

MINUTES OF THE REGULAR MEETING OF COUNCIL
Held Monday, September 14, 2020 @ 2:00 PM
Via Video Conferencing [Zoom Platform]

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

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 approved as printed and circulated.

CARRIED

B. ADOPTION OF MINUTES

MOVED AND SECONDED, THAT the minutes of the Special Meeting held at 9:15 am, Regular Council Meeting held at 2:00 pm on August 10, 2020 and Special Meeting held at 8:00 am on August 17, 2020 be adopted.

CARRIED

C. PUBLIC INPUT PERIOD

D. DELEGATIONS

1. Port Alberni Shelter Society

John Douglas presented to Council a proposal to 'green' the former Petro-Canada site on the corner of 10th Avenue and Redford Street.

R20-205 *MOVED AND SECONDED, THAT Council direct staff to work with representatives of the Shelter Society in implementing a greening initiative on the former Petro-Canada site at the corner of 10th Avenue and Redford Street.*

CARRIED

2. Vancouver Resource Society

Representatives of the Vancouver Resource Society [VRS] introduced themselves to Council and presented material on the scope of the seniors housing project they are proposing for the Anderson Hill development [4000 Burde Street].

E. UNFINISHED BUSINESS

F. STAFF REPORTS

1. Accounts

MOVED AND SECONDED, THAT the certification of the Director of Finance dated September 14, 2020, be received and the cheques numbered 146589 to 146799 inclusive, in payment of accounts totalling \$1,903,158.72 be approved.

CARRIED

2. Chief Administrative Officer – Appointment of Director of Corporate Services

R20-206

MOVED AND SECONDED, THAT Council appoint Twyla Slonski as Director of Corporate Services and assign the responsibility of corporate administration for the City of Port Alberni to Ms. Slonski in accordance with s.148 of the Community Charter [CC] effective September 28, 2020.

CARRIED

3. Director of Finance – Audit Committee Report

MOVED AND SECONDED, THAT Council receive the report from the Director of Finance titled “Audit Committee” meeting follow up – August 10, 2020.

CARRIED

4. Director of Finance – Audit Committee Draft Terms of Reference

R20-207

MOVED AND SECONDED, THAT Council receives, reviews, and approves the recommended Audit Committee – Terms of Reference [ToR] dated for reference September 4, 2020 and attached to this report.

CARRIED

5. Director of Finance – Permissive Tax Exemption 2021 – Amendment Requests

R20-208

MOVED AND SECONDED, THAT Council direct staff to proceed with amendments to the City’s Permissive Tax Exemption Bylaw for organizations whose revenue streams from food and/or liquor sales have been impacted by COVID-19 as outlined in the September 8, 2020 report.

CARRIED

6. Director of Finance – Accounts Receivables Interest and Bylaw Ticketing Collection

R20-209

MOVED AND SECONDED, THAT Council authorize staff to extend the authorization to waive the interest provisions within all lease agreements held by the City until the end of October 2020 and direct staff to establish a reasonable payment schedule by the end of November.

CARRIED

R20-210

MOVED AND SECONDED, THAT Council amend the direction to cease all transfers of outstanding amounts to collections until the end of 2020, by adding the exclusion of bylaw ticketing offences.

CARRIED

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- 7. Director of Finance – Three-Stream Solid Waste Collection Services**
R20-211 *MOVED AND SECONDED, THAT Council supports a three-stream solid waste collection service to include recycling, organics and garbage by the City's automated trucks, and direct staff to work with the Alberni-Clayoquot Regional District to negotiate the required contract(s) for the service delivery.*
CARRIED
- 8. City Clerk - Alberni Brewing Company – Application for Lounge Endorsement – 4630 Adelaide Street**
R20-212 *MOVED AND SECONDED, THAT Council for the City of Port Alberni support the application for a Lounge Endorsement for Alberni Brewing Company located at 4630 Adelaide Street and forward the report from the City Clerk dated September 9, 2020 to the Liquor and Cannabis Regulation Branch (LCRB).*
CARRIED
- 9. Manager of Community Safety – 3118 3rd Avenue [Harbourview Apartments] – Remedial Action**
R20-213 1. *MOVED AND SECONDED, THAT Council, pursuant Sections 72 and 73 of the Community Charter, considers that the property at 3118 3rd Avenue and having a legal description of: LT 9 BLK 73 DL 1 ALD PL VIP197 & LT 8 BLK 73 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;*
CARRIED
- R20-214** 2. *MOVED AND SECONDED, 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;*
CARRIED
- R20-215** 3. *MOVED AND SECONDED, THAT Council, pursuant to Section 72, 73 and 74 of the Community Charter, resolves that:*
a. Folded Hills Farms, 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,

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- 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. Repair downspouts in such a manner as to control drainage so that runoff to neighbouring properties and access ways is eliminated;*
 - 3. Replace all broken or missing handrailings on staircases;*
 - 4. Remove or permanently cover all graffiti from the exterior of the Structure;*
 - 5. Replace all broken, cracked or otherwise compromised exterior windows to a weathertight condition which operates to provide light and ventilation;*
 - 6. Replace or repair all damaged, decayed or deteriorated window sashes, window frames and casings;*
 - 7. Replace or repair all exterior doors of the Structure so that they are weathertight, operational, fit tightly within their frames when closed, and locked so as to prevent entry, with at least one entrance door capable of being locked from both inside and outside;*
 - 8. Replace or repair all interior entrance doors and door frames for each unit and provide locking door knobs.*
 - 9. Replace or repair the roof of the Structure to a watertight condition with no leaks;*
 - 10. Replace or repair all fire escapes, stairs, balconies and porches to a safe and clean condition free from rot, holes, cracks, excessive wear and warping, or hazardous obstructions; and*
 - 11. Replace or repair all fire protections systems, heat detections, smoke detections, fire alarms, fire extinguishers, sprinkler systems, exit signs, emergency lighting, fire separations and means of egress required by the BC Building Code and BC Fire Code to a functional and unobstructed condition.*
 - 12. 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;*
 - 13. Empty, clean and repair the garbage disposal bins on the Property;*
 - 14. Eliminate all rodents, vermin and insects from the Structure;*
 - 15. Permanently remove all objects placed, stored, or maintained upon any balcony, hallways, or entrance way which may interfere with access or egress to or from the Building in case of fire or other emergency.*
 - 16. Prepare a Fire Safety Plan in cooperation with Port Alberni Fire Department.*

CARRIED

Compliance & Reconsideration Notice Time Limit Recommendations:

- R20-216** 4. *MOVED AND SECONDED, 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.*

CARRIED

Municipal Action at Defaulter's Expense:

- R20-217** 5. *MOVED AND SECONDED, THAT Council, pursuant to Section 17 of the Community Charter, authorizes City staff to carry out any requirement set out in Paragraph 2 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.*

CARRIED

10. Manager of Community Safety – 5170 Argyle Street [Port Pub] – Remedial Action

- R20-218** 1. *MOVED AND SECONDED, 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;*

CARRIED

- R20-219** 2. *MOVED AND SECONDED, 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;*

CARRIED

- R20-220** 3. *MOVED AND SECONDED, THAT Council, pursuant to Section 72, 73 and 74 of the Community Charter, resolves that:*
- a. 8899 Holdings 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,*

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- 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 all broken or missing handrailings 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 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 and provide locking door knobs.*
 - 8. Replace or repair the roof of the Structure to a watertight condition with no leaks;*
 - 9. An engineer or architect must attend, inspect and sign off on the replacement and repair of the fire safety and exit issues;*
 - 10. Replace or repair all fire escapes, and stairs to a safe and clean condition free from rot, holes, cracks, excessive wear and warping, or hazardous obstructions;*
 - 11. Have licensed electrician inspect and repair all electrical;*
 - 12. Have a licensed plumber repair the communal washroom on the second floor, repair communal shower, hot water tank and washroom on first floor;*
 - 13. Replace or repair all fire protections systems, heat detections, smoke detections, fire alarms, fire extinguishers, sprinkler systems, exit signs, emergency lighting, fire separations and means of egress required by the BC Building Code and BC Fire Code to a functional and unobstructed condition.*
 - 14. 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;*
 - 15. Designate a space or area for daily refuse on premises and not in emergency egress areas;*
 - 16. Eliminate all rodents, vermin and insects from the Structure;*

17. *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*
18. *Prepare a Fire Safety Plan in cooperation with Port Alberni Fire Department.*

CARRIED

Compliance & Reconsideration Notice Time Limit Recommendations:

- R20-221** 4. *MOVED AND SECONDED, 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.*
- CARRIED**

Municipal Action at Defaulter's Expense:

- R20-222** 5. *MOVED AND SECONDED, THAT Council, pursuant to Section 17 of the Community Charter, authorizes City staff to carry out any requirement set out in Paragraph 2 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.*
- CARRIED**

- 11. Director of Parks, Recreation and Heritage – Re-lamping Multiplex**
- R20-223** *MOVED AND SECONDED, THAT Council authorize staff to amend the City's "Five Year Financial Plan Bylaw 2020 – 2024, Bylaw No. 5003" for the purpose of identifying funds for the replacement of the lighting systems at both rinks within the Multiplex at an estimated cost of \$330,000 in the 2021 calendar year with \$100,000 coming from Carbon Trust, and \$230,000 coming from the Parks and Recreation Reserve Fund.*
- CARRIED**

- 12. Director of Parks, Recreation and Heritage – Re-opening Aquatic Centre**
- R20-224** *MOVED AND SECONDED, THAT Council direct staff to re-open the Echo '67 Aquatic Centre in October 2020 following all required public health guidelines and facility safety plans.*
- CARRIED**

G. BYLAWS

- 1. Manager of Planning – Official Community Plan and Zoning Bylaw Amendments**
- MOVED AND SECONDED, THAT the report of the Public Hearing held August 10, 2020 regarding Bylaw No.'s 5006 & 5007 be received.*
- CARRIED**

R20-225 *MOVED AND SECONDED, THAT "Official Community Plan Amendment No. 30 (5269 Pineo Road – Murphy), Bylaw No. 5006", be read a third time.*
CARRIED

R20-226 *MOVED AND SECONDED, THAT "Official Community Plan Amendment No. 30 (5269 Pineo Road – Murphy), Bylaw No. 5006", be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 5006.*
CARRIED

R20-227 *MOVED AND SECONDED, THAT "Zoning Bylaw Amendment No. 39 (5269 Pineo Road – Murphy), Bylaw No. 5007", be read a third time.*
CARRIED

R20-228 *MOVED AND SECONDED, THAT "Zoning Bylaw Amendment No. 39 (5269 Pineo Road – Murphy), Bylaw No. 5007", be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 5007.*
CARRIED

2. Manager of Planning – Official Community Plan and Zoning Bylaw Amendments – 2170 Mallory Drive

MOVED AND SECONDED, THAT the report of the Public Hearing held September 8, 2020 regarding Bylaw No.'s 5009, 5010 and 5011 be received.
CARRIED

MOVED and SECONDED, THAT Council defer consideration of further readings to Bylaw No.'s 5009, 5010 and 5011 until its Regular Meeting September 28, 2020.
CARRIED

**3. Manager of Planning - Advisory Planning Commission
Proposed Zoning Bylaw Amendment
Applicant: Faithful Construction**

R20-229 1. *MOVED AND SECONDED, THAT "Zoning Map Amendment No. 41 (5381 Falls Street – Faithful Construction), Bylaw No. 5014" be now introduced and read a first time.*
CARRIED

R20-230 2. *MOVED AND SECONDED, THAT "Zoning Map Amendment No. 41 (5381 Falls Street – Faithful Construction), Bylaw No. 5014" be read a second time.*
CARRIED

R20-231 3. *MOVED AND SECONDED, THAT City Council waive the public hearing requirement for proposed "Zoning Map Amendment No. 41 (5381 Falls Street – Faithful Construction), Bylaw No. 5014 in accordance with section 464(2) of the Local Government Act (LGA), and provide public notice in accordance with section 467 of the LGA prior to consideration of third reading and final adoption of the bylaw.*
CARRIED

MOVED and SECONDED, THAT Council of the City of Port Alberni resolve to continue to meet past the hour of 5:00 pm., in accordance with Section 32 of "Council Procedures Bylaw, 2013, Bylaw No. 4830".
CARRIED

4. Manager of Planning – Proposed Zoning Bylaw Amendments – 4202 and 4238 8th Avenue

R20-232 *MOVED AND SECONDED, THAT third reading of "Zoning Bylaw Map Amendment No. 35 (4202 and 4238 8th Avenue – de Beeld), Bylaw No. 4993, be rescinded.*
CARRIED

R20-233 *MOVED AND SECONDED, THAT third reading of "Zoning Text Amendment No. T22 (Site Specific Uses – RM3 – High Density Multiple Family Residential), Bylaw No. 4994", be rescinded.*
CARRIED

R20-234 *MOVED AND SECONDED, THAT City Council waive the public hearing requirement for proposed "Zoning Bylaw Map Amendment No. 35 (4202 and 4238 8th Avenue – de Beeld), Bylaw no. 4993" in accordance with section 464(2) of the Local Government Act (LGA), and provide public notice in accordance with section 467 of the LGA prior to consideration of further readings of the bylaw.*
CARRIED

H. CORRESPONDENCE FOR ACTION

1. D. Hamilton, Co-Chair, Community Action Team (CAT) Port Alberni

MOVED AND SECONDED, THAT the letter dated August 12, 2020 from D. Hamilton, Co-Chair, CAT requesting the City take on the role of facilitator of CAT, be received.
CARRIED

Mayor Minions declared a conflict of interest given ownership of a local restaurant, vacated the chair and left the meeting at 5:11 pm.

Councillor Poon declared a conflict of interest due to being a licensee of beverages and left the meeting at 5:11 pm

Acting Mayor Solda assumed the Chair at 5:12 pm

2. BC Restaurant and Foodservices Association [BCRFA], Alliance of Beverage Licensees, BC Craft Brewers Guild and BC Wine Institute

MOVED AND SECONDED, THAT the August 26, 2020 letter from BCRFA, Alliance of Beverage Licensees, BC Craft Brewers Guild and BC Wine Institute requesting municipalities extend permissive licensing for restaurant, pub, bar, and brewery businesses around outdoor spaces, be received.
CARRIED

Mayor Minions and Councillor Poon returned to the meeting at 5:14 pm. Acting Mayor Solda vacated the chair and Mayor Minions assumed the chair at 5:15 pm.

I. PROCLAMATIONS

1. Port Alberni Fire Department, Fire Prevention Office

R20-235 *MOVED AND SECONDED, THAT the letter dated August 27, 2020 from the Port Alberni Fire Department, Fire Prevention Office requesting that Council proclaim October 4 through October 10, 2020 as "Fire Prevention Week" in Port Alberni, be received and the week proclaimed as requested.*
CARRIED

2. Recycling Council of British Columbia

R20-236 *MOVED AND SECONDED, THAT the email dated August 11, 2020 from the Recycling Council of British Columbia requesting that Council proclaim October 19 through October 25, 2020 as "Waste Reduction Week" in Port Alberni, be received and the week proclaimed as requested.*
CARRIED

3. Port Alberni Association for Community Living (PAACL)

R20-237 *MOVED AND SECONDED, THAT the letter dated September 1, 2020 from the Port Alberni Association for Community Living (PAACL) requesting that Council proclaim the month of October 2020 as "Community Inclusion Month" in Port Alberni, be received and the month proclaimed as requested.*
CARRIED

4. Canadian Institute of Forestry / Resource Works Society

R20-238 *MOVED AND SECONDED, THAT the email dated September 3, 2020 from Resource Works Society and the Canadian Institute of Forestry requesting that Council proclaim the week of September 20 – 26, 2020 as "National Forest Week" in Port Alberni, be received and the week proclaimed as requested.*
CARRIED

J. CORRESPONDENCE FOR INFORMATION

1. Elections BC

Letter dated August 26, 2020 advising of the next provincial general election and the development of protocols to safely administer voting during the COVID-19 pandemic.

2. Minister Claire Trevena, Ministry of Transportation and Infrastructure

Letter received August 18, 2020 from Minister Claire Trevena providing an update on the recent announcement of Federal and Provincial funding support for municipalities and transit services across Canada.

K. REPORT FROM IN-CAMERA

L. 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

M. NEW BUSINESS

N. QUESTION PERIOD

An opportunity for the public and the press to submit questions to Council via email [council@portalberni.ca] and to be read by the City Clerk.

The City Clerk proceeded to read the following questions from Neil Anderson.

- Q1. Why has there never been any discussion or final report by Council on the concerns raised on the renovations of the Kingsway Hotel?
- Q2. Why did Councillor Poon not recuse herself from discussions today on the Port Pub issue as many of the issues applied to the Kingsway?

Councillor Poon left the meeting at 5:22 pm, declaring a conflict of interest, noting she is a corporate owner of 3202 Kingsway Avenue.

CAO T. Pley noted that unless otherwise directed by Council, a final report regarding this issue was not requested. Typically, Council is not advised of when and if stop work orders are issued. While Mr. Anderson may continue to have questions/concerns regarding the works at the Kingsway Hotel, perhaps Mr. Anderson would be best served by moving forward with a Freedom of Information request.

Councillor Poon returned to the meeting at 5:25 pm

The Deputy City Clerk proceeded to read congratulatory/farewell messages from Russell Dyson and Jake Martens acknowledging Davina Hartwell's long-term commitment/exceptional service and dedication to the City of Port Alberni and all the best in her retirement.

O. ADJOURNMENT

MOVED and SECONDED, THAT the meeting adjourn at 5:30 PM

CARRIED

CERTIFIED CORRECT

Mayor


City Clerk