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5103.
2. Council may decline final adoption of the bylaw.
3. Council may direct staff to provide additional information.

ANALYSIS

In order to create the site (see attached plan) for the potential development, lane closure and subdivision are required. The City’s Approving Officer would consider and approve the subdivision, but City Council would need to consider and approve a lane closure and sale. If Council approves the lane closure and sale, the closed lane would be required to be consolidated into the adjacent property under the subdivision process.

When the City is considering lane closures, infrastructure needs as well as vehicle and pedestrian access should be considered. Although a legally dedicated lane, the historic use of the unconstructed lane was part of the former Zellers parking lots. This proposed lane closure has no existing infrastructure or future infrastructure requirements. The existing north/south lane will remain and there is also an existing east/west lane within the block. With these existing lanes remaining open, the proposed closure of this unconstructed lane will not negatively impact vehicle or pedestrian access.

Council gave three readings to the bylaw on May 13, 2024 and notice was placed in the AV News on May 22nd and May 29th to allow persons to make comments to Council before Council considers final adoption of the bylaw. As of the date of this report no comments have been received regarding the lane closure.

IMPLICATIONS

Supporting the proposed lane closure bylaw would enable the sale of the lane and the creation of the proposed development site for a mixed-use building, including approximately 40 residential units.

COMMUNICATIONS

Prior to Council considering final adoption of the bylaw, the City must give notice of its intention to close a lane in accordance with the *Community Charter*. Council must also provide an opportunity for persons who consider they are affected by the bylaw to make representations to Council. Council gave three readings to the bylaw on May 13, 2024 and notice was placed in the AV News on May 22nd and May 29th to allow persons to make comments to Council before Council considers final adoption of the bylaw. As of the date of this report no comments have been received regarding the lane closure.

BYLAWS/PLANS/POLICIES

Lane Closure Bylaw No 5103 must be adopted to close and sell the unconstructed lane. The potential for a major redevelopment of the lands aligns with the goals and strategies within Council’s 2023 – 2027 *Corporate Strategic Plan*:

- 3.1 Highest and best use is made of City owned assets.
- 5.2 Safe and accessible housing options for all members of the community.

SUMMARY

Council may, by bylaw, permanently close and remove a highway dedication. The potential lane closure and sale could facilitate a major redevelopment of the lands at 4th Avenue and Mar Street for a mixed-use building, including approximately 40 residential units. Staff recommends Option 1 to give final adoption to the bylaw.

ATTACHMENTS/REFERENCE MATERIALS

- Proposed Property and Lane Closure Plan
- “City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024”
- [May 13, 2024 Staff Report Pg. 23](#)



J:\Engineering\Planning\Admin-PL\LandItems\RoadClosures\4th and Mar - WoodwardVillage - Lane closure.dwg, 9/1/2023 11:57:28 AM

CITY OF PORT ALBERNI
BYLAW NO. 5103, 2024

A BYLAW TO CLOSE AND CANCEL THE DEDICATION OF PART OF A HIGHWAY

WHEREAS, under Section 40 of the *Community Charter*, the Council of the City of Port Alberni may close all or part of a highway to traffic and remove the dedication of a highway; and

WHEREAS, as required by the *Community Charter*, the Council has posted and published notice of its intention to close the highway referred to in this Bylaw and to remove its dedication as a highway, and has provided an opportunity for persons who consider they are affected by such closure and removal to make representations to Council; and

WHEREAS, the Council does not consider that the closure will affect the transmission or distribution facilities or works of utility operators;

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

1. This Bylaw may be cited for all purposes as “City of Port Alberni Lane Closure [Portion of Lane immediately adjacent to the north of 2866 4th Avenue] and Removal of Dedication Bylaw No. 5103, 2024”.
2. Attached to this Bylaw as Schedule “A” and forming part of this Bylaw is a reduced copy of Reference Plan EPP136571, prepared by Douglas Holme, BCLS and dated the 25th day of March 2024 [the “Reference Plan”].
3. The approximately 180.7 m² portion of lane immediately adjacent to the north of 2866 4th Avenue [the “Closed Lane”] dedicated by Plan 197B, marked with a heavy outline and labelled “Lane to be Closed” on the Reference Plan, is closed to all types of traffic.
4. The dedication as a highway of the Closed Lane is removed and cancelled, effective upon filing of this Bylaw in the appropriate land title office.
5. The Mayor and the Corporate Officer are authorized to execute the necessary documents required to give effect to the intent of this Bylaw.

READ A FIRST TIME this 13th day of May, 2024.

READ A SECOND TIME this 13th day of May, 2024.

READ A THIRD TIME this 13th day of May, 2024.

NOTICE given under Section 91 of the *Community Charter* this 22nd day of May, 2024 and this 29th day of May, 2024.


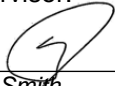
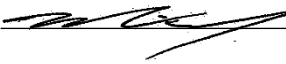
FINALLY ADOPTED this day of , 2024.

Mayor

Corporate Officer



Date: June 3, 2024
File No: 3900-02-5105
To: Mayor & Council
From: M. Fox, CAO
Subject: Zoning Bylaw No. 5105, 2024 | Small-Scale Multi-Unit Housing (SSMUH) Update

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

THAT "Zoning Bylaw No. 5105, 2024" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5105.

PURPOSE

To consider adoption of "Zoning Bylaw No. 5105, 2024" to enable small-scale multi-unit housing (SSMUH), and accessory dwelling units (ADUs), in all single-detached and duplex zones. The intent is to repeal and replace the current "Zoning Bylaw No. 5074, 2023".

BACKGROUND

The City is required to update its zoning bylaw by June 30, 2024 to comply with changes to the *Local Government Act* (LGA) under the *2023 Housing Statutes (Residential Development) Amendment Act (Bill 44)*. Required changes:

1. Allow secondary suites or accessory dwelling units (ADUs) in all single-family or duplex zones.
2. Permit a minimum of 3-4 units of small-scale, multi-unit housing (SSMUH) in single-family or duplex zones (aka "Restricted Zones").

The Ministry of Housing has released a [SSMUH Provincial Policy Manual](#) with guidance for zoning regulations. The City is required to consider the guidance in this manual when drafting SSMUH zoning regulations.

ALTERNATIVES/OPTIONS

1. THAT "Zoning Bylaw No. 5105, 2024" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5105.
2. THAT Council provide alternative direction to staff by resolution.

Staff recommend Option #1.

ANALYSIS

“Zoning Bylaw No. 5105, 2024” proposes several changes that align with guidance provided by the Ministry of Housing in the *SSMUH Provincial Policy Manual*. A detailed list of changes can be found in the May 13, 2024 staff report and its attachments.

Residential Zone Updates

- Consolidation of residential zones (R1, R2, R3, CD1) into a new **R – Primary Residential** zone.
- Consolidation of rural residential zones (RR1, RR2) into a new **RR – Rural Residential** zone.
- Enabling 3 - 4 dwelling units per lot in new **R** and **RR** zones with conditions based on legislative requirements.
- Changes to general regulations, site development regulations, and parking regulations to enable small-scale multi-unit housing.
- If a property is without either water or sanitary sewer service, or is larger than 1 acre (4050 m²) only a single-detached dwelling and secondary suite is permitted (**R** and **RR** zones).

Enabling Updates

Several regulations for residential lots were updated or removed to reduce barriers to SSMUH construction and to manage more dense development. These include:

- Parking requirements reduced
- ADUs and Secondary Suites regulations relaxed
- Laneway regulations updated to support use for SSMUH access.
- Impervious surface and landscaping regulations updated to ensure adequate drainage and greenery.

Infrastructure

The City’s new OCP and subsequent Infrastructure Master Plan will consider the impacts of increased residential density that will result from SSMUH zoning changes. Planning staff are also working on a grant-funded *Complete Communities Assessment* that will estimate the likelihood of SSMUH infill development across Port Alberni.

IMPLICATIONS

Recent changes to the *BC Local Government Act* under Bill 44 require the City to adopt a new Zoning Bylaw by June 30, 2024. The new bylaw must allow small-scale multi-unit housing (SSMUH) and ADUs in zones currently restricted to single-detached and duplex dwellings. The proposed “Zoning Bylaw No. 5105, 2024” meets the legislative requirements and aligns with guidance from the Province.

COMMUNICATIONS

In accordance with section 464.4 of the LGA, a Public Hearing was not held for *Zoning Bylaw No. 5105, 2024* as the sole purpose of the bylaw is to achieve compliance with new legislation (LGA s.481.3). Staff issued public notice and made documents available in-person at City Hall and online. No correspondence was received from the public.

BYLAWS/PLANS/POLICIES

2023-2027 Corporate Strategic Plan

The proposed “Zoning Bylaw No. 5105, 2024” aligns with following Council Strategic Priorities and objectives:

Priority #5 Foster a Complete Community (Safe, Healthy, and Inclusive)

- 5.2 Safe and accessible housing options exist for all members of the community.
- 5.2.1. Develop a complete housing action plan.
- 5.2.2 Explore alternatives to lead the way in developing strategies for accessible housing options for all community members.

BC Legislation and Policy Guidance

The proposed “Zoning Bylaw No. 5105, 2024” and adoption process aligns with the following BC legislation and policy guidance:

- *Bill 44 - 2023 Housing Statutes (Residential Development) Amendment Act:*
https://www.leg.bc.ca/content/data%20-%20ldp/Pages/42nd4th/1st_read/PDF/gov44-1.pdf
- *Local Government Act – Part 14 – Land Use Management:*
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/r15001_14#part14
- SSMUH Provincial Policy Manual
https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/ssmuh_provincial_policy_manual.pdf

SUMMARY

The City is required to update its Zoning Bylaw by June 30, 2024 to comply with legislation enacted by Bill 44, which permits small-scale multi-unit housing (SSMUH), and accessory dwelling units (ADUs), in all single-detached and duplex zones. Staff have reviewed the provincial guidance and drafted zoning regulations to enable SSMUH in the context of Port Alberni.

The proposed *Zoning Bylaw No. 5105, 2024* meets the legislative requirements and over time will create more housing in Port Alberni. Staff recommend the bylaw be adopted.

ATTACHMENTS/REFERENCE MATERIALS

- “Zoning Bylaw No. 5105, 2024”
- [May 13, 2024 Staff Report Pg. 17](#)

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Bylaw No. 5105

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CITY OF PORT ALBERNI

ZONING BYLAW

BYLAW NO. 5105

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

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

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

1. Title

This bylaw may be cited for all purposes as the “Zoning Bylaw No. 5105, 2024” hereinafter referred to as the “Bylaw”.

2. Repeal of Bylaws

Bylaw No. 5074 and all amendments thereto are hereby repealed.

3. Administration

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

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

3.1 Application

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

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

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

3.2 Amendments to the Bylaw

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

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

3.3 Bylaw Administration

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

3.4 Enforcement and Inspection

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

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

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

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

3.5 Contravention

Every person who violates any of the provisions of the Bylaw, or who acts or suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done under the provisions of this Bylaw shall be deemed to be guilty of an infraction of this Bylaw.

3.6 Penalties

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

3.7 Permits and Licences

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

3.8 Severability

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

3.9 Interpretation of Permitted Uses

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

3.10 Non-conformity

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

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

3.11 Siting, Size, and Shape

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

3.12 Measurement Discrepancies

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

3.13 Rounding

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

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

4. Definitions

In this Bylaw unless the context otherwise requires:

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

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

BED AND BREAKFAST	means the <i>use</i> of part of a <i>single detached dwelling</i> for the accommodation of paying overnight transient guests and where breakfast is the only meal which may be served.
BOARDING and LODGING	means a <i>dwelling</i> in which more than 2 <i>sleeping units</i> are rented, with or without meals being provided, to more than 2 and not exceeding 15 persons, other than members of the <i>family</i> of the tenant or owner.
BUILDING	means a <i>structure</i> , which is designed, erected or intended for the support, enclosure, or protection of persons or property. When a <i>structure</i> is divided by <i>party walls</i> located upon <i>lot</i> lines, then each portion of such <i>structure</i> shall be deemed to be a separate <i>building</i> .
BUILDING, FRONT LINE OF	means the furthest extending portion of the <i>building</i> which faces the front line of the <i>lot</i> .
BUILDING INSPECTOR	means the <i>Building Inspector</i> of the City of Port Alberni.
BUILDING, REAR LINE OF	means the furthest extending portion of the <i>building</i> which faces the rear line of the <i>lot</i> .
BUILDING, TEMPORARY	<p>means and includes:</p> <p>(1) any <i>building</i> (except a <i>garage</i> or other <i>accessory building</i>) not having its exterior walls supported on continuous concrete or masonry foundation or walls.</p> <p>(2) notwithstanding clause (1) above, a <i>temporary building</i> shall also include boat shelters, bunkhouses, skid shacks, huts, tents, trailers, custom built mobile units or any other similar type of portable <i>building</i> or <i>structure</i>, whether or not the same be placed on foundations or affixed to the land in any way.</p> <p>a <i>temporary building</i> shall not be construed to include permanent prefabricated residential <i>dwelling</i>s, industrial, warehouse or <i>storage buildings</i> which conform to the construction standards specified in the <i>Building Bylaw</i>.</p>
CAMPGROUND	means a site operated and occupied for part of the year only as temporary accommodation for short term, transient holiday makers in <i>recreational vehicles</i> , wheeled trailers or tents. A <i>campground</i> does not include mobile-home park, <i>motel</i> , <i>hotel</i> , or <i>motor hotel</i> .
CAMPING SITE	means a part of a <i>campground</i> where one wheeled trailer, <i>recreational vehicle</i> , or tent is intended to be located.
CANNABIS	means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and

any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marijuana shall have the same definition.

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

CARTAGE AND DELIVERY	means <i>use of a building or structure</i> by businesses engaged in local trucking, parcel delivery, and similar operations, but excludes the operation of freight trucking terminals.
CELLAR	means that portion of a <i>building</i> between two floor levels the lower of which is wholly below <i>grade</i> and which has more than one half of its height, from finished floor to finished ceiling, below finished <i>grade</i> as determined by the <i>Building Inspector</i> .
CITY ENGINEER	means the <i>City Engineer</i> of the City of Port Alberni.
CLUB OR LODGE	means a <i>building</i> or establishment <i>used</i> by an association or organization for fraternal, social or recreational purposes and which shall be operated for the <i>use</i> of club members and their guests only.
COMMUNITY CARE FACILITY	means any facility licensed or having an interim permit under the <i>Community Care and Assisted Living Act</i> or related regulations, including hospice, all facilities providing residential care for three or more children, youth, adults, or seniors, and all other facilities caring for three or more children who are not related to the operator by blood or marriage. This includes: Group Day Care, <i>Family Day Care</i> , <i>Nursery School</i> and Child-Minding Facilities, Facilities for Out-of-School Care, Specialized Day Care Facilities and Facilities for Residential Care for Children.
COMMUNITY GARDEN	means a non-commercial facility for the cultivation of fruits, flowers, vegetables, or ornamental plants.
CONTRACTOR'S SHOP	means an enclosed space <i>used</i> for the housing and/or operating of machinery, the provision of services, the fabrication of <i>building</i> -related products, interior storage, and may include the contractor's business <i>office</i> and exterior storage.
CONVENIENCE STORE	means a commercial <i>retail</i> outlet not exceeding 200 m ² (2,153 ft ²) in gross <i>retail</i> floor area selling food, beverage and other household convenience items for off-site consumption.
COUNCIL	means the City Council of the City of Port Alberni.
DORMITORY	means a <i>building</i> or portion thereof in which <i>sleeping units</i> are provided and/or rented by an institution, agency or industry, and which is regulated and maintained by such body. It may include commercial dining facilities.
DRIVE-IN/DRIVE-THROUGH	means a commercial establishment with facilities for accommodating and servicing customers travelling in motor vehicles, where customers remain in their vehicles and obtain goods. Does not include car washing, drive-in theatres, or gasoline service stations.

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

**FLOOR AREA,
GROSS**

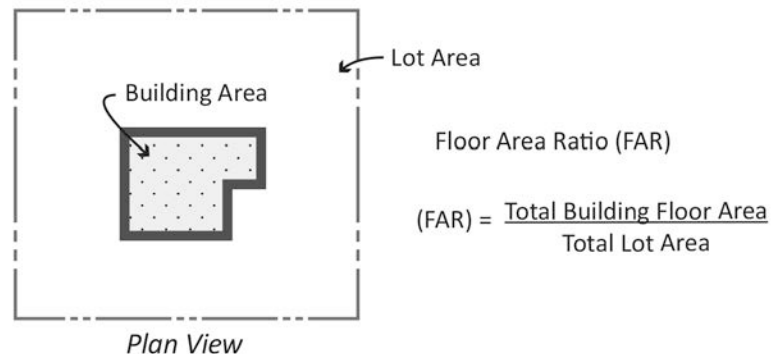
means the total of all floors when measured from the outer wall of the *building*, including all suites or *dwelling units* and all areas giving access such as corridors, hallways, landings, foyers, staircases, and stairwells. Enclosed balconies, mezzanines, porches, verandas, and elevator shafts shall be included.

**FLOOR AREA
RATIO**

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

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

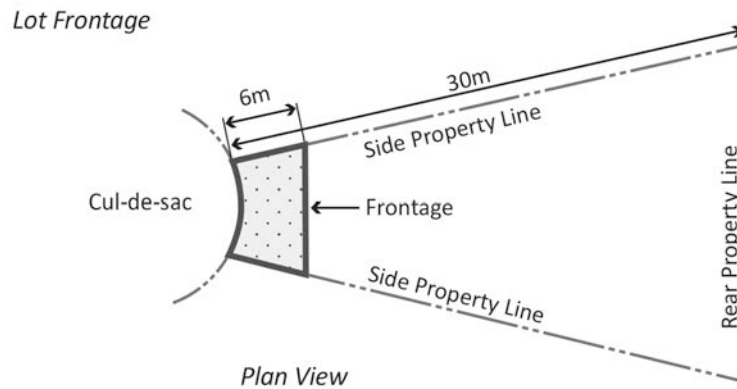
Floor Area

**FOREST
MANAGEMENT**

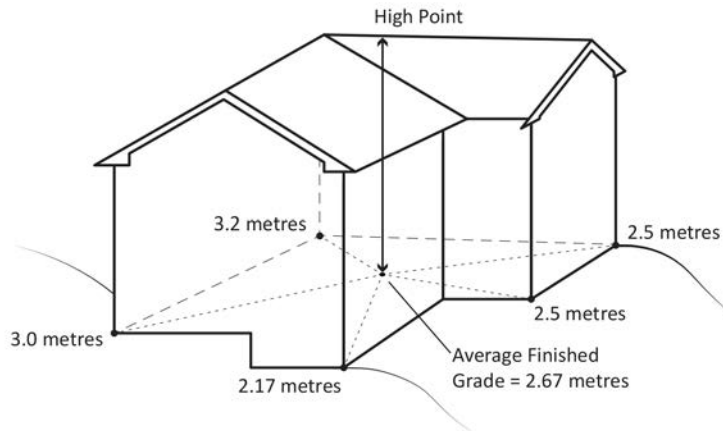
means the management of forests for the production of wood and to provide outdoor recreation, to maintain, restore or enhance environmental conditions for wildlife and for the protection and production of water supplies.

FRONTAGE

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



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



- HELIPAD** means an area, either at ground level or elevated on a *building* or structure, licensed by the federal government, and approved for the loading, landing and takeoff of helicopters.
- HOME OCCUPATION** means an occupation or *use* which is ancillary or secondary to a permitted residential *use* in accordance with the provisions of this Bylaw (Section 6.15).
- HOTEL** means a commercial *building* containing more than six *sleeping units* to provide temporary accommodation for the travelling public. *Sleeping units* may contain microwave, bar fridge, coffee makers and in no case shall *sleeping units* be used for any other commercial *use*. *Sleeping units* shall have separate entrances through a common hallway include ancillary amenities such as fitness rooms, pools and restaurants.
- HOUSEHOLD** means an individual or two or more people related by blood, marriage, adoption or foster parenthood or 5 unrelated non-transient people living as a single group within a *dwelling unit*.
- HOUSING AGREEMENT** means an agreement between a property owner and the City as defined in Section 483 of the *Local Government Act*.
- IMPERMEABLE SURFACE** means a surface which:
- either prevents or impedes the entry of water into the soil mantle as under natural conditions prior to development; and/or
 - a hard surface area which causes water to run off the surface in greater quantities or at a rate of flow greater than those present under natural conditions prior to development.

A surface will be considered impermeable when the runoff coefficient is calculated to be greater than 0.3, as per the following table.

Surface	Runoff Coefficient
Concrete	0.8-0.95

Shingle Roof		0.75-0.95
Asphalt		0.7-0.95
Brick Pavers (12mm joint or less)		0.7-0.95
Turfstone		0.25
Uni Eco-Stone (with permeable joints)		0.25
Grasspave		0.1-0.25
Lawns, poor drained (clay soil)	Over 7% slope	0.25-0.35
	2-7% slope	0.18-0.22
	Up to 2% slope	0.13-0.17
Lawns, well drained (sandy soil)	Over 7% slope	0.15-0.2
	2-7% slope	0.1-0.15
	Up to 2% slope	0.05-0.1
Forested		0.059-0.2

Surfaces other than those listed in the table are to be presented to the City for approval with all applicable support material such as historical and manufacturer details outlining the proposed runoff coefficient and surface designation. All manufactured surfaces are to be installed with permeable joints and base material. The base material is to be to a depth recommended by the manufacturer to ensure sufficient infiltration and storage.

INTERNAL ROADWAY

means a private road or driveway which affords access to a *lot* from a *street*, excluding *parking lots*, *parking spaces*, and *loading spaces*.

JUNK YARD

means an area outside of an enclosed *building* where junk, or *used*, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A junk yard shall not include the sale, purchase or storage of *used* furniture or any *manufacturing* operations.

KENNEL

means any *building*, *structure*, compound, group of pens, or cages, or land on or in which 3 or more dogs or cats are or are intended to be trained, cared for, bred, boarded, or kept for any purpose whatsoever, and shall include any *building* or part thereof in which 2 or more dogs are kept for breeding purposes.

LANDSCAPE BUFFER

means a *landscaped* area intended to separate two adjacent land *uses* or properties, and to partially obstruct the view or block noise, lights or other nuisances.

LANDSCAPING AND LANDSCAPED

means the planting of lawns, shrubs and trees, and the addition of fencing, walks, drives, or other *structures* and materials so as to enhance the appearance of a property or where necessary to effectively screen a *lot*, site or *storage yard*. NOTE: *Landscaping* may be subject to Development Permit guidelines.

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

- where a *lot* is divided by a public way such as a dedicated road, *lane* or walkway, both sides of such public way shall be considered as *front lot lines*.

LOT LINE, REAR	means the boundary line of a <i>lot</i> furthest from and opposite to the <i>front lot line</i> , except that there shall not be more than one <i>rear lot line</i> .
LOT LINE, SIDE	means a boundary line of a <i>lot</i> connecting front and <i>rear lot lines</i> .
LOT, STRATA	means a <i>lot</i> shown on a strata plan.
LOT, THROUGH	means a <i>lot</i> abutting two parallel or approximately parallel <i>streets</i> .
LOT WIDTH	means the distance between the <i>lot</i> lines connecting front and <i>rear lot lines</i> at each side of the <i>lot</i> , measured across the rear of the required <i>front yard</i> .
MANUFACTURING	means large scale processing of raw materials to produce goods or products and includes assembly of component parts. Does not include boiler and plate work, cement manufacturing, metal fabrication, paper manufacturing, sawmill, pulp mill, or ship <i>building</i> .
MARINA	means an establishment, including <i>buildings</i> , structures and docking facilities, and located on and adjacent to a navigable body of water, and used for the mooring, berthing and storing of boats and marine equipment, and may include facilities for the sale, rental and repair of boats and accessory marine crafts.
MARKET GARDEN, URBAN	means the <i>use</i> of land on a limited scale for the growing, harvesting and selling of fruits, vegetables, edible plants and the like but specifically excludes the growing of mushrooms. See related regulations in Section 6.25.
MARKET HOUSING	means housing that is privately owned by an individual (or a company) who generally does not receive direct subsidies to purchase or maintain it. Prices are set by the private market.
MARQUEE	means a permanent roofed <i>structure</i> attached to or supported by a <i>building</i> and projecting over public or private sidewalks or right-of-way.
MEDICAL MARIJUANA FACILITY	means a <i>building</i> or <i>structure</i> , approved and licensed by Health Canada, for the production and/or packaging and/or laboratory testing of marijuana, but specifically excludes storefront or <i>retail</i> outlet distribution of medical marijuana.
MEDICAL SERVICES	means health professions and services such as, but not limited to doctors, dentists, chiropractors, osteopaths, registered nurses, physio and massage therapists; includes clinics and health labs.
MICRO-BREWERY/ MICRO-DISTILLERY	means a facility, for the manufacturing of beer, cider or spirits, that produces less than 10,000 hectolitres per year and is licensed under a Manufacturing

License by the Province of British Columbia and may include the following *accessory uses*: wholesaling of, tours of, retail sales of, and tasting of beer, cider or spirits produced on-site.

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

PARKING SPACE	means a space on a driveway for single, semidetached and townhouses, or within a <i>building</i> , or a <i>parking lot for multi-residential uses</i> , for the parking of one vehicle, excluding ramps, and <i>access aisles</i> .
PARKING SPACE, ACCESSIBLE	means the design and construction of a <i>parking space</i> in a manner that is <i>accessible</i> and useable by persons with special needs and including features which are complementary to the BC Building Code such as a marked pedestrian aisle.
PARTY WALL	means a wall jointly owned and/or shared by two or more parties as defined in the BC <i>Building Code</i> .
PERSONAL SERVICE	means establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal services may include activities such as dry cleaning, laundry, linen supply, diaper service, beauty shops, barbershops, shoe repair, funeral home, steam baths, fitness centres, health clubs, and, animal grooming services.
PLACE OF WORSHIP	means a church, temple, mosque, synagogue and the like, but excludes <i>schools</i> .
POLICE STATION	means a facility containing offices, detainment areas, laboratories and related ancillary facilities for the police in carrying out their duties of maintaining law and order.
PORCH, OPEN	means an unenclosed projection from the main wall of a <i>building</i> that may or may not <i>use</i> columns or other ground supports for structural purposes.
POULTRY	means domesticated birds kept for eggs, meat, feathers, hide, or other related purposes, and includes Cornish hens, layers, meat birds, breeding stock, replacement pullets, roasters, or ducks. On properties <i>zoned</i> to permit <i>agriculture</i> , also includes geese, turkeys, game birds, and <i>ratites</i> .
PRINCIPAL BUILDING	means a <i>building</i> in which the principal use of the lot on which the <i>building</i> is located is conducted.
PRINCIPAL USE	means the main or primary use of a premise that is provided for in the list of permitted uses in the zones in this Bylaw.
PRINTING, PUBLISHING AND ALLIED INDUSTRY	means a facility for the printing, publishing, engraving, or copying of papers, plans and newsprint.
PROFESSIONAL SERVICE	means an <i>office</i> that is used for work involving specialized areas of expertise and advice to clients. Professional services may include engineering, accounting, marketing, graphic design, architecture, realty, and financial and legal services.

PUBLIC MARKET	means a market held in an open area or in a <i>structure</i> where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.
PUBLIC UTILITY	<p>means a system, works, plant, operative stationary equipment or service which furnishes services and facilities, available to or for the <i>use</i> of all the inhabitants of the City, including but not limited to:</p> <ol style="list-style-type: none">(1) communication by way of telephone or cable or satellite;(2) public transportation by bus or trolley coach;(3) production, transmission, delivery or furnishing of water, gas or electricity to the public at large; and(4) collection and disposal of sewage, garbage and other wastes. <p>a public utility can be owned or operated by or for the City or by a corporation under agreement with or a franchise from the City or under a federal or provincial statute.</p>
PUBLIC UTILITY, UNATTENDED	means a utility <i>use</i> where no employee is required to be on the site except for required repair and maintenance needs.
RATITE	means a bird that has small or rudimentary wings and no keel to the breastbone, and includes ostriches, rheas, and emus.
RECREATIONAL VEHICLE	means a vehicle requiring a licence and designed to be used for temporary living and travel, recreation or vacationing and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes, boats, snowmobiles, or other similar vehicles but does not include manufactured home.
RETAIL	means a <i>building</i> or part thereof in which foods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public. Does not include pawn shops or <i>adult retail</i> .
RESIDENTIAL RENTAL TENURE	means in relation to a <i>dwelling unit</i> in a multi-family residential <i>building</i> or multiple dwelling, a tenancy governed by a tenancy agreement that complies with the Residential Tenancy Act.
RESTAURANT	means a business establishment where food and beverages are prepared, served and consumed on the premises, and includes facilities for ordering and pick-up for consumption off-site. A restaurant may include dining establishments issued a food primary license pursuant to the Liquor Control and Licensing Act.
ROOF AREA	means the horizontal area of a roof regardless of the style or slope of the roof.

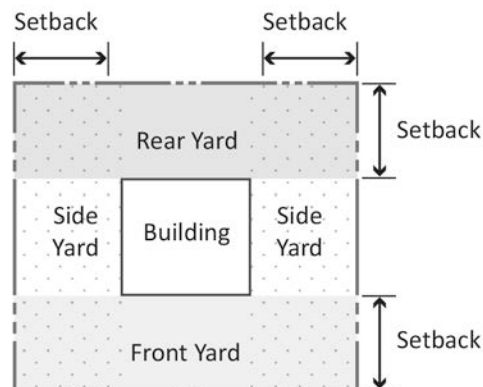
SCHOOL	means a school, providing an educational program offered by a district pursuant to the School Act, an Independent School pursuant to the Independent School Act, or a college or community college or educational facility as certified under the Private Training Act and/or constituted and established pursuant to a provincial statute.
SCREENING	means a continuous tight-board <i>fence</i> or wall uniformly finished or a compact evergreen <i>hedge</i> or combination thereof, supplemented with <i>landscape</i> planting, that would effectively screen the property which it encloses, and is broken only by access driveways and walkways.
SECONDARY SUITE	means a <i>dwelling</i> unit that is contained within and accessory to a single real estate entity and is comprised of one or more habitable rooms, intended for <i>use</i> as a separate and independent residence. A secondary suite contains sleeping facilities, a bathroom, and cooking facilities that are for the exclusive <i>use</i> of the occupant(s) of the suite.
SETBACK	means the required minimum distance between a <i>building</i> or <i>use</i> and each of the respective <i>lot</i> lines.
SHOPPING CENTRE	means a group of <i>retail</i> stores and related businesses, which may include restaurants, <i>personal services</i> , <i>offices</i> , and veterinary clinics, in one or more <i>buildings</i> designed as an integrated unit, together with its ancillary parking and <i>landscaped</i> areas.
SLEEPING UNIT	means one or more habitable rooms <i>used</i> or intended to be <i>used</i> for sleeping, or sleeping and living purposes, but not including a kitchen sink or cooking facilities. A bathroom containing a water closet, wash basin and a bath or shower may be shared.
SMALL REPAIRS	means the repair of small items such as instruments, jewellery, small appliances.
SOCIAL SERVICE CENTRE	means a <i>building used</i> for administrative purposes and to provide information, referral, counselling and advocacy services.
STEWARDSHIP CENTRE	means a building, open to the public, that includes exhibits, interpretive and educational activities related to local ecological resources through public education, planning, events, research and management.
STORAGE BUILDING	means a <i>building</i> where the <i>principal use</i> is the storage of goods, wares, merchandise, substances, articles or other items.
STORAGE YARD	means an area outside of an enclosed <i>building</i> where contractors' or construction materials and equipment, solid fuels, lumber and new <i>building</i> materials, monuments and stone products, public service and utility equipment,

or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, as a principal or an *accessory use*. A storage yard does not include an *automobile wrecking yard* or a *junk yard*.

STREET	means a public highway, road or thoroughfare which affords the principal means of access to abutting <i>lots</i> .
STRUCTURE	means anything constructed or erected, the <i>use</i> of which requires location on the ground or attachment to something having location on the ground but shall not include walls less than 1.5 m (4.9 ft) in height or <i>fences</i> that do not exceed the height permitted in the <i>zone</i> in which they are located.
SUBSIDIZED HOUSING	means all types of housing that receive subsidy or rental assistance for those living in the private market from public sources (be they federal, provincial/territorial, or municipal).
SUBDIVISION APPROVING OFFICER	means an Approving Officer appointed by the <i>Council</i> under the <i>Land Titles Act</i> .
SUPPORTIVE HOUSING	means housing that has no limit on length of stay, is purpose-designed <i>building</i> that provides ongoing supports and services to individuals who cannot live independently.
THEATRE	means a <i>building</i> or part thereof devoted to dramatic, dance, musical or other live performances.
TRANSITION HOUSE	means a facility providing temporary accommodation and/or counselling to persons in need or distress. Facilities operated under the <i>Community Care Facilities Act</i> , <i>Correction Act</i> or <i>Mental Health Act</i> are not included in this definition.
TRANSITIONAL HOUSING	provides housing for more than 30 days up to three years that includes provision of support services, on or off site, to help individuals move towards independence and self-sufficiency. This form of housing is often called second stage housing.
TRANSPORTATION DISPATCH AND DEPOT	means a transportation centre. Includes taxi dispatch, bus terminals, and other similar <i>uses</i> .
UNDERGROUND PARKING	means an area devoted exclusively for parking vehicles and is located beneath a principal <i>building</i> which is completely enclosed and exclusively devoted to parking vehicles. This area shall not be considered a <i>storey</i> .

USEABLE OPEN SPACE	means a level, unobstructed area or areas, available for safe and convenient <i>use</i> by all the <i>building's</i> users and occupants providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas <i>used</i> for off-street parking, off-street loading, service driveways, public walkways, and required <i>front yards</i> .
USE	means the purpose for which any <i>lot</i> , parcel, tract of land, <i>building</i> or <i>structure</i> is designed, arranged or intended, or for which it is occupied or maintained.
VIDEO RENTAL STORE	means a business where the primary activity is to rent or sell videos, DVD's, video games, and related items.
WHOLESALE	means a business establishment devoted to wholesale sales, being: the sale of goods, commodities and merchandise to retail distributors; to other wholesale distributors; to industrial, commercial, institutional or professional business users; or acting as <i>agents</i> or brokers and buying or selling goods, commodities and merchandise for incorporation and assembly into other products.
YARD, FRONT	means that portion of the <i>lot</i> , extending from one <i>side lot line</i> to the other, between the front line of the <i>lot</i> and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the front line of the <i>lot</i> and the parallel line. In the case of a <i>through lot</i> there shall be two such <i>front yards</i> .
YARD, REAR	means that portion of the <i>lot</i> , extending from one <i>side lot line</i> to the other, between the rear line of the <i>lot</i> and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the rear line of the <i>lot</i> and the parallel line.

Yard Setbacks



YARD, REQUIRED	means the minimum front, rear, or <i>side yard</i> specified for each <i>zone</i> .
YARD, SIDE	means that portion of the <i>lot</i> , extending from the <i>front yard</i> to the <i>rear yard</i> between the side line of the <i>lot</i> and a line drawn parallel thereto. The width of

such yard shall mean the perpendicular distance between the side line of the said *lot* and the parallel line.

ZONE

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

5. Establishment of Zones

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

A1 – Agriculture
 FD – Future Development
 RR – Rural Residential
 R – Primary Residential
 RM1 – Low Density Multi-Residential
 RM2 – Medium Density Multi-Residential
 RM3 – Higher Density Multi-Residential
 MH1 – Mobile and Modular Homes
 C1 – Neighbourhood Commercial
 C2 – General Commercial
 C3 – Service Commercial
 C4 – Highway Commercial
 C5 – Transitional Office
 C6 – Gaming Centre
 C7 – Core Business
 C8 – Commercial Recreation
 C9 – Commercial Guest House
 M1 – Light Industry
 M2 – Medium Industry
 M3 – Heavy Industry
 M4 – Utilities
 P1 – Institutional
 P2 – Parks and Recreation
 W1 – Waterfront Commercial
 W2 – Waterfront Industrial
 TH1 – Townhouse Multi-Family
 CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street
 CD3 – Comprehensive Development – Multi-Family Residential Infill – 4835 & 4825 Burde St. and 3614 & 3618 5TH Ave.
 CD4 – Comprehensive Development – 3830 5th Avenue
 CD5 – Comprehensive Development - 3045, 3053, 3063 Kingsway Avenue

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

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

5.3 Zoning Map

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

5.4 Zone Boundaries

5.4.1 Where a *zone* boundary is shown on the zoning map as following a road allowance or a watercourse, the centre line of such road allowance or watercourse shall be the *zone* boundary.

5.4.2 Where a *zone* boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of such boundary shall be determined by the *use* of a scale ruler on the Zoning Map.

5.4.3 Where land that originally formed part of a highway is consolidated with a *lot*, such land shall be deemed to have the same *zone* designation as the augmented *lot*.

5.5 Permitted in all Zones

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

5.5.1 *Accessory Buildings and Structures*

5.5.2 Public parks and playgrounds

5.5.3 *Unattended Public Utility Use*

5.5.4 *Community Gardens*

5.5.5 *Market Gardens*

5.5.6 Natural areas

5.5.7 Daycare or other preschools

5.6 Zone Abbreviations

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

A1 – AGRICULTURE

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

5.7.1 Permitted Uses

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

Principal Uses

Agriculture, except for *intensive agricultural uses*

Aviary

Garden shop, nursery, and *landscape* supplies

Kennel

Single detached dwelling

Accessory Uses

Bed and breakfast

Farm market operation

Farm sales

Guest house

Home occupation

Housing for farm labour

Secondary suite

Supportive housing

5.7.2 Site Development Regulations

Minimum <i>Lot Area</i>	2 ha	(4.94 ac)
Minimum <i>Frontage</i>	100 m	(328 ft)
Maximum <i>Coverage</i>	40%	
Maximum <i>Coverage</i> : Greenhouse operations	75%	
Minimum <i>Setbacks</i> (Principal Residence):		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	4 m	(13.1 ft)
Maximum <i>Height</i> , Residence	10 m	(32.8 ft)
Maximum <i>Height</i> , <i>Livestock Building</i>	15 m	(49.2 ft)
Maximum Number of <i>Building Storeys</i>	2.5	
Maximum number of residential units per <i>lot</i>	2	

5.7.3 Conditions of Use

- a) Notwithstanding the provisions of 5.7.2, farm market operations shall be limited to a maximum of 200 m² (2,153 ft²) of *gross floor area*.
- b) A minimum of 50% of the farm market operations *retail* floor space shall sell farm products produced on-farm or by farms in the vicinity. No more than 50% of the *farm sales* floor space may be *used* for the display and sale of other products, e.g. crafts, agricultural products from outside of the local area, or other products for *retail* sale.

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

FD – FUTURE DEVELOPMENT

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

5.8.1 Permitted UsesPrincipal Uses*Agriculture*, except for *intensive agricultural uses**Kennel**Single detached dwelling*Accessory Uses*Bed and breakfast**Home occupation**Secondary suite***5.8.2** Site Development Regulations

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

5.8.3 Conditions of Use

- a) The maximum *coverage* calculation shall include greenhouses.
- b) Notwithstanding the provisions of 5.8.2, all *buildings, structures*, cages, pens or runs *used* for *kennels*, aviaries and the keeping of bees, shall be located not less than 25 m (82 ft) from all *lot* lines, and not less than 9 m (29.5 ft) from a *dwelling* situate on the same *lot*.
- c) *Lots* less than 0.4 ha (1 ac) in area shall not be *used* for the keeping of cows, goats, horses, pigeons, or other animals, except as provided for in Section 6.23 of this Bylaw.
- d) An area of not less than 0.2 ha (0.5 ac) shall be made available for the keeping of each horse, cow, goat, sheep, or other similar animal.

RR – RURAL RESIDENTIAL

- 5.9 The purpose of this zone is to provide for gentle density and small-scale multi-unit residential development of a semi-rural character.

5.9.1 Permitted UsesPrincipal Uses*Single detached dwelling**Semi-detached dwelling**Multi-residential dwellings**Aviary**Kennel**Agriculture, except intensive agriculture uses*Accessory Uses*Home occupation**Accessory Dwelling Unit**Secondary Suite**Bed and breakfast**Supportive Housing*Site Specific Uses

A second single detached dwelling, or a semi-detached dwelling

5.9.2 Site Development Regulations

Minimum Lot Area	1100 m ²	(11840 ft ²)
Minimum Frontage	20 m	(65.6 ft)
Maximum Number of Dwelling Units per Lot	4	
Maximum Coverage	40%	
Minimum Setbacks:		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	6 m	(19.7 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum Height, Principal Building	11 m	(36.1 ft)
Maximum Impermeable Surface Area	60%	

5.9.3 Conditions of Use

- a) Notwithstanding the provisions of 5.9.2:
- (i) On a *corner lot*, the *side yard* by the flanking street must be not less than 3 m (9.8 ft) wide.
 - (ii) For *principal buildings* having no carport or attached *garage* and with no access to the rear or the side of the lot from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one side yard.
 - (iii) Internal roadways that access more than two dwelling units are excluded from the calculation of maximum *impermeable surface* area.
- b) Groups of *single* and *semi-detached dwellings* are permitted, as an exception to Section 6.1 of this bylaw.

- c) Any combination of *dwelling units* is permitted on a lot so long as a *principal building* is present on the lot.
- d) Notwithstanding Sections 5.9.1 and 5.9.2, any lot that is larger than 4,050 m² (1 ac) or not connected to municipal water and sanitary sewer services is limited to one *single-detached* dwelling plus *secondary suite*.
- e) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- f) *Lots* less than 0.4 ha (1 ac) in area shall not be *used* for the keeping of cows, goats, horses, pigeons, or other animals, except as provided for in Section 6.23 of this Bylaw.
- g) An area of not less than 0.2 ha (0.5 ac) shall be made available for the keeping of each horse, cow, goat, sheep, or other similar animal.
- h) *Kennels*, aviaries and greenhouses are only permitted on *lots* greater than 8,000 m² (2 acres) in size.
- i) *Agriculture uses* are only permitted on *lots* greater than 0.4 ha (1 ac).

5.9.4 Site Specific Uses

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

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

R – PRIMARY RESIDENTIAL

- 5.10** The purpose of this *zone* is to provide for gentle density and small-scale multi-unit residential development.

5.10.1 Permitted UsesPrincipal Uses*Single detached dwelling**Semi-detached dwelling**Multi-residential dwellings*Accessory Uses*Home occupation**Accessory Dwelling Unit**Secondary Suite**Bed and Breakfast**Supportive Housing***5.10.2** Site Development Regulations

Minimum <i>Lot Area</i>	280 m ²	(3,014 ft ²)
Minimum <i>Frontage</i>	10 m	(32.8 ft)
Maximum Number of <i>Dwelling Units</i> per Lot	4	
OR on lots less than 280 m ² (3,014 ft ²)	3	
Maximum <i>Coverage</i>	60%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	3 m	(9.8 ft)
<i>Rear yard</i>	5 m	(16.4 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum <i>Height</i> , Principal Building	11 m	(36.1 ft)
Maximum <i>Impermeable Surface Area</i>	70%	

5.10.3 Conditions of Use

- a) Notwithstanding the provisions of 5.10.2:
- (i) On a *corner lot*, the *side yard* by the flanking street must be not less than 3 m (9.8 ft) wide.
 - (ii) For *principal buildings* having no carport or attached *garage* and with no access to the rear or the side of the lot from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one side yard.
 - (iii) *Internal roadways* that access more than two *dwelling units* are excluded from the calculation of maximum *impermeable surface area*.
 - (iv) The maximum *impermeable surface area* when a *lot* contains three or more *dwelling units* is 75%.
- b) Groups of single and *semi-detached dwellings* are permitted, as an exception

- to Section 6.1 of this bylaw.
- c) Any combination of *dwelling units* is permitted on a lot so long as a *principal building* is present on the lot.
 - d) Notwithstanding Sections 5.10.1 and 5.10.2, any lot that is larger than 4,050m² (1 ac) or not connected to municipal water and sanitary sewer services is limited to one *single-detached* dwelling plus *secondary suite*.
 - e) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).

RM1 – LOW DENSITY MULTI-RESIDENTIAL

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

5.11.1 Permitted UsesPrincipal Uses

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

Accessory Uses

Home occupation

5.11.2 Site Development RegulationsMinimum *Lot Area*

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

Minimum *Frontage*

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

Maximum *Coverage* 40%

Minimum *Setbacks*:

<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)

Maximum *Floor Area Ratio* 0.5

Maximum *Height, Principal Building* 10 m (32.8 ft)

5.11.3 Conditions of Use

- a) The principal access to each *dwelling* unit shall be from an outdoor area.
- b) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- c) Site development for single and *semi-detached dwellings* must be in accordance with the R zone regulations provided in Sections 5.10.2 and 5.10.3.

RM2 – MEDIUM DENSITY MULTI-RESIDENTIAL

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

5.12.1 Permitted UsesPrincipal Uses*Boarding and lodging**Community care facility**Multi-residential dwellings**Single detached dwelling**Semi-detached dwelling*Accessory Uses*Home occupation***5.12.2** Site Development Regulations

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

5.12.3 Conditions of Use

- a) Notwithstanding the provisions of 5.12.2, *useable open space* shall be provided on the *lot* of not less than 45 m² (484.4 ft²) for each *dwelling* unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling* unit of smaller size.
- b) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this Bylaw.
- c) Site development for *single detached* and *semi-detached dwellings* must be in accordance with the R zone regulations provided in Sections 5.10.2 and 5.10.3.

RM3 – HIGH DENSITY MULTI-RESIDENTIAL

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

5.13.1 Permitted Uses

Principal Uses

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

Accessory Uses

Home occupation

5.13.2 Site Development Regulations

Minimum *Lot Area*

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

Minimum *Frontage*

Multi-residential dwelling 30 m 98.4 ft

Maximum *Coverage*

50%

Minimum *Setbacks*:

Front yard 6 m (19.7 ft)

Rear yard 9 m (29.5 ft)

Side yard 5 m (16.4 ft)

Maximum *Floor Area Ratio*

1.2

Maximum *Height, Principal Building*

14 m (45.9 ft)

5.13.3 Conditions of Use

- a) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this Bylaw.
- b) Site development for single and *semi-detached dwellings* must be in accordance with R zone regulations provided in Sections 5.10.2 and 5.10.3.

5.13.4 Site Specific Uses

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

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
<u>Accessory Uses:</u> <i>Hostel</i> <i>Restaurant</i> <i>Pub</i> <i>Assembly</i>	4815 Argyle Street	<i>Lot 7, Block 41, District Lot 1, Alberni District, Plan 197B (PID: 009-251-162) and Parcel A, Block 41, Plan VIP197B, Alberni Land District (Being a consolidation of Lots 8 & 9, See FB348042)</i>

<i>'Maximum Height, Principal Building'</i> <i>= 18 m (59 ft); and</i> <i>'Maximum Number of Building Storeys'</i> <i>= 5</i>	<i>4202 and 4238 8th Avenue</i>	<i>4202 8th Avenue – Lot 10, District Lot 1, Alberni District, Plan VIP18042; and</i> <i>4238 8th Avenue – Lot 11, District Lot 1, Alberni District, Plan VIP18042</i>
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MH1 – MOBILE AND MODULAR HOMES

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

5.14.1 Permitted UsesPrincipal Uses*Mobile home**Modular home**Modular- or mobile-home park*Accessory UsesCommon recreation area or *building**Home occupation**Single detached dwelling* (1) for owner or operator of *modular- or mobile-home park***5.14.2** Site Development Regulations for Mobile- and Modular-Home Parks

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

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

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

Minimum *Frontage*

for single wide	11 m	(36 ft)
for double wide	14 m	(46 ft)

Minimum *Site Area*

for single wide	260 m ²	(2800 ft ²)
for double wide	350 m ²	(3765 ft ²)

Minimum *Setbacks*:

<i>Front yard</i>	3 m	(9.8 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
<i>Rear yard</i>	2.5 m	(8.2 ft)
Maximum <i>Site Coverage</i>	40%	

- b) *Setbacks* pertaining to each surveyed or clearly and permanently marked *mobile- or modular-home location* or established space are in addition to those specified in 5.14.2.

5.14.4 Conditions of Use

- a) Notwithstanding the provisions of 5.14.2, a *lot* complying with the minimum *lot area* requirements may be subdivided to create *strata lots* for individual mobile or *modular homes* in accordance with the standards for mobile- or *modular-home* spaces, as set out in 5.14.3 of this *zone*.
- b) The yard *setbacks* set forth in the Site Development Regulations, Section 5.14.2, shall be *used* as a buffer area, with *uses* within these *setbacks* limited to the provision of open or *landscaped* areas and access crossings.
- c) Not less than five percent (5%) of the total *lot area* shall be set aside as a recreation or open space area *accessible* to all residents. This area shall not include any *required yards*.
- d) For a mobile- or modular-home site located on a corner, the *side yard* against the flanking internal roadway shall be a minimum of 3.5 m (11.5 ft).
- e) Notwithstanding any other provision of this Bylaw, *accessory buildings* situated upon a mobile- or modular-home space shall not exceed 20 m² (215 ft²) in area nor 4 m (13.1 ft) in *height* and may be located not less than 1 m (3.3 ft) from the side or *rear lot line* at the site when located to the rear of the mobile or modular home.
- f) Where a porch is less than 10 m² (107.6 ft²) in area or a carport is attached to a mobile home, the porch or carport may project up to 1.5 m (4.9 ft) into a required 3 m (9.8 ft) *side yard*.
- g) Internal roadways shall be a minimum of 8 m (26.2 ft) in width. Each modular-home/mobile-home park space shall have access to a roadway.
- h) Each mobile- and modular-home space shall have its boundary clearly and permanently marked.
- i) Notwithstanding minimum width requirements established elsewhere in this Bylaw, the minimum width of a modular home shall be 5.0 m (16.4 ft).

C1 – NEIGHBOURHOOD COMMERCIAL

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

5.15.1 Permitted UsesPrincipal Uses*Artist's studio**Community care facility**Live-work**Medical service**Office**Personal service**Professional service**Restaurant (not drive-through)**Retail*Accessory Uses*Dwelling unit(s)* above or behind a permitted commercial useSite-Specific Uses*Gasoline service station***5.15.2** Site Development Regulations

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

5.15.3 Conditions of Use

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

5.15.4 Site Specific Uses

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

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

C2 – GENERAL COMMERCIAL

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

5.16.1 Permitted Uses

Principal Uses

Amusement establishment
Appliance repair
Artist's studio
Assembly
Automotive sales, repair and servicing
Bakery
Bank or other financial institution
Cannabis Retail Store, subject to Section 6.2
Club or lodge
Community care facility
Daycare or other preschool
Gasoline service station
Live-work
Medical service
Multi-residential dwelling
Office

Principal Uses (continued)

Pawn shop
Personal service
Place of worship
Professional service
Public market
Restaurant, including drive-through
Retail
School
Senior's housing
Shopping centre
Small appliances and electronics, sales, and repair
Social service centre
Veterinary clinic

Accessory Uses

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

Site Specific Uses

Liquor, Wine, and Beer Store

5.16.2 Site Development Regulations

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

<i>Rear yard</i>	3 m	(10 ft)
<i>Side yard</i>	1.5 m	(5 ft)
Maximum <i>Height</i> , Principal <i>Building</i> (on lots less than 1,120 m ²)	9 m	(29.5 ft)
Maximum <i>Height</i> , Principal <i>Building</i> (on lots 1,120 m ² or greater and where only residential units are located above commercial uses)	18 m	

5.16.3 Conditions of Use

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

5.16.4 Site Specific Uses

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

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

C3 – SERVICE COMMERCIAL

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

5.17.1 Permitted UsesPrincipal Uses

Ambulance station
Amusement establishment
Appliances and electronics, sales and repair
Artist's studio
Automotive sales, repair and servicing
Bakery
Bank or other financial institution
Boat or recreational vehicle sales and repair
Building supply
Cannabis Retail Store, subject to 6.24
Cannabis Micro-Cultivation
Cannabis Micro-Processing
Cannabis Nursery
Cartage and delivery services
Catering establishment
Club or lodge
Contractor's shop
Custom woodworking
Enclosed storage and warehousing, including mini-storage
Garden shop, nursery and landscaping supplies
Gasoline service station
Glass shop
Medical service
Micro-Brewery/Micro-Distillery
Office

Principal Uses (continued)

Pawn shop
Personal service
Petroleum products, wholesale
Prefabricated buildings sales
Printing, publishing and allied industry
Public Market
Recycling depot
Restaurant, including drive-through
Retail
Signs and displays industry
Transportation dispatch and depot
Veterinary clinic
Wholesale

Accessory Uses

Caretaker's dwelling unit, subject to Section 6.16
Outdoor storage

Site Specific Uses

Liquor, wine and beer store
Dwelling unit(s) behind street facing commercial units and dwelling unit(s) on the second storey

5.17.2 Site Development Regulations

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

5.17.3 Conditions of Use

- a) Outdoor storage areas shall be screened or *fenced* on all sides not facing the principal *building* and no material shall be piled so as to be higher than such *screening*.
- b) All industrial, business, repair or servicing *uses* shall be conducted within a completely enclosed *building* except for outdoor display, rental, sales or outdoor storage areas, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.
- c) No *club* or *lodge* shall have more than three machines on which mechanical, electrical automatic, digital or computerized games are played for amusement, recreation, competition or entertainment and for which a fee is charged for *use* or for which a coin or token must be inserted.
- d) Notwithstanding any other provision of this Bylaw, in addition to any required commercial parking, only one-half (0.5) parking space for each residential *dwelling unit* is required at 3575 3rd Avenue (Lots 24-25, Block 50, District Lot 1, Alberni District, Plan 197B, PID's: 000-171-891, 000-171-905).

5.17.4 Site Specific Uses

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

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

C4 – HIGHWAY COMMERCIAL

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

5.18.1 Permitted Uses

Principal Uses

Automotive sales, repair and servicing
Bank or other financial institution
Boat or recreational vehicle sales and repair
CAMPGROUND
Cannabis Retail Store, subject to 6.24
Cannabis Micro-Cultivation
Cannabis Micro-Processing
Cannabis Nursery
Garden shop, nursery and landscape supplies
Gasoline service station
Golf driving range
Hotel

Accessory Uses

Caretaker's Dwelling Unit, subject to Section 6.16
Outdoor storage
Office

Site Specific Uses

Liquor, wine and beer store
Nightclub, Cabaret, Bar & Pub

Medical service
Miniature golf
Motel and Motor hotel
Personal service
Professional service
Restaurant, including drive-through
Retail
Shopping centre
Tourist service
Transportation dispatch and depot
Veterinary clinic

5.18.2 Site Development Regulations

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

5.18.3 Conditions of Use

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

5.18.4 Conditions of Use: Campgrounds

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

5.18.5 Site Specific Uses

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

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

C5 – TRANSITIONAL OFFICE

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

5.19.1 Permitted Uses

Principal Uses

Artist’s studio

Community care facility

Live-work

Medical service

Professional Service

Personal service

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

Small appliances and electronics, sales and repair

Accessory Uses

Office

5.19.2 Site Development Regulations

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

5.19.3 Conditions of Use

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

C6 – GAMING CENTRE

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

5.20.1 Permitted Uses

Principal Uses

Gaming Centre

Accessory Uses

Helipad

Light Industrial Storage of non-toxic and non-flammable material

Lounge

Meeting Rooms

Micro-Brewery/Micro-Distillery

Office

Restaurant

5.20.2 Site Development Regulations

Minimum <i>Lot Area</i>	2 ha	(4.9 ac)
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Minimum <i>Frontage</i>	100 m	(328 ft)
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Maximum <i>Coverage</i>	35%	
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Minimum *Setbacks*:

<i>Front yard</i>	9 m	(29.5 ft)
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<i>Rear yard</i>	9 m	(29.5 ft)
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<i>Side yard</i>	9 m	(29.5 ft)
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Maximum <i>Height, Principal Building</i>	12.5 m	(41 ft)
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5.20.3 Conditions of Use

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

C7 – CORE BUSINESS

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

5.21.1 Permitted Uses

Principal Uses

Adult retail
Amusement establishment
Appliance repair
Artist's studio
Assembly
Automotive sales, repair and servicing
Bakery
Bank or other financial institution
Boat or recreational vehicle sales and repair
Cannabis Retail Store, subject to 6.26
Club or lodge
Community care facility
Daycare or other preschool
Gasoline service station
Government service

Hotel, Motor hotel and hostel
Live-work
Lumber and Building Materials Retailers and Wholesalers
Medical service
Micro-Brewery/Micro-Distillery
Multi-residential dwelling
Nightclub, Cabaret, Bar and Pub
Parking lot
Pawn shop
Personal service
Place of worship
Printing, publishing and allied industry

Principal Uses (continued)

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

Accessory Uses

Home Occupation
Residential above commercial
Office

Site-Specific Uses

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

5.21.2 Site Development Regulations

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

5.21.3 Conditions of Use

- a) All business *uses* shall be conducted within a completely enclosed *building* except for outdoor display, rental, sales or *storage yards*, restaurant patios, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.
- b) In mixed-use residential and commercial *buildings*, residential *uses* shall be located above the first *storey*, except as provided in Section 5.21.3(d).
- c) A shared public access to the residential *dwelling unit(s)* shall be provided separate from any other *use* from a ground floor entrance opening directly onto the public *street*.
- d) Where multi-residential *dwelling units* or seniors housing are located below the second *storey*, the Site Development Regulations of the RM3 Higher Density Residential *zone* shall apply.
- e) Notwithstanding any other provision of this Bylaw, only one-half (0.5) *parking space* for every residential *dwelling unit* is required above a commercial *use* in a mixed commercial-residential *building*.
- f) No *club or lodge* shall have more than three machines on which mechanical, electrical automatic, digital or computerized games are played for amusement, recreation, competition or entertainment and for which a fee is charged for *use* or for which a coin or token must be inserted.
- g) In *dwelling units* above or behind commercial *uses*, *home occupation* as a permitted *use* is restricted to *office* space for a business which is lawfully carried on at another location.

5.21.4 Site Specific Uses

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

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

C8 – COMMERCIAL RECREATION

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

5.22.1 Permitted UsesPrincipal Uses

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

Accessory Uses

Assembly
Lounge
Restaurant
Retail

5.22.2 Site Development Regulations

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

5.22.3 Conditions of Use

- (a) The principal *building* on the site shall be a minimum of 100 m² (1,076 ft²) in size.
- (b) The sum total of the *gross floor area* for *accessory buildings*, including restaurants, shall not exceed 230 m² (2,530 ft²) except that an additional accessory store with a maximum of 120 m² (1,292 ft²) is permitted in conjunction with a *campground*.
- (c) All mechanical, electrical or other service equipment located outside or on the roof of a *building* shall be screened from adjacent properties and *streets* by *landscaping*, ornamental *structures* or other means.
- (d) All outdoor storage and refuse receptacle areas shall be screened in accordance with Section 6.8.
- (e) A maximum of one caretaker's residence may be located in conjunction with the permitted *use* on the *lot*, subject to the provisions of Section 6.16.
- (f) Where a *campground* is the principal permitted *use*, the conditions of *use* contained in Section 5.18.4 (Highway Commercial zone) shall apply.

C9 – COMMERCIAL GUEST HOUSE

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

5.23.1 Permitted UsesPrincipal Uses

Guest House

*Single detached dwelling**Semi-detached dwelling*Accessory Uses*Bed and Breakfast**Secondary suite***5.23.2 Site Development Regulations for Guest Houses**Minimum *Lot Area*Up to 4 units 900 m² (9,688 ft²)5 or 6 units 1,000 m² (10,764 ft²)7 or 8 units 1,100 m² (11,840 ft²)Minimum *Frontage* 25 m (82 ft)Maximum *Coverage* 35%Minimum *Setbacks*:*Front yard* 7.5 m (24.6 ft)*Rear yard* 9 m (29.5 ft)*Side yard* 1.5 m (4.9 ft)Maximum *Height, Principal Building* 10.5 m (29.5 ft)Maximum *Floor Area Ratio* 0.6**5.23.3 Conditions of Use**

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

M1 – LIGHT INDUSTRY

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

5.24.1 Permitted Uses

Principal Uses

Automotive sales, repair and servicing
Boat or recreational vehicle sales and repair
Building supply
Cannabis Micro-Cultivation
Cannabis Micro-Processing
Cannabis Nursery
Cannabis Standard Cultivation
Cannabis Standard Processing
Cartage and delivery service
Contractor's shop
Custom workshop
Electronics repair
Enclosed Storage and warehousing, including mini-storage
Exterminating service
Food and beverage processing (excluding the fish, meat and poultry products industries)
Furniture and fixture manufacturing
Garden shop, nursery and landscape supplies
Gasoline service station
Glass shop
Health and fitness centre
Machine shop
Machinery and equipment sales, rental and repair
Other light manufacturing industry
Petroleum products, wholesale
Prefabricated buildings sales
Printing, publishing and allied industry
Recycling depot

Principal Uses (continued)

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

Accessory Uses

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

Site-Specific Uses

Medical Marijuana Facility

5.24.2 Site Development Regulations

Minimum Lot Area

930 m² (10,011 ft²)

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

5.24.3 Conditions of Use

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

5.24.4 Site Specific Uses

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

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

M2 – MEDIUM INDUSTRY

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

5.25.1 Permitted UsesPrincipal Uses**All uses permitted in the M1 Zone***Animal shelter**Automobile wrecking yard*

Blacksmithing and welding shop

Bulk fuel storage

Construction and assembly of pre-fabricated or modular *buildings*

Construction, house moving and excavation

Industry *offices*, workshops and storage

Large equipment or machinery sales and repairs

Machining

Manufacturing, excluding *uses* specifically listed in M3

Open storage

Scrap and waste materials wholesaler

Truck transport operation

Utility works yard

Wood industry, concerned with *manufacturing* or finishing from prepared lumberAccessory UsesCaretaker's *dwelling* unit, subject to Section 6.16Display, storage, and *retail* sales of goods produced on the premises*Office*5.25.2 Site Development Regulations

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

5.25.3 Conditions of Use

- a) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- b) Notwithstanding the provisions of 5.25.2, the minimum *lot area* for an *automobile wrecking yard* operation shall be one (1) hectare (2.47 ac).
- c) All portions of a required *front yard* not *used* for permitted parking or display areas shall be *landscaped*.
- d) Any part of a *lot used* or intended to be *used* as an outside storage area that is adjacent to a R, RR, or RM *zone* shall be separated by a solid screen from the properties in that *zone*. No material shall be piled so as to be higher than such *screening* within 15 m (50 ft) of the *lot* line.
- e) Along any *lot* line adjacent to an R, RR or RM *zone*, a continuous *landscape buffer*, excluding any areas *used* for access, shall be provided and shall be not less than 1.8 m (5.9 ft) in height.

M3 – HEAVY INDUSTRY

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

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

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

Accessory Uses

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

5.26.2 Site Development Regulations

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

5.26.3 Conditions of Use

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

M4 – UTILITIES

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

5.27.1 Permitted UsesPrincipal UsesAccessory Uses

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

5.27.2 Site Development Regulations

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

5.27.3 Conditions of Use

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

P1 – INSTITUTIONAL

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

5.28.1 Permitted UsesPrincipal Uses*Ambulance station**Arena**Assembly, cultural or recreational facility**Childcare centre**Community Care facility**Dormitory**Firehall**Hospital**Hostel**Medical service**Office**Parking Lot**Personal service**Place of worship**Police station**Pound**School**Supportive housing**Transition house**Tutoring service*Accessory Uses*Caretaker's dwelling unit*, subject to Section 6.16*Site Specific Accessory Uses* as permitted under Section 5.28.4.**5.28.2** Site Development Regulations

Minimum Lot Area	540 m ²	(5,813 ft ²)
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Minimum Frontage	15 m	(49.2 ft)
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Maximum Coverage	40%	
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Minimum Setbacks:

Front yard	7.5 m	(24.6 ft)
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Rear yard	9 m	(29.5 ft)
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Side yard	1.5 m	(4.9 ft)
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Maximum Height, Principal Building	12.5 m	(41 ft)
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5.28.3 Conditions of Use

- a) Notwithstanding the provisions of 5.28.2, the total of both *side yards* must be equal or greater than 20% of the *lot width*.
- b) *Community care facilities* for seniors may include an accessory beauty shop or other provision of other *personal services*, limited to 16m² (172 ft²) in floor area and 2 service chairs, operating between the hours of 8:30 am to 5:00 pm, Monday to Friday and 9:00 am to 12:00 pm on Saturday.

5.28.4 Site Specific

A.

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

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

- i. The following conditions apply to *Accessory Uses* listed in 5.28.4.A:
 - a) All business activity shall be conducted within a completely enclosed *building* except for parking and loading facilities.
 - b) The total area occupied shall not exceed 1,077 m² (11,592 ft²).
 - c) No retail activity is permitted as part of any business located on the property.

B.

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

- a) Notwithstanding the maximum coverage provisions of Section 5.28.2, for the property known as Fir Park Village, a maximum coverage of 58% is permitted.

C.

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

- i. The following *accessory use* is permitted:
 - Restaurant

- ii. The following conditions apply to *Accessory Uses* listed in 5.28.4.Ci:
 - a) All business activity shall be conducted within a completely enclosed *building* except for parking and loading facilities.
 - b) The total area occupied shall not exceed 481 m² (5,180 ft²).

D.

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

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

E.

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

- i. Notwithstanding Section 5.28.1 the following Principal Uses are permitted on the site:
 - *Mother's Centre*

P2 – PARKS AND RECREATION

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

5.29.1 Permitted UsesPrincipal Uses

Assembly, cultural and recreational facility
Cemetery
Fairground
Fish hatchery
Forest management
Golf course
Natural Areas, Open Spaces and Parks
Public Parks and Playgrounds

Accessory Uses

Caretaker's dwelling unit, subject to
 Section 6.16
Carnivals, Circuses, Exhibitions,
Horse, Dog and Pony Shows
Office
Picnic Area
Parking Lot
Public Toilet

5.29.2 Site Development Regulations

Minimum <i>Lot Area</i>	1,000 m ²	(10,764 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	40%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum <i>Height, Principal Building</i>	8 m	(26.2 ft)

W1 – WATERFRONT COMMERCIAL

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

5.30.1 Permitted UsesPrincipal Uses

Boat rental operations
 Boat tour and charter operations
 Commercial mooring facilities
 Docks, Wharves, and Floats (for the use of water taxis, ferries, float planes and amphibious vessels)
 Fish product industry
 Marina
 Marine fuelling operations
 Marine-oriented clubs such as yacht clubs
 Micro-Brewery/Micro-Distillery
 Nightclub, Cabaret, Bar and Pub
 Observation Tower
 Public market
 Restaurant, (excluding drive-in or drive-through)
 Retail
 Stewardship Centre

Accessory Uses

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

Site Specific Uses

Barber
 Beauty Shop
 Residential Above Commercial
 Salon
 Spa

5.30.2 Site Development Regulations

Maximum Height, Principal Building 8 m (26.2 ft)

5.30.3 Conditions of Use

- a) Notwithstanding the provisions of 5.30.1,
- (i) Temporary or seasonal boat residence is permitted, provided that the boat or vessel is wharfed at a location where the following on-shore facilities are provided, at a minimum, in separate rooms for females and males:
 - one water-closet;
 - one wash-basin; and
 - one bathtub or shower
 - (ii) Private Floats and Wharves are permitted only where necessary for practical access by boats to commercial enterprises primarily oriented to water uses and water traffic.

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

5.30.4 Site Specific Uses

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

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

W2 – WATERFRONT INDUSTRIAL

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

5.31.1 Permitted UsesPrincipal Uses

Commercial mooring facilities
 Fish and seafood buying and packing stations
 Fish product industry
 Marine and water traffic oriented:

- Loading facility
- Storage
- Warehouse, and
- Works yard

Marine fuelling operations
 Office
 Shipbuilding, boatbuilding and repair

Accessory Uses

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

5.31.2 Site Development Regulations

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

5.31.3 Conditions of Use

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

TH1 – TOWNHOUSE MULTI-FAMILY

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

5.32.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

5.32.2 Site Development Regulations

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

5.32.3 Conditions of Use

- a) Notwithstanding any other provision of the Bylaw, *useable open space* shall be provided on the *lot* of not less than 45 m² (484.4 ft²) for each *dwelling unit* containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling unit* of smaller size.
- b) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required may consist exclusively of private patios, porches, balconies, or roof terraces.
- c) The minimum side yard requirement shall be reduced to 1 m for a side yard abutting a constructed lane for the entire length of the lot line.
- d) For multiple family dwellings where a *building* is sited perpendicular to the street, the minimum side yard requirement shall be increased to 3 m for a side yard where primary access to *dwelling units* is provided.
- e) Principal access to each *dwelling unit* shall be from an outdoor area, except where a stacked townhouse unit requires access from a hallway or stairwell leading directly to an outdoor area.
- f) A continuous *building frontage* shall not exceed 60 m in length.
- g) Groups of multiple family dwellings are permitted, as an exception to Section 6.1 of this bylaw.

- h) Minimum facing distance between *buildings*:
 - i. *Building height* under 8.5 m: 6.0 m
 - ii. *Building height* 8.5 m to 10 m: 7.5 m
- i) The maximum number of *multiple-residential dwellings* permitted within a *building* is eight (8).
- j) Notwithstanding any other provision of the Bylaw up to one-hundred (100) percent of required on-site parking may be provided as *Small Car* spaces.
- k) Where on-site parking is accessed from a driveway directly onto a street:
 - i. Minimum driveway width is 3.0 m.
 - ii. Minimum 6.0 m separation is required between individual driveways.
- l) Where a walkway is the primary access to all *dwelling units*, a minimum clear path width of 2.1 m is required.
- m) Garbage bins, receptacles or storage areas must not be located in a front yard.

6. General Regulations

6.1 Number of Principal *Buildings* on a Site

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

6.2 Location of *Buildings*

6.2.1 No *building* shall be located in any required front, side, or *rear yard* except in accordance with this Bylaw.

6.2.2 No principal *building* shall be located so as to be within more than one *lot*, except where one or more of the *lots* is an air space parcel.

6.3 Location of *Buildings* and Structures Adjacent to Watercourses

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

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

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

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

6.4 Height Exemptions

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

- belfries;
- cellular towers;
- chimneys;
- church spires;
- domes;
- elevator and ventilating machinery penthouses
- fire and hose towers;
- flag poles;
- grain storage;
- monuments;

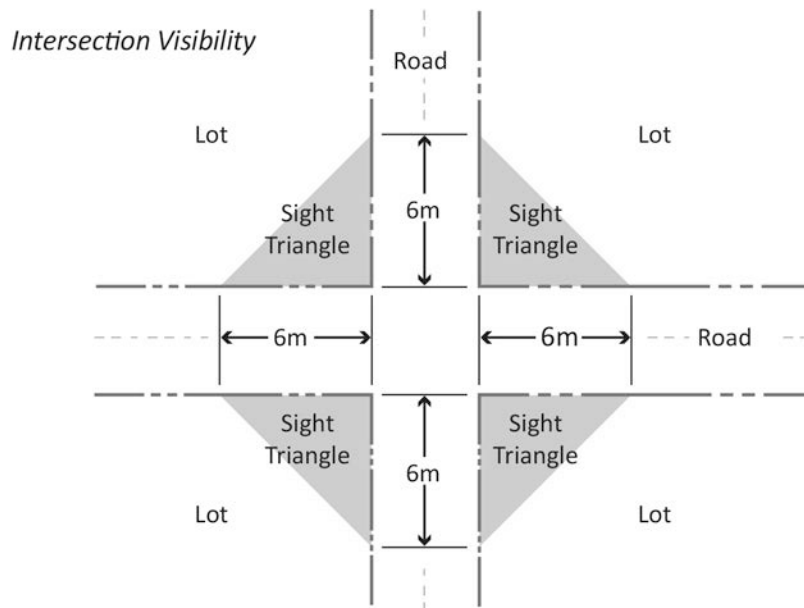
- observation towers;
- radio towers;
- silos;
- solar panels;
- stadiums;
- transmission towers; and
- wind turbines,
- photovoltaic cells

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

6.5 Visibility at Intersections

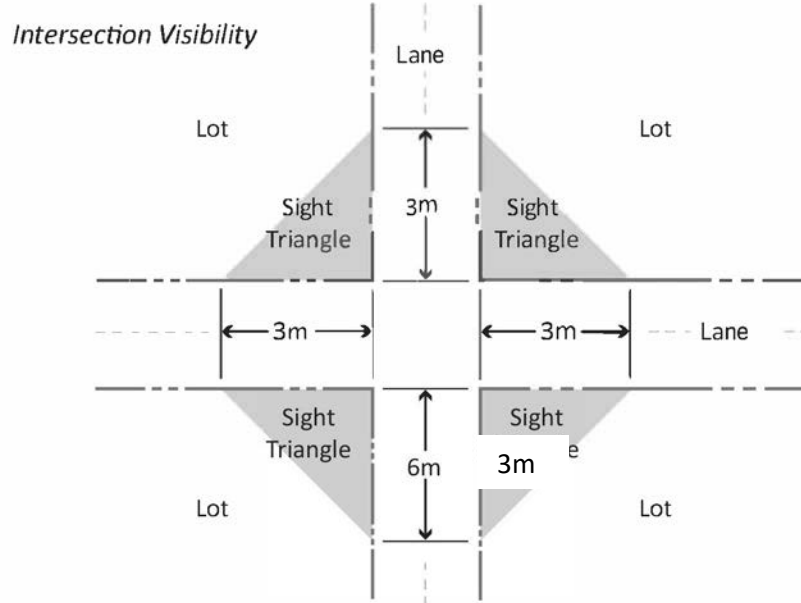
6.5.1

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



6.5.2

Notwithstanding any other section of this Bylaw, on a corner lot at any lane-to-lane intersection, there shall be no obstruction of the line of vision above a height of 1.25 m (4.1 ft.) and below a height of 3.0 m (9.8 ft.) in the triangular area contained by lines extending to points 3 m along each lot line from the corner of the lot and a diagonal line connecting those points.



6.6 Minimum Lot Size Exemptions

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

6.7 Fences and Hedges

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

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

6.8 **Landscaping**

- 6.8.1 In RM, P1, C, M1 and M2 zones, all areas not *used* for *buildings*, *structures*, parking, loading, access, or storage shall be *landscaped*.
- 6.8.2 In all RM, C, and P1 zones, *screening* not less than 1.5 m (4.9 ft) and not greater than 1.85 m (6.0 ft) in height shall be provided on at least three (3) sides of garbage bins, receptacles, or storage areas, unless located within a completely enclosed *structure*.
- 6.8.3 Notwithstanding Section 6.7.4, *screening* not less than 1.5 m (4.9 ft) and not more than 2.4 m (8.0 ft) in height shall be provided:
 - a) along any side or rear boundary of a *lot* in a C zone that abuts an R, RR, RM, or A zone; and
 - b) between any RM zone and any parking or access *uses* that abut any R zoned *lot*, along the common *lot* lines.
- 6.8.4 For boulevards: *Landscaping* in the form of grass, unless otherwise approved by the *City Engineer*, shall be provided between the *lot* line and curb or *street* shoulder in the absence of a curb.
- 6.8.5 Notwithstanding Sections 6.8.1 through 6.8.6, all *landscaping* requirements are subject to the provisions of Section 6.5.
- 6.8.7 In the R and RR zones, a minimum of 40% of a *front yard* shall be soft *landscaping*. Soft *landscaping* may include areas covered by lawns, plants, shrubs and trees but does not include *impermeable surfaces*.

6.9 **Storage of Vehicles and Equipment**

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

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

6.10 **Accessory Buildings**

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

- 6.10.8 In A or RM zones, where a carport or *garage* or portion thereof is located in the required *side yard* of the principal *building* and is attached to the principal *building*, the required *side yard* adjoining the *garage* shall be reduced to 0.9 m (3 ft), whether or not it is an interior or *corner lot*.
- 6.10.9 In all zones, on a *corner lot*, an *accessory building* or portion thereof which is located to the rear of the principal *building* shall be subject to the required *side yard setbacks* of the principal *building* whether or not it is attached to the principal *building*.
- 6.10.10 In P, C, M, W, or RM zones, an *accessory building* shall not exceed the maximum *height* of a principal *building*.
- 6.10.11 In P, C, M, W, or RM zones, where an *accessory building* is located within a required *rear yard*, the *accessory building* shall not exceed 4.5 m (14.8 ft) in *height*.
- 6.10.12 Notwithstanding 6.10.1 through 6.10.11, all *accessory buildings* are subject to the requirements of Section 6.5.

6.11 **Temporary Buildings**

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

6.12 **Projections**

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

- a) Into required front, rear and *side yards*:

Projection	Distance
Steps and wheelchair ramps	not restricted

Eaves and gutters	0.9 m (3 ft)
Cornices and sills	0.6 m (2 ft)
Bay windows and hutches	0.9 m (3 ft)
Chimneys and other heating and ventilating equipment	0.9 m (3 ft)

b) Into required front or rear yards:

Projection	Distance
Cantilevered balconies and sunshades	1.25 m (4.1 ft)
Open porches	1.85 m (6.0 ft)
Marquee	1.85 m (6.0 ft)
Canopy	1.85 m (6.0 ft)

c) Into side yards:

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

- 6.12.2 Notwithstanding Section 6.12.1, where a *side yard* is less than 1.5 m (4.9 ft) no projection shall project over 50% of a required *side yard*.
- 6.12.3 Notwithstanding Section 6.12.1., no projection is permitted to project into a required *front yard* in an R zone.
- 6.12.4 Permitted equipment for dispensing flammable or combustible liquids or gas may be located in a required *front* or *side yard*, provided that no part of any such pump island shall be closer than 4.5 m (14.8 ft) to any front or *side lot line*.
- 6.12.5 Notwithstanding Sections 6.12.1 and 6.12.2, a canopy may be erected over any such pump island provided only that it projects not closer to any *lot line* than 50% of the distance between the pump island and the *lot line*.
- 6.12.6 In zones where no yard is required and where the width of the public right-of-way is not less than 10 m (32.8 ft), certain architectural elements may project over the public right-of-way, provided that such architectural elements are located at or above a minimum height above *grade*, as specified in the following:

Projection	Maximum Permitted Projection Distance into R-O-W	Minimum Height Above Grade
Cornice	0.6 m (2 ft)	3.65 m (12 ft)

Eave	0.6 m	(2 ft)	3.65 m	(12 ft)
Gutter	0.6 m	(2 ft)	3.65 m	(12 ft)
Marquee	1.85 m	(6 ft)	2.75 m	(9 ft)
Canopy	1.85 m	(6 ft)	2.75 m	(9 ft)
Sunshade	1.85 m	(6 ft)	2.75 m	(9 ft)

6.13 Swimming Pools

6.13.1 Detached and enclosed swimming pools shall be subject to the requirements established in Section 6.10 for *accessory buildings*.

6.13.2 Swimming pools shall be located not less than 2.0 m (6.6 ft) from any *lot* line.

6.13.3 Unenclosed swimming pools shall be subject to the requirements established in Section 6.7.11, fencing of swimming pools.

6.13.4 No swimming pool shall be located within a *front yard*.

6.14 Bed and Breakfast and Guest House Operations

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

6.14.1 The operation must be conducted in a *single detached dwelling*.

6.14.2 The operation must be conducted by permanent residents of the *dwelling*. Guest House operations may utilize a maximum of two (2) non-resident employees who are specifically employed to provide services required by the Guest House.

6.14.3 *Bed and breakfast* operations shall have a maximum of two (2) bedrooms for *bed and breakfast* accommodation, with not more than two (2) guests per room.

6.14.4 Guest House operations shall have a maximum of eight (8) *sleeping units* for *Bed and Breakfast* accommodations, being provided to a maximum of sixteen (16) guests in total.

6.14.5 Breakfast shall be the only meal permitted to be served to guests.

6.14.6 One (1) *off-street parking space* for each bedroom *used* for the operation must be provided.

6.14.7 Tandem parking may be *used* up to two (2) deep.

6.14.8 Guest houses shall provide a *landscaped buffer* along property lines abutting residential *uses*.

6.15 Home Occupations

6.15.1 A *Home Occupation* must be conducted entirely within the *dwelling unit*.

- 6.15.2 Notwithstanding Section 6.15.1, where the *Home Occupation* is urban *market gardening*, the regulations in Section 6.22 apply.
- 6.15.3 A *Home Occupation* shall involve no internal structural alterations to the *dwelling unit* and there shall be no exterior indication including storage of materials, other than signage, that the *building* is being utilized for any purpose other than that of a *dwelling unit*, and no *building, structure, fence* or enclosure, other than those in conformity with permitted residential *uses* in the *zone* in which it is located, may be erected.
- 6.15.4 *Home Occupations* shall not produce noise, vibration, smoke, dust, odour, litter or heat other than that normally associated with a *dwelling unit*, nor shall it create or cause a fire hazard, electrical interference, or traffic congestion on the *street*. Specifically prohibited activities include *manufacturing, welding, vehicle* or machinery repair or any other light industrial *use*.
- 6.15.5 The *dwelling unit* must not be *used* as a warehouse or *retail* store.
- 6.15.6 The operation of a *Home Occupation* shall be limited to the following provisions:
- a) Traffic related to the *Home Occupation use* is prohibited between the hours of 9:00 pm and 8:00 am, except for *Home Occupations* regulated by the *Community Care Facility Act* or related regulations;
 - b) A maximum of one non-resident employee;
 - c) A *Home Occupation* must be licenced to and conducted by a permanent resident of the *dwelling unit*;
 - d) In R, RR, or A *zones*, the following regulations also apply:
 - i. Except for *Home Occupations* regulated by the *Community Care Facility Act* or related regulations, the *Home Occupation* maximum floor area must not exceed 40 m² (430.6 ft²);
 - ii. One non-illuminated fascia sign, up to 0.2 m² (2.15 ft²) in area, is permitted;
 - iii. One customer receiving service at any one time on the *lot*;
 - e) In RM and MH *zones*, the following regulations also apply:
 - i. A maximum floor area not to exceed 19 m² (204 ft²) per *dwelling unit*;
 - ii. No signage pertaining to a *Home Occupation* shall be permitted;
 - iii. No customer service shall be permitted in the residence where the *Home Occupation* is conducted;
 - f) Notwithstanding Section 6.15.6 (e)(iii) of this Bylaw, the operation of a Tutoring/Instruction Service as a *Home Occupation* shall be limited to a maximum of eight (8) students at any one time; and
 - g) In multi-unit residential *zones*, *home occupation* as a permitted *use* is restricted to *office* space.

6.16 Caretaker Accommodation

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

- 6.16.1 All applicable *building* and fire bylaws are met.
- 6.16.2 The *dwelling* shall be a maximum of 60 m² (645.9 sq ft).
- 6.16.3 The *dwelling unit* must be self-contained and separated from any commercial activities.
- 6.16.4 The caretaker's presence is necessary to the facility operation and/or public safety.
- 6.17 Floats and Wharves**
- 6.17.1 Wharves, floats, piers and boat launching facilities constructed, leased, kept or maintained are permitted in any *zone* abutting the waterfront and subject to the approval of other Government Agencies having jurisdiction.
- 6.17.2 Floats, wharves, piers, and walkways shall be located within the boundaries of a lawful water lease area or licence of occupation area.
- 6.18 Sunlight Protection and Privacy**
- In the case of a *building* having a *height* greater than 10 m (32.8 ft) situated in an A, GH, or P *zone*, no portion of such *building* or *structure* shall project above a plane defined by lines extending towards the *building* or *structure* from all points at ground level from the neighbouring property's required *setbacks* or along the centre line of any *street* or *lane* parallel to and abutting the northerly *lot* line of the site on which the *building* or *structure* is situated and inclined at an angle of 45 degrees to horizontal.
- 6.19 Minimum Setback from Provincial Highway No. 4 (Johnston Road)**
- Development immediately adjacent to Provincial Highway No.4 (Johnston Road and River Road) requires approval of the Ministry of Transportation and Highways for purposes of legislation under their jurisdiction.
- 6.20 Adult Retail Store**
- Adult retail* stores shall not be located within 0.5 km radius of a daycare, school or church.
- 6.21.1 Accessory Dwelling Units**
- 6.21.1 *Carriage Houses*
- May be located on a lot with a principal *building* on the following conditions:
- Is provided direct access to a *street* or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the *street* to the entrance of the *carriage house* when direct access is not provided.
 - Is not located in the required front yard setback area or in front of the principal *building*;
 - Except as otherwise provided in this Bylaw, *carriage houses* may be located in the required rear and side yards provided that no portion of the *building* is located within 1.0 m (3.3 ft) of a *rear* or *side lot line*;
 - Does not exceed a maximum *height* of 8.5 m;
 - Does not contain a *gross floor area* (excluding a first-storey *garage*) greater 90 m²;

- f) Provides for parking in accordance with Section 7.

6.21.2 *Garden Suites*

May be located on a lot with a principal *building* on the following conditions:

- a) Is provided direct access to a *street* or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the *street* to the entrance of the *garden suite* when direct access is not provided.
- b) Is located in a rear yard;
- c) Except as otherwise provided in this Bylaw, *garden suites* may be located in the required rear and side yard setbacks provided that no portion of the *building* is located within 1.0 m (3.3 ft) of a *rear or side lot line*.
- d) Does not exceed a maximum *height* of 8.5 m;
- e) Does not contain a *gross floor area* greater than 90 m²;
- f) Provides for parking in accordance with Section 7.

6.22 **Market Gardens, Urban**

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

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

6.23 **Animals in Single Detached Residential Zones**

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

- 6.23.1 The keeping of male *poultry* is prohibited, except on ALR lands or on parcels greater than 2,000 m² (21,528 ft²) in area.
- 6.23.2 The keeping of female *poultry* is prohibited on *lots* less than 350 m² (3,767 ft²) in area.
- 6.23.3 The keeping of up to six (6) female *poultry* in enclosed runs is permitted on *lots* less than 2,000 m² (21,528 ft²) but more than 450 m² (4,844 ft²) in size. When the *lot* is less than 450 m² (4,844 ft²), no more than four (4) female *poultry* may be kept.
- 6.23.4 Runs shall provide at least 0.8 m² (8.5 ft²) of space per bird and coops of at least 0.2 m² (2 ft²) of space per bird.
- 6.23.5 A *building* or *structure* used for the keeping of *poultry* must not be located in the *front yard* and must be located at least 3 m (10 ft) from any *lot* line.
- 6.23.6 The keeping of bees on *lots* less than 600 m² (6,458 ft²) in area is prohibited.
- 6.23.7 The keeping of bees is permitted to a maximum of 2 hives of bees on *lots* between 600 m² and 929 m² (10,000 ft²) in area, and a maximum of 4 hives of bees on *lots* over 929 m² (10,000 ft²) in area.
- 6.23.8 Beehives are restricted to *rear yards*.
- 6.23.9 A beehive will be located a minimum of 7.5 m (25 feet) away from the neighbouring property line.
- 6.23.10 The beehive entrance will be directed away from the neighbouring property and situated behind a solid *fence* or *hedge* that is 1.8 m (6 feet) in height running parallel to the property line.
- 6.23.11 All persons wishing to keep bees must be registered with the BC Ministry of Agriculture and abide by the beekeeping regulations as specified in the provincial *Bee Act* and other related legislation.
- 6.23.12 These regulations do not apply to properties with farm status classification under the BC Assessment Act.

6.24 Cannabis Retail Store Operations

All *Cannabis Retail Stores* shall conform to the following:

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

6.25 Cannabis Production Facilities

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

6.26 Useable Open Space

- 6.26.1 All multi-unit development must provide usable open space.
- 6.26.2 All usable open space must meet the following:
 - a) Usable open space must be an unobstructed area or areas, available for safe and convenient *use* by all the *building's* users and occupants, having no dimension less than 5.25 m (17.2 ft) and no slope greater than 10 percent
 - b) Usable open space shall exclude areas used for off street parking, off street loading, service driveways, public walkways, and required front yards.
 - c) Not more than half of the useable open space required for any *dwelling unit* may include roof garden areas where no dimension is less than 5.25 m (17.2 ft), private balconies where no dimension is less than 1.5 m (4.9 ft) and private patios where no dimension is less than 2.4 m (7.9 ft).
- 6.26.3 Notwithstanding the provisions of Section 6.26.2, useable open space within a RM-1 zoned property shall be provided on the lot of not less than 45 m² (484.4 ft²) for each *dwelling unit* containing 3 or more bedrooms, and not less than 28 m² (301.4 ft²) for each *dwelling unit* of smaller size.
- 6.26.4 Notwithstanding the provisions of Section 6.22.2, useable open space within a RM-2 or 3 zoned properties shall be provided on the lot of not less than 45 m² (484.4 ft²) for each *dwelling unit* containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling unit* of smaller size.

6.27 Density Bonusing

- 6.27.1 The purpose of the following density bonusing provisions pursuant to Section 482 of the *Local Government Act* are to support the development of:
- Universally *Accessible* housing units as per 482 (b)
 - *Affordable housing* units as per 482 (b)
 - Provision of amenities 482 (a)
- 6.27.2 On lands with an RM zone and the following Density Bonusing is available as follows:
- a) For each ten percent (10%) of the *dwelling units* constructed using universally *accessible* design standards and elevators are provided the *floor area ratio* may be increased by 0.1;
 - b) For each ten percent (10%) of the *dwelling units* that are designated as affordable the permitted the *floor area ratio* may be increased of 0.1; and
 - c) Where greater than seventy-five percent (75%) of the required off-street parking is provided underground or enclosed underneath the principal *building*, the *floor area ratio* may be increased by 0.1.
- 6.27.3 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5.
- 6.27.4 Where density bonusing is to be sought under Section 6.27.2 (b) above, a housing agreement is required as outline under Section 483 of the *Local Government Act*.
- 6.27.5 On lands zoned C-7 the following Density Bonusing is available as follows:
- a) A 0.5 increase in FAR where a minimum of one storey or sixteen and one-half percent (16.5%) of the *gross floor area* of the *building* is used for commercial purposes;
 - b) A 0.5 increase in FAR where greater than seventy-five percent (75%) of the required parking is provided underground or enclosed underneath the principal *building*;
 - c) A 0.1 increase in FAR for each ten percent (10%) of the *dwelling units* are constructed as *accessible* and where elevators are provided to all storeys in the *building*;
 - d) A 0.1 increase in FAR for each ten percent (10%) of the *dwelling units* are designated as affordable; and
 - e) A 0.5 increase in FAR where a common meeting room or amenity room containing a minimum of 22 m² (235 ft²) is provided.
- 6.27.6 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5 for a maximum FAR of 3.5.
- 6.27.7 Where density bonusing is to be sought under Section 6.27.3 (d) above, a housing agreement is required as outline under Section 483 of the *Local Government Act*.

6.28 Shipping Containers

- 6.28.1 Use of land for the placement of shipping containers is permitted only in M zones, except where authorized by Section 6.28.3.
- 6.28.2 A shipping container shall only be used to store materials or products that are incidental to the operation of a business or facility located on the parcel and shall not be used for mini-storage.
- 6.28.3 A shipping container may be used for the temporary storage of tools and materials on a property other than an M *zone*, for the construction or maintenance of a *building* or structure for which a required *building* permit has been obtained and remains active. Upon completion of construction the container must be removed within 14 days.
- 6.28.4 No shipping container may be located in the setback area, as specified by the applicable zone, or within 3 m of any lot line adjoining an R, RM, or MH zone.

6.29 Secondary Suites

May be located within a principal *building* on the following conditions:

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

7. Parking and Loading Regulations

7.1 Applicability

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

7.2 General

- 7.2.1 All off-street parking facilities or loading areas in excess of the requirements of this Bylaw shall conform to the regulations set forth in this Bylaw.
- 7.2.2 Where a *use* is not specifically mentioned or defined, the required off-street *parking spaces* for that *use* shall be the same as for a similar *use*.
- 7.2.3 Off-street loading areas shall not be considered as nor calculated as off-street parking facilities.
- 7.2.4 Where more than one *use* is located on a *lot* or involves collective parking for more than one *building, structure* or *use*, the total number of spaces shall be the sum of the various classes of *uses* calculated separately, and a space required for one *use* shall not be included in calculations for any other *use*.
- 7.2.5 In the C7 or W2 zones, off-street parking shall be permitted on the same *lot* or on a different *lot*, provided that:
 - a) the different *lot* is not more than 150 m from the off-street parking *use* it serves, measured as the shortest *accessible* walking route; and
 - b) a covenant pursuant to Section 219 of the *Land Title Act* is registered against the property containing the parking to ensure the required parking is provided.

7.3 The Use of Parking Facilities

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

7.4 Development and Maintenance Standards

7.4.1 All off-street *parking spaces* shall comply with the minimum dimensions set forth below:

Parking Space Size	Length	Width	Height
Regular	5.5 m (18 ft)	2.6 m (8.5 ft)	2.15 m (7.1 ft)
Small Car	5.0 m (16.4 ft)	2.4 m (7.9 ft)	2.15 m (7.1 ft)
Accessible	5.8 m (19.0 ft)	3.7 m (12.1 ft)	2.15 m (7.1 ft)
Parallel	6.7 m (22.0 ft)	2.6 m (8.5 ft)	2.15 m (7.1 ft)

7.4.2 Where a *parking space* abuts a *fence*, wall or other *structure* along its length, the width of the *parking space* shall be increased by 0.3 m (1 ft) along any side that abuts such *fence*, wall, *building* or other *structure*.

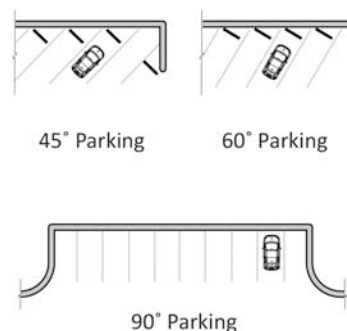
7.4.3 Notwithstanding Section 7.4.1, the minimum dimensions for *accessible parking spaces* shall accommodate design features that are complementary to *accessible parking spaces* per the BC Building Code, such as a marked pedestrian aisle.

7.4.4 All off-street *parking spaces* shall have clear access to *access aisles*.

7.4.5 Minimum *access aisles* widths shall be:

Parking Angles

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



- 7.4.6 *Access aisles* that are intended for two-way traffic flow shall be not less than 6 m (19.7 ft) in width.
- 7.4.7 All *parking lots* shall be provided with adequate vehicle stops and curbs in order to retain all vehicles within the parking area, and to ensure that any *fences*, walls, *hedges*, *landscaped areas* or *buildings* will be protected from any vehicles *using* the *parking lot*.
- 7.4.8 The *parking lot* of any development that is required to provide more than eight (8) off-street *parking spaces* shall be paved or covered with some other hard, durable and dust-free surface.
- 7.4.9 All *parking lots* that are required to be paved or covered with some other hard surface shall have all *parking spaces* marked with painted lines and traffic flow directions clearly marked.
- 7.4.10 Any lighting *used* to illuminate any *parking lot* shall be arranged so that all direct rays of light are reflected upon such parking area and not on any adjoining property.
- 7.4.11 Where more than ten (10) parking spaces are required, up to twenty percent (20%) of the required *parking spaces* may be small car *parking spaces*. Any small car *parking space* shall be clearly marked as such. For R and MH1 zones, one (1) of the required off-street *parking spaces* shall be a small car *parking space*.
- 7.4.12 All *parking lots* and loading areas shall be graded and drained to ensure the proper disposal of all surface water.
- 7.4.13 *Parking lots* shall be designed such that individual *parking spaces* do not have direct access to any *street*. For the purposes of this provision, a *lane* shall not be considered to be a *street*.
 - a) In the R and RR zones, *parking spaces* provided for dwelling units on dedicated and separate driveways with access to a *street* is allowed for three-plexes and four-plexes.
- 7.4.14 Tandem *parking spaces* are permitted for single-detached, semi-detached, three-plex, four-plex, and row housing under the following conditions:
 - a) Each dwelling has one parking space that is directly accessible to any *street*;
 - b) Visitor *parking spaces* are not configured in tandem.
 - c) Only one tandem *parking space* is located in front of any garage or carport.
- 7.4.15 The location of *street* access to or from an off-street *parking lot* shall be subject to approval by the *City Engineer*.

7.5 Accessible Parking Requirements

- 7.5.1 For all RM residential *buildings*, one (1) *accessible parking space* shall be provided for each *dwelling unit* designed to be *accessible*.
- 7.5.2 Where twenty (20) or more off-street *parking spaces* are required for a *building* or *structure*, accessible parking shall be provided as follows:
- a) 1 *accessible parking space* for the first twenty (20) required off-street *parking spaces*; and
 - b) 1 *accessible parking space* for each additional fifty (50) required off-street *parking spaces* or portion thereof.
- 7.5.3 All *accessible parking spaces* shall:
- a) meet the minimum *accessible parking space* dimensions as set out in 7.4.1. and shall be subject to the approval of the *Building Inspector*;
 - b) be clearly identified as an *accessible parking space*; and
 - c) be conveniently located to an *accessible* entrance to the *building, structure* or *use*.
- 7.5.4 Each *accessible parking space* provided shall count as one of the total number of required off-street *parking spaces*.

7.6 Measurement

- 7.6.1 Where *gross floor area* is used as a unit of measurement for the calculation of required *parking spaces*, *gross floor area* shall include the floor area of *accessory buildings* and *basements*, except where they are used for parking, heating or storage.
- 7.6.2 Where the number of employees is used as a unit of measurement, the number of employees shall mean the greatest number of persons at work during any season of the year.
- 7.6.3 Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each 0.5 m (20 inches) of width of such seating accommodation shall be counted as one seat.
- 7.6.4 Where the calculation of parking requirements results in a fractional value, the number of required *parking spaces* shall be rounded up to the nearest whole *parking space*.

7.7 Location and Siting of Loading Facilities

- 7.7.1 Off-street loading areas shall not be located within a required *front yard*.
- 7.7.2 Off-street *loading spaces* shall be designed and located to prevent any vehicle using such spaces from encroaching on a public right-of-way.
- 7.7.3 The location of *street* access to or from any off-street loading area shall be subject to approval by the *City Engineer*.

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

7.7.5 Where a lot is less than 15 m (49.2 ft) in width and has a rear yard which adjoins a constructed public lane, the rear yard may be utilized in conjunction with the rear yard of an adjoining lot as a loading space.

7.8 Required Amount of Off-Street Loading

7.8.1 For the purposes of Section 7.8, *gross floor area* shall include the floor area of *accessory buildings* and *basements*, except where they are *used* for parking, heating, or storage.

7.8.2 Where there is more than one *use* or tenant in a *building* or *lot* and all such *uses* and tenants have adequate access to common loading facilities, the required off-street loading shall be determined by calculating the requirements of the sum of the *gross floor area* of the different *uses* and/or tenants.

7.8.3 For *retail*, industry, warehouse and other similar *uses*, not less than 1 off-street *loading space* shall be provided for every 2,000 m² (21,529 ft²), or portion thereof, of *gross floor area*.

7.8.4 For an *office building*, place of public *assembly*, hospital, institution, *hotel*, *club* or *lodge*, auditorium, *public utility*, *school*, or other similar *uses*, not less than 1 off-street *loading space* shall be provided for every 3,000 m² (32,293 ft²), or portion thereof, of *gross floor area*.

7.9 Required Amount of Parking

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

<i>Dwelling Unit in Commercial Zones*</i> *For C7 zone requirements, see Section 7.1.4 and 5.21.3(e)	1.25 per <i>dwelling unit</i>
<i>Boarding, Lodging House</i>	1 per <i>dwelling or sleeping unit</i>
Institutional Use	Required Parking Spaces
Hospital, Extended Care Housing for Seniors, Personal Care Homes	1 per 2 employees and 1 per 5 beds
<i>Place of Worship</i>	1 per 10 seats plus 1 per 20 m ² (215.3 ft ²) of floor area used for <i>offices, recreation or assembly</i>
Senior High School	1 per employee and 1 per 10 students
Junior High School	1 per employee
Elementary School	1 per employee
Community College	1 per employee and 1 per 5 students
Day Care Facility	1 per employee
Public Assembly Places, Recreational Use	1 per 40 m ² (431 ft ²) of <i>gross floor area</i> or 1 per 4 seats, whichever is greater
Commercial Use	Required Parking Spaces
<i>Cannabis Production Facility</i>	1 per employee or 1 per 190 m ² (2,045 ft ²) of <i>gross floor area, whichever is the greater</i>
<i>Public Utility Office</i>	1 per employee
<i>Public Service Office</i>	1 per 35 m ² (377 ft ²) of <i>gross floor area</i>
Gasoline Service Station and Motor Vehicle Repair Shop	1 per 2 employees plus 2 per service bay
<i>Retail Store</i>	1 per 30 m ² (323 ft ²) of <i>retail floor area</i>
<i>Convenience Store</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Furniture Store	1 per 200 m ² (2,153 ft ²) of <i>retail floor area</i>
<i>Shopping Centre</i> (containing more than 10 stores)	1 per 17 m ² (183 ft ²) of <i>gross leasable floor space</i>
<i>Automobile Sales and Service</i>	1 per 70 m ² (753 ft ²) of <i>gross floor area</i> plus 1 per service bay plus 1 per 2 employees
<i>Office</i>	1 per 35 m ² (377 ft ²) of <i>gross floor area</i>
Bank or Other Financial Institution	1 per 45 m ² (484 ft ²) of <i>gross floor area</i>
Laundromat	1 per 20 m ² (215 ft ²) of <i>gross floor area</i>
<i>Personal Service Shop</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Medical and Dental <i>Office</i> or Clinic	1 per 35 m ² (484 ft ²) of <i>gross floor area</i>
<i>Veterinary Office</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Funeral Home	1 per 4 seats
<i>Hotel, Motel or Motor Hotel</i>	1 per unit and 1 per 5 seats in a restaurant and the like or bar and the like
Nightclub, Lounge, Public House, Drive-Through and Drive-In Restaurant	1 per 5 seats 10 minimum for <i>drive-in</i> facility
Warehouse Facility	1 per 200 m ² (2153 ft ²) of <i>gross floor area</i>
Motion Picture Theatre	1 per 10 seats

Billiard and Pool Hall	1 per table
Bowling Alley	3 per lane
<i>Amusement Establishment</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Golf Course	40 spaces per 9 holes
Marina	1 per employee plus 1 per 3 berths
Health and Fitness Facility	1 per 15 m ² (161 ft ²) of <i>gross floor area</i>
Restaurant	1 per 4 seats

Industrial Use	Required Parking Spaces
<i>Cannabis Production Facility</i>	<i>1 per employee or 1 per 190 m² (2,045 ft²) of gross floor area, whichever is the greater</i>
<i>Manufacturing and Industrial Use</i>	<i>1 per 3 employees or 1 per 100 m² (1,076 ft²) of gross floor area, whichever is the greater</i>
<i>Medical Marijuana Facility</i>	<i>1 per employee or 1 per 190 m² (2,045 ft²) of gross floor area, whichever is greater</i>
<i>Mini-storage Facility</i>	<i>1 per 200 m² (2,153 ft²) of gross floor area</i>
<i>Wholesaling</i>	<i>1 per 200 m² (2,153 ft²) of gross floor area</i>
<i>Storage Area or Yard</i>	<i>1 per 200 m² (2,153 ft²) of lot area</i>

8. Comprehensive Development Zones

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

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 <i>Frontage</i>	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 <i>Floor Area Ratio</i>	1.34	
Maximum <i>Height</i> , Principal <i>Building</i>	13.7 m	(45.9 ft)
Maximum Number of Principal <i>Building</i> Storeys	3	

8.2.3 Conditions of Use

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

- g) Home occupation as a permitted use is restricted to office space for a business which is lawfully carried on at another location.

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

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

8.3.1 Permitted Uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.3.2 Site Development Regulations

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

8.3.3 Conditions of Use

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

CD5 – COMPREHENSIVE DEVELOPMENT – 3045, 3053, 3063 Kingsway Avenue

8.5 The purpose of this zone is to provide for in-fill development of a multi-residential *building*.

8.5.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.5.2 Site Development Regulations

Minimum Lot Area	1151 m ²	(12,389 ft ²)
Maximum <i>Coverage</i>	55%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	1.8 m	(5.91 ft)
<i>Rear yard</i>	5.9 m	(19.36 ft)
<i>Side yard (north)</i>	3.4 m	(11.15 ft)
<i>Side yard (south)</i>	2.8 m	(9.19 ft)
Maximum <i>Floor Area Ratio</i>	1.62	
Maximum <i>Height, Principal Building</i>	18 m	
Maximum number of <i>dwelling units</i> :	25	

8.5.3 Parking

8.5.3.1 Vehicle parking will be provided at the following minimum rates:

Type	Bed(s)	Spaces per <i>Dwelling unit</i>
Multi-family	Studio	0.75
Multi-family	1 bed	0.75
Multi-family	2 bed	1.25
Multi-family	3 bed	1.50

8.5.3.2 Secure bicycle storage will be provided at a rate of 0.96 spaces per *dwelling unit*.

8.5.4 Useable Open Space

8.5.4.1 A total of 395 m² of *Usable Open Space* will be provided at a rate of 15.8 m² per *dwelling unit*.

8.5.4.2 Notwithstanding Section 6.27.2(c), required useable open space may consist exclusively of roof garden areas, private balconies, and private patios.

8.5.5 Landscaping

8.5.5.1 Landscape screening will be provided along the side and rear property lines except where vehicle access is provided.

8.5.6 Signage

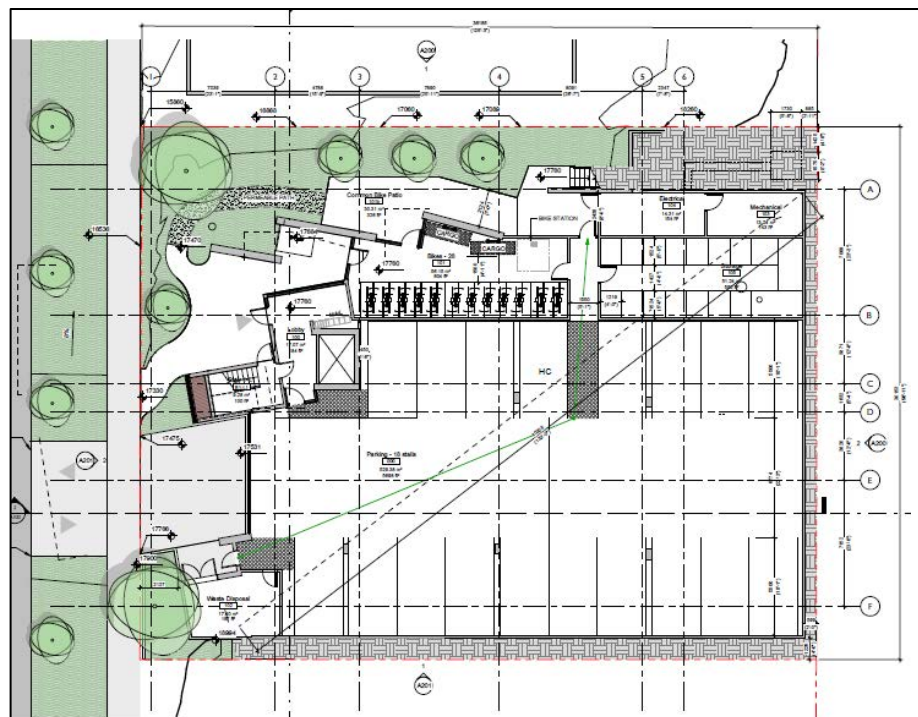
8.5.6.1 All signage must meet the requirements for multi-family zones in Port Alberni Sign Bylaw No. 4843.

8.5.7 Conditions of Use

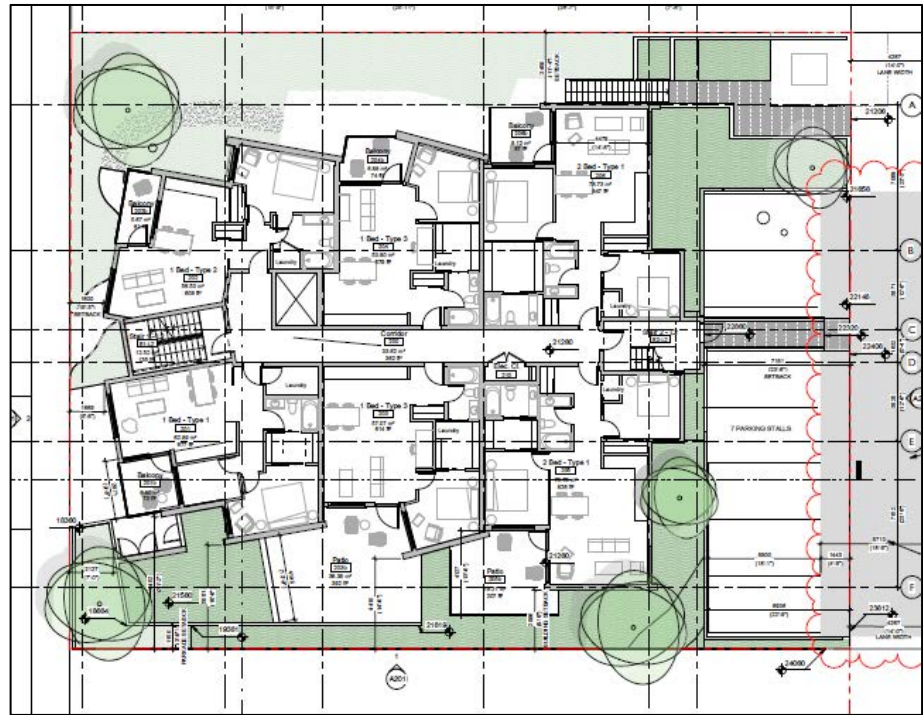
- a) Limits to *Home Occupation* listed as Section 6.15.6(f) apply to this zone.
- b) Notwithstanding Section 11.1.2, a minimum side yard setback of 1.15 m is permitted for an *underground parking* structure to a maximum height of 3.5 m above *grade*.

8.5.8 Site Plan

8.5.8.1 *Site Plan at Ground Floor*



8.5.8.2 Site Plan at 2nd Floor



READ A FIRST TIME this 27th day of May, 2024.

READ A SECOND TIME this 27th day of May, 2024.

READ A THIRD TIME this 27th day of May, 2024.

RECEIVED the approval by the Ministry of Transportation.
Exempt as per Ministerial Order No. M114.

ADOPTED this day of , 2024.

Mayor

Corporate Officer

Schedule A: Zoning Map

Zoning Designation Key

• SSPEC - Site Specific Zoning is Applied

Low Residential

- R Residential
- RR Rural Residential

Multi-Residential

- RM1 Low Density Multi-Residential
- RM2 Medium Density Multi-Residential
- RM3 Higher Density Multi-Residential
- TH1 Townhouse Multi-Family
- MH1 Mobile and Modular Homes

Commercial

- C9 Commercial Guest House
- C5 Transitional Office
- C1 Neighbourhood Commercial
- C8 Commercial Recreation
- W1 Waterfront Commercial
- C2 General Commercial
- C6 Gaming Centre
- C3 Service Commercial
- C4 Highway Commercial
- C7 Core Business

Industrial

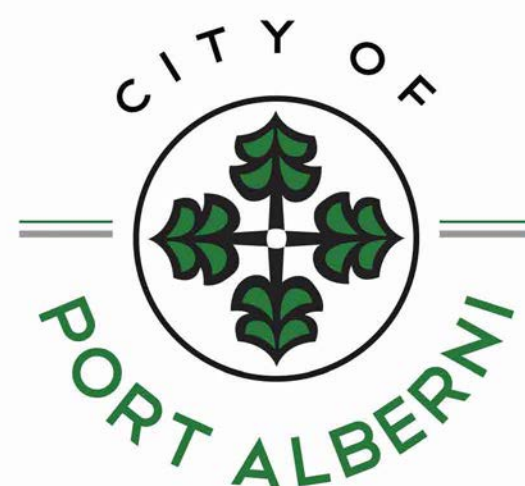
- M1 Light Industry
- M2 Medium Industry
- M3 Heavy Industry
- M4 Utility
- W2 Waterfront Industrial

Comprehensive Development

- CD2 Multi-Residential Infill - 4738 Athol Street
- CD3 Multi-Residential Infill - 4835 & 4825 Burde St. and 3614 & 3618 5th Ave.
- CD5 Comprehensive Development - 3045, 3053, 3063 Kingsway Avenue

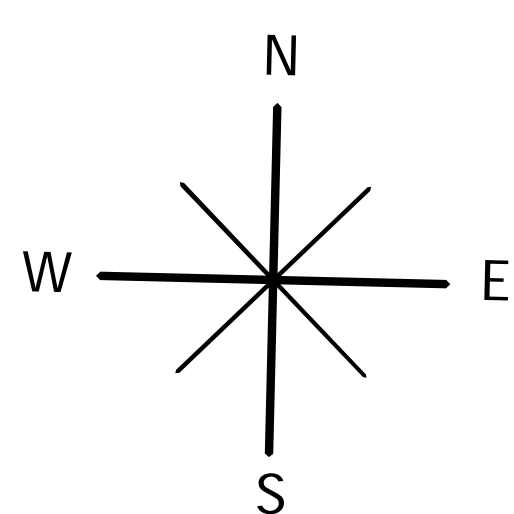
Other

- FD Future Development
- A1 Agriculture
- P1 Institutional
- P2 Parks and Recreation



Port Alberni Zoning Bylaw No. 5105 Schedule 'A' Zoning Map

This map has been consolidated to May 13, 2024. All persons making use of this consolidated map are advised that it has no legislative sanction; that the amendments have been embodied for convenience of reference only and that the original bylaw and all amending bylaws must be consulted for all purposes of interpreting and applying the law. Any parts of the original bylaw or original bylaw as amended which have been repealed have not been included in this consolidation.



RECEIVED

MAY 27 2024

CITY OF PORT ALBERNI



<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input 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 checked="" type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other _____

File # 0230-20-CAT
3 0630-01

Rec June 10/24

Port Alberni Community Action Team

ptalbcac@gmail.com

c/o Angeline Street, Coordinator, [REDACTED]

To Mayor Minions and Port Alberni City Council,

The Port Alberni Community Action Team is requesting your consideration for two items in regard to International Overdose Awareness Day on August 31st.

1. We would like to request that the City of Port Alberni officially declares recognition for International Overdose Awareness Day, which occurs annually on August 31st.
2. We would like to request permission to put up a semi-permanent art memorial on the fence at Dry Creek Park.

We have attached supporting documents to explain the proposed art memorial, and have also included a proposed Proclamation to be used by the City. We welcome any questions or requests for additional information.

Angeline Street

Ron Merk

Ellen Flood

Port Alberni Community Action Team

Art Installation in Support and Remembrance

The toxic drug crisis has claimed the lives of 140 community members in Alberni-Clayoquot since 2016. There have been calls from community members and service organizations for a public memorial that remembers the losses to this tragedy. As many of the deaths have occurred in the marginalized population, the friends and community around them have had little or no opportunity to adequately recognize the loss or grief.

The proposed art installation/ public memorial takes inspiration from the wooden fish that have been painted by students and hang on school fences all over Vancouver Island.



Wooden hearts will be painted by members of the public at the International Overdose Awareness Day event on August 30th, as well as by community members who have been directly impacted by the toxic drug crisis. They would be hung using 'zap straps' on the chain link fence, creating a semi-permanent memorial.

The Port Alberni Community Action Team requests that we use the chain link fence at Dry Creek Park, between the entrance and the horseshoe club facing The Quadrant.

The image below is for example only. The actual installation will vary.





WHEREAS, the City of Port Alberni does affirm and acknowledge the harm and hardship caused by drug overdose; and

WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and ending the stigma of drug-related deaths; and

WHEREAS, we resolve to play our part in reducing the toll of overdose in our community, which has claimed the lives of 140 people in the Alberni- Clayoquot region since 2018, together with countless more lives affected forever; and

WHEREAS, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our love, compassion and support;

THEREFORE, I, Sharie Minions, Mayor, do hereby proclaim August 31st, as Overdose Awareness Day in the City of Port Alberni.



RECEIVED

MAY 31 2024

CITY OF PORT ALBERNI

From: Sylvain Rollin <WescoFoods@hotmail.com>

Sent: May 29, 2024 5:26 PM

To: Sara Darling <sara_darling@portalberni.ca>

Subject: Request to Council - Letter of support

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other
RCM June 10/24
0230-01
File #

Hi Sara,

I would like to send a formal request to the city council, for the June 10th meeting, to prepare and receive a letter of support addressed to Wesco Food Society coming from the City of Port Alberni for our new location at Unit #1 - 2960 3rd Ave, Port Alberni, BC V9Y 2A7 where our *little kitchen academy* and our *good food boxes* for community members will be distributed.

We serve the coalition of food for kids at school as a greater sustainable impact in providing nutritional and food literacy venues for our local food districts. With this new development building in Uptown, we can serve better our community food programs that offer so many local food development benefits, distribution and accessibility for our community members and partners.

More information is available at

https://protect.checkpoint.com/v2/_www.wescofoods.ca_.YzFjOmNpdHlvZnBvcnRhbGJlc m5pOmM6bzo1NDRIODU4Y2VmOWFjNmEwMDIwNDJYjZlOTNkMDc1Nzo2OjI2YjY6MzUyZjYzO WZINzY1ZmQxYWMwZmQyYWewNjRiMWRkNDBkNzIzYTVhMmE2ZDk5ZmQzNzBlYTY4MWUyY mU2YWY4ODp0OIQ for each of our programs.

Kind Regards.

Sylvain Rollin

Executive Director

T: [REDACTED]

E: wescofoods@hotmail.com

We respectfully acknowledge that our place of work is within the ancestral territories of the Tseshah and Hupacasath First Nations.

Website at <https://www.wescofoods.ca/>

Please join our Facebook page at <https://www.facebook.com/WescoFoods> & Instagram page at <https://www.instagram.com/wescofoods/?hl=fr>



RECEIVED

MAY 27 2024

CITY OF PORT ALBERNI



<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input 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 checked="" type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other _____

File # 0230-20-CAT
3 0630-01
RCM June 10/24

Port Alberni Community Action Team

ptalbcac@gmail.com

c/o Angeline Street, Coordinator, [REDACTED]

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Angeline Street

Ron Merk

Ellen Flood

Port Alberni Community Action Team

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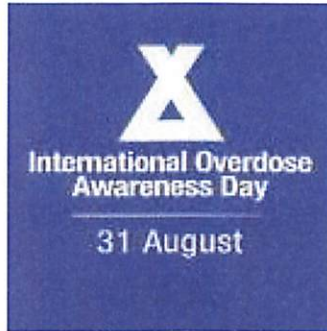


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RECEIVED

MAY 27 2024

CITY OF PORT ALBERNI

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other
REM June 10/24
File # 0630-01

From: Hope Milloy <milloy.ikca@gmail.com>

Sent: Monday, May 27, 2024 2:23 PM

To: Annie O'Connor <annie_o'connor@portalberni.ca>; CityPa <citypa@portalberni.ca>

Subject: Request the Proclamation of Childhood Cancer Awareness Month September 2024

Good Afternoon,

Last year the City of Port Alberni approved the proclamation request to declare September Childhood Cancer Awareness Month. Island Kids Cancer Association would like to again request a proclamation for the Month of September 2024 to Proclaim that month Childhood Cancer Awareness Month.

Sincerely,

Hope Milloy

Administration Coordinator

Island Kids Cancer Association

Milloy.ikca@gmail.com

778-922-6012

<https://www.ikca.ca>



Proclamations Submission

Part 1 - Contact Information

Contact Name:

Hope Milloy

Mailing Address:

5 795 Central Spur Road, Victoria BC, V9A 7R3

Contact Email:

milloy.ikca@gmail.com

Contact Phone Number:

7789226012

Part 2 - Proclamation Details

Name of your cause:

Childhood Cancer

Description of the cause:

Childhood Cancer Awareness Month September 2024

Date:
2024 / 09 / 01

Hosting local organization:
Island Kids Cancer Association

Provide a draft of your proclamation:

WHEREAS: Childhood Cancer is the number one disease killer of children in Canada, killing more children between the ages of one and twenty than Asthma, Diabetes, Cystic Fibrosis and AIDS combined. Every 2 minutes a child is diagnosed with cancer around the world every year.

AND WHEREAS: Every year more than 1700 children are diagnosed with Cancer in Canada;

AND WHEREAS: Every year in Canada over 300 children under the age of 20 years will lose their lives to cancer;

AND WHEREAS: Of the children who survive their initial cancer most will develop lifetime side effects and are much more likely to develop another form of malignant cancer

AND WHEREAS: The mental health of children and youth with cancer including their families should be paramount, and support attainable.

AND WHEREAS: Our children are our most precious resource and are truly valued by all peoples of British Columbia.

RECEIVED

MAY 29 2024

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 #	8710-01

RCM June 10/24

From: Jen Hazell <jen@spurcommunication.ca>

Sent: May 29, 2024 11:03 AM

To: Jen Hazell <jen@spurcommunication.ca>

Subject: Invitation for Elected Official: BC Ferries Charting the Course Extended Engagement

Good morning,

We are pleased to announce that, as part of BC Ferries' ongoing *Charting the Course* initiative, an additional workshop will be scheduled for June 13. This new workshop is a crucial component of our collaborative discussions about BC Ferries' future planning, including what is needed to keep people, goods, and services in coastal communities connected and moving now and into the future. We recognize the pivotal role you play in ensuring the connectivity and prosperity of the communities you represent and your insights and contributions to this expanded discussion will be invaluable in informing the strategies being developed by BC Ferries.

This invitation has also been shared with community and general interest-holder groups as an extension of the broader workshops that were held in May. Following the opening group presentation, elected officials will have their own breakout room, with the goal of ensuring candor and meaningful feedback.

Workshop Details

- DATE: Thursday, June 13, 2024
- TIME: 10:00am to 12:00pm
- VENUE: Computer with keyboard (note: tablets or iPads may not be suitable), Zoom Virtual Meeting

Background

Charting the Course is a visioning initiative for the coastal ferry system that is being developed by BC Ferries. Last fall, BC Ferries held the first round of *Charting the Course* workshops with community members, local governments, and interest-holders. During these sessions, participants were asked to rank, comment on and indicate their support for six proposed long-term goals. With their support, BC Ferries is now exploring several key policy areas that align with these priorities, including:

- Service levels
- Integration of ferry services into the wider transportation network, including transit
- The role of coastal ferries in the movement of goods
- Approach to pricing and demand management
- Approach to GHG emissions reductions

The fall engagement and update report is now [available for download here](#), and the final vision is expected by early 2025, which will outline the plan for an integrated, reliable, and accessible ferry service for decades to come.

How to Register

For inquiries or to confirm your attendance, please contact Jen Hazell at jen@spurcommunication.ca by **June 10, 2024**. Spur Communication is supporting the engagement for this project.

Please note: This invitation is non-transferable and intended solely for the recipient. If you believe this invitation would be more suitable for someone else within your organization or should you wish to have one person attend in your stead, we kindly ask that you let us know before sharing. Thank you for your understanding!

About Us

Spur Communication is a public engagement and strategic communication agency retained by BC Ferries to support *Charting the Course*. We look forward to facilitating the workshop with you.

All the best,
Jen

--

Jen Hazell
Associate Senior Consultant
[Spur Communication](#)
Office: 778.655.2337
Follow Spur on [Instagram](#) & [LinkedIn](#)



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

RECEIVED

MAY 28 2024

CITY OF PORT ALBERNI

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☐ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other
RCM June 10/24
File # 0400-60-ACRD

May 21, 2024

DEBBIE HAGGARD
City of Port Alberni
4850 Argyle Street
Port Alberni, BC
V9Y 1V8
debbie_haggard@portalberni.ca

Dear Councillor Debbie Haggard,

On behalf of the Alberni-Clayoquot Regional District Board of Directors, we would like to thank you for volunteering to sit on the Alberni Valley Aquatics Feasibility Study Committee. We also offer our sincere appreciation that you willingly stepped in as Chair when Ron Paulson left the Committee.

We are so pleased that the Committee has successfully completed its work. Together we laid the groundwork for this project, created a mission and vision, and listened to community input. Each of you brought a unique perspective and different experiences and backgrounds that were crucial as we explored the feasibility of a new aquatic centre for the Alberni Valley.

The possibility of a new aquatic centre for our community is something that has been discussed extensively over the years. By offering to participate on the Aquatics Committee, you brought opinions and perspectives to the table that were essential in moving forward.

The work of this committee will guide the aquatic centre project into the third phase, which will bring the decision on this important issue to the residents of the Alberni Valley.

On behalf of our ACRD Team Big Splash, please accept our sincere appreciation for all your hard work and the support you offered us during the first two phases of this project.

Sincerely,

John Jack

John Jack,
Chair

RECEIVED

MAY 31 2024

CITY OF PORT ALBERNI

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
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<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 # 0230-01 *RCM JUN 10/24*

From: info@bcgames.org <info@bcgames.org>

Sent: May 27, 2024 3:50 PM

To: info@bcgames.org

Subject: Future BC Winter and BC Summer Games Host Communities

Good Afternoon,

Today, we announced that Kamloops and Penticton have been named the hosts of the 2028 BC Winter and BC Summer Games, respectively, through direct award in recognition of their role as our first host communities.

The 2028 Games cycle marks 50 years since the inaugural BC Games in 1978, and we are excited to return to our roots in a celebration of the legacy and impact that the Games have had on the province. More information can be found here: <https://bit.ly/3yExzBN>

All communities will be invited to bid for the 2030 BC Winter and BC Summer Games when the process opens in late 2026. More than 40 communities from across B.C. have played host to the Games since 1978. From 2010 to 2026 alone, hosts will represent seven of the eight BC Games geographical zones, demonstrating the far-reaching impact that the Games continue to have on communities across the province.

The BC Winter and BC Summer Games are British Columbia's premier multi-sport events and feature our best young athletes and developing coaches and officials. The BC Games are a galvanizing force that builds volunteer and community capacity and contributes to positive long-term legacies. The estimated economic benefit for host communities is \$2 million and \$1.6 million for the BC Summer Games and BC Winter Games, respectively.

We have previously announced the host communities for the 2026 BC Winter and BC Summer Games as:

- Trail-Roseland 2026 BC Winter Games, February 26–March 1, 2026
- Kelowna 2026 BC Summer Games, July 23–26, 2026

We encourage communities interested in bidding for future Games to:

1. **Save the date:** The bidding process for the 2030 BC Winter and BC Summer Games will open in late 2026.
2. **Build relationships in your region:** The BC Games require strong partnerships between cities, school districts, First Nations communities, Local Sport Organizations (LSOs) and more. We encourage you to continue to foster these relationships to build hosting capacity for future Games.

We are very fortunate to be able to move these Games throughout the province and with the collaboration from your communities, spread the sport and community development benefits of a BC Games to athletes, coaches, officials, volunteers, and families across B.C.

We look forward to continued collaboration and success as we continue to build the legacy of the BC Games throughout the province.

Kind regards,

Alison Noble
President and CEO
BC Games Society



info@bcgames.org | www.bcgames.org

We respectfully acknowledge the Lekwungen-speaking peoples on whose traditional territory the BC Games Society office stands, and the Songhees, Esquimalt, and WSANEC peoples whose historical relationships with the land continue to this day.

We inspire exceptional experiences by creating a positive, respectful, and inclusive environment regardless of anyone's gender, accessibility, ethnic background, colour, sexual orientation, religion, political belief, or economic status.



Councillor Report

For June 10, 2024

Councillor Debbie Haggard

May 1, 2024 – Alberni Clayoquot Regional District Board Orientation - The ACRD held an orientation for the Directors and alternates of the Board. There are some new Directors since the original orientation was held and it was a good refresher for those of us who attended the first orientation.

May 2, 2024 – I attended the **West Coast General Hospital Celebration**. This was a way for the West Coast General Hospital Foundation to connect with the community and to say thank you to its many donors. It will continue fundraising activities to secure needed equipment for our hospital.

May 3, 2024 – McHappy Days – I was pleased to volunteer for McHappy Days. Thank you to all of the volunteers who gave their time and energy and enthusiasm to a very successful McHappy Days! Between the Port Alberni and Comox Valley Restaurants, over \$20,000 was raised. Celebrating its 30th anniversary, McHappy Days has now raised over \$100 million for Ronald McDonald Houses and children's charities across Canada.

May 8, 2024 – Alberni Clayoquot Regional District Board meeting – Highlights include:

- Presentation from the Alberni Valley Drag Race Association
- Endorsement of the 2024 Solid Waste Management Plan Guiding Principles
- Approval of the 2024 – 2025 Annual Operating Agreement between BC Transit and the ACRD for Alberni Valley Custom Transit

May 9, 2024 – Community Action Team – Highlights include:

- Update on the BC Coroner's Report for the month of March
- Healing Hearts support group will be starting in June
- Living Library Event will be held on June 19th, 5:30 – 7:30 at VIRL branch at Echo Centre
- International Overdose Awareness Day public information event will be held at the Barclay on August 30th.

May 15, 2024 – Alberni Clayoquot Health Network – Highlights include:

- Presentation on the Long Beach Primary Care Service Plan
- Communities /Building Youth Futures continues to be active engaging and supporting youth.

May 22, 2024 – Situation Table – Community Mobilization – This was the inaugural meeting for a local Situation Table. The group of local service providers received an orientation and information on what is a Situation Table. This is not a new concept but it is new for Port Alberni.

May 22, 2024 – Alberni Clayoquot Regional District Board meeting – Highlights include:

- Amendments to the Alberni Valley Landfill tipping fees in order to bring the costs in line with other landfills.
- The ACRD Board of Directors support the grant funding to the Watershed Security Fund for up to \$35,000 to conduct an agricultural water assessment in the Alberni Valley.

- The Primary Care Recruitment and Retention Report was received. The report will go to a future Committee of the Whole meeting to better establish the details of the next phase of work in exploring a possible new service or services.

May 24, 2024 - I attended a zoom call with **Island Health**. This was an opportunity for Island Health to discuss and update on their priorities and to have an opportunity for questions and dialogue with representatives from throughout the Island region.

May 31, 2024 – A group of us went for a tour of the **Somass Site** and saw firsthand what changes have taken place. So much work has happened since the last time I was on site. We also went to the top of the silo and saw some beautiful views of the waterfront, including some wildlife.

June 1, 2024 – I attended the annual **Ty Watson Black Tie Gala**. All the money raised will go towards the operating costs at the Ty Watson House. Thank you to the organizers and all of the very generous donations from the small business community.

Councillor's Report
June 5, 2024

May 22nd

*Westcoast Highway 4 Business Disruption
Zoom Meeting*

A focus group discussion on Hwy 4 closure to uncover a preliminary review of the closure impacts effecting businesses and preventing future business disruptions.

The focus group included an opportunity to consider the impact themes from surveys completed immediately after the closure as well as some of the solution themes identified to date.

West Coast and Alberni Valley Chambers of Commerce hired WCS Engagement and Planning to explore the impacts of last year's Highway 4 closure and identify solutions for future disruptions.

It will be interesting to see the outcome from these sessions.

May 27th

Pride Flag Day

Along with Councillor Dustin Dame, City Staff, Representatives from the Alberni Valley Pride Society we raised the Pride Flag. Marking the official start of Pride Week in the Alberni Valley.

May 28th

Audit Committee

Four members of the public showed up asking questions.

May 30th

Chamber of Commerce

New Board Members oath of office. Welcoming new Board Members. Explaining role of new Board and committee positions. Overview of Strategic Plan and Goals for new Board.

Executive – Chris Washington (president); Colin Minons (1st vice-president); Nicolas Metzger (2nd vice-president); Dyla Ashwood (treasurer); Allie Ashwood (secretary); Terry Deakin (past-president).

Directors – Abus Jahangir, Erin Williams, Thomas Senecal

Appointees (non-voting) - Cindy Solda (Councillor City of Port Alberni); Pat Deakin (Economic Development City); Mayor Sharie Minons (ACRD); Natasha Marshall (Councillor Tseshaht First Nations); Serena Mayer (Hupacasath First Nation)

June 4th

RCMP Municipal Police Unit Agreements (MPUA)-Authorities and Responsibilities – UBCM

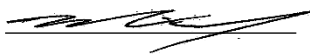
The webinar focused on authorities and responsibilities of municipalities with an MPUA, to inform elected officials and staff members from communities. Discussion on engagement and Input; Emergencies and Events; Finances, Equipment and Supplies; Assessments, Disputes, and Committees; Benefits of Contract Policing and Future Considerations.

I did not hear any new information that the City was not aware of but it is good to have a refresher.

Respectfully Submitted

Cindy Solda
City Councillor
Port Alberni

Date: May 30, 2024
File No: 0890-20-3061 8th Avenue Rollins Building
To: Mayor & Council
From: Mike Fox, CAO
Subject: Potential Uses of the Existing Rollins Building on 8th Avenue

Prepared by: <i>S. SMITH</i> DIRECTOR OF DEVELOPMENT SERVICES/DEPUTY CAO	Supervisor: <i>M. Fox</i> CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION

That Council direct staff to discuss the potential use of the existing Rollins building on 8th Avenue with the Saltair Childcare Society for additional childcare spaces.

PURPOSE

To request preliminary direction for the potential future use of the existing Rollins building on 8th Avenue.

BACKGROUND

The City of Port Alberni is nearing completion of the new 88 space childcare centre on 8th Avenue. Substantial completion of the building is estimated for June, with landscaping and playground construction beginning soon after. The new childcare centre is connected to the existing Rollins building, but they are separate buildings and could be operated independently. Originally the Community Arts Council was to re-occupy the Rollins building once construction was complete on the childcare centre. The Community Arts Council has chosen to remain at Harbour Quay under a lease with the City.

The childcare centre building, Rollins building and garden area property are all zoned P1 -Institutional (see attached permitted uses). A new parking lot has been constructed for the childcare centre, but no other on-site parking exists, limiting the available parking for other potential uses of the existing Rollins building.

The childcare centre operator, Saltair Childcare Society dba Inquiring Little Minds has expressed an interest in also leasing the existing Rollins building for additional childcare spaces. The Alberni Drug & Alcohol Prevention Service (ADAPS) has also expressed a potential interest in a 2 to 3 year lease for office use as they develop the long-term Foundry/ADAPS facility.

ALTERNATIVES/OPTIONS

1. *That Council direct staff to discuss the potential use of the existing Rollins building on 8th Avenue with the Saltair Childcare Society for additional childcare spaces.*
2. *That Council direct staff to discuss the potential use of the existing Rollins building on 8th Avenue with the Alberni Drug & Alcohol Prevention Service for office use.*
3. *That Council directs staff to draft a Request for Proposal for potential uses of the Rollins building on 8th Avenue.*
4. *That Council direct staff to prepare a plan (including detailed costs) to create a public park for the green spaces area north of the existing Rollins buildings.*

ANALYSIS

The childcare operator has expressed an interest in also leasing the existing Rollins building for additional childcare spaces. A preliminary review estimates a further 20 childcare spaces could be provided with some minor capital improvements and some additional area for outdoor play space. If Council supports the Rollins building for additional childcare space, staff would work out details on capital improvements and a revised lease. Based on a recent discussion with the Province, there is a strong opportunity to receive additional capital funding as these additional childcare spaces would be at a lower cost per childcare space for the overall facility.

The Alberni Drug & Alcohol Prevention Service (ADAPS) has also expressed a potential interest in a 2 to 3 year lease for office use as they develop the long-term Foundry/ADAPS facility. An office is a permitted use in the P1 zone, but staff would need to confirm parking requirements. Staff are not aware of any grant funding opportunities, so ADAPS would need to have money for any necessary renovations and lease payments.

A third option would be for the City to issue a Request for Proposal for potential use of the Rollins building. As previously stated the Rollins building and garden area are all zoned P1 -Institutional which limits the potential uses. A further limitation is the lack of further on-site parking beyond what has been developed for the childcare centre.

Under all options the City could include the green space area located north of the existing Rollins building with any potential use of the building or the City could consider developing this area as a separate pocket park for the general public. If the Council wanted to consider the green space area for a public park, it is recommended that staff have a plan prepared to provide public access and minor improvements (no public washrooms). A preliminary estimate for annual maintenance of this area as a park is \$27,000.

IMPLICATIONS

If Council directs staff to discuss the potential use of the existing Rollins building on 8th Avenue with the Saltair Childcare Society, there is potential of receiving Provincial grant funding for improvements and additional childcare spaces for the community.

The Alberni Drug & Alcohol Prevention Service (ADAPS) use of the Rollins building for an office is a permitted use in the P1 zone, but staff would need to confirm parking requirements. Staff are not aware of any grant

funding opportunities, so ADAPS would need to have money for any necessary renovations and lease payments.

Issuing an RFP may result in another use for the Rollins building, but would delay the use of the building and any potential tenant would need to pay for any required improvements.

If the City wanted to create a small public park area, the green space area would be available to the public, but would have a capital and operational costs.

COMMUNICATIONS

No current communication is required.

BYLAWS/PLANS/POLICIES

The goals and strategies within Council's *2023-2027 Corporate Strategic Plan*:

- 3.1 The highest and best use is made of City owned assets.
- 3.3 City provides quality services to residents.

SUMMARY

The City is nearing completion of the new 88 space childcare centre on 8th Avenue. Substantial completion of the building is estimated for June, with landscaping and playground construction beginning soon after.

If Council directs staff to discuss the potential use of the existing Rollins Building on 8th Avenue with the Saltair Childcare Society there is potential of receiving Provincial grant funding for improvements and additional childcare spaces for the community. The Alberni Drug & Alcohol Prevention Service (ADAPS) use of the Rollins Building for an office is a permitted use in the P1 zone, but staff would need to confirm parking requirements. Staff are not aware of any grant funding opportunities, so ADAPS would need to have money for any necessary renovations and lease payments. Issuing an RFP may result in another use for the Rollins building, but would delay the use of the building and a potential tenant would need to pay for any required improvements.

If the City wanted to create a small public park area, the green space area would be available to the public, but would have a capital and operational costs.

Any of the options is providing preliminary direction to staff to work on details that would need to come to a future Council meeting for consideration.

ATTACHMENTS/REFERENCE MATERIALS

- P1 – Institutional zone

Bylaw No. 5074

P1 – INSTITUTIONAL

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

5.31.1 Permitted Uses

Principal Uses

Ambulance station

Arena

Assembly, cultural or recreational facility

Childcare centre

Community Care facility

Dormitory

Firehall

Hospital

Hostel

Medical service

Office

Parking Lot

Personal service

Place of worship

Police station

Pound

School

Supportive housing

Transition house

Tutoring service

Accessory Uses

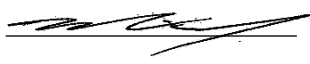
Caretaker's *dwelling* unit, subject to Section 6.16

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

5.31.2 Site Development Regulations

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

Date: June 4, 2024
File No: 4020-30-NR-5170 Argyle Street
To: Mayor & Council
From: M. Fox, CAO
Subject: 5170 Argyle Street [Port Pub] – Revised Remedial Action Order

Prepared by: D. LEUREBOURG DIRECTOR OF CORPORATE SERVICES	Supervisor: M. Fox CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION

That Council pass a resolution for a remedial action requirement in the following terms:

WHEREAS Division 12 of Part 3 of the Community Charter authorizes Council to impose a remedial action requirement on the owner of a building or structure which is in a hazardous condition, including a requirement to demolish or remove the building or structure or to otherwise deal with it in accordance with the directions of Council or a person authorized by Council;

AND WHEREAS Division 12 of Part 3 of the Community Charter authorizes Council to declare a building or other structure to be a nuisance and so dilapidated or unclean as to be offensive to the community, and to impose a remedial action requirement on the owner of such a building or structure, including a requirement to demolish or remove the building or structure or to otherwise deal with it in accordance with the directions of Council or a person authorized by Council;

AND WHEREAS 1052162 BC Ltd. is the registered owner (the "Owner") of the property at 5170 Argyle St and having a legal description of: LT 24 BLK 86 DL 1 ALD PL VIP197 & LT 23 BLK 86 DL1 ALD PL VIP197 (the "Property");

AND WHEREAS section 17 of the Community Charter provides that the authority of Council to require that something be done includes the authority to direct that, if a person subject to the requirement fails to take the required action, the Municipality may fulfill the requirement at the expense of the person;

AND WHEREAS Council passed a previous resolution for a remedial action requirement on the Property on January 22, 2024 [the "January Remedial Action Requirement"], which has not been carried out by the Owner within 30 days of receiving notice, or at all;

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

1. *THAT Council hereby considers that the building located on the Property (the “Structure”) is unsafe and contravenes the BC Building Code and the Port Alberni Building Standards Bylaw No. 4975, 2018, and therefore is in a hazardous condition within the meaning of Section 73 of the Community Charter;*
2. *THAT Council hereby considers that the Structure and the discarded materials and refuse about the Structure on the Property are a nuisance and are so dilapidated and unclean as to be offensive to the community, within the meaning of Section 74 of the Community Charter;*
3. *THAT Council hereby requires, pursuant to its powers under Section 72(2)(b) of the Community Charter, that the Owner, within 30 days of the date this Resolution is sent to the Owner, do all things necessary to apply for a demolition permit for the Structure under the Port Alberni Building Standards Bylaw;*
4. *THAT the Owner, within 30 days of receiving a demolition permit under Section 3 of this Resolution, must demolish the Structure and remove all resulting debris, and comply with all requirements of the demolition permit and the Building Standards Bylaw in relation to the demolition, including but not limited to requirements for the abatement and handling of hazardous materials;*
5. *THAT the Owner may request that Council reconsider the terms of this Resolution by providing the City with written notice within 14 days of the date on which notice of this Resolution is sent to the Owner under Section 77 of the Community Charter; and*
6. *THAT if the Owner has not completed any requirement imposed by this Resolution within the time limit for so doing, City staff and contractors are authorized to enter on to the Property for the purpose of and to fulfil the applicable requirement(s) without further notice to and at the expense of the Owner, and may recover the cost of so doing from the Owner, together with costs and interest, as a debt and in the same manner as municipal taxes in accordance with sections 17, 258 and 259 of the Community Charter.*

PURPOSE

This report provides Council with information pertaining to the compliance and nuisance issues related to the Property at 5170 Argyle Street, Port Alberni, and recommends that Council impose remedial action requirements on the Property to compel the Owner to bring the Property into compliance with City bylaws, provincial building legislation, and to remedy its status as a nuisance, in addition to obtaining Council direction to proceed with direct action on the Property if compliance is not achieved within the required time limit set by Council.

BACKGROUND

On January 22, 2024, Council passed a resolution to impose a remedial action requirement on the Owner to remedy a number of hazardous and nuisance conditions on the Property, including by repairing elements of the structure, taking steps to ensure fire safety, and clean up significant accumulations of refuse and filth both inside and outside the primary structure. Detailed background on the process and powers for Remedial Action Requirements under the *Community Charter*, applicable provisions of the City’s Bylaw and the Building Code, and the lengthy and significant history of problems at the Property can be found in the January 12, 2024 Staff Report attached as Appendix A to this report. An update regarding the lack of progress in implementing the

January Remedial Action Requirement, continued problems at the Property, and escalating fire hazards can be found in the March 4, 2024 Staff report attached as Appendix B to this Report.

On May 2, 2024, the City received a Condition Assessment of the Property from McGill and Associates Engineering Ltd., a firm engaged by the City to assess the structural, building envelope, and life-safety architectural elements of the building in question. This Condition Assessment is attached as Appendix C to this Report. In summary, the work required to bring the building on the Property up to an acceptable standard would be significant and is expected to cost close to \$1 million, not including hazardous materials abatement. On May 22, 2024, a follow-up fire inspection was completed, which revealed no progress on addressing the fire hazards and deficiencies on the Property. An inspection report is attached as Appendix D.

On May 27, 2024, the City received a laboratory report confirming the presence of asbestos on the Property, which is attached as Appendix E to this Report. The City issued a Notice of Hazardous Materials to the Owner and the tenants of the Property – attached as Appendix F – and discontinued the Fire Watch put in place by the City due to the inoperable fire alarm and sprinkler systems. The removal of the Fire Watch necessitated the issuance of a Fire Order requiring the building to be vacated and secured. This Fire Order is attached as Appendix G to this Report.

ALTERNATIVES/OPTIONS

1. That Council declare the Property to be in a hazardous condition by virtue of its breaches of the Building Bylaw, Building Standards Bylaw and the Fire Bylaw, as well as being a nuisance and so dilapidated and unclean to be offensive to the community, and impose remedial action requirements as identified in the recommendations of this report
2. That Council direct staff to prepare an alternative form of resolution to impose a remedial action requirement that provides the option to either remediate or demolish the Structure, and to bring this matter back before Council at its June 24th Regular meeting.
3. That Council take no action at this time.

ANALYSIS

Given the Owner's failure to carry out the January Remedial Action Requirement, the continued deterioration of safety and sanitation on the Property, the escalating fire hazards, and the discovery of hazardous materials that must be safely abated by licenced professionals, and the high cost of remediating the building, it is no longer practical or cost-effective for the measures specified in the January Remedial Action Requirement to be carried out. The state of the hazard and nuisance now posed by the condition of the Property justifies the demolition and removal of the building, along with a full cleanup of all demolition debris along with the refuse and discarded materials.

Should Council wish to exercise Option 2, staff would draft an alternative form of resolution for the Remedial Action Requirement to include the option to bring the property into compliance, as set out in the January Remedial Action Requirement and amended to include additional terms based on the recent inspections and cost assessments.

IMPLICATIONS

The Property is in violation of many City bylaws, and has numerous outstanding violation tickets. Voluntary compliance, letters, orders, tickets, site inspections, and the January Remedial Action Requirement have not resulted in compliance.

The continuing and sustained pattern of nuisance activity inside the Structure and on the Property is negatively impacting the community, and the building deficiencies, fire safety risks and presence of hazardous materials are creating immense concern for safety. The safety of the residents, visitors, workers, City Staff and first responders are all jeopardized by these ongoing infractions. This is not in line with the Council's *Strategic Plan* and the principal 'Fostering a complete community (safe, healthy and inclusive)'.

The current 2024 land & improvements assessed value of the property [Class 6 – Commercial]. is \$1,016,500. Land only assessed value is \$200,803.

Cost implications associated with demolition of the Structure and clearing of the site are approximately \$187,000 plus 15 percent contingency, totalling \$215,050.

The Condition Assessment received from McGill and Associates Engineering Ltd. dated May 2nd was based on an assessment of the structural, building envelope, and life-safety architectural elements of the building in question. The assessment was based primarily on a visual review of the building. No removal of finishes was performed and access to some residential suites upstairs was not possible. The opinion of probable cost provided for the recommended work is \$937,950. This does not include items outside of the firm's scope (eg. electrical, plumbing, hazardous materials).

It is for these reasons that staff are not recommending Option 2 to include the option of bringing the property into compliance.

COMMUNICATIONS

The *Community Charter* requires formal notification be given to the Property's registered owner and to the holders of any charges listed on the Property's assessment roll should Council pass a remedial action requirement as outlined in this report, and requires providing for an opportunity for the owner to request Council's reconsideration of the matter. Specifically, a notice of the resolution imposing the remedial action requirement will be provided in accordance with sections 77(1) and (2) of the *Community Charter*, with section 77(3) setting out specific content that must also be included, to the Property owner and registered share holders.

BYLAWS/PLANS/POLICIES

Anti-litter Bylaw No. 4874

Building Bylaw No. 5077

Building Standards Bylaw No. 4975

Fire Control Bylaw No. 4876

Noise Control Bylaw No. 4718

Property Maintenance Bylaw No. 4712

Solid Waste Collection and Disposal Bylaw No. 5030

Zoning Bylaw No. 5074

SUMMARY

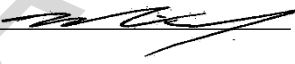
This report provides Council with information pertaining to the compliance and nuisance issues related to the Property at 5170 Argyle Street. The recommendations in this report to issue a Remedial Action Order meet the *Community Charter* requirements and outline the process by which the issues on this Property may be resolved.

ATTACHMENTS/REFERENCE MATERIALS

- *Appendix A: Staff Report, January 12, 2024: 5170 Argyle Street [Port Pub] – Remedial Action Order*
- *Appendix B: Staff Report, March 4, 2024: 5170 Argyle Street [Port Pub] Remedial Action Order Update*
- *Appendix C: McGill and Associates Engineering Ltd. 5170 Argyle Street Condition Assessment*
- *Appendix D: May 22, 2024 Fire Inspection Report*
- *Appendix E: Lewkowich Engineering Associates Ltd. 5170 Argyle Street, Port Alberni, BC – Bulk Asbestos Sample Report*
- *Appendix F: Notice of Hazardous Materials – Notice to Residents and Other Affected Persons and Notice to Owners*
- *Appendix G: May 29, 2024 Fire Order*

c: M. Fox, CAO
M. Owens, Fire Chief
M. Thompson, Acting OIC, RCMP
S. Smith, Director of Development Services/Deputy CAO

Date: January 12, 2024
File No: 4020-30 NR
To: Mayor & Council
From: M. Fox, CAO
Subject: 5170 Argyle Street [Port Pub] – Remedial Action Order

Prepared by: MC. MASSICOTTE MANAGER OF COMMUNITY SAFETY AND SOCIAL DEVELOPMENT	Supervisor: D. MONTEITH DIRECTOR OF CORPORATE SERVICES	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION

WHEREAS

Remedial Action:

1. THAT Council, pursuant Sections 72 and 73 of the Community Charter, considers that the property at 5170 Argyle St and having a legal description of: LT 24 BLK 86 DL 1 ALD PL VIP197 & LT 23 BLK 86 DL1 ALD PL VIP197 (the "Property") is in an unsafe condition and that the structure on the Property (the "Structure") contravenes the BC Building Code and the Port Alberni Building Standards Bylaw No. 4975, 2018;
2. THAT Council, pursuant to Sections 72 and 74 of the Community Charter, declares that the Structure and the discarded materials and refuse about the Structure on the Property are a nuisance and are so dilapidated and unclean as to be offensive to the community;
3. AND FURTHER THAT Council, pursuant to Section 72, 73 and 74 of the Community Charter, resolves that:
 - a. 1052162 BC Ltd., being the registered owner of the Property (the "Owner"), is hereby required to:
 - i. carry out the following work within 30 days of the date that notice of this Resolution is sent to the Owner:
 1. Repair the exterior walls of the Structure, including coping and flashing, to restore the integrity of the building envelope to a condition sufficient to protect the Structure from the weather and from infestations of insects, rodents and other pests, including without limitation by:
 - a. remediating any holes, breaks, loose or rotting boards or timbers and any other condition which might permit the entry of insects, rodents or other pests to the interior of the walls or the interior of the Structure;
 - b. Applying paint, stain or other protective coating to the exterior walls so as to adequately protect them against deterioration;

2. *Remove or permanently cover all graffiti from the exterior of the Structure;*
3. *Replace/repair all broken or missing handrailing on staircases;*
4. *Replace all broken, cracked or otherwise compromised exterior windows to a weathertight condition which operates to provide light and ventilation;*
5. *Replace or repair all damaged, decayed or deteriorated window sashes, window frames and casings;*
6. *Replace or repair all exterior doors of the Structure so that they are weathertight, operational, fit tightly within their frames when closed and self closers are operational with no binding, and locked so as to prevent entry, with at least one entrance door capable of being locked from both inside and outside;*
7. *Replace or repair all interior entrance doors and door frames for each unit to be fitted with proper fitting door in good operating condition and provide locking door knobs;*
8. *Replace or repair the roof of the Structure to a watertight condition with no leaks;*
9. *All drywall repairs to be completed for fire separation and integrity of building;*
10. *An engineer and/or architect must attend, inspect and sign off on the replacement and repair of the fire safety and exit issues;*
11. *Replace or repair all fire escapes and devises for safe exiting, stairs to a safe and clean condition free from rot, holes, cracks, excessive wear and warping, or hazardous obstructions;*
12. *Have licensed electrician inspect and repair all electrical to ensure all lighting, cover plates and smoke and co2 detectors to be in working operation;*
13. *Have a licensed plumber evaluate and make repairs to all communal washrooms, as required inclusive of showers, toilets and hot water tanks;*
14. *Replace or repair all fire protections systems, heat detections, smoke detections, fire alarms, fire extinguishers, sprinkler systems, exit signs, emergency lighting, annunciator panel, fire separations and means of egress required by the BC Building Code and BC Fire Code to a functional and unobstructed condition;*
15. *Remove and properly dispose of all refuse from the interior and exterior common spaces of the Property, including food waste, combustibles, non-combustibles, furniture, appliances, tires, construction waste, stripped or wrecked automobiles, trucks, trailers, boats, vessels or machinery; parts or components of any of the aforementioned, to an appropriate disposal site;*

16. *Designate a space or area for daily refuse on premises and not in emergency egress areas;*
17. *Eliminate all rodents, vermin and insects and soiling's from the Structure;*
18. *Permanently remove all objects placed, stored, or maintained upon any hallways, or entrance way which may interfere with access or egress to or from the Building in case of fire or other emergency, including all access areas on the Property; and*
19. *Prepare a Fire Safety Plan in cooperation with Port Alberni Fire Department and Approved from Fire Prevention Officer.*

Compliance & Reconsideration Notice Time Limit Recommendations:

4. *AND FURTHER THAT Council, pursuant to Section 78 of the Community Charter, direct staff to advise the Owner that the Owner may request that Council reconsider this Resolution by providing written notice within 14 days of the date on which notice of the Remedial Action Requirement was sent to the Owner.*

Municipal Action at Defaulter's Expense:

5. *AND FURTHER THAT Council, pursuant to Section 17 of the Community Charter, authorizes City staff to carry out any requirement set out in Paragraph 3 of this Resolution which the Owner fails to complete within the time permitted by this Resolution, and to recover the cost of carrying out such requirement from the Owner as a debt.*

PURPOSE

This report provides Council with information pertaining to the compliance and nuisance issues related to the Property at 5170 Argyle Street, Port Alberni, and recommends that Council impose remedial action requirements on the Property to compel the Owner to bring the Property into compliance with City bylaws, provincial building legislation, and to remedy its status as a nuisance, in addition to obtaining Council direction to proceed with direct action on the Property if compliance is not achieved within the required time limit set by Council.

BACKGROUND

Community Charter Remedial Action Authority and Process

Sections 72 through 80 of the [Community Charter](#) outline the process for remedial action requirements. Remedial action requirements are imposed by Council resolution and do not require enacting a bylaw.

Section 72 of the *Community Charter* provides the authority for Council to impose remedial action requirements on property owners, lessees or occupiers of land in relation to hazardous conditions or declared nuisances. Section 2(b)(i-iv) also stipulates the actions that Council may require the person to:

- i. Remove or demolish the matter or thing;
- ii. Fill it in, cover it over or alter it;
- iii. Bring it up to standard specified by bylaw; or

-
- iv. Otherwise deal with it in accordance with the directions of Council or a person authorized by Council.

Section 73 details Council’s authority to impose a “hazardous condition” remedial action requirement on a property. Council may only impose a remedial action requirement in relation to a hazardous condition if:

- a) Council considers that the matter or thing is in or creates an unsafe condition; or
- b) The matter or thing contravenes the Provincial building regulations.

Section 74 details Council’s authority to impose a “declared nuisance” remedial action requirement on a property. This section affords Council significant latitude with regards to determining what “matters or things” in relation to a property can be declared a nuisance. This includes the ability for Council to make directions in relation to a thing that is so dilapidated or unclean as to be offensive to the community.

Section 76 stipulates the minimum time period that Council can set for compliance, which is at least 30 days after notice is sent to the person subject to the remedial action requirement.

Section 77 outlines the process the City must follow to notify the property owner or their representatives of Council’s decision to impose a remedial action requirement on the property. It also references the ability for the City to exercise its authority under [Section 17](#) of the *Community Charter* [municipal action at defaulter’s expense] if the remedial action requirement is not completed by the compliance date. Furthermore, Section 17 authorizes the City to collect all related costs as a debt owed to the City which, if unpaid, can be transferred to the property’s taxes as arrears at the end of the year, in accordance with [Division 14](#) [Recovery of Special Fees] of Part 7 [Municipal Revenue] of the *Community Charter*.

Section 78 allows a person affected by the remedial action requirement to request Council reconsider their decision and an opportunity to make a representation directly to Council. This section states the default time period for an affected person to request reconsideration 14 days from the date the notice was sent to the affected persons; Council may extend this time period by resolution, but may only shorten it in cases of emergency.

The Property and the Structure are currently in contravention of the below listed provisions of the following City of Port Alberni Bylaws.

City of Port Alberni Property Maintenance Bylaw No. 4712

Relevant Provisions:

The definition of “unsightly” means *an untidy or otherwise non-aesthetic accumulation of filth, discarded materials or refuse on any real property, and includes graffiti.*

Section 4(a) *requires all real property to be maintained by the property owner or their designate.*

Section 4(b) *no property owner shall cause or permit the accumulation of refuse on his or her property.*

Section 4(k) *No property owner shall permit graffiti in a place visible from adjacent public or private property.*

City of Port Alberni Building Standards Bylaw No. 4975

Relevant Provisions

Every owner or occupier of a real property that contains a Building shall maintain the Building in compliance with the standards set out forming part of this Bylaw.

Every owner of a real property that contains a residential, commercial or industrial Building in the City of Port Alberni shall maintain the Building in accordance with the requirements of this Bylaw.

SCHEDULE "A"

The Owner of a Building or Vacant Building must comply with the following maintenance standards of this Schedule.

PART 1: EXTERIOR WALLS

1.1 The exterior of every building must be constructed, repaired and maintained in a manner that ensures the integrity of the building envelope to protect the building from the weather and from infestations of insects, rodents and other pests.

1.2 Without restricting the general obligation set out in subsection 1.1:

- (a) all exterior surfaces must consist of materials that provide adequate protection from the weather;
- (b) all exterior walls and their components, including casing and flashing, must be maintained in good repair;
- (c) all exterior walls must be free of holes, breaks, loose or rotting boards or timbers, and any other condition which might permit the entry of insects, rodents or other pests to the interior of the wall or the interior of the Building;
- (d) exterior wood surfaces must be adequately protected against deterioration by the periodic application of paint, stain, or other protective coating;
- (f) the mortar of any masonry or stone exterior wall may not be loose or dislodged.
- (g) the exterior of every building must be free of graffiti;
- (h) loose material must be removed from exterior walls, doors, and window openings;
- (i) all windows must be in good repair and properly glazed; and
- (j) all exterior doors to the Building must be operational, fit tightly within their frames when closed, and are locked so as to prevent entry.

PART 2: ROOFS

2.1 Roofs must be constructed and maintained using standard roofing material so as to prevent:

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

2.2 Without restricting the general obligation set out in subsection 2.1:

- (a) Roofs, including fascia boards, soffits, cornices, flashing, eaves troughs and downspouts must be maintained in a watertight condition;
- (b) Roof drainage must be controlled in order to eliminate or minimize runoff to neighbouring properties that:
 - (i) accumulates or causes ground erosion;
 - (ii) causes dampness in the walls, ceilings, or floors of any portion of any neighbouring Building; and
 - (iii) accumulates on sidewalks or stairs in a manner so as to create a hazardous condition.

2.3 Loose or unsecured objects and materials, including accumulations of snow or ice or both that are likely to fall on passersby or are likely to result in the collapse of the roof, must be removed from the roof of a building or an accessory building.

PART 3: FIRE ESCAPES, STAIRS, BALCONIES, AND PORCHES

3.1 Fire escapes, stairs, balconies, and porches shall be maintained:

- (a) In a safe and clean condition;
- (b) In good repair; and
- (c) Free from holes, cracks, excessive wear and warping, and hazardous obstructions.

PART 4: WINDOWS

4.1 Existing windows and frames shall be in sound condition, shall be weathertight and shall operate to provide light and ventilation.

4.2 Maintenance of window as referred to in subsection 4.1 may include painting, refitting, repairing or replacing damaged, decayed, or deteriorated window sashes, window frames, and casings.

PART 5: PEST PREVENTION

5.1 An owner shall ensure that residential and commercial premises are kept free of rodents, vermin, and insects at all times, and appropriate extermination measures shall be taken, as necessary.

PART 6: FLOORS

6.1 Every floor shall be reasonably level, smooth, and maintained in good condition.

PART 7: DOORS

7.1 Existing doors and frames shall be maintained in good repair and weather tight.

7.2 At least one entrance door in every Building shall be capable of being locked from both inside and outside.

PART 8: FIRE PROTECTION SYSTEMS

8.1 Any fire protection system, including alarm and monitoring systems required by the BC Building Code and BC Fire Code, must be maintained in an operational condition.

Section 13 of this bylaw permits City Staff to carry out work required on a property if the owner fails to comply with a formal notice/order to remediate. Costs incurred by the City can be recovered through the real property tax roll and collected in the same manner as property taxes.

Section 14 of this bylaw reiterates Council's authority to impose a remedial action requirement under Division 12, Part 3 of the *Community Charter*. Remedial action can include, but is not limited to, requiring a property to be fully compliant with City bylaws and regulations within 30 days.

Section 15, Recovery of City Costs through the Sale of Property. In accordance with Section 80 of the *Community Charter*, if remedial action requirements have not been satisfied by the date specified for compliance, the City may sell the matter or thing in relation to which the requirement was imposed or any part or material of it.

BC Building Code

Relevant Provisions:

Section 1.1 General

1.1.1.1. Application of this Code

1.1.1.2. Application of this Code

1) This Code applies to any one or more of the following:

h) the correction of an *unsafe condition* in or about any *building*.

j) the work necessary to ensure safety in parts of a building

i) that remain after a demolition,

ii) that are affected by but that are not directly involved in alterations, or

iii) that are affected by but not directly involved in additions,

k) except as permitted by the British Columbia Fire Code, the installation, replacement, or alteration of materials or equipment regulated by this Code,

1.1.1.2. Application to Existing Buildings

1) Where a building is altered, rehabilitated, renovated or repaired, or there is a change in occupancy, the level of life safety and building performance shall not be decreased below a level that already exists. (See Note A-1.1.1.2.(1).)

Section 1.1. General

1.1.4. Fire Safety Plan

1.1.1.4.1. Fire Safety Plan

1) Fire safety plans shall conform to the British Columbia Fire Code.

Section 1.2. Compliance

1.2.1. Compliance with this Code

1.2.1.1. Compliance with this Code

1) Compliance with this Code shall be achieved by

a) complying with the applicable acceptable solutions in Division B (see Note A-1.2.1.1.(1)(a)), or

b) except as required by Sentence (3), using alternative solutions, accepted by the authority having jurisdiction under Section 2.3 of Division C, that will achieve at least the minimum level of performance required by Division B in the areas defined by the objectives and functional statements attributed to the applicable acceptable solutions (see Note A-1.2.1.1.(1)(b)).

2) For the purposes of compliance with this Code as required in Clause 1.2.1.1.(1)(b), the objectives and functional statements attributed to the acceptable solutions in Division B shall be the objectives and functional statements referred to in Subsection 1.1.2. of Division B.

3) An alternative solution shall not be used in place of an acceptable solution if the acceptable solution expressly requires conformance to a provincial enactment other than Book I (General) or Book II (Plumbing Systems) of the British Columbia Building Code.

1.2.1.2. Responsibility of Owner

- 1) Unless otherwise specified in this Code, the owner of a building shall be the person responsible for carrying out the provisions of this Code in relation to that building.
- 2) The owner of a building is in no way relieved of full responsibility for complying with this Code by the authority having jurisdiction
 - a) granting a building permit,
 - b) approving drawings or specifications, or
 - c) carrying out inspections.

Section 3.3 Fire Protection, Occupant Safety and Accessibility

Section 3.3 Safety within Floor Areas

3.3.1.5. Egress Doorways

- 1) Except for dwelling units, a minimum of 2 egress doorways located so that one doorway could provide egress from the room or suite as required by Article 3.3.1.3. if the other doorway becomes inaccessible to the occupants due to a fire which originates in the room or suite, shall be provided for every room and every suite
 - c) in a floor area that is not sprinklered throughout, and
 - i) the area of a room or suite is more than the value in Table 3.3.1.5.-A, or
 - ii) the travel distance within the room or suite to the nearest egress doorway is more than the value in Table 3.3.1.5.-A

3.3.1.23. Obstructions

- 1) No obstruction shall be permitted in any occupancy that would restrict the width of a normal means of egress from any part of a floor area to less than 750 mm unless an alternative means of egress is provided adjacent to, accessible from, and plainly visible from the obstructed means of egress. (See Note A-3.3.1.23.(1).)

3.3.4.7. Stairs, Ramps, Landings, Handrails and Guards for Dwelling Units

- 1) Except as required in Article 3.3.4.8., stairs, ramps, landings, handrails and guards within a dwelling unit shall conform to the appropriate requirements in Section 9.8.

3.3.4.8. Protection of Openable Windows

3.3.4.9. Resistance to Forced Entry

- 1) Dwelling units shall conform to Article 9.7.2.1. and Subsection 9.7.5

Section 7.1. General

7.1.1. Scope

7.1.1.1. Scope

- 1) The scope of this Part shall be as described in Subsection 1.3.3. of Division A.

7.1.1.2. Application

- 1) This Part applies to the design, construction, extension, alteration, renewal or repair of plumbing systems.

7.1.2. Design and Installation

-
- 7.1.2.1. Conformance
 - 1) Every plumbing system shall be designed and installed in conformance with Book II (Plumbing Systems) of this Code.
 - 7.1.3. Required Facilities
 - 7.1.3.1. All Buildings Except Dwelling Units
 - 1) Buildings shall be equipped with plumbing facilities as required in Subsection 3.7.2. and Article 3.8.2.8.
 - 7.1.3.2. Dwelling Units
 - 1) Dwelling units shall be equipped with plumbing facilities as required in Section 9.31.
 - 7.1.4. Definitions
 - 7.1.4.1. Defined Terms
 - 1) Words that appear in italics are defined in Article 1.4.1.2. of Division A.

City of Port Alberni Fire Control Bylaw No. 4876

Relevant Provisions:

Section 16; Fire Protection Equipment

- (a) Every owner of premises must ensure that all *Fire Protection Equipment* required under the *Building Code* or *Fire Code* is inspected, tested and maintained in accordance with good engineering practices and the applicable standards, requirements and guidelines of the *Building Code*, the *Building Bylaw*, the *Fire Code*, this Bylaw and all other applicable enactments, all as amended or replaced from time to time, and any equivalents or alternative solutions required or accepted under those enactments.

Section 19; Activation of a Fire Alarm System

- (b) A person must not activate a *Fire Alarm System* unless:
 - (i) there is a fire;
 - (ii) the person reasonably believes that a fire or other *Incident* is occurring or is imminent; or
 - (iii) the activation is carried out for testing purposes by persons authorized by the *Fire Chief*.

Section 21; No Obstructions

- (c) A person must not cause to be placed, stored, or maintained upon any roof or balcony any material or object which may interfere with access or egress or *Fire Department* operations in case of fire or other emergency, and shall remove all such objects or materials upon the order of the *Fire Chief* or any *Member*.
- (d) A person must not obstruct access passageways on a roof surface required by the *Fire Code* or *Building Code*.
- (e) Every owner or occupier of premises must at all times ensure that all exits and means of egress required under the *Building Code*, *Fire Services Act*, *Fire Code* or the *Building Bylaw* or the *Building Standards Bylaw* are properly maintained and remain unobstructed at all times.

BC Fire Code

Relevant Provisions

- Section 2.1. General
- 2.1.1. Scope
- 2.1.1.1. Application
- 1) This Part provides for the safety of the occupants in existing buildings, the elimination or control of fire hazards in and around buildings, the installation and maintenance of certain life safety systems in buildings, the installation and maintenance of posted signs and information, and the establishing of a fire safety plan in those occupancies where it is considered necessary.
- 2.1.3.3. Smoke Alarms
(See Note A-2.1.3.3.)
- 1) Smoke alarms shall be installed in each dwelling unit and, except for care, treatment or detention occupancies required to have a fire alarm system, in each sleeping room not within a dwelling unit.
- 2) Smoke alarms within dwelling units shall be installed between each sleeping area and the remainder of the dwelling unit, and where the sleeping areas are served by hallways, the smoke alarms shall be installed in the hallways.
- 3) Smoke alarms shall be installed in conformance with CAN/ULC-S553, "Installation of Smoke Alarms."
- 4) Smoke alarms are permitted to be battery operated in a) a building that is not supplied with electrical power, or b) locations within a dwelling unit where smoke alarms were not required by the British Columbia Building Code at the time of construction or alteration of the dwelling unit.
- 2.1.3.6. Inspection, Maintenance and Testing of Fire Safety Devices
(See Note A-2.1.3.6.)
- 1) Where specific references to the inspection, maintenance and testing of fire safety devices and building fire safety features are not made in this Code, such devices and features shall be maintained to ensure they operate as per their design or function according to their original intent.
- 2.1.4. Posted Information
- 2.1.4.1. Posting
- 1) Where a sign, notice, placard or information is required to be posted, it shall be
- a) clearly legible, and
- b) except as provided in Sentence (2), permanently mounted in a conspicuous or prominent location in proximity to the situation to which it refers.
- 2) Where the situation for which posting is required is of a temporary nature, permanent mounting need not be provided.
- 2.1.4.2. Maintenance
- 1) Every sign, notice, placard or information that is required to be posted shall be maintained in conformance with Article 2.1.4.1.

- 2.1.5. Portable Extinguishers
- 2.1.5.1. Selection and Installation
- 1) Portable extinguishers shall be installed in all buildings except dwelling units.
 - 2) Except as otherwise required by this Code, portable extinguishers shall be selected and installed in accordance with NFPA 10, "Portable Fire Extinguishers."
 - 5) Portable extinguishers in proximity to a fire hazard shall be located so as to be accessible without exposing the operator to undue risk. (See Note A-2.1.5.1.(5).)
- 2.1.3. Fire Safety Installations
- Section 2.7. Safety to Life
- 2.7.1. Means of Egress 2.7.1.1. Means of Egress
- 1) Means of egress shall be provided in buildings in conformance with the British Columbia Building Code.
- 2.7.1.6. Maintenance
- 1) Means of egress shall be maintained in good repair and free of obstructions.
- 2.7.3. Exit Lighting, Exit Signs and Emergency Lighting
- 2.7.3.1. Installation and Maintenance
- 1) Means of egress lighting, emergency lighting, exit signs and the location of exit signs in buildings shall conform to the British Columbia Building Code. (See Note A-2.7.3.1.(1).)
 - 2) Exit lighting and exit signs shall be illuminated during times when the building is occupied.
 - 3) Emergency lighting and exit signs shall be maintained in operating condition, in conformance with Section 6.5.
- 2.8.2.7. Posting of Fire Emergency Procedures
- 1) At least one copy of the fire emergency procedures shall be prominently posted on each floor area.
- Section 2.8. Emergency Planning
- 2.8.1. General
- 2.8.1.1. Application
- 1) Fire emergency procedures conforming to this Section shall be provided for a) every building containing an assembly, care, treatment or detention occupancy, b) every building required by the British Columbia Building Code to have a fire alarm system, c) demolition and construction sites regulated under Section 5.6., d) storage areas required to have a fire safety plan in conformance with Articles 3.2.2.5. and 3.3.2.9., e) areas where flammable liquids or combustible liquids are stored or handled, in conformance with Article 4.1.5.5., and f) areas where hazardous processes or operations occur, in conformance with Article 5.1.5.1.
- 2.8.1.2. Training of Supervisory Staff

-
- 2.8.1.3. 1) Supervisory staff shall be trained in the fire emergency procedures described in the fire safety plan before they are given any responsibility for fire safety. (See Note A-2.8.1.2.(1).)
Keys and Special Devices
1) Any keys or special devices needed to operate the fire alarm system or provide access to any fire protection systems or equipment shall be readily available to on-duty supervisory staff.
- 2.8.2. Fire Safety Plan
2.8.2.1. Measures in a Fire Safety Plan
1) In buildings or areas described in Article 2.8.1.1., a fire safety plan conforming to this Section shall be prepared in cooperation with the fire department and other applicable regulatory authorities and shall include
- a) the emergency procedures to be used in case of fire, including
 - i) sounding the fire alarm (see Note A-2.8.2.1.(1)(a)(i)),
 - ii) notifying the fire department,
 - iii) instructing occupants on procedures to be followed when the fire alarm sounds,
 - iv) evacuating occupants, including special provisions for persons requiring assistance (see Note A-2.8.2.1.(1)(a)(iv)),
 - v) confining, controlling and extinguishing the fire,
 - b) the appointment and organization of designated supervisory staff to carry out fire safety duties,
 - c) the training of supervisory staff and other occupants in their responsibilities for fire safety,
 - d) documents, including diagrams, showing the type, location and operation of the building fire emergency systems,
 - e) the holding of fire drills,
 - f) the control of fire hazards in the building, and g) the inspection and maintenance of building facilities provided for the safety of occupants. (See Note A-2.8.2.1.(1).)
- 2) The fire safety plan shall be reviewed at intervals not greater than 12 months to ensure that it takes account of changes in the use and other characteristics of the building.

Site History/Issues:

The registered owner on title for the Property is 1052162 BC Ltd. (the “Owner”) and P. WANG, is the Director of the Company.

The Property operates 3 businesses from this location:

- Port Pub holding a valid business license by 1185818 BC Ltd
- Port Hotel holding a valid business licence by 1109898 BC Ltd
- Toad’s Hoppin Delivery Services holding a valid business license by Todd Peterson

The Bylaw Department has expended significant resources in an attempt to gain compliance. The Property currently has the highest call volumes in Port Alberni, requiring the most resources. These resources include Police, Fire, Building and Bylaw Services. In 2023, there were 15 files generated for Bylaw Services; 24 Bylaw Offence tickets have been issued to the property owner in 2023 resulting in only 5 of them being paid, and

none being disputed. To date the amount owing in outstanding bylaw tickets, less pending disputes, totals \$7,812.50. As additional information, the Port Alberni Fire Department responded to 92 calls for service in 2023. The RCMP had 88 calls for service in 2023, up from 48 in the prior year (Appendix B).

This property was first introduced to the nuisance abatement working group in March 2020 which later resulted in Council passing a series of resolutions for remedial action in September 2020. In October 2020 staff met with the Property owner and manager on-site to review actions that had taken place following the order. As the majority of items had been remedied Council resolved;

THAT Council direct staff to refrain from considering enforcement measures so long as significant and appropriate progress continues to be made on the part of the property owner/manager on completing the outstanding Remedial Action Requirements as ordered by Council at its meeting held September 14, 2020. Further, that Council will revisit this matter at its Regular meeting on November 23, 2020 to ensure remedial action requirements have been or are continuing to be met. [Res No. 20-283].

A Reminder of the Remedial Action Order was sent to the property owner in February 2021. Despite the property undergoing improvements during that time, the Property is periodically or currently in violation of the following Bylaws:

Anti-litter Bylaw No. 4874
Building Bylaw No. 5077
Building Standards Bylaw No. 4975
Fire Control Bylaw No. 4876
Noise Control Bylaw No. 4718
Property Maintenance Bylaw No. 4712
Solid Waste Collection and Disposal Bylaw No. 5030
Zoning Bylaw No. 5074

There have been four (4) Fire Inspections conducted between October 2023 and January 11, 2024. The last Fire Inspection was attended by the Chief Fire Prevention Officer, two City Building Inspectors, one Bylaw Enforcement Officer, and the Building Owner P. Wang. A copy of the Fire Inspection Report is attached to this report as Appendix A. Staff note that the Fire Inspection Report refers to one item, posting unit numbers, as in contraveneance to Bylaw 4577. This is a typo and should read Bylaw 5077. The most concerning violations are from the Fire Control Bylaw, with the emergency doors not working as intended, tied open or barricaded with garbage piled at the bottom of the fire escape.

There is significant garbage accumulating inside of the Structure often extending out into the alley, sidewalk and fire exits, obstructing egress. Inside, communal washrooms are out of service, missing doors off of units, padlocks on the outside of doors, exposed wires, drug paraphernalia, rats, interior ceilings, walls and doors are full of holes, leaking water, missing drywall and black mold is visible throughout the top and bottom floors.

The Fire Department has responded to 46 verified false alarm calls and 94 calls for service in 2023. These alarms appear to have been activated due to causes including leaks in the roof, smoking in the area of the alarm, and intentional setting off the alarm. The Fire Department has also observed during its inspections of the Building that emergency lights/exit signs are broken and not working, obstructions to access panels,

hallways and stairwells are obstructed, non-compliant use of extension cords to name a few. Also noted was water leaking from the roof which was leaking from the top floor all the way to the bottom floor.

ALTERNATIVES/OPTIONS

- 1) That Council declare the Property to be in a hazardous condition by virtue of its breaches of the Building Bylaw, Building Standards Bylaw and the Fire Bylaw, as well as being a nuisance and so dilapidated and unclean to be offensive to the community, and impose remedial action requirements as identified in the recommendations of this report.
- 2) That Council provide staff with alternate direction.
- 3) That Council take no action at this time.

ANALYSIS

Due the variety of bylaw infractions, calls requiring emergency response and impacts to public health and safety, staff are recommending that the subject property be declared to be in hazardous condition, a nuisance, so dilapidated and unclean as to be offensive to the community, and remedial actions be imposed.

IMPLICATIONS

The Property is in violation of many City bylaws, and has numerous outstanding violation tickets. Voluntary compliance, letters, orders, tickets, and site inspections have not resulted in compliance.

The continuing and sustained pattern of nuisance activity inside the Structure and on the Property is negatively impacting the community, and the building deficiencies are creating immense concern for safety. The safety of the residents, visitors, workers, City Staff and first responders are all jeopardized by these ongoing infractions. This is not in line with the City's Strategic Plan and the principal 'Fostering a complete community (safe, healthy and inclusive)'.

COMMUNICATIONS

The *Community Charter* requires formal notification be given to the Property's registered owner and to the holders of any charges listed on the Property's assessment roll should Council pass a remedial action requirement as outlined in this report, and requires providing for an opportunity for the owner to request Council's reconsideration of the matter. Specifically, a notice of the resolution imposing the remedial action requirement will be provided in accordance with sections 77(1) and (2) of the *Community Charter*, with section 77(3) setting out specific content that must also be included, to the Property owner and registered share holders.

BYLAWS/PLANS/POLICIES

[Anti-litter Bylaw No. 4874](#)

[Building Bylaw No. 5077](#)

[Building Standards Bylaw No. 4975](#)

[Fire Control Bylaw No. 4876](#)

[Noise Control Bylaw No. 4718](#)

[Property Maintenance Bylaw No. 4712](#)

[Solid Waste Collection and Disposal Bylaw No. 5030](#)

[Zoning Bylaw No. 5074](#)

SUMMARY

This report provides Council with information pertaining to the compliance and nuisance issues related to the Property at 5170 Argyle Street. The recommendations in this report to issue a Remedial Action Order meet the *Community Charter* requirements and outline the process by which the issues on this Property may be resolved.

ATTACHMENTS/REFERENCE MATERIALS

- *Fire Inspection Report and Photos dated January 11, 2024*
- *RCMP correspondence dated January 18, 2024*
- [Report to Council | September 14, 2020](#)
- [Report to Council | October 26, 2020](#)

Copy: M. Fox, CAO
M. Owens, Fire Chief
M. Thompson, Acting OIC, RCMP
D. Monteith, Director of Corporate Services
S. Smith, Director of Development Services/Deputy CAO

APPENDIX A



Port Alberni Fire Department
3699 10th Avenue
Port Alberni BC V9Y 4W3
250-724-1351

Inspection Report

Basic Info

Name	Port Pub Hotel
Address	5170 Argyle Street, Port Alberni, BC
Inspector Name	Derrin Fines
Completion Date	2024-01-11
Status	Unsatisfactory
Next Inspection Date	2024-02-01

Summary

Item	Status
Ensure fire lanes are kept unobstructed.	Sat
Lockbox keys.	Sat
Remove obstructions from fire department connection.	Sat
Replace missing caps.	Sat
Remove combustible waste materials.	Sat
Fire Alarm requires annual test	Sat
Fire Extinguisher requires annual inspection.	Sat
Mount portable fire extinguishers.	Sat
Replace missing fire extinguishers.	Sat
Exit sign requires annual inspection.	Sat
Ensure signs are illuminated while building is occupied.	Sat
Emergency Light requires annual test.	Sat
Sprinkler/standpipe requires annual inspection.	Sat
Remove sprinkler obstruction.	Sat

Findings

Item	Status	Code
Post building and unit address numbers.	Unsat	See below code CPA

Item	Status	Code
Post unit numbers. - identify all units		BYLAW 4577
Excessive Storage of Combustibles in Building No accumulations of combustible storage allowed	Unsat	See below code BCFC 3.2.1.1
Repair trouble condition. Repair Fire Alarm in trouble mode	Unsat	See below code BCFC 6.7.1.1
Repair/replace defective equipment. Emergency lighting must be repaired to function as required	Unsat	See below code BCFC 2.7.3.1
Repair exit doors/hardware.	Unsat	See below code BCFC 2.2.2
Remove obstructions from access to exit door.	Unsat	See below code BCFC 2.7.1.6
Remove obstructions to access panels.	Unsat	See below code BCFC 5.1.2.2
Non-compliant use of extension cords.	Unsat	See below code BCFC 2.4.7.1
Replace missing cover plates. Multiple missing cover plates throughout the building	Unsat	See below code BCFC 5.1.2.2
Repair electrical fire hazards.	Unsat	See below code BCFC 2.6.3.1
Repair fire separation. Repair all holes in the drywall and ceilings	Unsat	See below code BCFC 2.2.1.2
Adjust or repair doors in fire separations to close and latch. All doors must close the opening, and be able to close and latch	Unsat	See below code BCFC 2.2.1.2
Prepare a Fire Safety Plan and submit to the Fire Department for review. Fire Safety Plan is required	Unsat	See below code Div. B Section 2.8
19. Other - Smoke detectors - Replace missing smoke alarms from all units	Unsat	See below code 0
19. Other - Fire escape - Repair broken hand railing	Unsat	See below code 0

Inspection Code Reference

- (CPA BYLAW 4577) --- :
- (BCFC 3.2.1.1) --- :
- (BCFC 6.7.1.1) --- :
- (BCFC 2.7.3.1) --- :
- (BCFC 2.2.2) --- :
- (BCFC 2.7.1.6) --- :
- (BCFC 5.1.2.2) --- :
- (BCFC 2.4.7.1) --- :
- (BCFC 2.6.3.1) --- :
- (BCFC 2.2.1.2) --- :
- (Div. B Section 2.8) --- :
- (0) --- No Code Name: No Code Description

APPENDIX A



no unit identification



3rd floor,east emergency exit- combustible materials



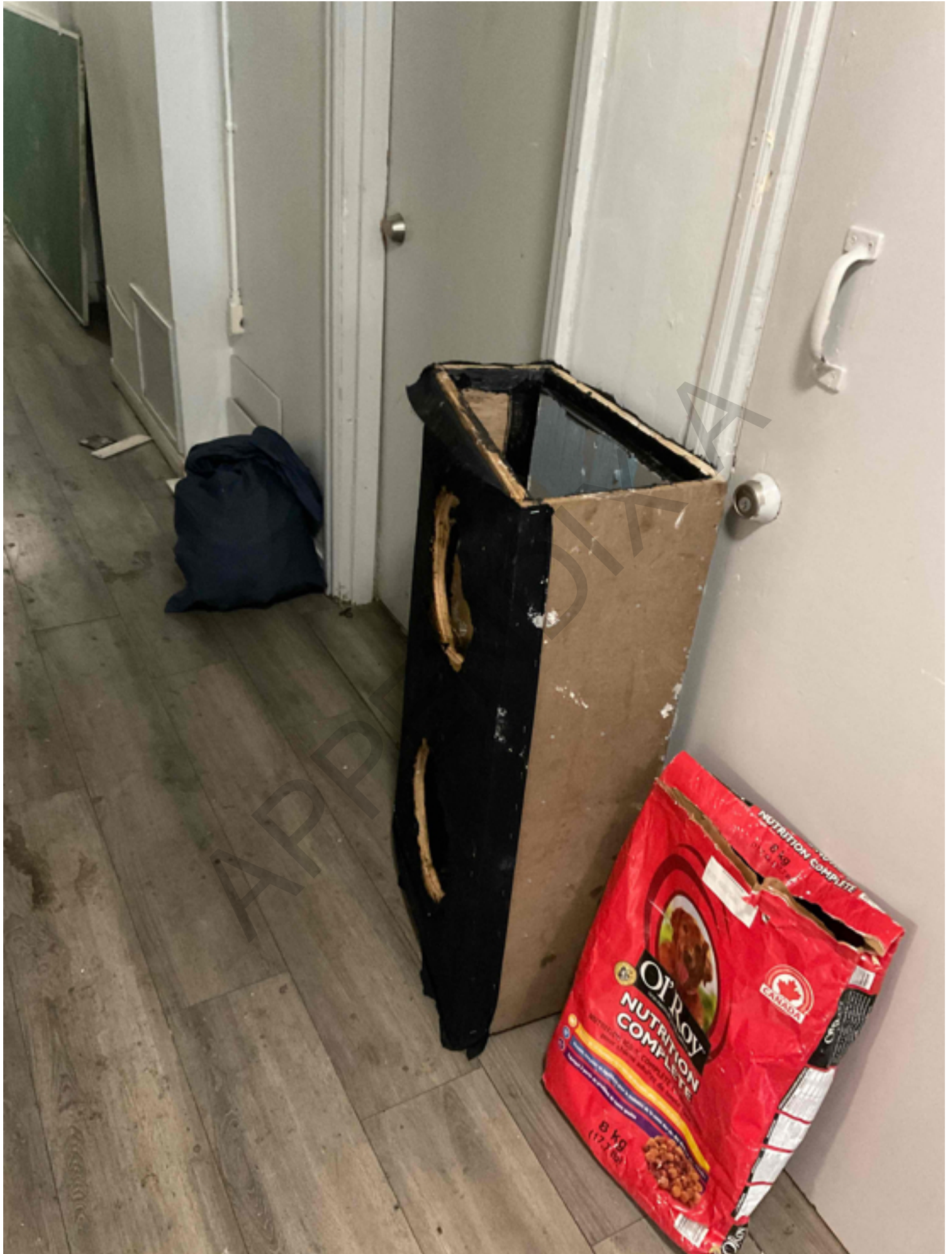
3rd floor middle hallway - combustible storage



3rd floor combustible storage



boiler room - combustible storage



3rd floor south hallway



fire alarm still in trouble mode



3rd floor missing detector



water dripping from restaurant kitchen hallway detector



pub emergency light requires repair



east end downstairs emergency light inoperative



north east corner, ground floor emergency light requires maintenance



2nd floor emergency light missing light head



3rd floor, east end emergency exit doesn't close and latch



2nd floor fire escape door doesnt close and latch



3rd floor fire escape door- closure device not connected



3rd floor east end- combustible containers blocking path to exit.



3rd floor discarded appliance blocking path to exit



3rd floor car bumper cover in hallway



combustible storage in front of electrical panel - downstairs.



2nd floor extension cord not allowed



extension cord. ot allowed



extension cord usage not allowed



extension cord usage not allowed



APPENDIX A

extension cord usage not allowed



extension cord usage 3 rd floor unit to roof not allowed



3rd floor unit no cover plates



improper wiring on signs at pub entrance



2nd floor ceiling drywall seperation



door behind kitchen doesnt completely close the opening



repair storage unit ceiling drywall



3rd floor repair ceiling drywall



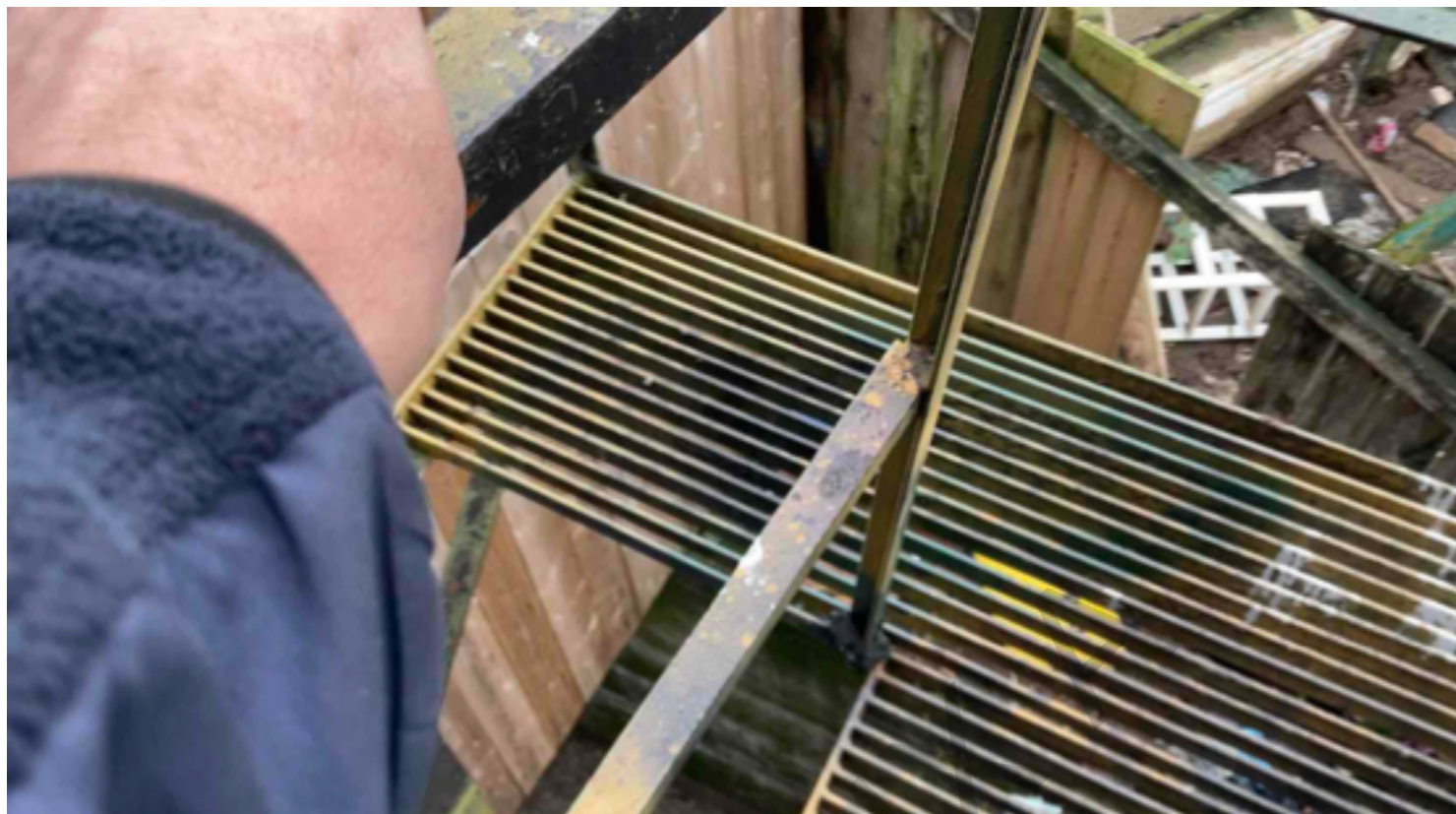
2nd floor -repair door to close



3rd floor storage unit smoke detector



2 nd floor #11



APPENDIX

broken railing fire escape 3rd floor

APPENDIX "B"

From: [Hamlyn, Jordan \(RCMP/GRC\)](#)
To: [Donna Monteith](#)
Cc: [Thompson, Mike \(RCMP/GRC\)](#); [Ivezich, Kim \(RCMP/GRC\)](#)
Subject: RE: 5170 Argyle St
Date: Thursday, January 18, 2024 7:45:42 AM
Attachments: [image001.png](#)

You don't often get email from jordan.hamlyn@rcmp-grc.gc.ca. [Learn why this is important](#)

Morning Donna,

Of course! I had some numbers prepared for the meeting that was scheduled for yesterday.

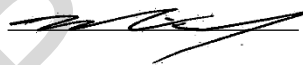
The RCMP have had 88 calls for service to 5170 Argyle Street between January , 2023 and December 31, 2023. This is an increase from 48 calls, the year prior. Calls for service at this location include murder, assaults with weapons, sexual assaults, assaults, missing persons, mental health and a plethora of other property offences. The Port Alberni RCMP spend a considerable amount of time at this particular building.

During routine patrols and while attending calls, police have observed tenants of the building to be living in deplorable conditions, which include excessive accumulation of human waste and refuse in the hallway. Police routinely observe persons in their open rooms, or common hallways/stairwells under the influence of opiates and other illicit drugs. As recent as yesterday, the rear fire escape was overloaded with garbage, rendering it inoperable. There are extension cords running from room to room and the ceilings in several units have collapsed due to moisture levels and flooding. The building is in a general state of disrepair and no longer possesses the basic amenities required to provide a safe living environment for tenants.

Jordan

Cpl Jordan Hamlyn
OPS Support NCO
Port Alberni RCMP
(T) 250-723-2424
(F) 250-724-8986

Date: March 4, 2024
File No: 4020-30 NR
To: Mayor & Council
From: M. Fox, CAO
Subject: 5170 Argyle Street [Port Pub] – Remedial Action Order Update

Prepared by: D. MONTEITH DIRECTOR OF CORPORATE SERVICES	Supervisor: M. Fox CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION

THAT Council receive the report '5170 Argyle Street [Port Pub] - Remedial Action Order Update' dated March 4, 2024.

PURPOSE

This report provides Council with an update regarding the Remedial Action Order issued to the owners of the property at 5170 Argyle Street, Port Alberni.

BACKGROUND

At the Regular Council meeting on January 22, 2024 Council resolved to issue a Remedial Action Order to the owners of 5170 Argyle Street, Port Alberni. Staff prepared notice of the remedial action requirements and delivered such notice to all current Directors of 1052162 BC Ltd. listed as of January 23, 2024. The notice included the right to appeal with a deadline in writing of February 7, 2024 by 5:00 pm. No appeals were received. The notice also provided a deadline of February 23, 2024 by 5:00 pm to remediate, otherwise failure to comply with the requirements will result in the City proceeding, pursuant to the [Community Charter s. 17](#), to undertake the actions to remedy the contraventions.

Further to the Remedial Action Order, a Fire Order was issued to the owners on February 21, 2024 requiring the fire alarm system be repaired and verified by a professional as fully functional. In 2024 False Alarm Incident Fees fines totalling \$2,400 have been issued under "Fire Control Bylaw, 2015, Bylaw No. 4876" up to and including February 27, 2024. In addition, the Order requires the owners to hire a third-party security company to supply at least two security officers to provide a fire watch on the building. The Order remains in effect at the date of writing this report.

Following the deadline of the Remedial Action Order, an inspection was conducted by City Building Inspectors, a Bylaw Officer, a Structural Engineer from McGill and Associates Engineering and Port Alberni Fire Department Chief Fire Prevention Officer on Monday February 26, 2024 at 9:00 am. The Inspection Report [attached] shows little to no improvement from the previous inspections.

ALTERNATIVES/OPTIONS

1. *THAT Council receive the report '5170 Argyle Street [Port Pub] - Remedial Action Order Update' dated March 4, 2024.*

ANALYSIS

Staff engaged in the services of McGill & Associates Engineering to attend the February 26th inspection in order to get an initial assessment of the structural integrity of the building. It is important to note that a Fire Inspection covers commercial and common spaces of a building. To date the City has not inspected areas outside this jurisdiction, including residential rooms. Further inspection by the structural engineer to consider the overall condition of the building, along with consultation of an Architect is anticipated. To achieve this the City will work with the owners to give notice to the tenants to provide City representatives access to all rooms for this inspection. Following that staff will bring forward a list of repairs and cost estimates.

IMPLICATIONS

The costs to remediate the building could be significant, and will involve careful financial planning as the City will need to fund the repairs in advance of cost recovery. Once a scope of work is estimated, a report will be brought forward by staff for Council consideration. If the City proceeds with repairs the [Community Charter s. 17](#) allows the City to fulfil the requirements of Remedial Action Order at the expense of the owner, and recover the costs incurred as a debt. The City will continue to apply fees and fines as provided within associated bylaws.

COMMUNICATIONS

City staff have fielded inquiries regarding the Remedial Action Order as it relates to residential tenants. Staff continue to communicate with the owners, Ministry of Housing, BC Housing, Ministry of Social Development and Poverty Reduction, and local service providers. Tenants are encouraged to contact the Residential Tenancy Branch with questions.

BYLAWS/PLANS/POLICIES

["Fire Control Bylaw, 2015, Bylaw No. 4876"](#)

SUMMARY

This report provides Council with an update and next steps regarding the Remedial Action Order issued to the owners of the property at 5170 Argyle Street, which expired February 23, 2024.

ATTACHMENTS/REFERENCE MATERIALS

- February 26, 2024 Inspection Report
- February 21, 2024 Fire Order
- [January 22, 2024 Report to Council](#)

Copy: M. Fox, CAO
M. Owens, Fire Chief
S. Smith, Director of Development Services/Deputy CAO
MC. Massicotte, Mgr. of Community Safety and Social Development



McGILL & ASSOCIATES ENGINEERING LTD.

Consulting Engineers

4610 Elizabeth Street, Port Alberni, BC V9Y 6L7 Phone 250-724-3400
Permit to Practice #1002564

May 2, 2024

McGill Job #: 4677

Mike Owens
City of Port Alberni – Fire Chief
3699 10th Avenue
Port Alberni, BC V9Y 4W3

Re: **5170 Argyle Street Condition Assessment**

Dear Mike:

BACKGROUND

McGill & Associates Engineering Ltd. (McGill) has completed an assessment of the structural, building envelope, and life-safety architectural elements of the building in question. McGill assessed the structural and building envelope components and engaged Jensen Group Architecture (JGA) to assess the life-safety architectural components; JGA's report is appended to and is summarized in this report. The purpose of our review was to identify safety issues, recommend remedial measures, and to provide an opinion of probable cost (OPC) for the recommended work. The assessment was based on primarily on a visual review of the building. No removal of finishes was performed and access to some residential suites upstairs was not possible. We have also offered recommendations for assessment of other potential safety items that were not in our scope (eg. electrical, plumbing, hazardous materials).

Below is a figure showing the subject site and building.

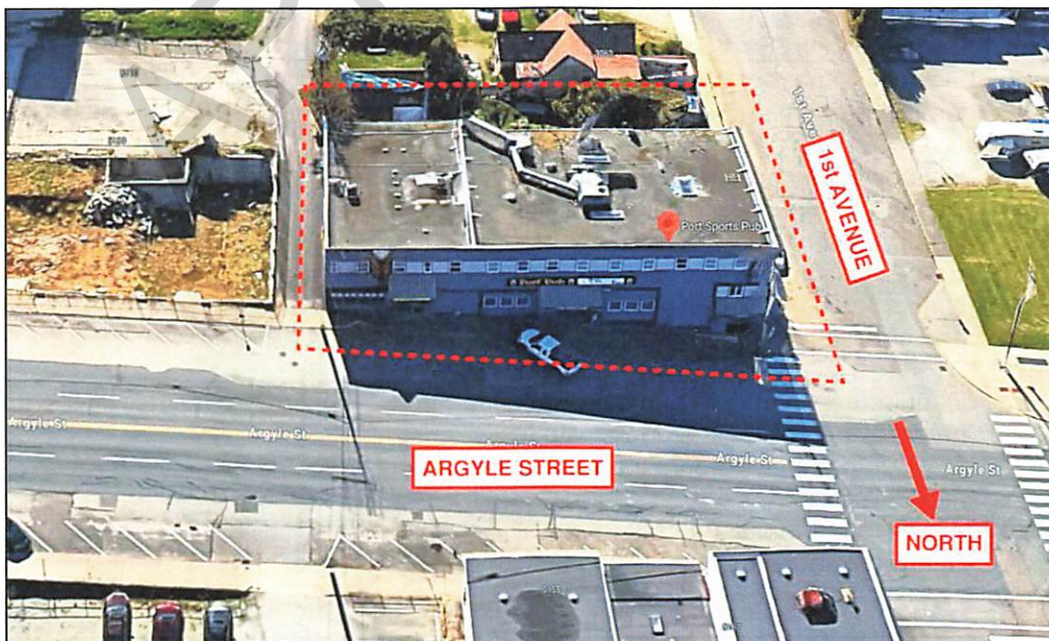


Figure 1 – Aerial View of Subject Site and Building

DRAWINGS REVIEWED

McGill was in possession of one drawing from 1988 showing the ground floor plan and also a fire safety plan from 1977. Neither drawing was particularly helpful or relevant. McGill produced floor plans as part of this assignment, although accuracy and completeness was limited at the upper floors as access to some residential suites was not possible.

BUILDING DESCRIPTION

The building is a total of three storeys. The site slopes significantly, with ground-level access to Level 1 at the northwest corner and to Level 3 at the southeast corner. Level 2 is present only at the west end of the building and is accessed by interior stairs that lead from Level 1 to 3; the second exit for this level is a steel fire escape on the south elevation of the building.

The structure appears to primarily be of wood frame construction. According to data from BC Assessment, it was constructed circa 1956.

Table 1 – Building Description	
Address	5170 Argyle Street, Port Alberni, BC
Number of storeys	3
Date of Construction	Circa 1956
Building Area	Approx 750m ²
Major Occupancies	Assembly (Level 1) Residential (Levels 2 and 3)
Sprinklered	Yes (unknown if functioning)
Construction Type	Light wood framing (combustible)
Roofing	Flat with tar & gravel + sheet membrane patches
Wall Cladding	Stucco (non rainscreen)
Windows	Aluminum (Level 1) Vinyl (Levels 2 and 3)

SITE OBSERVATIONS

Architectural Code Review (Fire-Safety & Egress)

Below is a high-level summary of observations related to fire safety and egress. See attached report by JGA for further details.

- General
 - Unknown if sprinkler system functions properly.
 - Unknown if fire alarm system functions properly.
 - Numerous instances of missing or non-functioning exit signage.
 - Numerous instances of missing or non-functioning emergency lighting.
 - Numerous holes in ceilings and walls that serve as fire separations due to leaks and service penetrations.
- Level 1
 - Required second exit from the pub leads through back-of-house hallways with numerous deficiencies (doors with locks, obstructions).
 - Stairs in pub non-conforming (excessive rise/run, missing landings, missing handrails etc).
- Residential Floors (Levels 2 and 3)
 - Numerous instances of missing smoke and CO alarms

- Doors to residential suites do not provide required fire rating
- Some units at Level 2 are served by “dead-end hallway” 17.5m in length. Maximum code limit is 6m (see appended sketch).
- The existing fire escape is non-code compliant and also is in very poor condition structurally.
- At Level 3, windows that face into light well do not provide required fire protection rating.

Structural

A summary of observations related to structural components is provided below.

- The fire escape is in poor condition.
- The roof structure appeared to be in sound condition where visible but there are known active roof leaks and there also appear to be plumbing leaks at some locations. There is a high probability of hidden deterioration.
- Wall structures were primarily concealed but there is a high probability of hidden deterioration due to poor performance of the building envelope.
- The building was built before any appreciable wind/seismic provisions were incorporated into the building code and thus the building is significantly deficient in this regard.

Building Envelope

A summary of observations related to building envelope components is provided below

- Numerous instance of roof leaks were observed. It is unknown if leaks are active but the roofing appears to generally be in poor condition.
- Exterior walls are clad with stucco. There are multiple instances on the front wall where the stucco has failed, apparently due to water ingress.
- The interior side of the wall is likely not provided with an appropriate air/vapour barrier.
- The walls are not protected by a roof overhang.
- Overall, there is a high risk of moisture-induced deterioration in the walls.

DISCUSSION & RECOMMENDATIONS

It is common for older buildings to have deficiencies relative to current building codes. Deficiencies can arise because of changes in the building code, unpermitted construction, or issues with original construction. A certain degree of elevated risk due to deficiencies is generally-accepted in older buildings. Below are our recommendations to achieve what is, in our opinion, a level of safety that is comparable to other buildings of similar type and vintage. Of course, addressing all deficiencies would be preferable from a safety perspective, but such an approach is not practical and would impose an unfair burden on the building owner.

Architectural Code Review (Fire-Safety & Egress)

The level of non-compliance and risk for the building is overall much higher than for even comparable buildings. The most relevant considerations are noted below.

- Exit signage and emergency lighting is very poor throughout and is relatively easy to correct.
- The fire sprinklers and fire alarm are critical safety components and it is unknown if they are functioning properly. They should be assessed and remediated as required.
- Smoke/CO alarms are critical safety components and several are missing.
- The fire escape is critical to exiting, but is non-compliant and in poor condition.
- The second exit from the pub (to the back hallway) is very poor, primarily due to obstructions and inappropriate door hardware along the path of travel.

- The fire escape and rear exit from the pub lead to an alley on the south elevation from 1st Avenue. The alley is part of the egress path from the building and must be kept clear and any gates/doors must meet requirements for exit doors, including panic hardware.
- The exit sign from the Pub towards the restaurant will potentially lead occupants to a locked door and more convoluted (and not required) exit path.
- The dead-end hallway at Level 2 is well beyond the code limit.
- Holes in walls and ceilings throughout the building have compromised fire separations, particularly, large holes in the ceiling at Level 2 and Level 3.
- Residential suite doors are very poor from a fire-safety perspective.
- The suites facing the light well do not have adequate fire separation from each other as fire can easily spread via the windows. Provided that the fire sprinklers are working, egress from windows is not required. Of course, a lack of operable windows would further reduce already-deficient ventilation of the suites.

We recommend remedying all of the above deficiencies. If this is completed, the fire-safety and egress provisions for the building will achieve a level of risk comparable to other buildings of this type and vintage.

Structural

Most of the aforementioned structural deficiencies are common to buildings of this type and vintage. The fire escape is a particularly acute risk and we recommend replacing the fire escape in its entirety.

Building Envelope

Most of the aforementioned building envelope deficiencies are common to buildings of this type and vintage. However, the numerous roof leaks are a significant concern as leaks have already compromised ceiling finishes and may also be causing undetected structural deterioration or other health risks. We recommend replacing the roof and repair of the failed stucco.

FURTHER RECOMMENDED ASSESSMENT

HVAC

If the kitchen is to be used, it is recommended that the ventilation be assessed, as improper ventilation increases risk of fires caused by built-up grease in ducts.

Plumbing

We recommend that the plumbing systems be assessed, particularly to confirm appropriate backflow preventions and adequate water service for fire sprinklers. Note we also recommended that the fire sprinkler system be assessed under the Fire-Safety section.

Electrical

We recommend that the electrical system be assessed for life-safety risks.

Hazardous Materials

We recommend that air sampling be performed to confirm harmful contaminants are below acceptable levels. A hazardous materials survey will also need to be performed before any demolition or exploratory work, as is required for all pre-1990 buildings.

OPINION OF PROBABLE COST

McGill has prepared an opinion of probable cost (OPC) for the completion of the recommendations above. This OPC is intended to represent fair market value for the repair work, inclusive of soft costs such as consulting and permit fees. It is highly uncertain and conceptual and many items are simply reasonable allowances for assumed or unknown conditions. We have assumed that no hazardous materials requiring abatement are present. A hazardous materials survey will be required before construction and we recommend that it be performed as soon as possible so that any related costs can be accounted for.

Our OPC to complete the aforementioned recommendations is \$938,000 (rounded), including allowances for construction contingency and consulting fees. Value added taxes are not included. Please see the attached breakdown for further details.

Please note that our OPC is intended only to achieve “order of magnitude” accuracy for initial discussion and planning. If a more accurate figure is desired, McGill can prepare drawings and specifications for the work which can be priced by a contractor or professional cost consultant. Any reliance the owner places on this OPC is at their own risk. This report was prepared for the City of Port Alberni and is not for the use or benefit of, nor may it be relied upon by any other person or entity. This report was prepared in accordance with generally accepted engineering practices. No other warranties, expressed or implied, are made regarding the content of this report.

Please don't hesitate to contact me should you require further clarification.

Yours truly,

for **McGill & Associates Engineering Ltd.**

Prepared by:



Brandon Paxton, P.Eng.
Professional Engineer

Reviewed by:

Brad West, P.Eng.
Principal

Encl.

Opinion of Probable Cost Breakdown
Report by Jensen Group Architecture and accompanying sketches.

5170 Argyle Street Condition Assessment

02-May-24

OPINION OF PROBABLE COST BREAKDOWN

Item	Discipline	Cost
Roof replacement incl new sheathing	Envelope	\$ 110,500
Repair Stucco	Envelope	\$ 28,500
Repair water damaged roof joists (allowance)	Structure	\$ 39,000
Interior debris cleanup	Misc	\$ 8,000
Wall/Ceiling Fire Sep Repairs	Fire-safety/Egress	\$ 96,150
Stair railings	Fire-safety/Egress	\$ 4,800
Fire escape	Structural	\$ 75,000
Ladder from window well to roof	Structural	\$ 8,500
Fire rated suite doors	Fire-safety/Egress	\$ 100,000
Rear pub exit (rated partitions/doors)	Fire-safety/Egress	\$ 50,000
Exit signs and emergency lighting	Electrical	\$ 50,000
Repairs in restaurant	Fire-safety/Egress	\$ 15,000
Fumigation & extermination	Misc	\$ 5,000
Sewage leak	Plumbing	\$ 5,000
sprinkler assessment	Fire-safety/Egress	\$ 7,500
Fire alarm verification	Fire-safety/Egress	\$ 7,500
Install smoke/CO alarms throughout building	Fire-safety/Egress	\$ 5,000
Kitchen HVAC Assessment	Fire-safety/Egress	\$ 2,500
Plumbing safety assessmetn	Plumbing	\$ 2,500
Electrical safety assessment	Electrical	\$ 2,500
Hazardous materials assessment	Misc	\$ 5,000
	Subtotal	\$ 627,950.00
Construction Contingency (25%)		\$ 155,000
Permits and consulting fees (25%)		\$ 155,000
	Total	\$ 937,950

Port Pub, 5170 Argyle Street, Port Alberni



Building Code Review

Jensen Group Architects

April 12, 2024

1. Terms of Reference

Jensen Group Architects were retained by McGill and Associates Engineering Ltd. to undertake a 3rd party review of the existing condition of the Port Pub and make recommendation on alterations that would provide an opportunity to improve building code compliance and the life safety of the occupants and the safety of the building with limited modifications. Review is from a visual inspection only and no destructive testing was undertaken. Partial survey plans have been provided by McGill & Associates.

2. Building Information

- 3 storey wood frame construction
- Sprinklered
- Building Area: 750m²
- C occupancy on upper floors
- A2 occupancy on 1st floor
- Required fire separations

BCBC 3.2.2.55 (3 story, combustible construction, sprinklered, max area 1800m²)

Floor assembly 45min fire resistance rating.

Load bearing walls 45min fire resistance rating.

Spacial Separation Restaurant A2 to Pub A2: 45Min (BCBC 3.3.1.1)

A2 to C: 1 hr FRR(BCBC Table 3.1.3.1)

Required separations between residential suites (BCBC 3.3.4.2.2)) 45min FRR

Required separation between suite & corridor: (BCBC 3.3.4.2.2)) 45min FRR

3. Building Wide Fire & Life Safety Concerns

- ceilings have fallen in many locations due to water leak from roof compromising fire separations between floors.
- smoke detectors have been removed in most locations.
- Lighting levels for emergency exit routes on 1st floor are insufficient. Min. light levels required. Emergency lighting should be supplied.
- Exit signage needs to be updated throughout the entire building

4. 1st floor

4.1 Restaurant

- Suite Area: 187m²
- Travel distance to exits: 24m (max 25m)
- number of exits required: 1 exit required (BCBC3.3.1.5.1))
- occupant Load (based on customer section area and excluding kitchen/bar 71m²/1.2m² per person)
= 59 people (< 60 therefore one exit is acceptable(BCBC 3.3.1.5.1))
- fire separation between restaurant and adjacent pub and adjacent public corridor unknown
- current configuration of exits complies with code requirements.

4.2 Pub

- Suite Area: 286m²
- Occupant Load based on 240m² / 1.2m² per person = 200 people (BCBC Table 3.1.17.1) area excludes bar and storage areas
- number of exits required: Area greater than 200m² , occupant load > 60, so two exits required (BCBC 3.3.1.5.1))
- width of doors required = 200 x 6.1mm = 1220mm
- two exit doors provided for a total width of 1524mm + 914mm=2438mm (acceptable)
- use of sliding door for exit not permitted.

Recommendations:

- Remove exit sign over sliding door (not required). If the sign is retained the door should swing on a vertical axis and be self closing. Current sliding door is non-compliant.



4.3 Public Corridor

- Both the restaurant and the Pub are served by a public corridor
- The Pub requires the public corridor to act as an access to exit
- safety of access to exit:
 - access to exit corridor has been used for storage space which represents an impediment to reaching an exit in emergency
 - electrical panels in the public corridor represent a hazard
 - some locations in the public corridor have low headroom (does not meet minimum code headroom height of 2100mm for exit path)
 - low light levels for exit path

Recommendations:

- Install new rated door in public corridor to create a vestibule between the pub and the covered walkway area. This will create a safer access to exit by eliminating exposure to hazards from electrical panels, open storage rooms etc...

- Clear items stored in public corridor and exterior covered walkway to provide safe access to exit.
- Door hardware: Locks on exit doors should be replaced to provide free exiting from pub to exterior in the event of an emergency.
- Provide new panic hardware at exterior door (remove bolt lock)

4.4 1st Floor Lobby for Residential Units on upper floors

- Exit signage required at main entrance door. (required exit through lobby from stair)



- existing door hardware on stair at lobby does not meet the code requirements for a fire rated door.
- stair door & glazing at lobby does not meet required fire ratings. Door location does not allow for required landing at bottom of the stair.



Recommendation:

- replace existing door hardware with new panic hardware and closer.
- Provide new door with fire resistant glazing and frame with appropriate fire ratings.
- reconfigure 1st three steps and door location to provide a landing at the bottom of the stair with appropriate clearances.

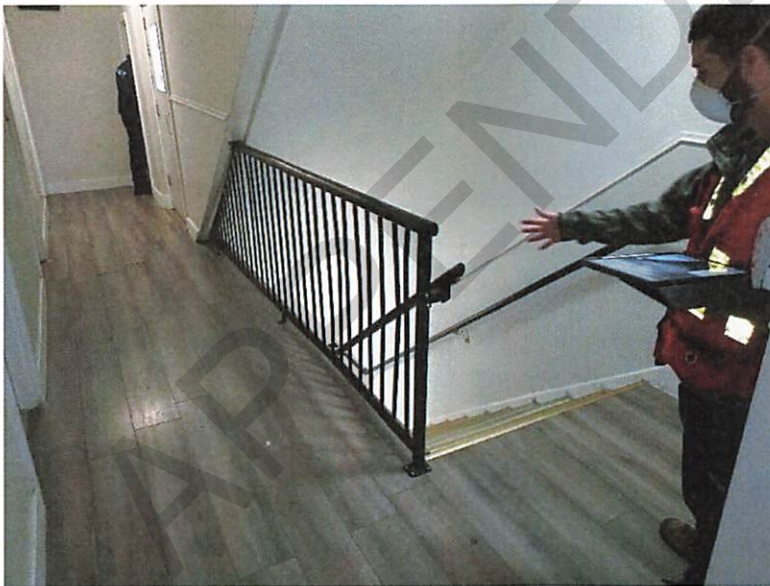
5. General Comments on Upper Floors

- Suite entrance doors do not meet code requirements (require min. 20min FRR ratings, door closers required, door hardware needs to be upgraded)

5.1 Main stair as an exit

The existing stair has been enclosed from the floor level at the bottom landing of each run of stair such that the floors are not interconnected. However, to exit from the third floor you have to exit onto the 2nd floor, then take the stair from the 2nd floor to the 1st floor. This is not compliant with the requirements of an exit stair. There is no practical way to enclose the stair so that it may be used for an exit from the 3rd floor without removing or reconfiguring min. 2 units on the 2nd floor.

The existing stair may be used for exiting from the 2nd floor – exiting through the 1st floor lobby.



Stair at 2nd floor

- stair door hardware (closers have been installed, but door does not latch)
- Stair doors (glazed door) not a rated door

Recommendations:

- replace existing stair doors and frames with 45min. FRR doors and frames
- provide door closers and passage sets on stair doors so that the doors will close and latch to maintain the required fire separation between floors.

5.2 Fire Escape

- Existing Fire escape ladder & landings do not comply with current code requirements for fire escape (current code requires stairs with max. incline of 45 deg. with risers max. 210mm and treads min. 220mm. Minimum width of stairs 550mm (BCBC 3.4.7.5.1-4).



View of existing fire escape from grade

- BCBC 3.4.7.5.3 max. 15 people for buildings over 3 storeys

- calculation of people using fire escape (1/2 of people per floor assumed to use fire escape)
 - 2nd floor: 9 units (assume 1 person per unit*) = 4/5 people
 - 3rd floor: 21 units (assuming units in center of building are converted to storage and assume 1 person per unit*) 10/11 people
 - Total: approx. 15 people (single resident occupant hotel room)

*Note: Building code ascribes 2 people/bedroom, however if hotel rooms are considered single resident occupancies, then one person can be assumed.

Recommendations:

- restrict rooms to a single occupant.
- existing doors on to fire escape should be replaced with 45min. FRR doors. Door closers and upgraded door hardware should be provided.
- The fire escape ladder should be replaced with a metal framed stair to meet code requirements for fire escapes.
- a clear exit path to the street at grade should be made (remove recycling bins)

6. 2nd floor

-The hallway outside of unit #9 is a dead-end corridor exceeding 6m (approx. 12.5m)



-Holes in fire separation in Linen Closet – wall & ceiling to be repaired



Recommendations:

-combine units 8 & 9 into one unit so that the length of the corridor can be shortened to 6m

7. 3rd floor

General comments on 3rd floor

- the door that exits to grade requires an upgrade to the door hardware.
- the door that exits to grade requires an exit sign.
- ceilings have fallen in many locations due to water leak from roof compromising fire separations between floors. Roof replacement required.



Central light well / Residential Units

- Units in the center of the building (19, 21, 26, & 29) do not have windows to the exterior. They do have windows to a central light well to provide daylighting to the units.
- The spatial separation of the units looking into the central light well are insufficient to meet the limiting distance requirements for separate fire compartments

Recommendation:

- remove units that rely on the central light well for daylighting or replace windows in these units with fire rated glass block (per BCBC 3.2.3.5.2).
- provide upgraded door hardware and signage for door that exits to grade.



Port Alberni Fire Department
3699 10th Avenue
Port Alberni BC V9Y 4W3
250-724-1351

Inspection Report

Basic Info

Name	Port Pub Hotel
Address	5170 Argyle Street, Port Alberni, BC
Inspector Name	Derrin Fines
Completion Date	2024-05-22
Status	Unsatisfactory
Next Inspection Date	2024-05-29

Summary

Item	Status
Ensure fire lanes are kept unobstructed.	Sat
Lockbox keys.	Sat
Post building and unit address numbers.	Sat
Remove obstructions from fire department connection.	Sat
Fire Extinguisher requires annual inspection.	Sat
Mount portable fire extinguishers.	Sat
Replace missing fire extinguishers.	Sat
Exit sign requires annual inspection.	Sat
Remove sprinkler obstruction.	Sat

Findings

Item	Status	Code
Replace missing caps.	Unsat	See below code BCFC 6.4.1.1
Remove combustible waste materials.	Unsat	See below code BCFC
Excessive Storage of Combustibles in Building	Unsat	See below code BCFC 3.2.1.1

Item	Status	Code
Fire Alarm requires annual test Fire alarm is still required to be repaired and verified.	Unsat	See below code BCFC 6.3.1.2
Repair trouble condition. Fire Alarm in trouble mode. Some detectors have been bypassed pending separation repair	Unsat	See below code BCFC 6.7.1.1
Ensure signs are illuminated while building is occupied.	Unsat	See below code BCFC 6.5.1.6
Emergency Light requires annual test. Repair all emergency lights and perform annual test.	Unsat	See below code BCFC 6.5.1.7
Repair/replace defective equipment. Emergency lighting must be repaired to function as required	Unsat	See below code BCFC 2.7.3.1
Repair exit doors/hardware.	Unsat	See below code BCFC 2.2.2
Remove obstructions from access to exit door.	Unsat	See below code BCFC 2.7.1.6
Sprinkler/standpipe requires annual inspection. Sprinkler System requires repair and annual inspection	Unsat	See below code BCFC 6.4.1.1
Remove obstructions to access panels.	Unsat	See below code BCFC 5.1.2.2
Non-compliant use of extension cords.	Unsat	See below code BCFC 2.4.7.1
Replace missing cover plates. Multiple missing cover plates throughout the building	Unsat	See below code BCFC 5.1.2.2
Repair electrical fire hazards.	Unsat	See below code BCFC 2.6.3.1
Repair fire separation. Repair all holes in the drywall and ceilings	Unsat	See below code BCFC 2.2.1.2
Adjust or repair doors in fire separations to close and latch. All doors must close the opening, and be able to close and latch	Unsat	See below code BCFC 2.2.1.2
Prepare a Fire Safety Plan and submit to the Fire Department for review. Fire Safety Plan is required and has not been provided	Unsat	See below code Div. B Section 2.8
19. Other - Smoke detectors - Replace missing smoke alarms from all units	Unsat	See below code 0
19. Other - Interior staircase and fire escape - Repair	Unsat	See below code 0

Item	Status	Code
broken hand railing		

APPENDIX D

Inspection Code Reference

- (BCFC 6.4.1.1) ---:
- (BCFC) ---:
- (BCFC 3.2.1.1) ---:
- (BCFC 6.3.1.2) ---:
- (BCFC 6.7.1.1) ---:
- (BCFC 6.5.1.6) ---:
- (BCFC 6.5.1.7) ---:
- (BCFC 2.7.3.1) ---:
- (BCFC 2.2.2) ---:
- (BCFC 2.7.1.6) ---:
- (BCFC 5.1.2.2) ---:
- (BCFC 2.4.7.1) ---:
- (BCFC 2.6.3.1) ---:
- (BCFC 2.2.1.2) ---:
- (Div. B Section 2.8) ---:
- (0) --- No Code Name: No Code Description

APPENDIX D



ensure fire department connection is clear and replace cap



remove outside combustible storage



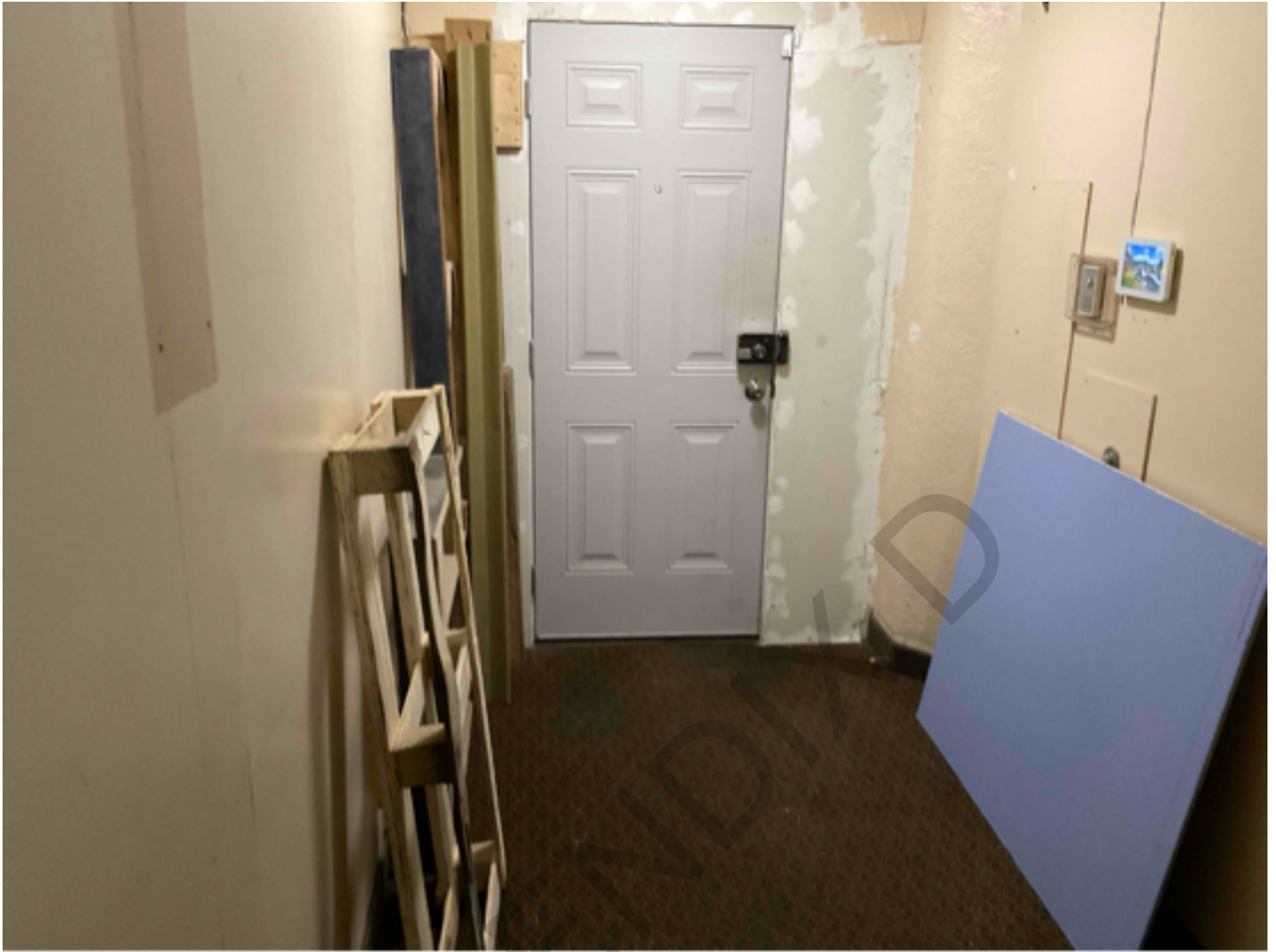
remove outside combustibile storage



inside combustible storage



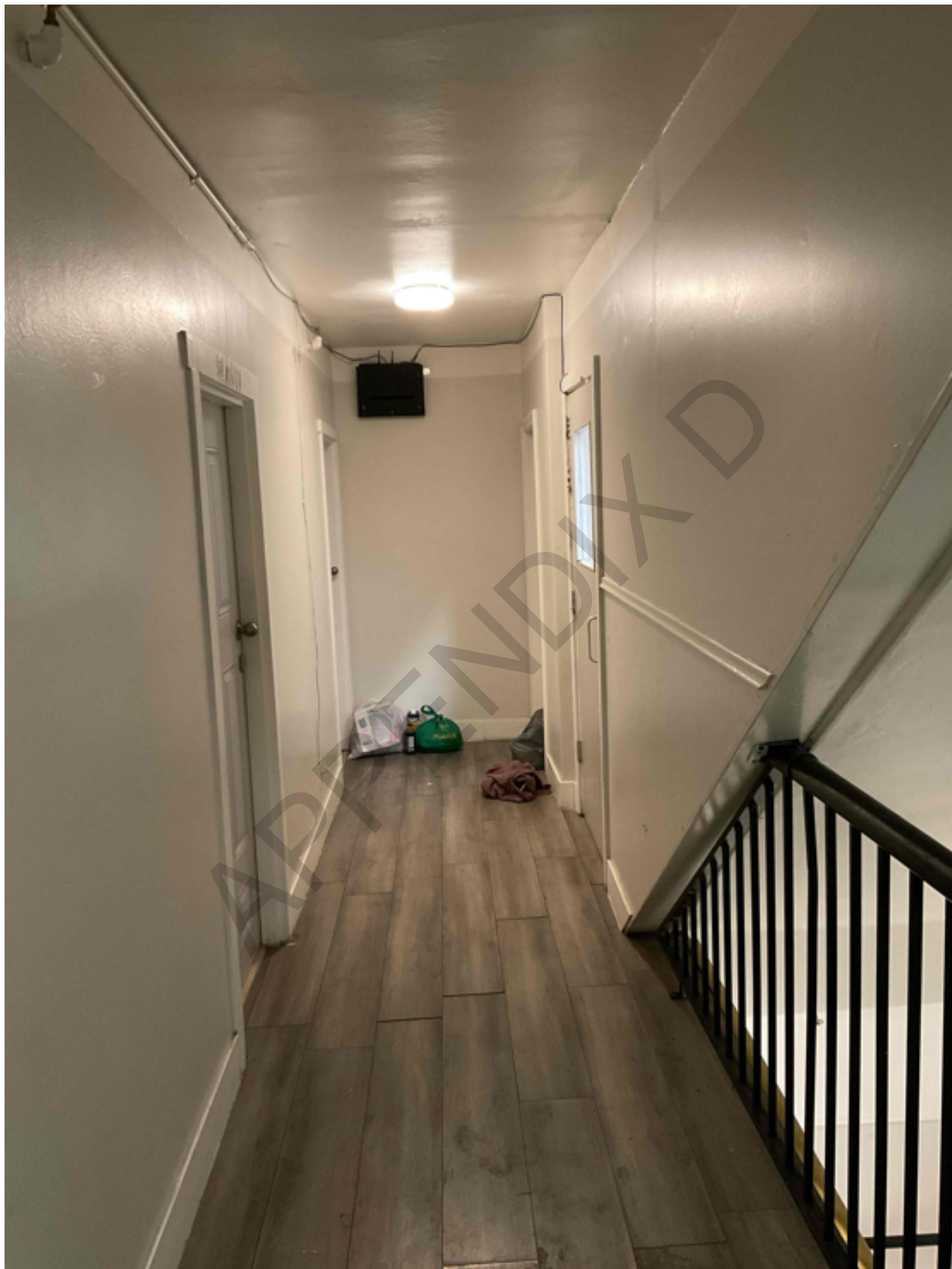
inside combustible storage



inside combustible storage



inside combustible storage



inside combustible storage



inside combustible storage



inside combustible storage



inside combustible storage



Fire alarm requires repair



Fire alarm requires repair



Fire alarm requires repair



Fire alarm requires repair



Replace bypassed detector



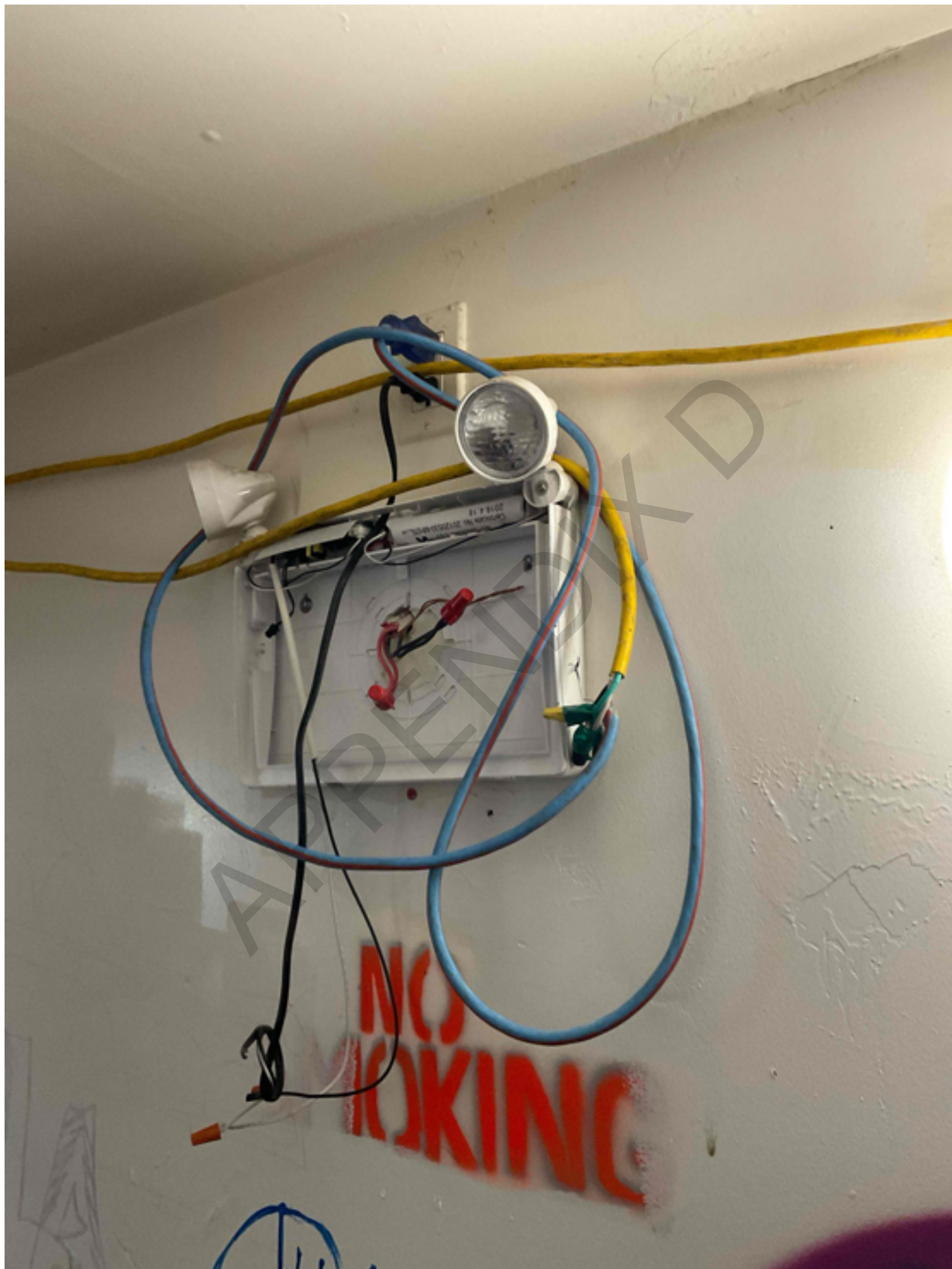
Replace bypassed detector



Replace bypassed detector



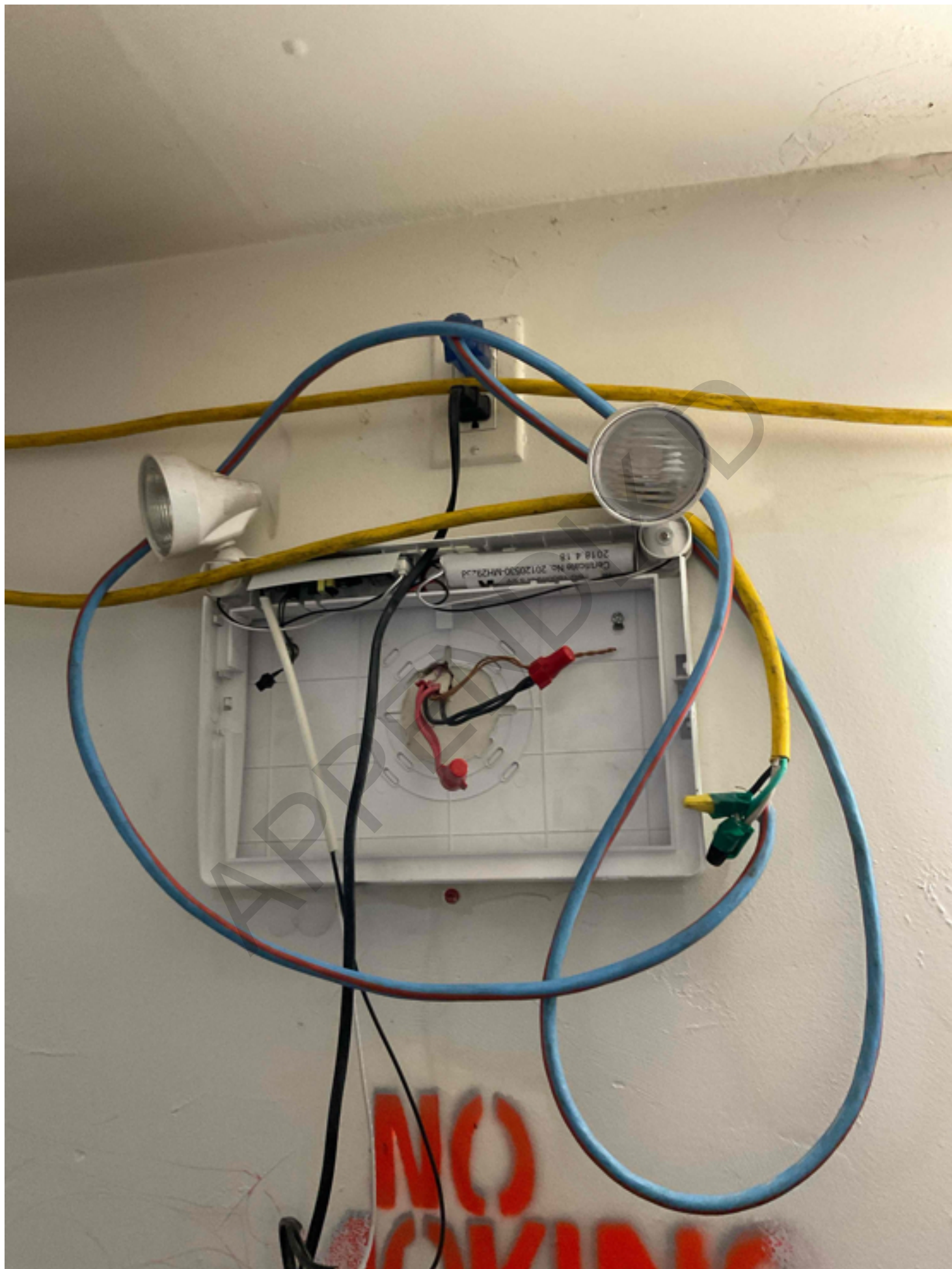
repair exit sign to illuminate



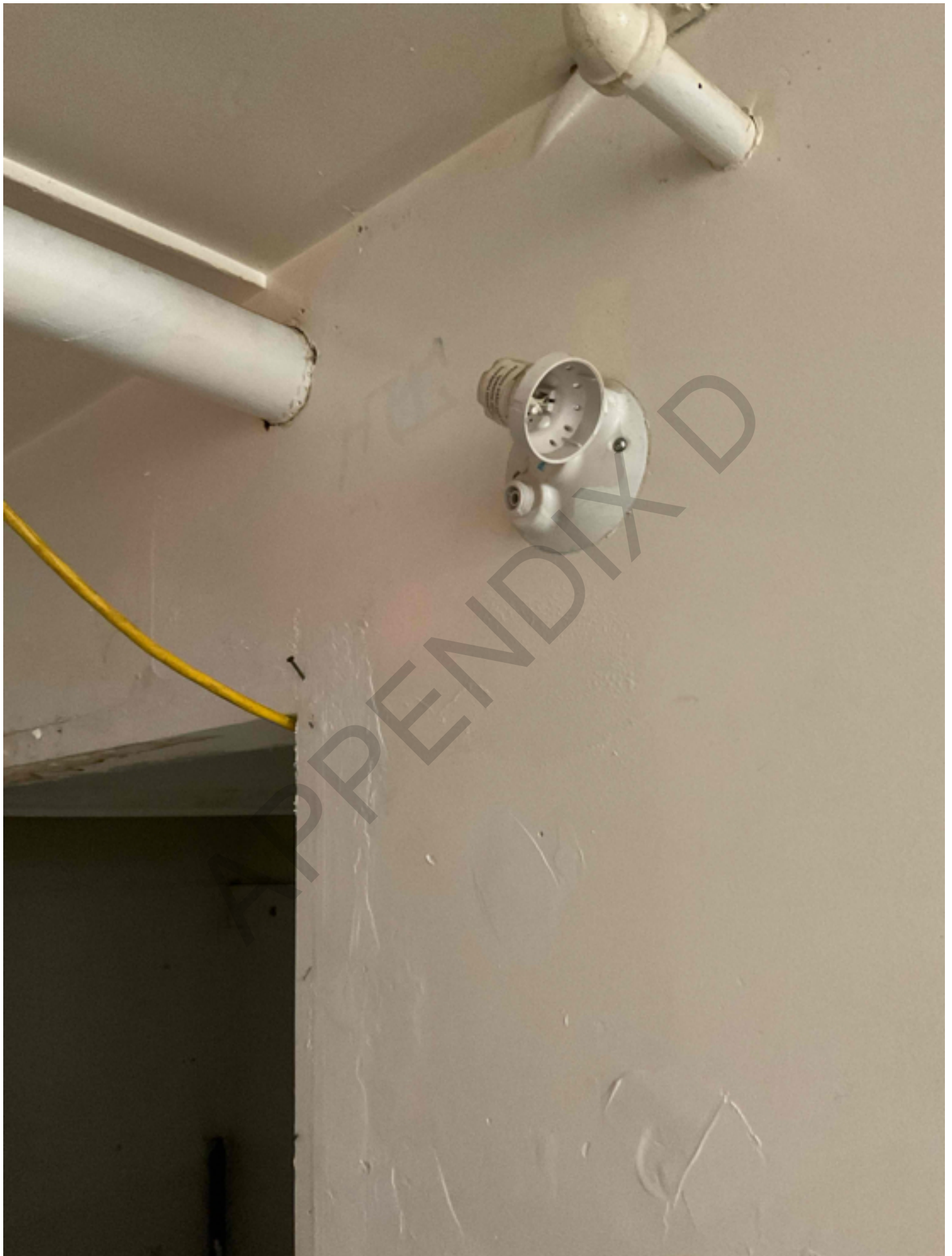
repair exit sign to illuminate



Repair emergency lighting



Repair emergency lighting



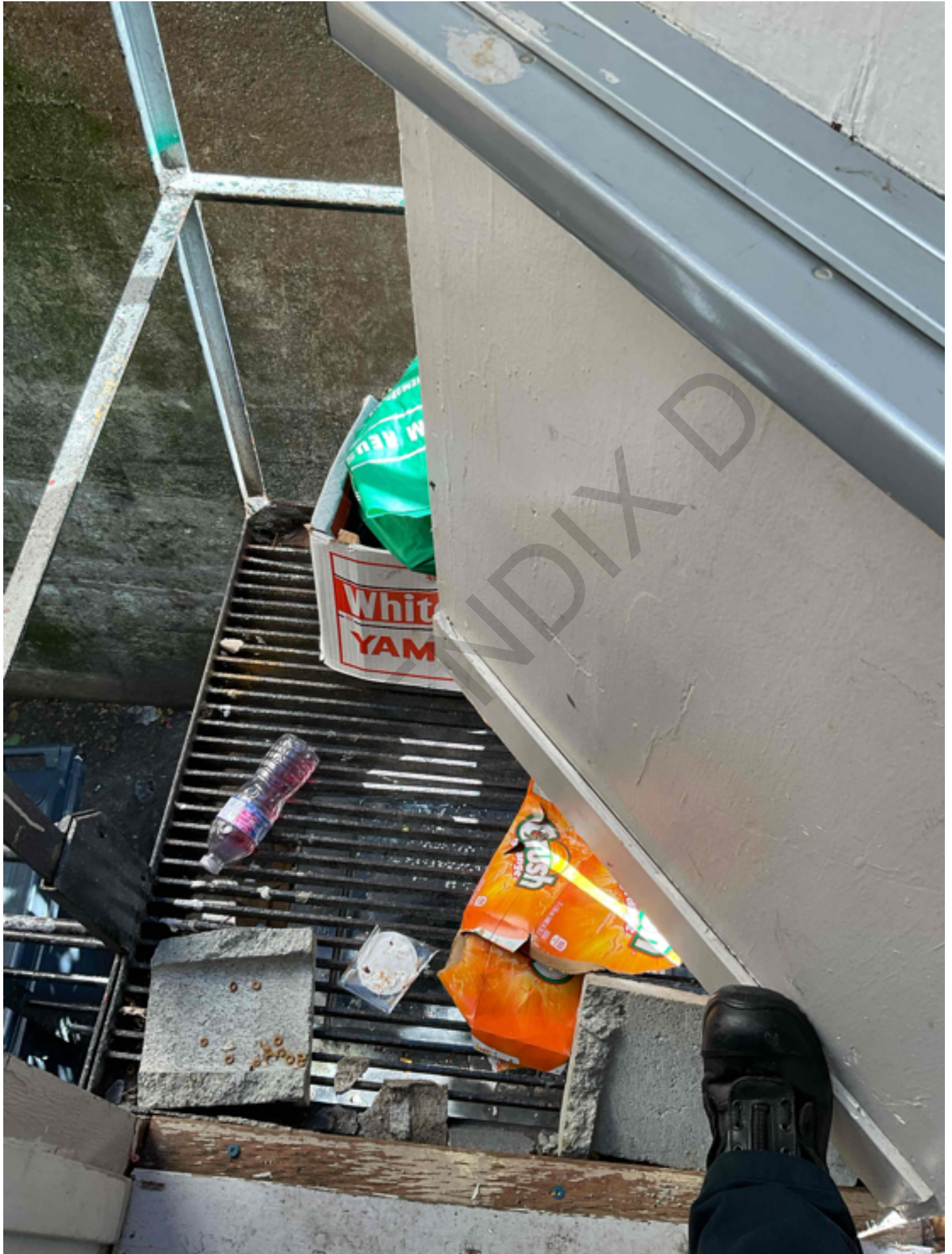
Repair emergency lighting



Repair emergency lighting



Repair exit door to close and latch



Repair exit door to close and latch



Repair exit door to close and latch



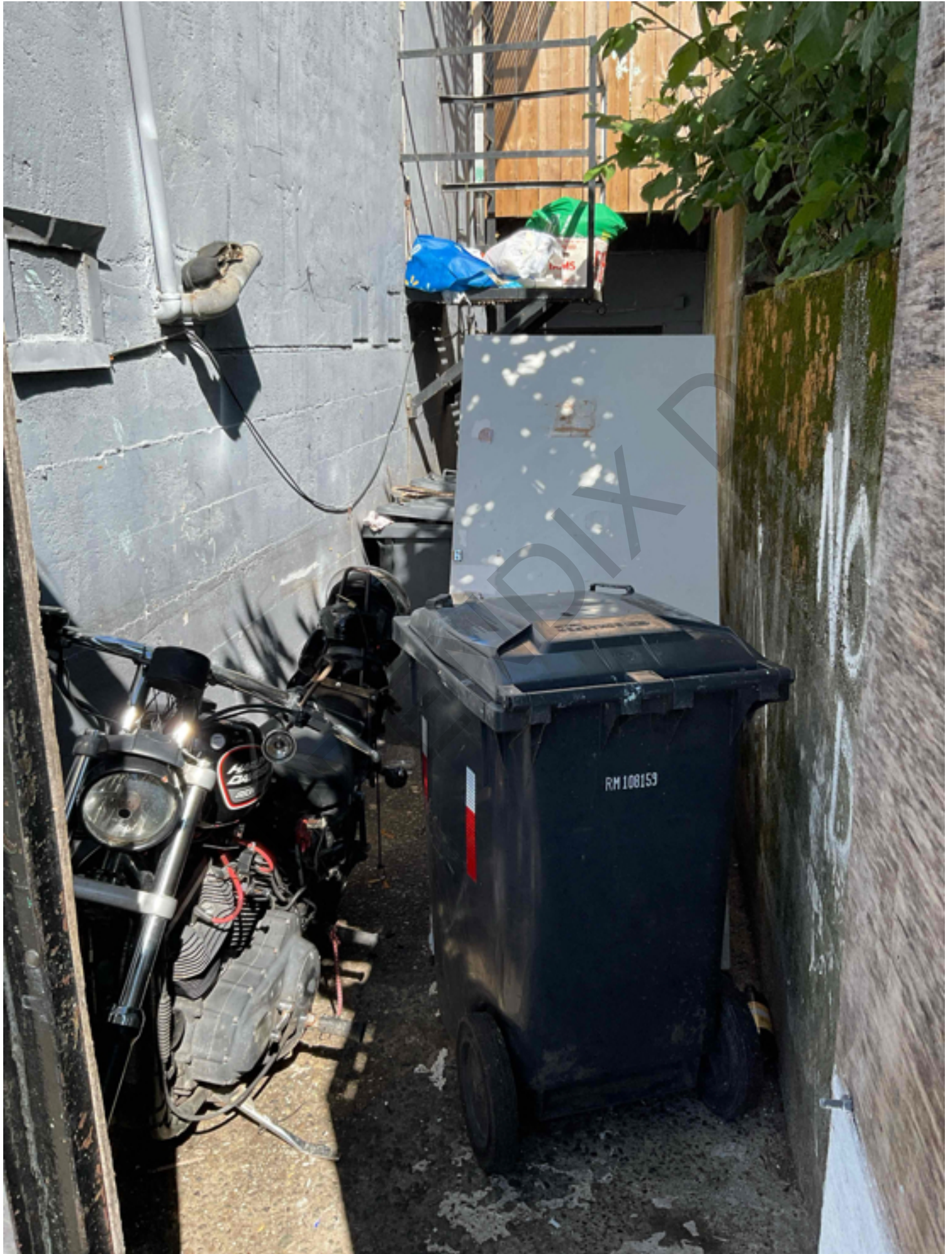
Repair exit door to close and latch



Remove slide locks on exit door



Repair exit door to open



Remove obstructions to exit door



Remove obstructions to exit door



Remove obstructions to exit door



Remove obstructions to exit door



Remove obstructions to exit door



Remove obstructions to exit door



Sprinkler System requires repair and annual inspection



Remove sprinkler obstruction



Remove obstruction to electrical panel



Non compliant use of extension cords



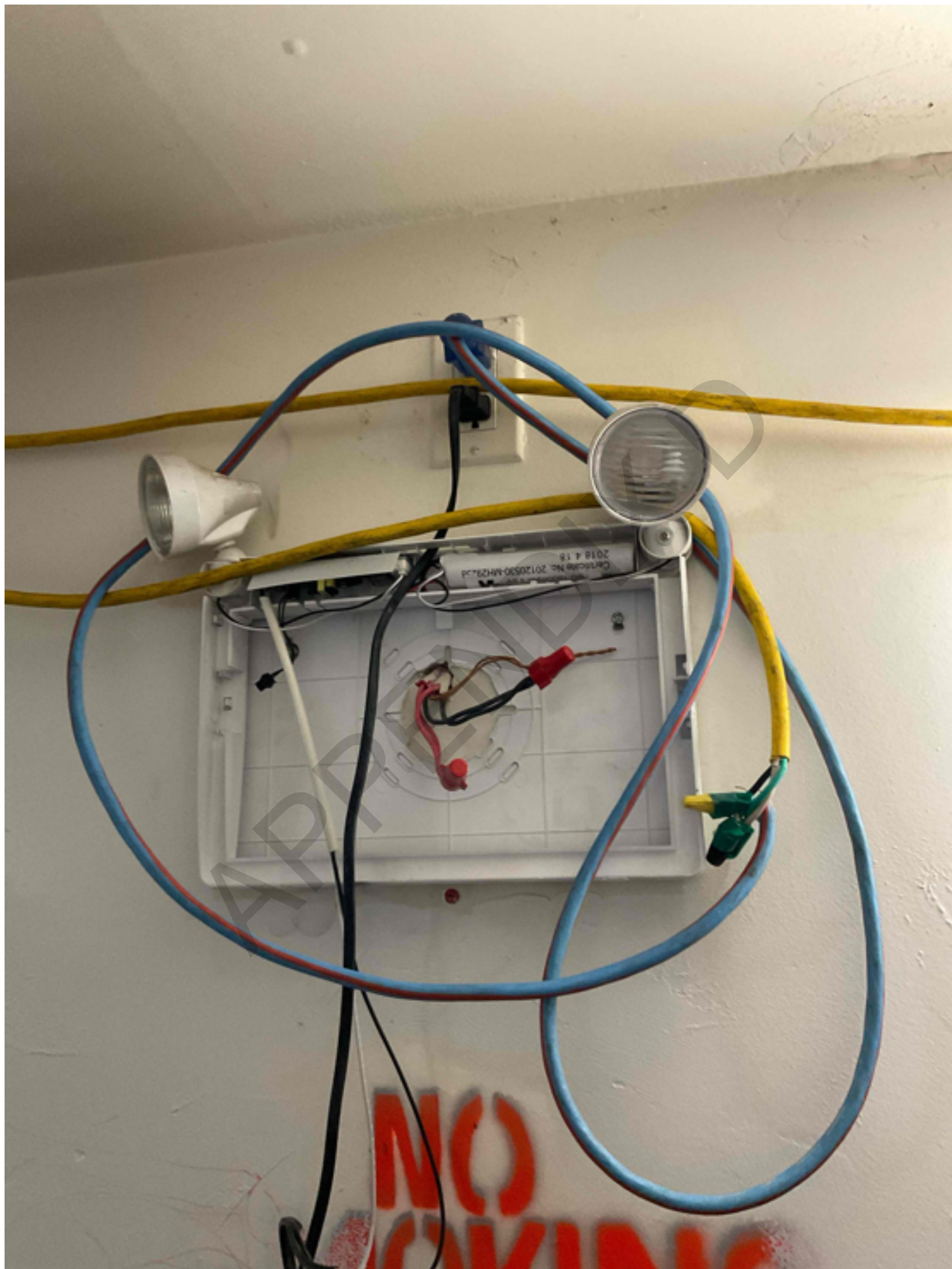
Non compliant use of extension cords



Non compliant use of extension cords



Non compliant use of extension cords



Non compliant use of extension cords



Non compliant use of extension cords



Non compliant use of extension cords



Non compliant use of extension cords



Replace missing cover plate



Replace missing cover plate



Replace missing cover plate



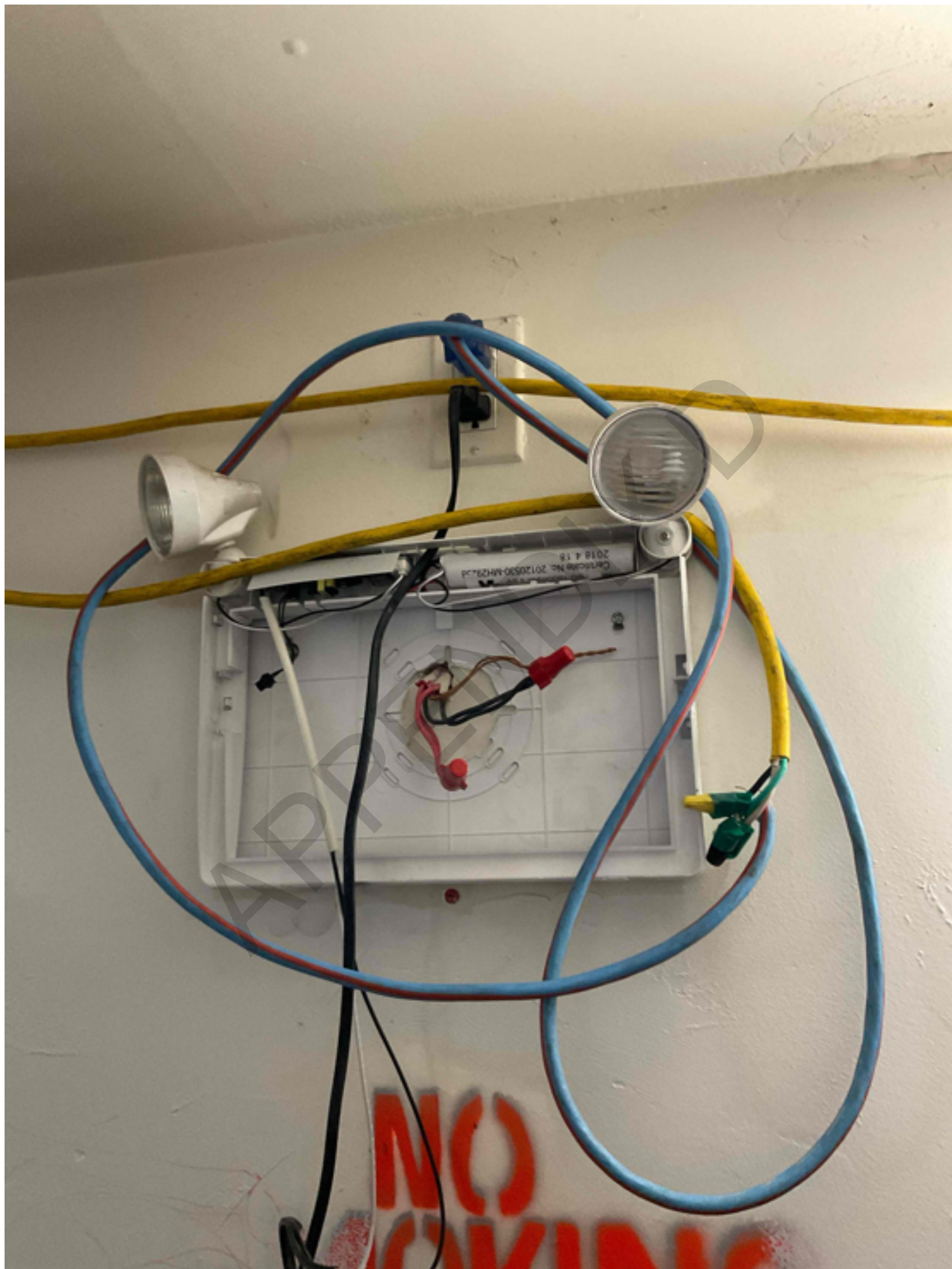
Replace missing cover plate



Repair electrical fire hazard



Repair electrical fire hazard



Repair electrical fire hazard



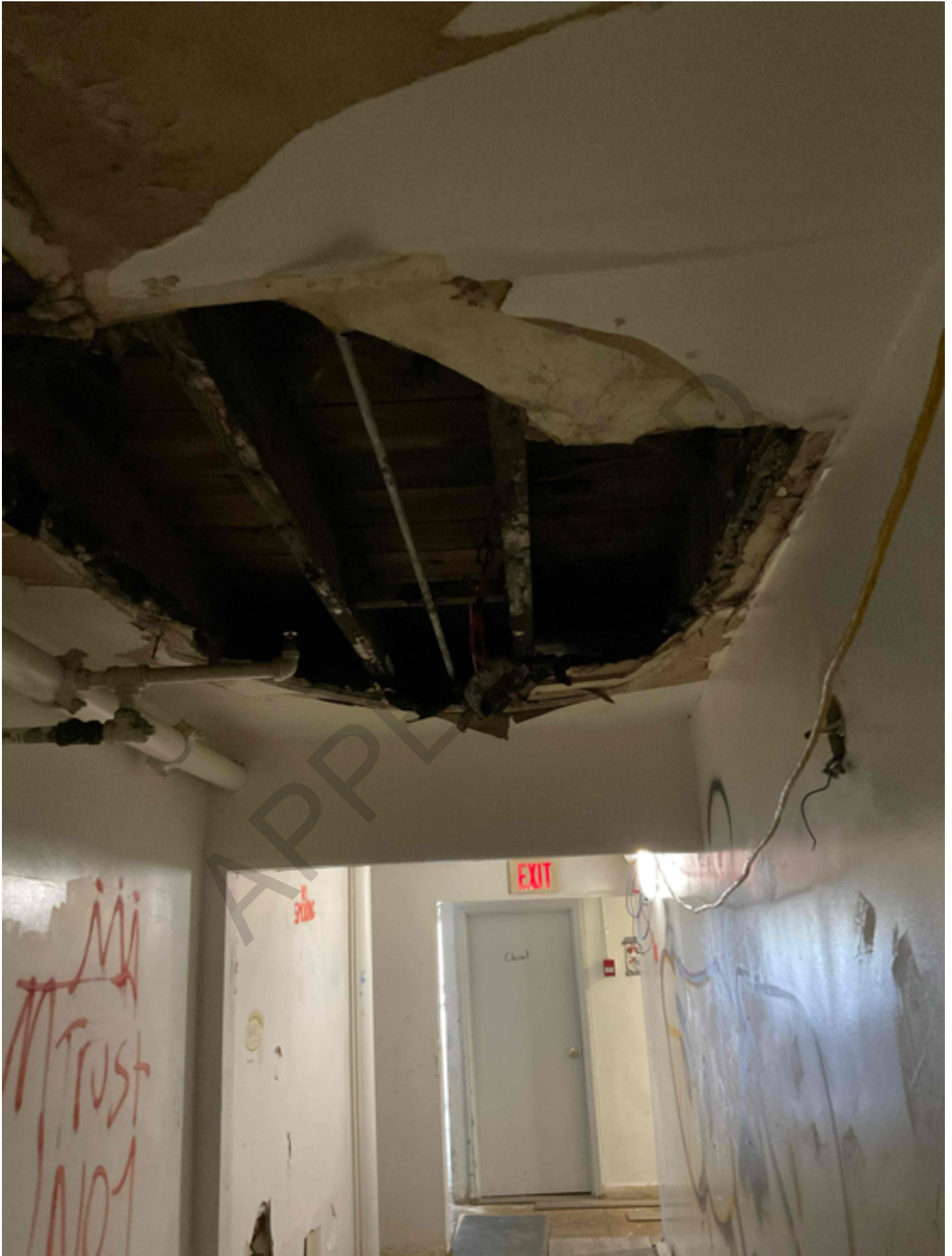
Repair electrical fire hazard



Repair fire separation



Repair fire separation



Repair fire separation



Repair fire separation



Repair fire separation



repair window



Repair door to close completely



Repair door to close completely



Repair door to close completely



Repair door to close completely



Remove non-compliant door hardware



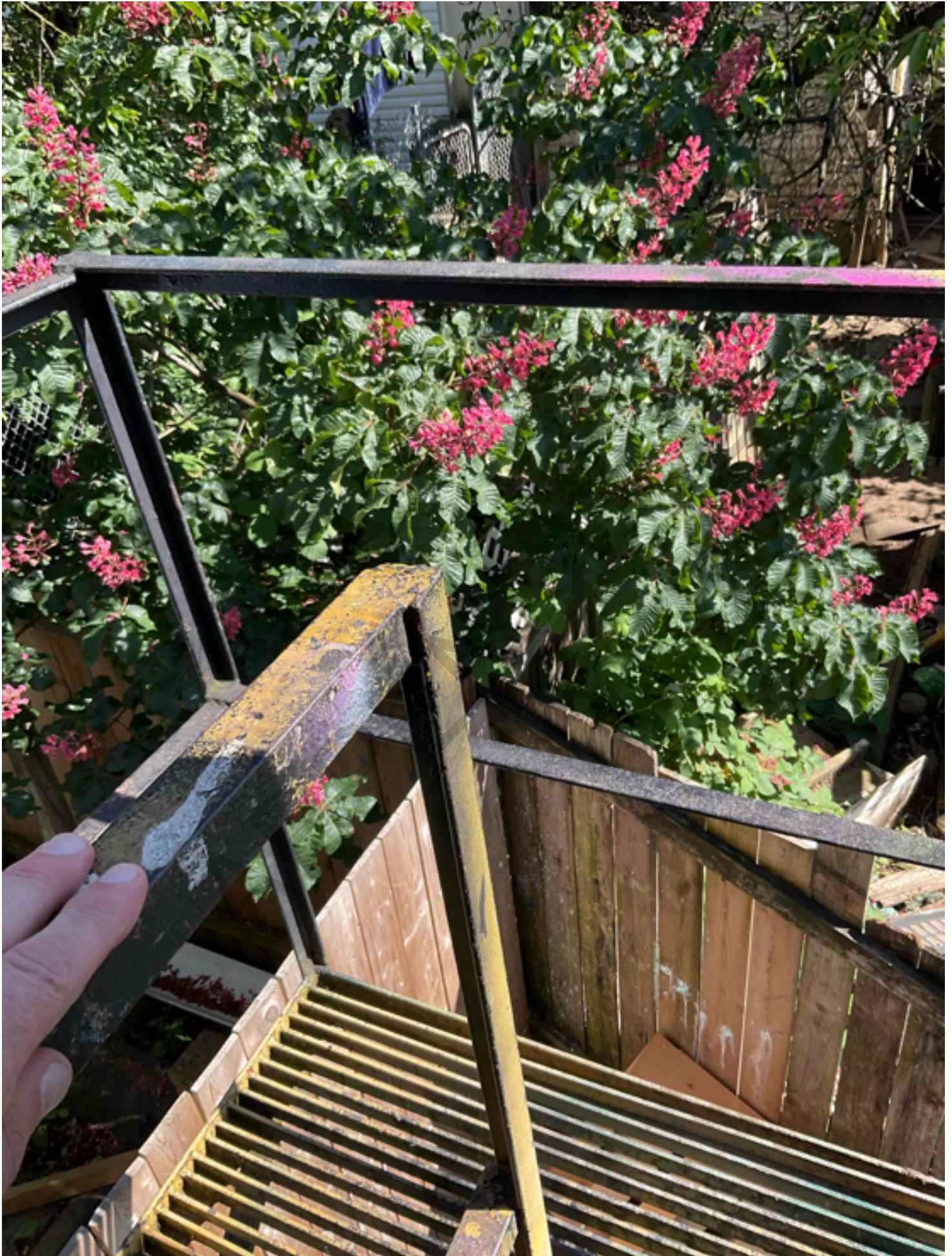
Remove non-compliant door hardware



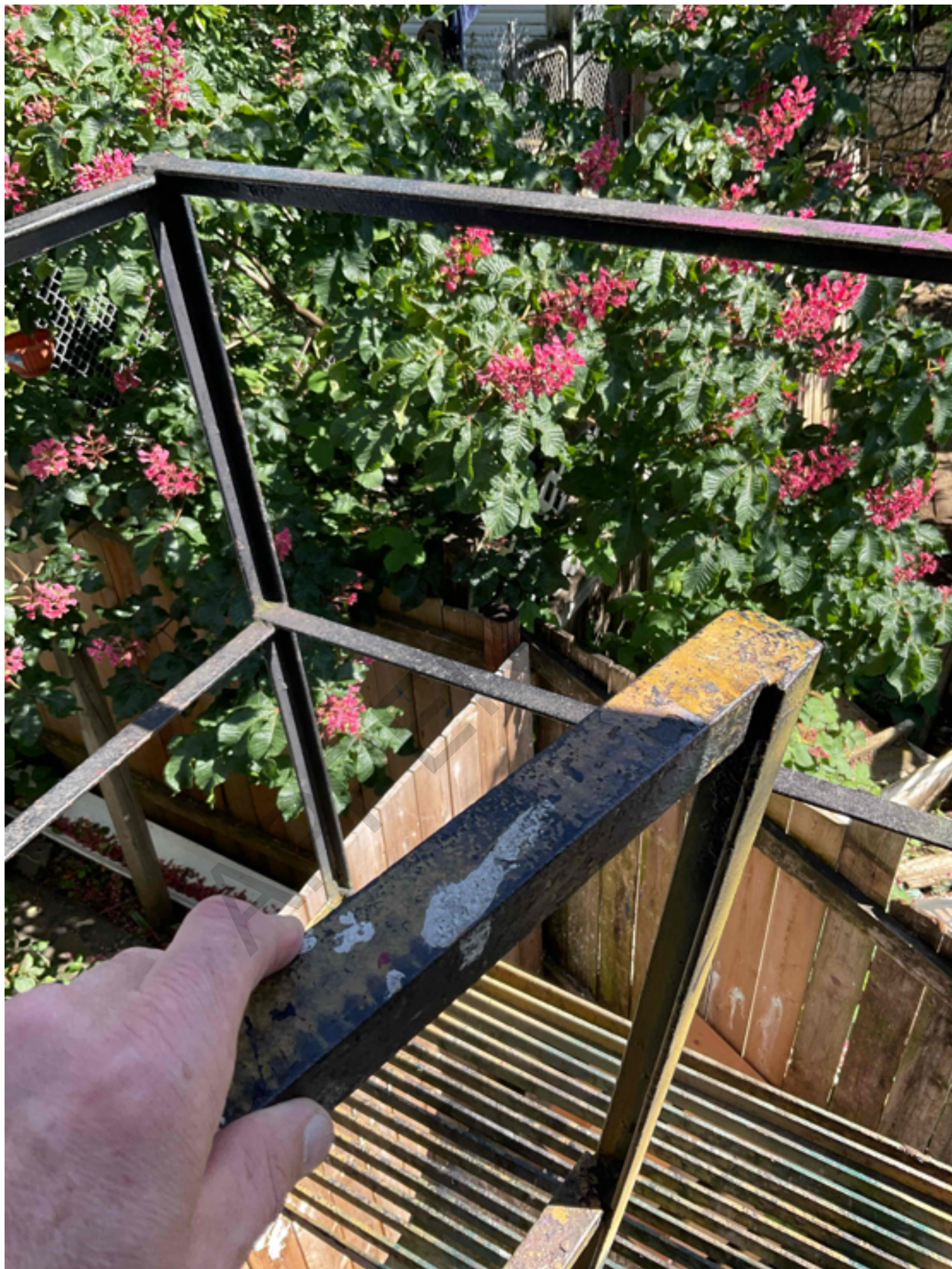
Repair door to close completely



Repair door to close completely



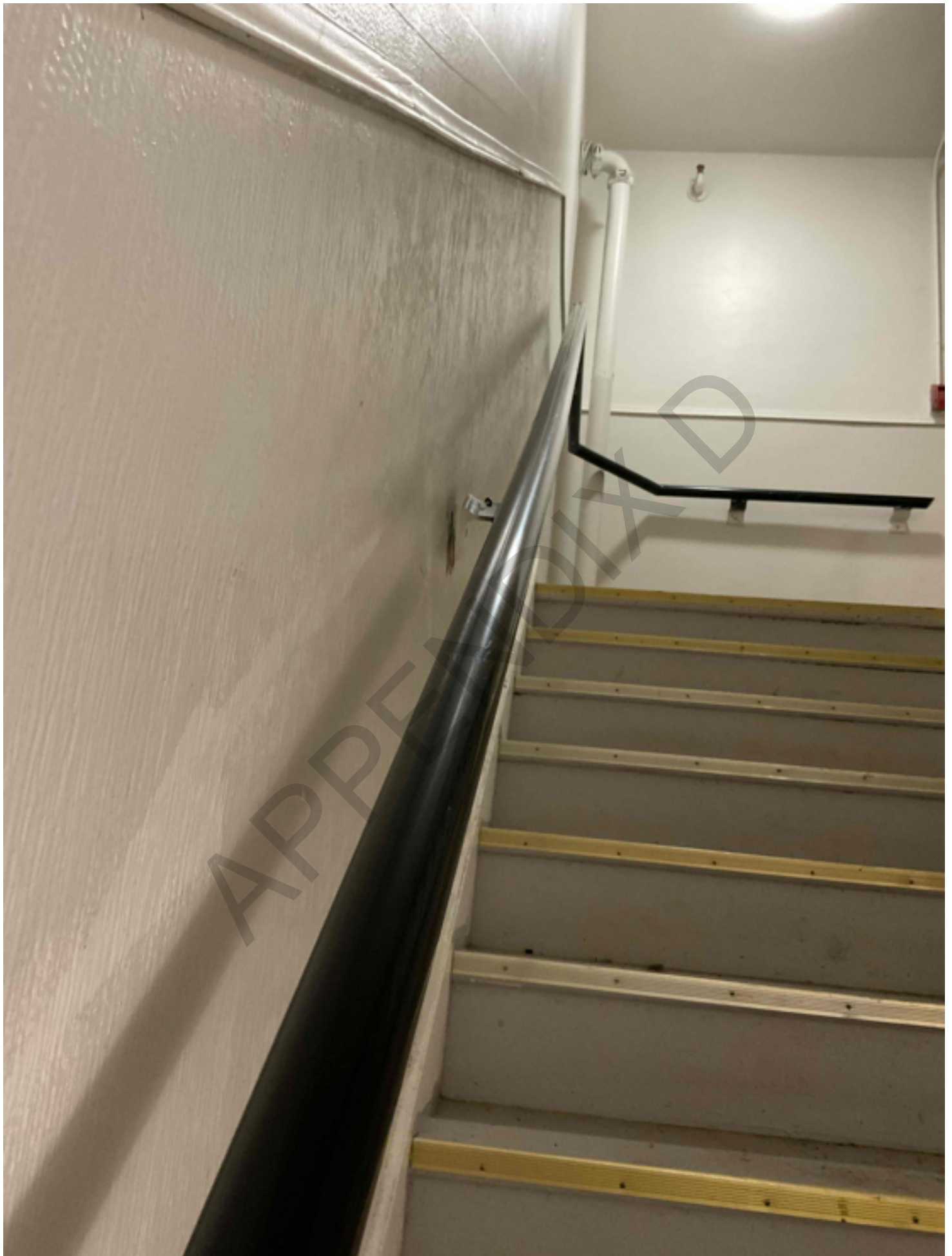
Repair damaged fire escape railing



Repair damaged fire escape railing



Repair damaged interior staircase railing



Repair damaged interior staircase railing



Lewkowich Engineering Associates Ltd.

geotechnical • environmental health & safety • materials testing

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

File Number: E0400-1139
Date: May 22, 2024

PROJECT: 5170 ARGYLE STREET, PORT ALBERNI, BC

SUBJECT: BULK ASBESTOS SAMPLE ANALYSIS

Please find attached our laboratory's results for analysis of material submitted for identification of Asbestos.

Sample examination was conducted in accordance with the NIOSH 9002 analytical method using polarized light microscopy and dispersion staining techniques. The detection limit of this method is listed as <1%.

This report relates only to material tested and any extrapolation of the results by the client is the responsibility of the client. Samples collected by the client cannot be confirmed as representative of materials sampled.

If Asbestos containing materials (ACM – defined by WorkSafe BC as containing at least 0.5% Asbestos and >0% for Vermiculite insulation) are identified in this report and remediation is indicated, the requirements of the B. C. Occupational Health & Safety Regulation Part 6.0 and related Guidelines should be met. This will require completion of a Risk Assessment by a 'Qualified Person' as described in Section 6.6.4. of the Regulations.

This report is not a 'Hazardous Materials Assessment' (Report), as defined in Section 20.112. In addition to this report, WorkSafe BC may require Section 20.112 to be met prior to commencement of work.

Samples will be disposed of after one month, unless otherwise instructed by you. If further clarification is required, please contact the undersigned. Thank you for the opportunity to be of service to you.

Yours truly,

LEA ENVIRONMENTAL HEALTH & SAFETY

Laurie Clark, B.Sc.
WorkSafeBC Certificate # ASB – 10002588
E-mail: lclark@lewkowich.com



Johanne Picard, B.Sc., RPIH
WorkSafeBC Certificate # ASB – 10002597
E-mail: jpicaard@lewkowich.com

Attachments (2): Certificate of Analysis
Chain of Custody

1900 Boxwood Road, Nanaimo, BC, Canada V9S 5Y2 • Tel (250) 756-0355 Fax (250) 756-3831
www.lewkowich.com

Bulk Asbestos Certificate of Analysis

Project #: E0400-1139 Client: City of Port Alberni Site Address: 5170 Argyle Street, Port Alberni, BC Sampled By: Client

Analyzed in accordance with NIOSH 9002 Asbestos (Bulk) by PLM

(Note: Estimated Limit of Detection (LOD) is <1% asbestos)

Legend:

ND Not Detected

Lab Sample #	Sample Description	Location	Phase Description	Phase %	Asbestos Type	Asbestos %	Other Material Type	Other Material	Analyst
E0400-1139-1a	Plaster	Ceiling #1	Paint - Silver	3	NO	ND	Non-Fibrous	100	LC
			Cream Mix	20	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	75	NO	ND	Non-Fibrous	100	LC
			Paper - Beige	2	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-1b	Plaster	Ceiling #1	Paint - Silver	5	NO	ND	Non-Fibrous	100	LC
			Cream Mix	25	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	65	NO	ND	Fibrous(Hair)/Non-Fibrous(2/98)	100	LC
			Paper - Beige	5	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-1c	Plaster	Ceiling #1	Paint - Silver	5	NO	ND	Non-Fibrous	100	LC
			Cream Mix	25	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	65	NO	ND	Fibrous(Hair)/Non-Fibrous(2/98)	100	LC
			Paper - Beige	5	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-2a	Stucco	Exterior #2	Paint - Off White	5	NO	ND	Non-Fibrous	100	LC
			Cream Mix	10	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	80	NO	ND	Fibrous(Hair)/Non-Fibrous(2/98)	100	LC
			Paper - Beige	5	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-2b	Stucco	Exterior #2	Paint - Off White	5	NO	ND	Non-Fibrous	100	LC
			Cream Mix	10	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	80	NO	ND	Fibrous(Hair)/Non-Fibrous(2/98)	100	LC
			Paper - Beige	5	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-2c	Stucco	Exterior #2	Paint - Off White	5	NO	ND	Non-Fibrous	100	LC
			Cream Mix	15	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	70	NO	ND	Fibrous(Hair)/Non-Fibrous(2/98)	100	LC
			Paper - Beige	10	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-3a	Plaster	Interior #3	Paint - Cream	30	NO	ND	Non-Fibrous	100	LC
			Cream Mix	50	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	20	NO	ND	Fibrous(Hair)/Non-Fibrous(1/99)	100	LC
E0400-1139-3b	Plaster	Interior #3	Paint - Cream	30	NO	ND	Non-Fibrous	100	LC
			Cream Mix	70	NO	ND	Non-Fibrous	100	LC
E0400-1139-4	Textured Drywall	Interior #3	Paint - Off White	5	NO	ND	Non-Fibrous	100	LC
			Fibrous Mix - White	15	NO	ND	Fibrous(Cellulose)/Non-Fibrous(5/95)	100	LC
			Paint	5	NO	ND	Non-Fibrous	100	LC
			Joint Compound - Light Cream	15	NO	ND	Non-Fibrous	100	LC
			Paper - Cream	15	NO	ND	Fibrous(Cellulose)	100	LC
			Joint Compound - Off White	20	YES - Chrysotile	1-3	Non-Fibrous	97-99	LC
			Paper - Cream/Beige	25	NO	ND	Fibrous(Cellulose)	100	LC

Bulk Asbestos Certificate of Analysis

Project #: E0400-1139 Client: City of Port Alberni Site Address: 5170 Argyle Street, Port Alberni, BC Sampled By: Client

Analyzed in accordance with NIOSH 9002 Asbestos (Bulk) by PLM

(Note: Estimated Limit of Detection (LOD) is <1% asbestos)

Legend:

ND Not Detected

Lab Sample #	Sample Description	Location	Phase Description	Phase %	Asbestos Type	Asbestos %	Other Material Type	Other Material	Analyst
E0400-1139-5	Drywall 1	Interior #4	Paint - Off White	5	NO	ND	Non-Fibrous	100	LC
			Joint Compound - White	20	NO	ND	Non-Fibrous	100	LC
			Paper - Cream	15	NO	ND	Fibrous(Cellulose)	100	LC
			Joint Compound - White	25	NO	ND	Non-Fibrous	100	LC
			Paper - Cream/Beige	35	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-6	Drywall 2	Interior #4	Paint - Off White	5	NO	ND	Non-Fibrous	100	LC
			Joint Compound - White	25	NO	ND	Non-Fibrous	100	LC
			Paper - Cream	15	NO	ND	Fibrous(Cellulose)	100	LC
			Joint Compound - White	25	NO	ND	Non-Fibrous	100	LC
			Paper - Cream/Beige	30	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-7	Textured Plaster	Interior #3	Paint - Off White	1	NO	ND	Non-Fibrous	100	LC
			White Mix	3	NO	ND	Non-Fibrous	100	LC
			Paint	1	NO	ND	Non-Fibrous	100	LC
			Off White Mix	10	NO	ND	Non-Fibrous	100	LC
			Cementitious - White/Dark Aggregate	75	NO	ND	Fibrous(Hair)/Non-Fibrous(2/98)	100	LC
			Paper - Beige	10	NO	ND	Fibrous(Cellulose)	100	LC
E0400-1139-8	Vinyl Floor Tile	Interior	Vinyl - Cream	95	NO	ND	Non-Fibrous	100	LC
			Mastic - Black	5	NO	ND	Fibrous(Cellulose)/Non-Fibrous(2/98)	100	LC

Lewkowich Engineering Associates Ltd.

Laboratory Chain of Custody Form

LABORATORY USE ONLY	
Job Number: <u>E0400-1139</u>	Page: <u> </u> of <u> </u>

Company	<u>CITY OF PORT ALBERNI</u>	Report To	
Billing Contact	<u>EVAN BOROVICA</u>	Email	
Billing Address		CC Email	
City, Province		Phone	
Postal Code		Mobile	

SAMPLING ADDRESS <u>PORT PUB</u> <u>5170 Argyle St., Port Alberni</u>	CLIENT PO #	
	CLIENT PROJECT NUMBER	

SAMPLE TURN AROUND TIME (see Notes)	REGULAR <input type="checkbox"/> NEXT DAY <input type="checkbox"/> SAME DAY <input type="checkbox"/> Stop Positive <input type="checkbox"/>
-------------------------------------	---

Notes: Same Day Surcharge +100% of Regular • Next Day Surcharge +50% of Regular
 External Lab Courier Charges Extra at Cost
 Sample Disposal Fees May Apply
 Same Day Samples Must Be Received in Lab by 1300

	Sample Type	Sample Location/Room	Sampled By	Date Sampled
1	CONCRETE	CEILING	CLIENT	
2	STUCCO	EXTERIOR		
3	DJC	INTERIOR		
4	TEXTURED DRYWALL			
5	TEXTURED DRYWALL			
6	"			
7	TEXTURED PLASTER			
8				
9				
10				

Analysis Type											
Asbestos Bulk	Asbestos Filter	Lead Bulk	Lead Filter	Lead Wipe	Leachable Lead	Total/Resp PNOG	Silica (RCS)	Spore Trap	Viable Cultures (Air)	Fungal Bulk/Tape	
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
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[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]

Relinquished By: (PLEASE PRINT)			
Name	<u>E. Borovica (C. of PA)</u>	Date /Time	
Name	<u>J. Picard (LEA)</u>	Date /Time	
Name		Date /Time	

LABORATORY USE ONLY	
Received By	<u>JLC</u>
Date	<u>16 May 2024</u>
Time	<u>0800</u>



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1900 Boxwood Road
 Nanaimo, BC V9S 5Y2
 (250) 756-0355



CITY OF PORT ALBERNI

City Hall
4850 Argyle Street
Port Alberni, B.C. V9Y 1V8
Tel. (250) 723-2146 Fax: (250) 723-1003

NOTICE OF HAZARDOUS MATERIALS NOTICE TO RESIDENTS AND OTHER AFFECTED PERSONS

May 28, 2024 @ 6:00 pm

Delivered by Email



Re: Lot 24 Block 86 District Lot 1 Alberni District Plan VIP 197
Lot 23 Block 86 District Lot 1 Alberni District Plan VIP 197
Civic Address: 5170 Argyle St, Port Alberni, BC

TAKE NOTICE THAT the presence of asbestos has been confirmed at 5170 Argyle Street. Asbestos is a hazardous material that poses a risk to health. In light of this information, the City of Port Alberni is recommending that all tenants find alternative lodging as soon as possible to minimize their exposure to this harmful substance. Notices will be delivered to tenants this evening and posted on all entry and exit doors.

The City's priority is the safety and well-being of all individuals involved and are working closely with WorkSafe BC, the Province, BC Housing and local service providers to address this situation. The City of Port Alberni will provide an update on Wednesday, May 29th.

CITY OF PORT ALBERNI


Mike Fox
Chief Administrative Officer
250.723.2146
mike_fox@portalberni.ca

c: D. Leurebourg, Director of Corporate Services
Chief Owens, PAFD
M. Massicotte, Manager of Community Safety and Social Development



City Hall
4850 Argyle Street
Port Alberni, B.C. V9Y 1V8
Tel. (250) 723-2146 Fax: (250) 723-1003

NOTICE OF HAZARDOUS MATERIALS NOTICE TO RESIDENTS AND OTHER AFFECTED PERSONS

May 28, 2024 @ 6:00 PM

TAKE NOTICE THAT the presence of asbestos has been confirmed at 5170 Argyle Street. Asbestos is a hazardous material that poses a risk to health. In light of this information, the City of Port Alberni is recommending that all tenants find alternative lodging as soon as possible to minimize your exposure to this harmful substance.

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CITY OF PORT ALBERNI

Mike Fox
Chief Administrative Officer
250.723.2146
mike_fox@portalberni.ca



CITY OF PORT ALBERNI FIRE DEPARTMENT FIRE ORDER

May 29, 2024

The Owner(s)



5170 Argyle St
Port Alberni, BC

Attn: Property Owner(s)

BY ORDER OF THE FIRE CHIEF – City of Port Alberni

On February 21, 2024, a Fire Order was issued for your property and/or business(es) at 5170 Argyle St. An excerpt from that Fire Order, "Therefore, based on the above information, I, Mike Owens, Fire Chief, City of Port Alberni, do hereby Order that the Fire Alarm System be repaired and verified by a professional as fully functional. Until such a time as I receive a verification report to my satisfaction indicating that the alarm has been verified by a professional you are hereby required to hire a third-party security company to supply at least two (2) security officers to provide a fire watch on the building and to maintain records of their fire watch duties. The security officers will be tasked with calling 911 immediately upon any alarm activation or any sign of smoke or fire."

The owner(s) failed to immediately have the Fire Alarm System repaired and verified by a professional as fully functional. The owner(s) also failed to hire a third-party security company to provide a fire watch, so the City of Port Alberni hired a fire watch on your behalf; these costs, plus administration fees, will be passed on to the owner(s) to pay.

By February 26th, the timeline to complete the action items on the Remediation Order had lapsed. A subsequent inspection found that the vast majority of the action items required in the Remediation Order were not completed. That inspection, as well as at least 10 additional inspections by the Chief Fire Prevention Officer since then, have shown major deficiencies.

On May 5th, a property representative shut off the sprinkler system after a sprinkler activation in one of the suites. The following morning, the property representative was instructed to have the sprinkler system repaired and reactivated as soon as possible.

This month, a small sample of debris from the building was sent to a laboratory for analysis, and we were informed that it tested positive for asbestos.

On May 28th, the City was advised by a WorkSafe BC Officer that the building should be treated as a moderate to high risk for asbestos until proven otherwise. The health and safety of residents, employees and contractors is paramount. As such, we cannot have the Fire Watch continue in a building that is to be treated as a moderate to high risk for asbestos. With the Fire Alarm system

not repaired or verified, the sprinkler system inoperable, and an inability to maintain a Fire Watch, the building is no longer safe for residents, employees or contractors.

The City's Fire Control Bylaw No. 4876 grants the Fire Chief the authority to issue an order to ensure full and proper compliance with this Bylaw or to remove or otherwise deal with the Fire Hazard or other danger, specifically, Section 29 – Fire Orders, states, in part:

"if conditions exist in or upon any premises which in the opinion of the Fire Chief constitutes a Fire Hazard, or other danger to life or property may, in writing, issue such an order."

Therefore, I, Mike Owens, Fire Chief, City of Port Alberni, do hereby Order that the building be vacated by 1500 Hours on Wednesday, May 29, 2024, and remain vacated. Further, the building must be secured to prevent further occupancy until the Fire Chief determines that existing conditions no longer pose a danger to life or property.

You are required to retain an Architect to assess the condition of the building and suitability for occupancy. If repairs are necessary, an Architect shall prepare the necessary building permit application and plans for the identified works for review by the Development Services Department to determine if a Building Permit may be necessary prior to undertaking any repair/construction works. Once a Building permit has been issued, any repairs can commence. The Architect must submit all requirements to the Development Services Department for approval. Once this process has been completed to the satisfaction of the Development Services, the Fire Chief will be satisfied that existing conditions no longer pose a danger to life or property.

Entry to the structure, except as described above, is strictly prohibited without the expressed authorization of myself, my designate, or a City of Port Alberni Building Inspector.


Respectfully,
CITY OF PORT ALBERNI



Mike Owens
Fire Chief

C: City Council
M. Fox, CAO

Date: June 3, 2024
File No: 0125-01
To: Mayor & Council
From: M. Fox, CAO
Subject: Council Letter of Support | Legislative Reform Initiative

Prepared by: D. LEUREBOURG DIRECTOR OF CORPORATE SERVICES	Supervisor: M. FOX CHIEF ADMINISTRATIVE OFFICER	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION[S]

THAT Council direct staff to send a letter of support for the Regional District of Nanaimo [RDN] Legislative Reform Initiative indicating Council's support for a comprehensive review of the Local Government Act ensuring that consideration is made to fair distribution of funding for joint services between regional districts and municipalities.

PURPOSE

The purpose of this report is to highlight the proposed changes targeted by regional districts and to provide Council with information to decide on whether they would like to proceed with issuing a letter of support for the RDN led initiative to have UBCM establish a working group to reform the Local Government Act [LGA].

BACKGROUND

This Legislative Reform Initiative was launched in 2021 by the Regional District of Nanaimo [RDN]. The concerns highlighted the following:

- include restrictions on taxation and revenue sources;
- complexities in establishing services;
- lack of provisions in comparison with Section 8 of the *Community Charter* which gives municipalities powers to regulate, prohibit, and impose requirements by bylaw without provincial approval or establishing bylaws.

Further, regional districts are limited in their legislative authority in several areas such as business licensing authority, subdivision approval, regulation of fireworks discharge, parking enforcement, tree management, and taxation and funding models.

At a legislative reform session at UBCM in September 2023, (co-hosted by the RDN, Fraser Valley Regional District (City of Chilliwack), Alberni-Clayoquot Regional District, and Don Lidstone, K.C) session attendees expressed support for asking UBCM to lead the initiative and establish a working group to facilitate this process. The proposed working group would include representatives from municipalities, regional districts, First Nations, UBCM, and ministerial staff, and would conduct research and policy work to develop a

framework for reviewing and modernizing the *Local Government Act* to better reflect the realities of the evolving environment in which regional districts and municipalities operate. This includes a recognition of the importance of First Nations' participation in governance, climate change, and environmental stewardship.

The RDN has reached out to municipalities seeking letters of support for their initiative to modernize the LGA. It will be important for municipalities to be involved in any discussions around legislative changes, to ensure that changes are fair, equitable and of benefit to all.

Currently regional districts and municipalities participate in a number of joint services such as fire and emergency services, recreation, police services, regional water and waste water services, among others. In many cases, the costs for these services are borne disproportionately on municipalities. Further, municipalities are bearing the brunt of costs associated with increasing social issues, such as clean sweeps, encampments, etc.

ALTERNATIVES/OPTIONS

1. THAT Council send a letter of support for the RDN Legislative Reform Initiative indicating Council's support for a comprehensive review of the Local Government Act ensuring that consideration is made for fair and equitable distribution of funding for joint services between regional districts and municipalities.
2. That Council take no action.

ANALYSIS

The request from the RDN to municipalities is for letters of support endorsing a UBCM led working group for the reform of the LGA. This working group would include representatives from municipalities, regional districts, and First Nations. There would be benefit to reviewing the LGA to ensure that it equips municipalities and regional districts to face current relevant matters and future challenges not currently contemplated in the Act, including First Nations' participation in local governance, climate change and climate resilience, and environmental stewardship to name a few. It will be important that any changes to the Act are of benefit to Port Alberni, or other urban municipalities. Council's attention, and possible participation, in this review may be important.

IMPLICATIONS

There may be future opportunities for Council or staff participation in these events. At this time there are no anticipated financial implications.

COMMUNICATIONS

No public communications are required on this matter at this time.

BYLAWS/PLANS/POLICIES

City participation and advocacy of changes to the LGA to contemplate a fair and equitable formula for cost sharing between regional districts and municipalities, coincides with the Corporate Strategic Goals of ensuring highest and best use is made of City owned assets and that the citizens receive the best value from its service providers.

SUMMARY

Municipalities have been requested to support the RDN led initiative to have UBCM establish a working group to reform the *Local Government Act*. Regional districts are advocating for more powers under reforms to the legislation, and it is important that urban municipalities are engaged in the process to ensure legislative changes are of benefit to them. This includes advocating for a fair and equitable formula for cost-sharing between municipalities and regional districts for joint, or regionally impacted services.

ATTACHMENTS/REFERENCE MATERIALS

- Chair Craig letter – Legislative Reform Initiative Update
- What we heard – September 2023 Legislative Reform Session Summary document

C: *M. Fox, CAO*
 S. Darling, Deputy Director of Corporate Services

January 19, 2024

Re: Legislative Reform Initiative Update

Dear Local Government Colleagues:

On September 21, 2023, the Regional District of Nanaimo (RDN), Alberni-Clayoquot Regional District, Fraser Valley Regional District (City of Chilliwack), and Don Lidstone, K.C., hosted an interactive, discussion-based panel session (Legislative Reform Initiative) focused on reform of the *Local Government Act* (LGA) at the UBCM Annual Convention in Vancouver. While the lack of powers for regional districts in the *Act* was a major spark for this initiative, the session was intended for both municipal and regional district officials because many aspects of municipal operations are contained in the *LGA* and municipal issues with the *Act* have been the subject of numerous UBCM resolutions over the years. Similar workshops have been held previously at the Association of Vancouver Island and Coastal Communities' Annual Conventions in 2022 and 2023. Approximately 80-85 people attended the September 2023 UBCM session, indicating a broad interest in this evolving topic.

Concerns about the dated *Local Government Act* have been widespread for some time among local governments. Although the Ministry of Municipal Affairs has made significant incremental changes in the legislation over time, without a comprehensive modernization of the *LGA* regional districts are left without sufficient tools or authority to meet expanding responsibilities or to legislate in key areas in comparison with municipalities. Moreover, the evolving social, political, and economic environments that both municipalities and regional districts operate within, such as climate change, environmental stewardship, and a recognition of the importance of First Nations' participation in regional governance, should be reflected in updated and modernized legislation. A key component of our discussions is that any additional powers or tools granted to local government are opt-in so that local governments can choose to implement tools based on what is best for their area.

The goals of the September 2023 UBCM interactive panel session were:

- to provide context and background about the Legislative Reform Initiative
- to discuss whether to proceed with the Legislative Reform Initiative
- to discuss options for the best path forward to steer the process

Prior to the session, the Ministry of Municipal Affairs provided some background information and several questions to consider during the group's discussion. This material was useful and very much appreciated.

The RDN committed to sending UBCM members a "What We Heard" document summarizing discussion at the session and next steps. We are attaching that document to this letter for your information, as well as the material provided by the Ministry of Municipal Affairs that was considered as part of the September 2023 panel discussion at UBCM. In addition, we are attaching the slide deck presented at the UBCM session.

We encourage other local governments to participate in this important initiative. As indicated in the “What We Heard” document, the RDN is currently following up with UBCM on the possibility of requesting that the UBCM Executive form a working group on this topic. Having letters of support from local governments across the province would be helpful in demonstrating interest. Should you wish to send a letter of support, have any questions, or wish to share examples of legislative challenges stemming from the *Local Government Act*, please contact RDN Chief Administrative Officer Douglas Holmes at dholmes@rdn.bc.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Vanessa Craig". The signature is fluid and cursive, with the first name "Vanessa" written in a larger, more prominent script than the last name "Craig".

Vanessa Craig
Chair, Regional District of Nanaimo

Encl.

LEGISLATIVE REFORM INITIATIVE: NEXT STEPS
UBCM ANNUAL CONVENTION, September 21, 2023
Summary of Session and What We Heard

SUMMARY OF SESSION

On September 21, 2023, the Regional District of Nanaimo, Fraser Valley Regional District (City of Chilliwack), Alberni-Clayoquot Regional District, and Don Lidstone, K.C., hosted an interactive, discussion-based session on legislative reform. The session was intended for both municipal officials as well as regional district officials because many aspects of municipal operations are contained in the *Local Government Act*.

The goals of the session were:

- to provide context and background about the Legislative Reform Initiative
- to discuss whether to proceed with the Legislative Reform Initiative
- to discuss options for the best path forward to steer the process

The Ministry of Municipal Affairs provided background and several questions to consider during the group's discussion (Attachment 1).

Approximately 80-85 people attended the session, indicating a broad interest in this evolving topic.

Concerns with the dated *Local Government Act* include restrictions on taxation and revenue sources, complexities in establishing services, and the lack of provisions in comparison with Section 8 of the *Community Charter* which gives municipalities powers to regulate, prohibit, and impose requirements by bylaw without provincial approval or establishing bylaws. Regional districts are limited in their legislative authority in comparison with municipalities in several key areas such as business licensing authority (which the province is now addressing as part of its efforts around short-term rental housing), subdivision approval, regulation of fireworks discharge, parking enforcement, tree management, and taxation and funding models. Further, social, political, and economic environments that local governments operate within continue to evolve in areas such as climate change, environmental stewardship, and a recognition of the importance of First Nations' participation in regional governance. These realities should be reflected in a modernized legislative framework.

During the session, Slido polls were used to conduct two "straw polls" of the participants, on these questions: 1) whether or not to proceed with the Legislative Reform Initiative, and 2) whether a UBCM working group or a joint local government project is the best path forward to steer the process.

The majority of participants indicated support for the Legislative Reform Initiative, and indicated their preference would be for a UBCM working group to steer the initiative. These polls were conducted to gain a sense of the sentiments of the session participants only, and are not assumed to represent the views of the UBCM membership as a whole.

WHAT WE HEARD

WHY A COMPREHENSIVE MODERNIZATION EFFORT IS NEEDED

- The Ministry of Municipal Affairs has made important incremental changes in the legislation over time, but a more comprehensive modernization project is needed.
- Extensive downloading of responsibilities from the Province to local governments has exacerbated the problems local governments face; outdated legislation prevents local governments from addressing these issues effectively.
- Over 90% of the province is rural and is not under the *Community Charter*; these areas should not be governed by legislation that was drafted in 1966.
- Regional districts and municipalities have restricted powers where they have delegated authority only, are not constitutionally protected, and have few tools or resources to address local problems.
- Particular challenges with the *Local Government Act* (LGA) raised by participants at this session:
 - responding effectively to emergencies and natural disasters
 - taking measures to mitigate the effects of climate change
 - dealing with old infrastructure and the ability to fund these projects solely through property taxes
 - population growth and migration from cities during the pandemic is rapidly changing the character of rural areas; incoming residents have higher expectations for services
 - incorporation should not be the only other governance option for rural areas; there should be an intermediate step available
 - Electoral Areas lack power and resources
 - business licensing authority¹ and subdivision approval are difficult for regional districts
 - small municipalities and regional districts are unable to fund necessary projects costing millions, such as recycling, dikes, etc., to continue to provide the quality of life that residents cherish in these communities.

CONSIDERATIONS FOR PURSUING LEGISLATIVE REFORM RAISED AT THIS SESSION

- The background and questions provided by the Ministry of Municipal Affairs were very helpful in this discussion.
- Need to identify and list specific, concrete, local community issues and distill them from a 10,000-foot level to provide the Ministry of Municipal Affairs with evidence for the need to modernize the *Local Government Act*.
- Legislative reform should be viewed as supporting the Province, not in conflict with the Province.
- The Ministry of Municipal Affairs should be involved from day one.
- The Ministry should provide funding for this initiative's research and policy work, as they have done for the Northwest Benefits Alliance.

¹ The Province is addressing this as part of its efforts around short term rental housing. Amendments to the *Local Government Act* allow Regional Districts to regulate and licence short-term rentals and other businesses in similar ways to municipalities [see link](#)

- What is working well in the legislation should be left as is.
- If legislative reform is successful in providing new powers and tools for local governments, that does not mean all local governments must use them.
- Islands Trust has an even smaller toolbox than municipalities and regional districts.
- Metro Vancouver has excellent models and best practices, especially in the area of climate change; we can borrow good ideas.
- Local governments need a legislative framework that recognizes the importance of, and facilitates working together with, First Nations in a respectful, effective, and inclusive manner.
- When First Nations participate at the Board level, it changes the conversation and the votes. Local governments often are not well informed regarding Indigenous rights and title.
- The inclusive governance goals in UNDRIP legislation and provincial action plans can be reinforced and worked on concurrently with the Legislative Reform Initiative.
- Need to consider 7 generations into future when modernizing the LGA.
- Planning and land use issues should not be included in this initiative.
- Several participants stressed the need to draft a new charter rather than revise portions of the LGA in a continuation of the “band aid” approach.
- Area associations of UBCM should be included in the conversation.
- A retired CAO or Chair could be a primary resource person for this project, conducting research and policy work and keeping the project on track.

DECIDING WHETHER TO PROCEED WITH THE LEGISLATIVE REFORM INITIATIVE

- **Slido poll #1:** Is there an interest in proceeding with the Legislative Reform Initiative? (96% yes, 4% no)

OPTIONS FOR STEERING AND MANAGING THE LEGISLATIVE REFORM INITIATIVE

Option 1: UBCM Executive could form a working group on legislative reform, comprised of representatives from municipalities, regional districts, First Nations, UBCM, and ministerial staff

Option 2: This could be structured as a joint local government project, with local governments contributing funding to form a working group on legislative reform, comprised of representatives from municipalities, regional districts, First Nations, UBCM, and ministerial staff

Considerations for Option 1:

Pros:

- UBCM has an efficient network, broad reach, consistency, research capacity, and impact with the province.
- UBCM can be representative.
- UBCM has already been doing some work on legislative reform, and has experience.
- UBCM can allocate resources if legislative reform is identified as a priority.
- Reporting back will happen at UBCM.

Cons:

- Last UBCM working group report in 2010 did not meet expectations.
- Some uncertainty on the part of some participants as to how a UBCM working group functions.
- A UBCM working group may be more distant from local governments than is ideal.

Considerations for Option 2:

Pros:

- May insulate the project from getting sidetracked, if the Province does not assist with resources for UBCM.
- With a group of passionate people committed to working together on the project, the Legislative Reform Initiative may not need UBCM.

Cons:

- Challenges with resources and capacity: initiative will require significant buy-in and continued long-term commitment from local governments in terms of funding and staff time.
- Difficult to achieve forward momentum “off the side of the desk”.
- The complex coordination required for the project will be a challenge.

➤ Slido poll #2:

- **Option 1:** UBCM Executive forming a working group (85% in favour)
- **Option 2:** Joint local government project (15% in favour)

NEXT STEPS


- A “What We Heard” document summarizing the session will be distributed to UBCM members.
- It is noted that although there was significant enthusiasm for the initiative, including from areas outside the AVICC region, some representatives indicated they would like additional information on the initiative.

UPDATE: December 2023

Following the UBCM Annual Convention, Douglas Holmes, CAO of the Regional District of Nanaimo had the opportunity to discuss the Legislative Reform Initiative and the September 21, 2023, interactive panel session with Gary MacIsaac, Executive Director, UBCM. Mr. MacIsaac is in the process of seeking direction on this matter from the President’s Committee.

Attachment 1: Ministry of Municipal Affairs background and discussion questions

Date: June 5, 2024
File No: 0810-20-Train Station
To: Mayor & Council
From: M. Fox, CAO
Subject: Train Station | Building Envelope Modifications

Prepared by:  W. Thorpe Director of Parks, Recreation and Heritage	Supervisor: M. Fox Chief Administrative Officer	Supervisor:  Chief Administrative Officer
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RECOMMENDATION

THAT Council direct staff to proceed with installation of an additional exterior door at the Train Station.

PURPOSE

For Council to consider modifications to the building envelope of the City-owned Train Station.

BACKGROUND

The Train Station tenant, Twin City Brewing, continues completing required additional base building work prior to commencing retail operations. At the August 14, 2023 Regular meeting, Council passed a motion to proceed with installation of one exterior door. Twin City Brewing has confirmed that a second exterior door is required; one door to facilitate entry into the kitchen for deliveries and the other to access the walk-in cooler. The attached images identify the proposed location of the two required doors. As outlined in attached Bylaw #3963, a Council resolution is required prior to altering the exterior of a designated heritage site.

At the June 5, 2024 Heritage Commission meeting, a motion was passed to inform Council of the Commission's feedback regarding the proposed modifications at the Train Station:

"Enable the addition of a total of two exterior doors on the east side (facing Kingsway Ave.) so long as both doors appear period-specific from the exterior."

ALTERNATIVES/OPTIONS

1. Council directs staff to proceed with exterior modifications to the Train Station to enable installation of an additional exterior door.
2. Council provides staff with alternate direction.
3. Council takes no action.

ANALYSIS

If Council directs staff to proceed with the exterior modifications, improved access to the interior of the Train Station for deliveries of supplies and product will be available.

IMPLICATIONS

Twin City Brewing will be responsible for all proposed work on the exterior doors; there are no financial implications to the City for this work.

If Council directs staff to proceed with the exterior modifications, all work will remain aligned with The Standards & Guidelines for the Conservation of Historic Places in Canada.

COMMUNICATIONS

Staff will relay Council direction to the tenant and the Heritage Commission.

BYLAWS/PLANS/POLICIES

Enabling a commercial kitchen aligns with the goals and strategies within Council's *2023 – 2027 Corporate Strategic Plan*:

- 2.1.1 Encourage tourism-related development and infrastructure.
- 3.1 The highest and best use is made of City-owned assets.

SUMMARY

Installation of an additional exterior door is required at the Train Station to facilitate deliveries. Any modifications to the exterior of a municipal heritage site in Port Alberni require a resolution from Council prior to commencing such alterations.

ATTACHMENTS/REFERENCE MATERIALS

- Bylaw #3963 | Municipal Heritage Site Designation
- Twin City Brewing | Images of Proposed Modifications
- [August 14, 2023 Regular Meeting of Council Agenda | Staff Report – Train Station Building Envelope Modifications](#)
- 24_06_05 - Heritage Commission Draft Minutes

CITY OF PORT ALBERNI

BYLAW NO. 3963

A BYLAW TO DESIGNATE THE BUILDING ON LOT A, DISTRICT LOT 1,
ALBERNI DISTRICT, PLAN 49411 AS A MUNICIPAL
HERITAGE SITE

The Municipal Council of the City of Port Alberni in open meeting assembled enacts as follows:

Title

1. This bylaw may be cited for all purposes as the "Heritage Designation Bylaw E & N Railway Station".

Designation


2. (a) Pursuant to the provisions of Section 11 of the Heritage Conservation Act, R.S.B.C. 1979, C165, the building (E & N Railway Station) on Lot A, District Lot 1, Alberni District, Plan 49411 is hereby designated as a municipal heritage site.
- (b) No person shall demolish, nor permit, suffer or allow to be demolished, any building or structure so designated or build upon or permit, suffer or allow to be built upon any lands so designated, nor shall any person alter or permit, suffer or allow to be altered the facade or exterior of any building or structure which has been so designated without prior approval by resolution of the Council of the City of Port Alberni.
- (c) The provisions of this bylaw do not apply to the interior of any building.

READ A FIRST TIME THIS 9th DAY OF April, 1990

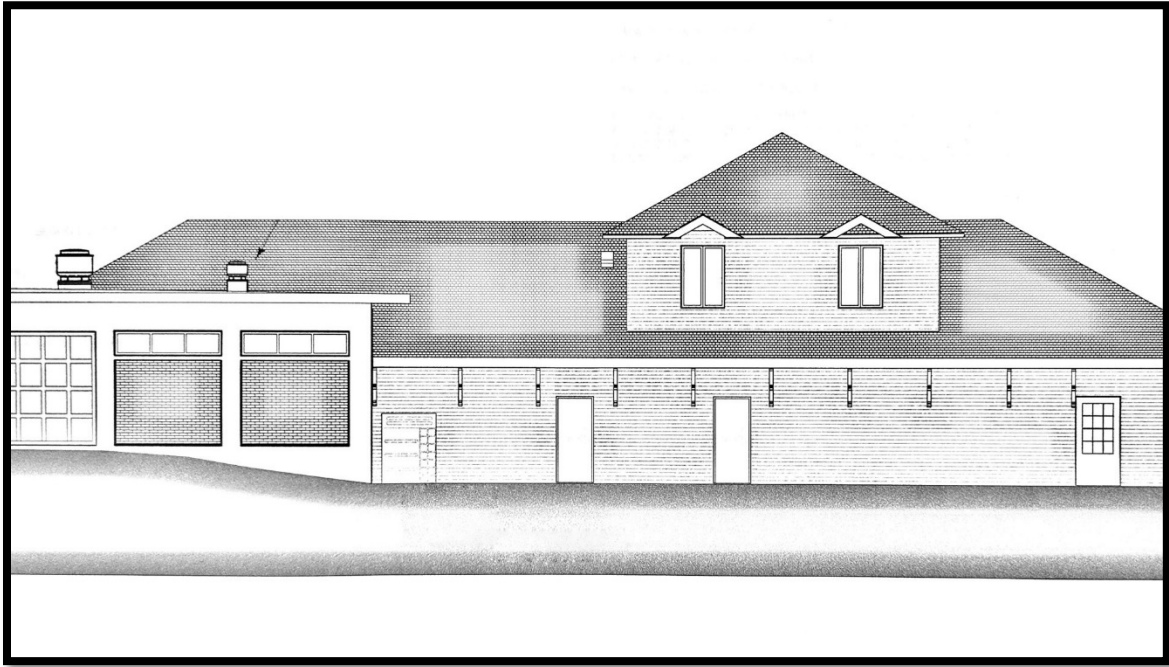
READ A SECOND TIME THIS 9th DAY OF April, 1990

READ A THIRD TIME THIS 9th DAY OF April, 1990

RECONSIDERED AND FINALLY ADOPTED THIS 23rd DAY
OF APRIL, 1990.


Mayor


Clerk





Heritage Commission Meeting
June 5, 2024
Minutes

Location:
Maritime Heritage

Attendees:

ACRD	Penny Cote
City Council	Charles Mealey
Community Arts Council	Claudia Romaniuk
Historical Society	Gareth Flostrand
Industrial Heritage	Richard Spencer
Maritime Heritage	Ken Watson
McLean Mill	Elliot Drew
Staff	Willa Thorpe

Guests: Don Jones, Geo Monrufet

Regrets:

Chamber of Commerce
Community at Large
Hupačasath First Nation
School District 70
čišaaʔath (Tseshah) First Nation

Called to Order: 7:05pm

1. Moved by Ken that the agenda of the June 5, 2024 meeting be approved as circulated.
2. Moved by Claudia that the minutes of the May 1, 2024 meeting be approved as amended.
3. Old Business – none
4. Correspondence – none
5. New Business
 - a. Train Station – update to exterior doors
 - i. Motion: to enable the addition of a total of two exterior doors on the east side (facing Kingsway Ave.) so long as both doors appear period-specific from the exterior (Moved by Richard, seconded by Claudia) - carried unanimously.



Heritage Commission Meeting
June 5, 2024
Minutes

6. Reports
a. Chamber of Commerce

Port Alberni Visitor Centre Report
Operated by the Alberni Valley Chamber of Commerce

Visitor Center Stats:

	Q1		April*		May		June	
	Visitors	Parties	Visitors	Parties	Visitors	Parties	Visitors	Parties
2024	824	539	422	246	1078	626	TBD	TBD
2023	671	422	367	185	685	383	1114	429
2022	982	660	310	209	673	385	966	620
2021	1012	873	361	272	354	265	702	428

Visitor Center Site Update:

May saw a significant jump in visitor traffic from last year. Following last month, a large majority of our visitors were from other BC communities, and we have also seen an increase in European visitors. The most requested information was surrounding maps/directions; however, we had quite an increase in visitors coming in for local shopping recommendations.

Visitor Centre Gift Shop:

As we begin the Summer season, we are inviting local artists and businesses to consign with us for local Port Alberni products. If anyone is interested, please contact the Chamber for more information and a consignment agreement.

Chamber Activities:
Chamber AGM – May 15: Hosted by Char's Landing. Catered by Kuu-us Café

Presenters: Alberni Valley Tourism and 4VI

Chamber Mixer – May 29: Sponsored by BMO. Hosted by Alberni Brewing Company

On going Projects -First Nations Welcoming and Language Signage

- Cameron Bluffs Wildfire West Coast Impact study
- Canada Summer Students/ NETP Summer Student onboarding
- Annual Community and Business Excellence Awards


Up Coming Events:
June 7th- Chamber Breakfast – Indigenous Business Speakers at the Best Wester Barclay Hotel

June 19th– Chamber Lunch – Fire Chief Mike Owens and Community Action Team at the Chamber Board Room



Heritage Commission Meeting
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Minutes

b. McLean Mill



McLean Mill National Historic Site Update, June 2024

Prepared by Elliot Drew

While we have been on site prepping since the beginning of April 4 days a week, our Season officially started on May 16th. We are now open 7 days a week 10 am to 4 pm for Self Guided and Private tours, Giftshop and Camping. So far this year 96 people came through in April over 12 days. We gave our first Private tour of the season on May 1st and have booked over half a dozen groups in over the season so far and about the same in the works. Camping is off to a bit of a slower start, but we are hoping that picks up now that the campground is officially open, and we are pushing it on social media. The gift shop is slowly being restocked and should be good to go along with the Mill Stores Snack Bar for our July 1st summer season kick off.

Work also continues on our enhanced Self Guided tour and the McLean Hall Exhibit which Richard has entitled "From Then to Now" is starting to take shape. I am building a sponsorship package to allow businesses to partner with us to present these key materials and show support for our community's largest tourist destination while they spread their message to our visitors. We are also reaching out to some of our key community partners to finalize details on summer activities.

Totem Tree Service arrived on site at the end of the month to remove danger trees and do some additional grounds work. The City also contracted crews to repair and rebuild the Sawdust collector and pipe which was in danger of coming down after some pieces collapsed due to rot over the winter.

Private event and Wedding planning have picked up as the summer approaches but new inquiries are now mostly for 2025 season.

MONTH:		MAY	TOTAL DAYS:	16	TOTAL HOURS:	96
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DATE	# of Parties	# of Visitors	LOCAL	BC	CAN	US	INTERN
2024	198	426	88	9	3	4	30
2023	154	440	58	63	12	20	29

IMPORTANT DATES:

Fathers Day Event, Parks and Rec – June 15th

Self Guide Tour and Exhibits open – July 1st

Pacific Care/ Library – Gruffalo Story Walk – July 4th

Tea in the Woods, Community Arts Council – July 14th

www.mcleanmill.ca

info@mcleanmill.ca

250-723-1376



Heritage Commission Meeting

June 5, 2024

Minutes

- c. Historical Society
 - i. The Historical Society held their AGM on May 23rd, 2024. The Society will be led for the next year by President - Maxine Munsil; Vice President – Katy Lekich; Secretary – Marlene Dietrich; Treasurer – Gareth Flostrand; Directors at Large – Judy Carlson, Marta Williamson, Glenda Noiles, Diane Dobson & Diane Best.
 - ii. Volunteer hours in May were 216 ½. Many thanks ladies!
 - iii. We will be open during the summer with as many volunteers as possible.
 - iv. Remember, if you have “paper treasures” you wish to donate, let us know and we will arrange a time for you to bring them in.
 - v. The Archives are open Tues-Thurs., 11am to 3 pm.
- d. Industrial Heritage Society – pull from Richard’s e-mail
- e. Maritime Heritage Society



Heritage Commission Meeting
June 5, 2024
Minutes



Port Alberni Maritime Heritage Society
June 5, 2024 Report to the Heritage Commission

The PAMHS Board is pleased to once again host the June Heritage Commission meeting at our Maritime Discovery Gallery. Welcome Commission members!

Facilities Coordinator Position

We are pleased to announce the hiring of Dale Gross as our new Facilities Coordinator. Dale is a retired Canadian Coast Guard Officer who has worked in the maritimes and coastal B.C. for over 25 years including over a decade at the Ucluelet Station. Dale will start this position in mid-June. Welcome aboard Dale!

Open Hours

Our Gallery will once again be open for regular visiting hours starting the week of June 17th. In addition groups can make bookings to view the Gallery and/or the Lighthouse by contacting us through the links shown below.

Art Exhibit and Fund Raiser

Local artists have provided several maritimed themed pieces of art which will be displayed and for sale in the Maritime Gallery. Dave Cox, our Exhibits Coordinator, has now displayed those pieces in the Gallery. Thanks to Kirsten Smith at AV Museum for her help with this exhibit.

Lighthouse Upgrades

Thanks to a very generous donation of \$12,500 by the Port Alberni "100+ Women Who Care" we have now raised sufficient funds to undertake the main portion of the Lighthouse Upgrade project. J. Kurucz Contracting will be undertaking the exterior siding installation starting June 5th with completion scheduled for the end of June. Thanks again to the 100 + Women Who Care, the Alberni Valley Community Forest, Alberni Valley Community Foundation, the Alberni District, Co-op, Port Alberni Port Authority, Coulson Group, Cataylst Paper, Roc-Star Enterprises, and Western Canadian Marine Recovery for their support towards this project. Addition funds are still needed so if you would like to make a donation towards this project please contact us.

Summer Programs

We were very pleased to hear that our application to the Canada Summer Jobs program for summer students was once again successful. We will have three summer students working with our Coordinator to assist with delivery of our children and youth oriented summer programs. Thanks once again to our MP, Gord Johns, for supporting our application.

Contact Information

Telephone: 250-723-6164

Website: portalbernimaritimeheritage.ca

Facebook: [maritimediscoverycentre](https://www.facebook.com/maritimediscoverycentre)

Email: portalbernimhs@gmail.com

f. Regional District



Heritage Commission Meeting

June 5, 2024

Minutes

g. Community Arts Council

Heritage Committee Report
Community Arts Council
June 7, 2024

1. Exhibits – on now until June 22 – ADSS students – Theme of “Stop and Think” Meet and Greet Saturday June 8 1-3
June 24 to July 27 – Guy Langlois – watercolour paintings – Meet and Greet Saturday June 29, 1-3
July 2 to August 24 – Vancouver Island silk painters – Meet and Greet Saturday August 3, 1-3
August 26 to September 28 – Shelley Penner and Patti Dance – Acrylic painting/fabric art. - Meet and Greet Saturday August 31, 1-3
October 1 to November 2 Open call “Transistions”
November 12 to December 21 – Mistletoe Market.
2. Upcoming Events
June 15 Solstice Arts Festival, 10 to 4,
Friday July 12: Tribute to Jerry Hebert Mini Exhibit opening- jewelry show
June 17th Grade 1/2 French Immersion class in the gallery
October 19th: Christmas market at the Mill
3. Have hired two people: Hatchet Craig as a gallery attendant for the summer under WorkBC subsidy
: Tatiana Masa as events coordinator
4. We are hiring 2 student Art Instructors
- 5 We hosted a pride event , a teen drop in. Our FB advertising for it attracted a hate poster on our door and on the Community Events board last Monday morning. Police, City, Pride Org, and AV News were notified. The News interviewed our administrator.
6. We are working to upgrade our gift shop displays.
7. We are changing our POS to Square
- 8.. We are doing strategic planning workshops with Theresa Kingston.

h. School District

- i. The next Public Board meeting is Tuesday June 25, 2024, at Wickanninish Elementary School in Tofino.
- ii. Safe Access to Schools Act now has legal authority to prohibit people from interfering with safe access to school grounds. This includes behaviour such as yelling that causes disruptions to school programs and activities or holding signs with slogans that cause concern for the safety of students and staff.
- iii. BC Adolescent Health Survey provides a broad overview of the health of youth grade 7-12 across the province. In addition to this provincial report, McCreary Centre Society also provides a more detailed report with many of the topic areas found in the provincial report that is focused on more localized regional data in Pacific Rim.



Heritage Commission Meeting

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- iv. Pacific Rim has a broad range of licensed Childcare on school sites operated by Pacific Rim and non-profit third-party childcare operators. Child Care projects in Pacific Rim:
- v. Maquinna Childcare Metis Nations of BC Childcare project has been endorsed by the Tseshaht and Hupačasath Nations with the 4 pillars of Recognition, Culture, Governance and Tseshaht and Hupačasath participation and collaboration.
- vi. Wood Childcare ground-breaking ceremony June 19. A Nuu-chah-nulth name for this Childcare will be coming soon. Project completion date spring of 2025.
- vii. Wickanninish – Taking Care of Children - ʔuʔaʔuk ʔtaʔna -completion June 2024.
- viii. Recruitment and retention of Early Years Educators is a strong ongoing goal.
- ix. The 2024-2025 budget was passed by the Board May 28 and submitted to the Ministry.
- x. Pacific Rim has many celebrations happening literally every day in June. The main events include the District Track Meet, Year-end Band concerts, Graduation ceremonies and school class trips.

i. Community at Large

j. City Council



Heritage Commission Meeting
June 5, 2024
Minutes



CITY COUNCIL MEETING SUMMARY

An information report summarizing the Regular meeting of Council held May 27, 2024.
These are not the official minutes. For more information, please contact the Corporate Services department at 250.723.2146 or email: corp_serv@portalberni.ca.

■ BYLAWS

"Official Community Plan Amendment (2856 4th Avenue) Bylaw No. 5098" and "Zoning Amendment (2856 4th Avenue) Bylaw No. 5099" were read a third time and adopted. These bylaws will enable a four-unit townhouse development at 2856 4th Avenue.

"Zoning Bylaw No. 5105, 2024" was given three readings. This bylaw upon adoption will serve to comply with new provincial legislation that enables small-scale multi-unit housing and accessory dwelling units in all single-detached and duplex zones.

■ CORRESPONDENCE

Summer Solstice Art Festival

Council authorized the Community Arts Council request for a road closure at the entrance of the Harbour Quay for the purpose of the Solstice Art Festival on Saturday, June 15, 2024 from 6:00 am to 5:00 pm.

Council also received their correspondence summary which included letters from:

- Union of BC Municipalities | Council 2024 AVICC Resolution Endorsement
- BC Transit | Strategic Plan Update
- Ministry of Housing Infrastructure and Communities | Response to City Letter sent in Support of the Loaves and Fishes Food Bank Food Security Project
- Alberni-Clayoquot Regional District | Keeping you Connected April 2024
- MP Gord Johns | Certificate of Appreciation – Bill C-310

■ REPORT FROM IN-CAMERA

Community Action Team Committee | Council Liaison

Council released for public consumption the removal of the Council liaison from the Community Action Team Committee.

■ NEW BUSINESS

2023 Procurement Summary

Council received the 2023 Procurement Summary including the list of contracts awarded over the past year exceeding \$100,000. The City is committed to continuing and expanding education within the organization and with the broader marketplace to utilize reasonable social procurement practices while exploring opportunities to support community benefits.

Appointment of Corporate Officer and Deputy Corporate Officer

Council appointed Danielle Leurebourg, Director of Corporate Services as Corporate Officer and Sara Darling, Deputy Director of Corporate Services, as Deputy Corporate Officer effective May 27, 2024.

Uptown District Vandalism

The CAO provided a verbal report at Council's request regarding the City's response to vandalism experienced by merchants in the Uptown District noting that the Community Safety and Social Development department recently completed a gap analysis to identify gaps in services for safety, security and social development to help inform the development of a Community Well-Being and Safety Strategy.

5170 Argyle Street | Remedial Action Order Update

The CAO provided a verbal report at Council's request noting that the remedial action order for 5170 Argyle Street continues to be actioned. Council will receive a formal update regarding next steps at a future Council meeting.

Notice of Motion | Councillor Solda

Notice of Motion from Councillor Solda for the June 10th Regular meeting that Council direct staff to obtain a quote to conduct a study of the Echo Aquatic Centre regarding the potential for expansion [renovation] for Council consideration compared to the current feasibility study for a new build.



Heritage Commission Meeting

June 5, 2024

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■ COUNCIL MEETINGS

The City of Port Alberni now offers hybrid Council and Committee of the Whole meetings.

We encourage you to remain informed on City business and community topics through the following options:

- Attend in-person in City Hall, Council Chambers, located at 4850 Argyle Street
- Livestream @ www.portalberni.ca
- Join online or by phone using MS Teams

Regular Council meetings are held at 2:00 pm on the second and fourth Monday of each month. All meeting recordings are posted on the City website for viewing.

Complete Council agendas including all correspondence and reports are available at portalberni.ca. Generally, these are posted the Friday before each Regular Council meeting and are archived on the site.

The Council Summary is prepared following each regular Council meeting and posted on the City's website. You can also visit the City website and sign up to receive summaries delivered directly to your inbox.

For more information related to Council meetings, including how to participate, please visit www.portalberni.ca/council. You may also contact the Corporate Services department at 250.723.2146 or email corp_serv@portalberni.ca.

■ MEETINGS AT A GLANCE

Wednesday, June 5th

7:00 pm – Alberni Valley Heritage Commission
Maritime Heritage Centre

Monday, June 10th

2:00 pm – Regular Council
Council Chambers

k. Museum

i.

l. Hupačasath First Nation – no report

m. čišaaʔath (Tseshah) First Nation – no report

7. Next Meeting

a. September 4, 7pm (AV Museum)

8. Moved by ____ to adjourn at ____pm.