

**CITY OF PORT ALBERNI - MEETING SCHEDULE  
MONDAY, JULY 9, 2018**

2:00 pm	Regular Council Meeting <i>@ Council Chambers</i>	OPEN MEETING
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**DATES TO NOTE**

<b>Wed. July 11</b> 4:30 pm	Reconciliation Committee Meeting <i>@ West Coast Aquatic</i>	OPEN MEETING
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<b>Wed. July 18</b> 10:00 am	Advisory traffic Committee Meeting <i>@ Committee Room</i>	OPEN MEETING
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<b>Thurs. July 19</b> 12:00 pm	Advisory Planning Commission Meeting <i>@ Committee Room</i>	OPEN MEETING
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<b>Thurs. Aug 2</b> 4:30 pm	Food Security and Climate Disruption Committee Meeting <i>@ Committee Room</i>	OPEN MEETING
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<b>Thurs. Aug 9</b> 4:30 pm	Seniors Advisory Committee Meeting <i>@ Committee Room</i>	OPEN MEETING
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<b>Mon. Aug 13</b> 2:00 pm	Regular Council Meeting <i>@ Council Chambers</i>	OPEN MEETING
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4:00 pm	Audit Committee Meeting <i>@ Committee Room</i>	OPEN MEETING
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# A G E N D A

## REGULAR MEETING OF COUNCIL

**MONDAY, JULY 9, 2018 AT 2:00 PM  
IN THE CITY HALL COUNCIL CHAMBERS**

*The following pages list all agenda items received by the deadline. 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 refer to the City's website [www.portalberni.ca](http://www.portalberni.ca) or contact the City Clerk phone: (250 720-2810) or email: [davina\\_hartwell@portalberni.ca](mailto:davina_hartwell@portalberni.ca)*

### **PRESENT:**

#### **A. CALL TO ORDER AND APPROVAL OF AGENDA (including introduction of late items)**

*The deadline for agenda items is 12 noon on the Wednesday before the scheduled regular meeting. Acceptance of late items is at the discretion of Council.*

1. Recognition of Traditional Territories.
2. Late items identified by Councillors.
3. Late items identified by the City Clerk.

*That the agenda be approved as circulated with the addition of late items as outlined.*

#### **B. ADOPTION OF MINUTES - Page 10**

1. Special Meeting held at 4:00 pm and Regular Council Meeting held at 7:00 pm on June 25, 2018.

#### **C. PUBLIC INPUT PERIOD**

*An opportunity for the public to address Council on topics of relevance to City Council. A maximum of four speakers for no more than three minutes each will be accommodated.*

**D. DELEGATIONS**

*Delegations restricted to 10 minutes.*

**E. UNFINISHED BUSINESS**

*Includes items carried forward from previous Council meetings.*

**1. Notice of Motion from June 25, 2018**

*That staff be directed to develop a social media code of conduct for elected officials in the future as well as persons appointed to represent the City.*

**2. Chief Administrative Officer – John Van Dyke – Contractor - Page 23**

Chief Administrative Officer report dated July 27, 2018 in response to Council's resolution requesting information on payments and purpose of contracts with Mr. John Van Dyke.

*That the report dated July 27, 2018 from the Chief Administrative Officer providing information on payments and purpose of contracts with Mr. John Van Dyke, be received.*

**3. City Clerk – Cabinet Minister Meetings – 2018 UBCM Convention - Page 37**

Council review of UBCM meeting requests.

**F. STAFF REPORTS**

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

**1. Accounts**

*That the certification of the Director of Finance dated July 9, 2018 be received and the cheques numbered \_\_\_\_\_ to \_\_\_\_\_ inclusive, in payment of accounts totalling \$\_\_\_\_\_.\_\_, be approved.*

**2. City Clerk – Public Hearing Report for Bylaw No. 4965 - Page 39**

*That the report of the Public Hearing held June 25, 2018 at 6:15 pm regarding “Zoning Bylaw Text Amendment No. T14 (Definition of Family – George), Bylaw No. 4965”, be received.*

**3. Economic Development Manager – Rural Dividend Grant - Page 42**

Report from the Economic Development Manager regarding Council Resolutions required for Rural Dividend Program Applications.

*That the report from the Economic Development Manager, be received.*

*That Council for the City of Port Alberni support the ‘Forested Ravine Trail Loop’ application to the Project Development Stream of the Rural Dividend Program.*

*That Council for the City of Port Alberni support the ‘Resident & Worker Attraction Initiative’ application to the Rural Dividend Program.*

**4. Director of Development Services – Advisory Planning Commission - Page 44**

The summary report of the June 21, 2018 meeting of the Advisory Planning Commission is provided for Council’s consideration.

*That the summary report of the June 21, 2018 meeting of the Advisory Planning Commission be received.*

*That the letter dated July 4, 2018 from Bobby Toor requesting an additional unit, 120B-5405 Argyle Street, be part of the application for Temporary Use Permit for use as office space, be received.*

Advisory Planning Commission recommendations below:

*That Council for the City of Port Alberni proceed with a Temporary Use Permit for office use on 5405 Argyle Street for a 3 year term.*

*That the City of Port Alberni apply the following conditions under the Temporary Use Permit:*

*That a maximum of 2 office units are permitted and that office use is only permitted in **Unit 116** and **Unit 124**.*

Council direction required.

**5. City Clerk – Best Western Barclay Hotel Structural Change Application - Page 55**

Report dated June 28, 2018 providing information regarding a request to the Liquor Control and Licencing Branch for a structural change to the liquor licence held by Best Western Barclay Hotel.

*That Council for the City of Port Alberni support the Structural Change Application for Best Western Barclay Hotel operating at 4277 Stamp Avenue and endorse the comments as provided in the report from the City Clerk dated June 28, 2018.*

**6. Manager of Bylaw Services – Bylaw Notice Dispute Adjudication Registry System - Page 60**

Report dated June 28, 2018 requesting Council to enter into an agreement with the City of Nanaimo for the purpose of joining the Bylaw Notice Dispute Adjudication Registry System (“DARS”).

*That the report from the Manager of Bylaw Services dated June 28, 2018, be received and Council for the City of Port Alberni authorize the Mayor and Clerk to enter into an agreement with the City of Nanaimo for the purpose of joining the Bylaw Notice Dispute Adjudication Registry System.*

**7. Current Status Report - Page 69**

*That the current Status Report be received.*

**8. Managers' Monthly Reports**

*Providing information about current departmental operations.*

**Development Services - Page 74**

*That the monthly report from the Director of Development Services providing information about current departmental operations be received.*

**Engineering and Public Works - Page 75**

*That the monthly report from the Director of Engineering and Public Works providing information about current departmental operations be received.*

## **G. BYLAWS**

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

**1. “Sewer Connection and Regulation Bylaw, Amendment No. 12 (Sewer Rates and Septage Dump Fee) 2018, Bylaw No. 4967”**

*That “Sewer Connection and Regulation Bylaw, Amendment No. 12 (Sewer Rates and Septage Dump Fee) 2018, Bylaw No. 4967, be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4967.*

**2. “Waterworks Bylaw, Amendment No. 10 Rate Changes, Bylaw No. 4968”**

*That “Waterworks Bylaw, Amendment No. 10 Rate Changes, Bylaw No. 4968”, be now finally adopted, signed by Mayor and Clerk, sealed with the corporate seal and numbered 4968.*

**3. “Bylaw Offence Notice Enforcement Bylaw, 2016, Amendment No. 1, Bylaw No. 4954”**

*That “Bylaw Offence Notice Enforcement Bylaw, 2016, Amendment No. Bylaw No. 4954”, be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4954.*

**4. “Housing Agreement (6123 Russell Place – Rainbow Gardens), Bylaw No. 4966”**

*That “Housing Agreement (6123 Russell Place – Rainbow Gardens), Bylaw No. 4966”, be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4966.*

**5. "City of Port Alberni Nuisance Abatement, 2018, Amendment No.1, Bylaw No. 4969” - Page 77**

Report dated July 3, 2018 from the Manager of Bylaw Services providing an amended fee schedule to update the City’s Nuisance Abatement Bylaw.

*That the report dated July 3, 2018 from the Manager of Bylaw Services, be received.*

*That "City of Port Alberni Nuisance Abatement, 2018, Amendment No.1, Bylaw No. 4969”, be now introduced and read a first time.*

*That "City of Port Alberni Nuisance Abatement, 2018, Amendment No.1, Bylaw No. 4969", be read a second time.*

*That "City of Port Alberni Nuisance Abatement, 2018, Amendment No.1, Bylaw No. 4969", be read a third time.*

## **H. CORRESPONDENCE FOR ACTION**

*All correspondence addressed to the Mayor and Council by an identifiable citizen is included on an Agenda. Action items are those asking for a specific request of Council and will be provided a response.*

### **1. Cathy Peters - Page 80**

E-mail dated June 26, 2018 requesting a letter to the Union of British Columbia Municipalities in support of her presentation at the UBCM convention in September aimed at ending child sex trafficking.

*That the email dated June 26, 2018 requesting a letter of support to the Union of British Columbia Municipalities in support of her presentation at the UBCM Convention in September, be received.*

### **2. Jane Morden – Port Alberni Watershed - Forest Alliance - Page 83**

Email dated July 1, 2018 requesting Council support the allocation of federal funding from the Nature Fund along with funding from the BC Government to a provincial Land Acquisition Fund for the purchase and protection of endangered forest lands in the Port Alberni area.

*That the email dated July 1, 2018 requesting Council support the allocation of federal funding from the Nature Fund along with funding from the BC Government to a provincial Land Acquisition Fund for the purchase and protection of endangered forest lands in the Port Alberni area be received, and the request endorsed.*

## **I. PROCLAMATIONS**

**J. INFORMATIONAL CORRESPONDENCE**

*Correspondence which provides information to Council but does not make a specific request or topics that are not relevant to city services and responsibilities are included.*

**1. The Corporation of the Township of Spallumcheen - Page 86**

Letter dated June 8, 2018 regarding Employer Health Tax Impact on Local Government.

**2. Air Quality Council - Page 87**

Minutes of the meeting held June 12, 2018.

**3. BC Hydro - Page 96**

Letter dated June 18, 2018 responding to the City's letter dated May 30, 2018 (*attached*), regarding changes to the Net Metering Policy.

**4. Roland Smith - Page 98**

Letter dated June 29, 2018 regarding the recent disposal of a building at the McLean Mill National Historic Site.

**5. Fortis BC - Page 100**

Letter dated June 11, 2018 providing information on Fortis BC and BC One Call "Click or Call before You Dig" promoting safe digging year-round.

*That Informational Correspondence items numbered 1 through 5 be received and filed.*

**K. REPORT FROM IN-CAMERA**

**L. COUNCIL REPORTS**

**1. Mayor's Report**

*That the Mayor's verbal report be received.*



**2. Regional District Report (Mayor Ruttan/Councillor McLeman)**

*That the Regional District verbal report be received.*

**3. Councillors' Reports**

*That the Councillors' verbal reports be received.*

**M. NEW BUSINESS**

*An opportunity for the Mayor or Council to raise issues as a result of the business of the meeting or to identify new items for subsequent meetings.*

**N. QUESTION PERIOD**

*An opportunity for the public and the press to ask questions of the Mayor and Council.*

**O. CLOSURE OF MEETING TO PUBLIC**

*That the meeting be 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)(e) the acquisition, disposition or expropriation of land or improvements and where the council considers that disclosure could reasonably be expected to harm the interests of the municipality**

**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**

**P. ADJOURNMENT**

*That the meeting adjourn at     pm.*

**MINUTES OF THE SPECIAL MEETING OF COUNCIL  
FOR THE PURPOSE OF ESTABLISHING AN IN-CAMERA MEETING  
MONDAY, JUNE 25, 2018 AT 4:00 PM  
IN THE CITY HALL COMMITTEE ROOM**

**PRESENT:** Mayor Ruttan, Councillors Alemany, McLeman, Minions, Paulson, Sauvé and Washington

**STAFF:** Tim Pley, CAO  
Davina Hartwell, City Clerk  
Scott Smith, Director of Development Services

*It was 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:*

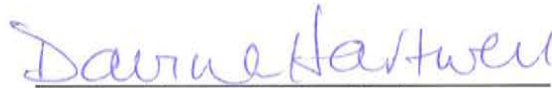
**Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements and where the council considers that disclosure could reasonably be expected to harm the interests of the municipality**

CARRIED

The meeting adjourned at 4:55 p.m.

CERTIFIED CORRECT

\_\_\_\_\_  
Mayor Mike Ruttan

  
\_\_\_\_\_  
Davina Hartwell, City Clerk

**MINUTES OF THE REGULAR MEETING OF COUNCIL  
HELD MONDAY, JUNE 25, 2018 AT 7:00 PM  
IN THE CITY HALL COUNCIL CHAMBERS**

**PRESENT:** Mayor Ruttan; Councillors Alemany, McLeman, Minions, Paulson, Sauvé and Washington

**A. CALL TO ORDER AND APPROVAL OF AGENDA**

*It was moved and seconded:*

*That the agenda be approved as circulated.*

CARRIED

**B. ADOPTION OF MINUTES**

*It was moved and seconded:*

*That the minutes of the Regular Council Meeting held at 7:00 pm on June 11, 2018, be adopted.*

CARRIED

**C. PUBLIC INPUT PERIOD**

1. **Ellen Froot** urged Council's support of the request from the Uptown Merchants to consider a traffic circle at the intersection of Third and Angus.
2. **Chris Washington** also supported consideration of a traffic circle suggesting they improve safety and traffic flow. She advised Uptown Merchants are prepared to fundraise once costs are known.
3. **Keith Ambrose** expressed concern regarding new 'unsavory characters' on the streets in the uptown suggesting Port Alberni has taken a hit.
4. **Bob Pfannenschmidt** commented on a recent visit to the uptown area observing people using hard drugs out in the open. He said he is not in favour of spending money on the uptown until this problem is dealt with.

**D. DELEGATIONS**

**Introduction of Manager of Bylaw Services**

Scott Smith, Director of Development Services introduced Flynn Scott, the City's new Manager of Bylaw Services.

**1. Uptown Merchants**

Kevin Wright attended to present more information on the proposed Argyle Art Program as well as a new entrance sign for the Uptown area.

*It was moved and seconded:*

***That Council for the City of Port Alberni direct staff to prepare a report regarding in-kind service costs and funding to place the Uptown sign and steel pillars for the Art Program.***

DEFEATED

*It was moved and seconded:*

***That Council for the City of Port Alberni endorse the Uptown entrance sign and Argyle Art Program and direct staff to proceed with required installations subject to consultation with the City's Engineering Department in regards to suitable siting and full support from the Rotary Arts District.***

CARRIED

**2. Pat Squire**

In attendance to present information regarding the formerly 'orange bridge' over the Somass River stating it was actually silver when first constructed.

*It was moved and seconded:*

***That Council for the City of Port Alberni refer the issue of the Somass Bridge history to the Alberni Valley Heritage Commission for their review and recommendations.***

CARRIED

**E. UNFINISHED BUSINESS**

1. **Manager of Human Resources – Audit Committee Report – Q1 2018 Council Travel and Development**

*It was moved and seconded:*

*That the report from the Manager of Human Resources dated June 15, 2018 providing a revised Council Travel and Development Audit Committee Report, be received.*

CARRIED

2. **John Van Dyke - Notice of Motion from June 11, 2018**

*It was moved and seconded:*

*That staff be directed to provide a report regarding payments, purpose and provision of any contracts to John Van Dyke by the City of Port Alberni.*

CARRIED

3. **Director of Development Services – Truck Routes and Next Steps**

*It was moved and seconded:*

*That the report dated June 19, 2018 from the Director of Development Services providing information regarding previous work completed on a possible truck route be received.*

CARRIED

*It was moved and seconded:*

*That Council for the City of Port Alberni direct staff to bring forward a project for consideration in the 2019 budget to move forward in establishing a truck route in the City of Port Alberni.*

CARRIED

**F. STAFF REPORTS**

1. **Accounts**

*It was moved and seconded:*

*That the certification of the Director of Finance dated June 25, 2018 be received and the cheques numbered 141712 to 141791 inclusive, in payment of accounts totalling \$348,762.57, be approved.*

CARRIED

**2. Director of Parks, Recreation and Heritage – Vulnerable Persons’ Protection Policy**

*It was moved and seconded:*

*That the report from the Director of Parks, Recreation and Heritage dated June 18, 2018 be received, and Council for the City of Port Alberni endorse the Vulnerable Persons’ Protection Policy as presented.*

CARRIED

**3. Director of Development Services – Wastewater Treatment Facility**

*It was moved and seconded:*

*That the report dated June 20, 2018 from the Director of Development Services regarding the award of two equipment contracts for the Wastewater Treatment Facility project, be received.*

CARRIED

*It was moved and seconded:*

*That Council for the City of Port Alberni award contract RFP 015-18 UV Equipment Supply to Xylem Canada Company for \$835,578.00 plus GST.*

CARRIED

*It was moved and seconded:*

*That Council for the City of Port Alberni award contract RFP 016-18 Aeration System to Nexom Inc. for \$1,837,000.00 plus GST.*

CARRIED

**4. City Clerk – Cabinet Minister Meetings – 2018 UBCM Convention**

*It was moved and seconded:*

*That the report from the City Clerk dated June 20, 2018 requesting Council provide detailed information in regard to meeting requests with the Premier and Cabinet Ministers at the upcoming UBCM Convention, be received.*

CARRIED

Full details of meeting requests to be provided to the City Clerk by July 4<sup>th</sup> for inclusion on the July 9<sup>th</sup> regular agenda.

5. **Current Status Report**

*It was moved and seconded:*

*That the current Status Report be received.*

CARRIED

6. **Managers' Monthly Reports**

**Parks, Recreation and Heritage**

*It was moved and seconded:*

*That the monthly report from the Director of Parks, Recreation and Heritage providing information about current departmental operations, be received.*

CARRIED

G. **BYLAWS**

1. **City Clerk – June 25, 2018, Public Hearing**

*It was moved and seconded:*

*That the verbal report of the Public Hearing held June 25, 2018 regarding Bylaw No. 4965, be received.*

CARRIED

**“Zoning Bylaw Text Amendment No. T14 (Definition of Family - George),  
Bylaw No. 4965”**

*It was moved and seconded:*

*That “Zoning Bylaw Text Amendment No. T14 (Definition of Family – George) Bylaw No. 4965”, be read a third time.*

CARRIED

*It was moved and seconded:*

*That “Zoning Bylaw Text Amendment No. T14 (Definition of Family – George) Bylaw No. 4965”, be now finally adopted, signed by the Mayor and Clerk, sealed with the corporate seal and numbered 4965.*

CARRIED

2. Director of Finance – Water and Sewer Rate Proposal

*It was moved and seconded:*

*That the report from the Director of Finance dated June 19, 2018 be received.*

CARRIED

**“Sewer Connection and Regulation Bylaw, Amendment No. 12 (Sewer Rates and Septage Dump Fee) 2018, Bylaw No. 4967”**

*It was moved and seconded:*

*That “Sewer Connection and Regulation Bylaw, Amendment No. 12 (Sewer Rates and Septage Dump Fee) 2018, Bylaw No. 4967, be now introduced and read a first time.*

CARRIED

*It was moved and seconded:*

*That “Sewer Connection and Regulation Bylaw, Amendment No. 12 (Sewer Rates and Septage Dump Fee) 2018, Bylaw No. 4967, be read a second time.*

CARRIED

*It was moved and seconded:*

*That “Sewer Connection and Regulation Bylaw, Amendment No. 12 (Sewer Rates and Septage Dump Fee) 2018, Bylaw No. 4967, be read a third time.*

CARRIED

**“Waterworks Bylaw, Amendment No. 10 Rate Changes, Bylaw No. 4968”**

*It was moved and seconded:*

*That “Waterworks Bylaw, Amendment No. 10 Rate Changes, Bylaw No. 4968”, be now introduced and read a first time.*

CARRIED

*It was moved and seconded:*

*That “Waterworks Bylaw, Amendment No. 10 Rate Changes, Bylaw No. 4968”, be read a second time.*

CARRIED



*It was moved and seconded:*

***That “Waterworks Bylaw, Amendment No. 10 Rate Changes, Bylaw No. 4968”, be read a third time.***

CARRIED

The Mayor called a recess at 8:47 p.m.  
The meeting resumed at 8:55 p.m.

**3. Manager of Bylaw Services – Bylaw Offence Notice Enforcement Amendment Bylaw**

*It was moved and seconded:*

***That the report from the Manager of Bylaw Services, dated June 20, 2018, be received.***

CARRIED

**“Bylaw Offence Notice Enforcement Bylaw, 2016, Amendment No. 1, Bylaw No. 4954”**

*It was moved and seconded:*

***That “Bylaw Offence Notice Enforcement Bylaw, 2016, Amendment No. 1, Bylaw No. 4954”, be introduced and read a first time.***

CARRIED

*It was moved and seconded:*

***That “Bylaw Offence Notice Enforcement Bylaw, 2016, Amendment No. 1, Bylaw No. 4954”, be read a second time.***

CARRIED

*It was moved and seconded:*

***That “Bylaw Offence Notice Enforcement Bylaw, 2016, Amendment No. 1, Bylaw No. 4954”, be read a third time.***

CARRIED

**4. Director of Development Services – Housing Agreement**

*It was moved and seconded:*

***That the report dated June 20, 2018 from the Director of Development Services providing information on a housing agreement for 6123 Russell Place, be received.***

CARRIED

**“Housing Agreement (6123 Russell Place – Rainbow Gardens), Bylaw No. 4966”**

*It was moved and seconded:*

*That “Housing Agreement (6123 Russell Place – Rainbow Gardens), Bylaw No. 4966”, be introduced and read a first time.*

CARRIED

*It was moved and seconded:*

*That “Housing Agreement (6123 Russell Place – Rainbow Gardens), Bylaw No. 4966”, be read a second time.*

CARRIED

*It was moved and seconded:*

*That “Housing Agreement (6123 Russell Place – Rainbow Gardens) Bylaw No. 4966, be read a third time.*

CARRIED

**H. CORRESPONDENCE FOR ACTION**

**1. City of New Westminster**

*It was moved and seconded:*

*That the letter dated June 7, 2018 from the City of New Westminster requesting Council support their resolution at the UBCM Convention in September, urging the Provincial Government to study the impacts related to the changes made in July 2016 to the Strata Property Act, be received.*

CARRIED

**2. Valley Street Rods Car Club**

*It was moved and seconded:*

*That the e-mail dated June 7, 2018 from the Valley Street Rods Car Club requesting use of the Harbour Quay for the "Thunder in the Valley Car Show" event on Friday, August 10, 2018 and closure to regular traffic to the Harbour Quay from 2:00 pm until 9:00 pm to accommodate the event, be received and Council concur with the request subject to notification of emergency services, consultation with all affected businesses to minimize potential conflict and traffic concerns and provision of standard liability insurance.*

CARRIED

3. SunRay Village Paradigm Foundation

*It was moved and seconded:*

*That the letter dated June 7, 2018 from SunRay Village Paradigm Foundation requesting Council adopt a micro housing land subdivision, be received.*

CARRIED

4. Uptown Merchants' Association

*It was moved and seconded:*

*That the letter dated June 12, 2018 requesting Council undertake an engineered design for a traffic circle at the intersection of Third Avenue and Angus Street, be received.*

CARRIED

*It was moved and seconded:*

*That Council for the City of Port Alberni direct staff to prepare a report and design proposals for improvements to Third Avenue.*

CARRIED

5. Uptown Merchants Association

*It was moved and seconded:*

*That the request to close City streets from Argyle to Second and Fourth and Third Avenue from Argyle to Mar Street on July 12<sup>th</sup>, 2018 from 3 pm to 9 pm for a Block Party, be received and Council concur with the request subject to notification of emergency services, consultation with all affected businesses to minimize potential conflict and traffic concerns and provision of standard liability insurance.*

CARRIED

6. Alberni Valley Pride Society

*It was moved and seconded:*

*That the letter from Alberni Valley Pride Society requesting City Hall fly the rainbow flag at City Hall prior to Pride 2018 weekend (July 27<sup>th</sup> – 29<sup>th</sup>) and also requesting that the rainbow crosswalk be repainted/touched up before July 27<sup>th</sup>, be received and Council concur with the requests.*

CARRIED

7. **Alberni Valley Heritage Commission/McLean Mill Society (MMS)**

*It was moved and seconded:*

*That the letters dated June 20, 2018 from the Alberni Valley Heritage Commission and McLean Mill Society regarding demolition of the “First Aid Shack” at the McLean Mill, be received and Council for the City of Port Alberni reaffirm their support for the McLean Mill Society.*

CARRIED

8. **Dave Hord – Classic Car Adventures**

*It was moved and seconded:*

*That the email dated June 20, 2018 requesting to close Elizabeth Street from Alberni Highway to Burke Road on Sunday, July 29<sup>th</sup>, 2018 for the purpose of hosting “Cars and Coffee”, be received and Council concur with the request subject to notification of emergency services, consultation with all affected businesses and residents to minimize potential conflict and traffic concerns and provision of standard liability insurance.*

CARRIED

I. PROCLAMATIONS      NIL

J. INFORMATIONAL CORRESPONDENCE

1. **Vancouver Island Regional Library**

E-mail dated June 18, 2018 attaching its latest edition of "From the Board Table".

2. **Alberni Valley Museum & Heritage Commission**

Minutes of the May 2, 2018 meeting.

*It was moved and seconded:*

*That Informational Correspondence items numbered 1 through 2 be received and filed.*

CARRIED

**K. REPORT FROM IN-CAMERA**

**Alberni Low Energy Housing Society**

Council received a letter at June 25, 2018 in-camera meeting from Alberni Low Energy Housing Society withdrawing their request to be considered for City owned land.

**L. COUNCIL REPORTS**

**1. Mayor's Report**

*It was moved and seconded:*

*That the Mayor's verbal report be received.*

CARRIED

**2. Regional District Report (Mayor Ruttan/Councillor McLeman)**

*It was moved and seconded:*

*That the Regional District verbal report be received.*

CARRIED

**3. Councillors' Reports**

*It was moved and seconded:*

*That the Councillors' verbal reports be received.*

CARRIED

**M. NEW BUSINESS**

**Notice of Motion - Code of Conduct**

A notice of motion was provided regarding a social media code of conduct for elected officials in the future as well as persons appointed to represent the City.

*It was moved and seconded:*

*That the meeting continue beyond 10:00 p.m. in accordance with Council's Procedures Bylaw.*

CARRIED

N. QUESTION PERIOD

The public and press were afforded an opportunity to ask questions of the Mayor and Council.

O. ADJOURNMENT

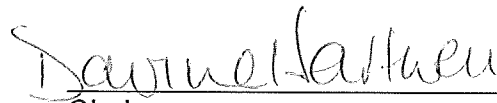
*It was moved and seconded:*

*That the meeting adjourn at 10:06 pm.*

CARRIED

CERTIFIED CORRECT

\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



# CITY OF PORT ALBERNI

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## CHIEF ADMINISTRATION OFFICER'S REPORT

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TO: City Council

FROM: Tim Pley, CAO

COPIES TO: Pat Deakin, Economic Development Manager

DATE: July 27, 2018

ATTACHED: Engagement Letter – John Van Dyke, March 27, 2017  
Engagement Letter – John Van Dyke, July 19, 2017  
Report to Audit Committee, August 15, 2017

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**SUBJECT:** John Van Dyke - Contractor

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**Issue:**

At a regular meeting on June 25, 2018 Council for the City of Port Alberni passed the following motion:

*"That staff be directed to provide a report regarding payments, purposes, and provision of any contracts to John Van Dyke by the City of Port Alberni."*

**Background:**

Among other initiatives, the City's Economic Development Department has been working in conjunction with the Port Alberni Port Authority on several marine-based projects that, if successful, would provide economic benefit to the City and surrounding community. The portion of the City's 2017 Operating Budget allocated to Economic Development included \$40,000 for Contract Services. These funds were intended to be utilized to retain contractors in support of economic development.

The City's Purchasing Policy states;

*"Purchase orders for retention of professional services ... between \$10,000 and \$50,000 with pre-existing budget ... must be approved by the City Manager."*

On May 1<sup>st</sup>, 2017 the City entered into an agreement with John Van Dyke. The term of that agreement was January 1<sup>st</sup>, 2017 to June 30<sup>th</sup>, 2017. The contract fee was \$20,000.

The Letter of Engagement signed by the City and John Van Dyke set out a broad scope of work, and the specific deliverable that venture capital would be secured for at least one of the projects identified within the Scope of Work.

ENTERED

John Van Dyke - Contractor

---

On July 24<sup>th</sup>, 2017 the City entered into a second agreement with John Van Dyke. The term of the second agreement was July 20<sup>th</sup>, 2017 to December 15<sup>th</sup>, 2017. The contract fee for the second contract was \$10,000, plus potential for up to a further \$10,000 if four specific deliverables were met.

Upon expiry of the second agreement none of the four specific deliverables had been realized. As a result only \$10,000 was paid by the City to John Van Dyke for the second agreement period.

**Discussion:**

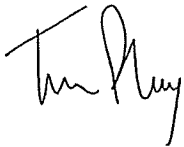
At a meeting of the City's Audit Committee on August 14<sup>th</sup>, 2017 a question was asked about two cheques written to John Van Dyke. A subsequent staff report dated August 15<sup>th</sup>, 2017 that was received by Council at a regular meeting on September 15<sup>th</sup>, 2017 stated that John Van Dyke had been retained by the City's Economic Development Department for the purpose of "community engagement." That statement was incorrect. John Van Dyke had been retained by the City for the purpose of securing venture capital for economic development projects.

**Recommendation:**

A review of the process used by the City to engage John Van Dyke has indicated that the City's actions were in compliance with the City's Purchasing Policy. The funds expended were less than the available funds provided for that purpose within the City's operating budget. The work undertaken on behalf of the City was within the scope and mandate of the City's Economic Development Department.

A report to the Audit Committee dated August 15<sup>th</sup>, 2017 did unfortunately contain an error in describing the purpose for which John Van Dyke was engaged by the City.

*That the report from the CAO dated June 27, 2018, be received.*



---

Timothy Pley  
Chief Administrative Officer





# CITY OF PORT ALBERNI

City Hall  
4850 Argyle Street  
Port Alberni, B.C. V9Y 1V8  
Tel. (250) 720-2527 Fax: (250) 723-1003

## Engagement Letter

March 27<sup>th</sup>, 2017

### Contractor Scope of Work, Compensation and Confidentiality Agreement

This document summarizes the terms of the relationship between **John Van Dyke**, a venture capital consultant, located in Port Alberni, BC (**the Contractor**) and the **City of Port Alberni, BC** who will be represented by its **Economic Development Manager, Pat Deakin (the Client)**.

#### The Contractor

The Contractor will be represented only by **John E. Van Dyke**. The use of Sub-Contractors by the Contractor is not contemplated in this agreement.

#### Description of Services

The Contractor will work with the **Client's representative, primarily to secure venture capital financing for the projects listed in the Scope of Work below and secondarily to attract technologies for these and other projects as may be determined from time to time by the Client.**

#### Scope of Work

The Client is seeking venture capital for a variety of private projects identified in a City of Port Alberni Economic Development Strategic Plan for the purpose of strengthening and diversifying the economy. The projects include but are not limited to:

- **component industries of a maximized-value, wood-biomass cluster,**
- **a resort development on Sproat Lake,**
- **plants manufacturing carbon-neutral products,**
- **seniors' care facilities, and**
- **the Port Alberni Transshipment Hub (PATH).**

The Contractor will identify financial and strategic partnership options for each initiative; inform the Client who he is proposing to approach and, presuming approval by the Client, then work with the venture capital source and the Client to secure financing for the project(s). The first step in the Scope of Work will consist of establishing the credibility of the potential venture capital source and identifying the rationale for proceeding (or not) with efforts to secure project financing from that individual, group or firm. Examples of items to be considered in the rationale include the proposed venture capital partner's experience with particular technologies and/or the regulatory environment in British Columbia.



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### **Contractor Deliverables:**

Venture capital funding will be secured for at least one of the aforementioned projects.

### **Contract Fees, Period, Expenses, & Invoicing**

#### **1. Contractor Fees:**

The Contractor fees are set at \$20,000 for the contract period.

#### **2. Contract Period:**

The Contract will commence on January 1, 2017 and end June 30, 2017.

#### **3. Contractor Expenses:**

All Contractor expenses incurred will be the responsibility of the Contractor. These include but are not limited to all income taxes payable, any mandatory employment related costs, phone bills, travel, accommodations and incidentals.

#### **4. Billing:**

The Contractor may issue an invoice for one-half (or \$10,000) of the total contract amount (\$20,000) at the end of March in the calendar year. The invoice is to be made to the City of Port Alberni (attention Pat Deakin) and may be delivered by email.

### **Currency**

All dollar amounts referred to herein are stated in Canadian dollars.

### **Reporting**

The Contractor is to maintain contact with and report to the City's Economic Development Manager who is the Client's representative. An activity report will be submitted to the Client, along with each invoice, noting activities undertaken on behalf of the Client. More specifically, the report is to be accompanied by a list of venture capital contacts by project that have been brought to the Client in the previous quarter and the hours invested in each initiative.

In the absence of the Economic Development Manager, the Contractor is to report to and maintain contact with the City's Chief Administrative Officer.

### **Support services**

The Client will provide the Contractor with letters of introduction, any appropriate documentation that may be available for the projects and attend meetings in Port Alberni or elsewhere in British Columbia as needed to assist in completion of the assignment:



## CITY OF PORT ALBERNI

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### **Exclusivity and Conflict of Interest**

The Contractor is independent of the Client and is free to take on other engagements outside of this agreement with the Client. Potential "Conflicts of Interest", real or perceived, will be identified to the Client immediately first verbally by phone or in person then in writing. The Client may then determine a course of action with respect to the conflict.

### **Confidentiality**

The Contractor will treat as confidential all materials and information received from or developed for the Client and not permit its disclosure without the Client's written consent except as required by law.

### **Term**

This agreement may be terminated by either party at any time effective upon delivery of written notice to the other party. For purposes of this engagement, an email constitutes written notice. Upon termination by either party, any amount outstanding by the Client to the Contractor will be invoiced and is immediately due and payable in full.

### **Entire Agreement**

This Contractor Scope of Work, Compensation and Confidentiality Agreement constitute the entire agreement between the Client and the Contractor. There are no representations, warranties, terms, conditions, undertakings and collateral agreements nor is there any employment, expressed or implied, between the Contractor and the Client other than as expressly set forth in this Document.

### **Governing Law**

This Agreement shall be valid and binding in accordance with the laws of the Province of British Columbia.

### **Note**

The Contractor understands that the Port Alberni Port Authority (PAPA) is the organization leading the PATH project and the City has an excellent working relationship with PAPA but no control over their scheduling or decision timelines. Accordingly, the Contractor is to give a minimum of two weeks' notice of any impending visit by a possible venture capital source for the PATH unless otherwise agreed to.

The City's Economic Development Manager (EDM) is also to be notified immediately of any material change in the Contractor's efforts to secure financing for the PATH. The EDM will in turn notify PAPA of the developments.



# CITY OF PORT ALBERNI

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Tel. (250) 720-2527 Fax: (250) 723-1003

## Signed and Dated in the City of Port Alberni:

### The Client:

Name & Title: PAUL DEAKIN, ECONOMIC DEVELOPMENT MANAGER

Signature: [Signature] Date: MAY 1, 2017

### The Contractor:

Name: JOHN E. VAN DYKE.

Signature: [Signature] Date: MAY 1st - 2017

### Witnessed By:

Name & Title: Melissa Tardif, Economic Development Assistant

Signature: [Signature]

Date: May 1st, 2017



# CITY OF PORT ALBERNI

City Hall  
4850 Argyle Street  
Port Alberni, B.C. V9Y 1V8  
Tel. (250) 720-2527 Fax: (250) 723-1003

## Engagement Letter

July 19, 2017

### Contractor Scope of Work, Compensation and Confidentiality Agreement

This document summarizes the terms of the relationship between **John Van Dyke**, a venture capital consultant, located in Port Alberni, BC (**the Contractor**) and the **City of Port Alberni, BC** who will be represented by its **Economic Development Manager, Pat Deakin (the Client)**.

#### The Contractor

The Contractor will be represented only by **John E. Van Dyke**. The use of Sub-Contractors by the Contractor is not contemplated in this agreement.

#### Description of Services

The Contractor will work with the **Client's representative, primarily to secure venture capital financing for the projects listed in the Scope of Work below and secondarily to attract technologies for these and other projects as may be determined from time to time by the Client.**

#### Scope of Work

The Client is seeking venture capital for a variety of private projects identified in a City of Port Alberni Economic Development Strategic Plan for the purpose of strengthening and diversifying the economy. The projects include but are not limited to:

- **a boutique hotel/condominium development in the Harbour Quay area,**
- **alternative energy installations**
- **component industries of a maximized-value, wood-biomass cluster,**
- **the Port Alberni Transshipment Hub (PATH), and**
- **the Port Alberni ship repair & maintenance facility.**

In general, the Contractor will identify financial and strategic partnership options for each initiative; inform the Client who he is proposing to approach and, presuming approval by the Client, then work with the venture capital source and the Client to secure financing for the project(s). The Contractor will establish the credibility of the potential venture capital source to the satisfaction of the Client and will identify the rationale for proceeding with efforts to secure project financing from that individual, group or firm. Examples of items to be considered in the rationale include the proposed



## CITY OF PORT ALBERNI

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venture capital partner's experience with particular projects, technologies and the regulatory environment in British Columbia.

### Contractor Deliverables:

1. Venture capital funding will be secured within 6 months for a boutique hotel/condominium development in the Harbor Quay area, AND/OR
  2. one alternative energy installation for the City as a corporation or for the community as a whole, committed to in writing by December 15<sup>th</sup>, 2017 for location in Port Alberni within 1 year, AND/OR
  3. one maximized-value wood biomass plant committed to in writing by December 15<sup>th</sup>, 2017 for location in Port Alberni within 1 year, AND
  4. the additional deliverables specified by the Port Authority (Schedule A)
- Deliverables 1 through 3 inclusive must be approved by the Client. The deliverables identified in Schedule A must be approved by the Port Alberni Port Authority.

### Contract Fees, Period, Expenses, & Invoicing

#### 1. Contractor Fees:

The contract value is \$20,000 as follows:

- \$10,000 for the contract period
- \$10,000 (\$2,500 for completion of each of 4 deliverables identified by Port Authority)

#### 2. Contract Period:

The Contract will commence on July 20<sup>th</sup>, 2017 and end December 15<sup>th</sup>, 2017.

#### 3. Contractor Expenses:

All Contractor expenses incurred will be the responsibility of the Contractor. These include but are not limited to all income taxes payable, any mandatory employment related costs, phone bills, travel, accommodations and incidentals.

#### 4. Billing:

The Contractor may issue invoices for \$3,500 on August 30<sup>th</sup>, 2017; for \$3,500 on October 31<sup>st</sup>, 2017; and, for \$3,000 on December 15<sup>th</sup>, 2017  
The Contractor may also issue an invoice for \$2,500 each time a separate deliverable for the Port Authority is confirmed by them. \$10,000 is the maximum amount that can be invoiced for achievement of the Port Authority deliverables. Invoices are to be made out to the City of Port Alberni (attention Pat Deakin) and may be delivered by email.



## CITY OF PORT ALBERNI

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Tel. (250) 720-2527 Fax: (250) 723-1003

### Currency

All dollar amounts referred to herein are stated in Canadian dollars.

### Reporting

The Contractor is to maintain contact with and report to the City's Economic Development Manager who is the Client's representative. A progress report will be submitted to the Client with each invoice, noting activities undertaken on behalf of the Client. More specifically, the report is to be accompanied by a list of venture capital contacts by project that have been brought to the Client in the billing period and an evaluation of the venture capital source's readiness to invest in the Port Alberni initiative.

In the absence of the Economic Development Manager, the Contractor is to report to and maintain contact with the City's Chief Administrative Officer.

### Support services

The Client will provide the Contractor with letters of introduction, any appropriate documentation that may be available for the projects and attend meetings in Port Alberni or elsewhere in British Columbia as needed to assist in completion of the assignment:

### Exclusivity and Conflict of Interest

The Contractor is independent of the Client and is free to take on other engagements outside of this agreement with the Client. Potential "Conflicts of Interest", real or perceived, will be identified to the Client immediately first verbally by phone or in person then in writing. The Client may then determine a course of action with respect to the conflict.

### Confidentiality

The Contractor will treat as confidential all materials and information received from or developed for the Client and not permit its disclosure without the Client's written consent except as required by law.

### Term

This agreement may be terminated by either party at any time effective upon delivery of written notice to the other party. For purposes of this engagement, an email constitutes written notice. Upon termination by either party, any amount outstanding by the Client to the Contractor will be invoiced and is immediately due and payable in full. An amount will not be considered outstanding if it pertains to a Port Authority deliverable that has not been achieved.



## CITY OF PORT ALBERNI

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### Entire Agreement

This Contractor Scope of Work, Compensation and Confidentiality Agreement constitute the entire agreement between the Client and the Contractor. There are no representations, warranties, terms, conditions, undertakings and collateral agreements nor is there any employment, expressed or implied, between the Contractor and the Client other than as expressly set forth in this Document.

### Governing Law

This Agreement shall be valid and binding in accordance with the laws of the Province of British Columbia.

### Note

The Contractor understands that the Port Alberni Port Authority (PAPA) is the organization leading the PATH project and the Port Alberni ship repair & maintenance facility project and that they have agreed to contribute funds to this contract upon completion of specified deliverables. Furthermore the Contractor understands the City has an excellent working relationship with PAPA but no control over their scheduling or decision timelines. Accordingly, the Contractor is to give a minimum of two weeks' notice of any impending visit by a possible venture capital source for the PATH or ship repair & maintenance facility unless otherwise agreed to.

In addition, the City's Economic Development Manager (EDM) and the Port Authority's President & CEO are to be notified concurrently of any material change in the Contractor's efforts to secure financing for the PATH or the ship repair & maintenance facility.

(Signature Page and letter from Port Alberni Port Authority follow)





# CITY OF PORT ALBERNI

City Hall  
4850 Argyle Street  
Port Alberni, B.C. V9Y 1V8  
Tel. (250) 720-2527 Fax: (250) 723-1003

## Signed and Dated in the City of Port Alberni:

### The Client:

Name & Title: Pat Deakin, Economic Development Manager

Signature: [Signature] Date: July 24, 2017

### The Contractor:

Name: JOHN VAN DYKE

Signature: [Signature] Date: July 24, 2017

### Witnessed By:

Name & Title: Melissa Tardif, Economic Development Assistant

Signature: [Signature]

Date: July 24<sup>th</sup>, 2017

Note: A July 17, 2017 letter from the Port Alberni Port Authority is appended as Schedule A and forms part of this letter of engagement.



PORT ALBERNI PORT AUTHORITY  
2750 Harbour Road  
Port Alberni, BC V9Y 7X2  
Tel. (250) 723-5312 Fax. (250) 723-1114  
www.portalberniportauthority.ca

ADMINISTRATION PORTUAIRE DE PORT ALBERNI  
2750 Harbour Road  
Port Alberni, BC V9Y 7X2  
Tél. (250) 723-5312 Fax. (250) 723-1114  
www.portalberniportauthority.ca

July 17, 2017

Patrick Deakin, Economic Development Manager  
City of Port Alberni  
4850 Argyle Street  
Port Alberni, BC, V9Y 1V8

Dear Pat,

Re: Contribution towards contracting John Van Dyke

On behalf of the Port Alberni Port Authority (PAPA) please accept this letter as formal confirmation of our contribution of up to \$10,000 over the next six (6) months to Mr. John Van Dyke in exchange for his services towards achieving the following deliverables:

1. At least two (2) meaningful meetings with globally recognized engineering and / or accounting consulting firms with the capacity to contribute the required soft costs necessary to complete an industry-standard marketable financing attraction package
2. At least one (1) meaningful meeting with a prospective investor that has the financial means and capacity to provide direct investment of at least one-third of the total capital expenditure required to complete the proposed Port Alberni Transshipment Hub (PATH) container terminal
3. At least one (1) meaningful meeting with a prospective investor that has the financial means and capacity to provide direct investment of at least one-third of the total capital cost required to purchase and install a floating dry dock in Port Alberni necessary to meet west coast ship building and maintenance industry standards; OR
4. At least one (1) meaningful meeting with a prospective customer that has the financial, operational and geographic means to support at least one-third of the total ongoing revenue stream necessary to ensure financial viability of a floating dry dock in Port Alberni that could be leveraged to achieve the required funding contribution for the purchase and installation of this facility

PAPA will advise the City of Port Alberni upon the achievement of each of these deliverables. Upon notice of PAPA's satisfaction of Mr. Van Dyke's efforts in achieving each deliverable the City shall invoice PAPA for one-fourth of the committed \$10,000 contribution (\$2,500) per each.

The Port Alberni Port Authority greatly appreciates the City of Port Alberni's commitments, collaboration and contribution towards its efforts to develop significant economic and community development projects. We trust that this agreement will further strengthen our relationship and yield the desired results towards our shared goals.

Sincerely,  
PORT ALBERNI PORT AUTHORITY



Zoran Knezevic, President & CEO  
Cc: John Van Dyke





**CITY OF PORT ALBERNI  
M E M O R A N D U M**

To: Tim Pley, CAO  
From: Cathy Rothwell, Director of Finance  
Copy: Mayor and Council  
Date: August 15, 2017

Subject: Responses to questions arising from the August 14, 2017 Audit Committee Meeting

The following is in response to questions raised by the Committee at the August 14, 2017 Audit Committee Meeting:

*The Audit Committee requested detail on the following items:*

1. *Details of cheques no. 138985 and 139370 to John Van Dyke. **Payment for Economic Development consulting services for community engagement.***
2. *Details of cheque no. 139034 to Thing Technologies Ltd. **Payment for drives for security cameras, and LCD projector.***
3. *Details of cheque no. 139153 to Thing Technologies Ltd. **Payment for computer equipment/accessories.***
4. *Details of EFT 0000063 to D.R. Consulting. **Payment for Urban Streams Environmental Consulting Services – permits, plans, inspections.***
5. *Details of EFT 0000118 to Opus Consulting Group Ltd. **Payment for computer server equipment.***

Respectfully submitted,

Cathy Rothwell  
Director of Finance



CLERK'S DEPARTMENT  
REPORT TO COUNCIL

TO: Tim Pley, CAO  
FROM: Davina Hartwell, City Clerk  
COPIES TO: Mayor and Council  
DATE: July 6, 2018

**SUBJECT: Cabinet Minister Meetings – 2018 UBCM Convention**

**Issue:**

Council to review meeting requests for the upcoming UBCM Convention. Deadline for requests for meetings with the Premier and Cabinet Ministers is **Friday, July 13<sup>th</sup>, 2018**. Deadline for requests to meet with provincial government staff and ministries is **Friday, July 27<sup>th</sup>, 2018**.

Meeting	Priority	Topics for Discussion	Attendees
Ministry of Agriculture		Lost Salmon Stocks	Councillor Paulson Councillor McLeman
**Ministry of Municipal Affairs & Housing		Housing initiatives – funding coordinator to enable shovel ready projects	<b>Participate with ACRD</b>
Ministry of Environment/ Climate Change Strategy		Open Burning Smoke Control Regulations – status update	Councillor Alemany Councillor Paulson
Ministry of Forests, Lands, Natural Resource Operations & Rural Development		Community Forest expansion; securing source of fibre for Catalyst; assistance with reactivating Somass mill site	Councillor McLeman
Ministry of Mental Health & Addictions		Overdose prevention sites – consultation with local governments	Councillor McLeman
**Ministry of Transportation & Infrastructure		Status of Hwy 4 10 year improvement plan; Alternate Route in/out of Port Alberni; Cathedral Grove Congestion; reduction in heavy truck traffic	Councillor Paulson Councillor McLeman <b>(ACRD Attendees)</b>
Ministry of Public Safety & Emergency Services		Cannabis Regulations – local government impacts	Councillor McLeman
Ministry of Children & Family Development		Reduced Social Assistance for Bereaved Family Members when Pension is paid out.	Councillor Paulson Councillor McLeman

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\*\* Meetings requested through ACRD

Council review and confirmation of meetings requested.

Respectfully submitted

Davina Hartwell  
City Clerk

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**REPORT OF THE PUBLIC HEARING HELD ON MONDAY, JUNE 25, 2018  
AT 6:15 PM IN COUNCIL CHAMBERS TO HEAR REPRESENTATION RELATIVE TO  
PROPOSED AMENDMENT TO THE TEXT OF THE ZONING BYLAW**

**PRESENT:**           **Council:**    Mayor Ruttan (Chair)  
                                                          Councillor Alemany  
                                                          Councillor McLeman  
                                                          Councillor Minions  
                                                          Councillor Paulson  
                                                          Councillor Sauv e  
                                                          Councillor Washington

**City Staff:**    Tim Pley, Chief Administrative Officer  
                                                          Davina Hartwell, City Clerk  
                                                          Scott Smith, Director of Development Services

**Members of the Public:   2**

The Chair explained the Public Hearing procedures for the meeting.

**Applicant:   L. George, 4742 Bute Street**

**1.     Description of the Application**

The City Clerk provided a summary of the application:

The applicant has applied to amend the text of the Zoning Bylaw by amending the definition of 'Family'. The amendment would permit up to six (6) unrelated, non-transient persons to occupy a provincially licensed Group Home in a Single Family Dwelling

The proposed Bylaw is:

- "Zoning Bylaw Text Amendment No. T14 (Definition of Family - George), Bylaw No. 4965"

**2.     Background Information from the Director of Development Services  
Report dated June 19, 2018**

The Director of Development Services provided background information regarding the proposed amendment by way of summarizing his report of June 19, 2018, attached hereto and forming part of this report.

**3.     Correspondence**

None



**4. Late Correspondence Regarding the Matter**

None

**5. Input from the Public regarding the Bylaw**

None

**6. Questions from Council:**

The applicant was in attendance and responded to questions from Council noting the average stay is 30-90 days accommodating both male and female persons over the age of 19 in single occupancy rooms.

The Director of Development Services confirmed that if approved by Council, the amendment would apply to all provincially licensed Group Homes that meet the applicable licensing authority standards.

**7. Calling for any Further Input:**

The Chair asked for any further input from the public. There was none.

The Chair called a second time for input. There was none.

The Chair asked for input for a third and final time. There was none.

**8. Closing Remarks by the Chair:**

The Chair made closing remarks on the matters of the public hearing.

*It was moved and seconded:*


*That the Public Hearing terminated at 6:26 pm*

CARRIED



Pursuant to Sections 464, 465 and 466 of the *Local Government Act*, I hereby certify the foregoing to be a fair and accurate summary of the representations made at the Public Hearing held June 25, 2018 regarding:

- "Zoning Bylaw Text Amendment No.T14 (Definition of Family – George), Bylaw No. 4965".

  
\_\_\_\_\_  
Davina Hartwell  
City Clerk

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**ECONOMIC DEVELOPMENT REPORT**

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TO: Davina Hartwell, City Clerk and Acting CAO

FROM: Pat Deakin – Economic Development Manager

COPIES TO: Timothy Pley, CAO  
Willa Thorpe, Director of Parks, Recreation & Heritage  
Cathy Rothwell, Director of Finance

DATE: For July 9, 2018 Council Meeting

RE: **Council Resolutions Required for Rural Dividend Program Applications**

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**ISSUE:**

The deadline for the only intake of the Rural Dividend Program in 2018 is July 31<sup>st</sup>. Applications require a resolution from Council supporting them. July 9<sup>th</sup> is the only Council meeting prior to the deadline.

**BACKGROUND:**

Rural municipalities with a population of 25,000 or less are able to apply for two projects during this intake. One project may be in the Project Development Stream for a grant of up to \$10,000 with no municipal contribution required. The second project may be under the Single Applicant or Partnerships Stream. The Single Applicant Stream provides grants of up to \$100,000 and requires a municipal contribution of 20% while the Partnerships Stream provides grants of up to \$500,000 with the partners contributing 40% of the project costs.

**DISCUSSION:**

The EDM is recommending one initiative for the Project Development Stream and one for the Partnerships Stream. They are discussed separately below.

**Project Development Stream:**

The City's EDM recommends that a trail loop up Roger Creek, across the Log Train Trail and down Dry Creek be the subject of the Project Development Stream application. The \$10,000 grant would allow the City to design the trail alignment and stream crossings required. This trail through two forested ravines owned by the City would add to the lifestyle measures that serve to attract visitors and new residents because it would be accessible to walkers, hikers, runners and mountain bikers.

Council should be aware however that the Alberni-Clayoquot Farm Team has asked that an application be made in the Project Development Stream to explore the feasibility of several agricultural sector support components on the City's 17 acres (5355 Cherry Creek Road) behind the Pacific Rim Mall and in the ALR. The proposed components are a new Farmer's Market, a community tool storage shed, refrigeration for food and a teaching/educational initiative.

While this proposed initiative has merit, there is current development interest in the property for projects that are permitted uses in the Agricultural Land Reserve and the EDM believes that this land should be kept in play.

The EDM recommends that the trail loop described above become the City's application in the Project Development Stream.

#### Partnerships Stream

The City's EDM recommends that a Resident & Worker Attraction Initiative be the subject of an application under the Rural Dividend Program Partnerships Stream. Within the last year, Island Health, Catalyst Paper, Western Forest Products, the Coulson Group, and SD 70 have initiated employee attraction initiatives that have had or are having varying degrees of success. Recently a representative of Pacific Seafoods met with the EDM to discuss employee attraction and retention issues they are attempting to resolve. One of the approaches talked over was that of working together to attract families from the Maritime Provinces (or elsewhere) to come and live in Port Alberni with the promise of a job in the fish plant in Ucluelet.

The Resident & Worker Attraction Initiative would include market and housing research, creation of an attraction video and ads, a digital concierge service, the use of multiple social media platforms, a central website portal for the campaign and more.

To avoid recreating the wheel, this initiative would utilize approaches taken by many resident and worker attraction campaigns including but not limited to the Vancouver Island North Attraction Campaign, the Sunshine Coast (This is the Coast) campaign and the City of Quesnel's Health Professional Attraction campaign.

The budget for this initiative has yet to be developed and the partners confirmed. For that reason the proposed resolution does not specifically identify the funding stream that the application would be made under. Regardless, the City's financial commitment would be kept within the remaining allocation for marketing in the Economic Development budget.

#### **Council's Concurrence with the Recommendations is Desired**

Two resolutions are proposed:

1. *That Council for the City of Port Alberni support the 'Forested Ravine Trail Loop' application to the Project Development Stream of the Rural Dividend Program.*
2. *That Council for the City of Port Alberni support the 'Resident & Worker Attraction Initiative' application to the Rural Dividend Program.*

Respectfully submitted



Economic Development Manager



**Summary Report / Minutes of the Advisory Planning Commission Meeting  
(Held on June 21, 2018,  
in the Committee Room at City Hall, at 12:00 p.m.)**

**Advisory Planning Commission**

Ken McRae (Chair)  
John Douglas (Vice-Chair)  
Amy Anaka  
Jeannette Nichols  
Sandy McRuer  
Larry Ransom - (SD #70 Liaison)  
Councillor Denis Sauvé (Council Liaison)  
S. Sgt. Terry Smith (R.C.M.P. Liaison)  
Rick Newberry (P.A.F.D. Liaison)

**Staff**

Scott Smith, Director of Development Services  
Cara Foden, Dev. Services Technician

**Guests**

Members of the Public – 0

**Regrets**

Don Ferster  
Jim Tatoosh (Hupacasath First Nation)  
Cynthia Dick (Tseshah First Nation)  
Rob Gaudreault (Parks Liaison)  
B. Toor (Applicant)

**Alternates (not in attendance)**

Councillor Ron Paulson (Alternate–Council)  
Sgt. Dave Boyce (Alternate–R.C.M.P.)  
John Bennie (Alternate S.D.70)  
Steve Tatoosh (Alternate Hupacasath First Nation)



**1. Adoption of May 17, 2018 Minutes**

- The minutes of the May 17, 2018 meeting of the Advisory Planning Commission were adopted.

**( McRuer / Douglas ) CARRIED**

**2. DEVELOPMENT APPLICATION – Temporary Use Permit**

**5405 Argyle Street**

**Applicant:** B. Toor dba Parmtronics Marine Ltd. Inc. No. BC0419343

- The Director of Development Services (DDS) summarized his report to the APC dated June 13, 2018.
- The APC discussed the application as follows:
  - Parking concerns were discussed. It was expressed that two offices would significantly impact parking in the area. It was noted that the parking in front of the building was time limited and ticketing was in effect. Employees of the current and proposed offices would need to park in long term parking areas further away in order to avoid ticketing.
  - APC members discussed the impact of permitting office spaces at Harbour Quay with regards to the long term goals of preserving the Quay as a commercial destination geared towards leisure and tourism. The current mix of industrial and commercial uses and their configuration at the Quay was noted.
  - The history of the building and the extensive renovations that have been done were discussed and there was support for encouraging the beautification of the Argyle St. corridor and for keeping the buildings occupied by tenants. The Temporary Use Permit allows for reconsideration after the 3 year term concludes.



- There was some dialogue regarding the current office space operating without a business license. The owner of the building was made aware of the situation, triggering the application for a TUP. The application is for a 3 year term after which the owner may choose to apply for a zoning amendment or an extension to the TUP. Under a TUP the current office use would be permitted to stay for the term of the TUP.

**MOTIONS:**

1. *That the Advisory Planning Commission amend the recommendations of the Director of Development Services, as contained in the report dated June 13, 2018, to include the following condition under the proposed Temporary Use Permit:*

- a. *That two existing units within the building be specifically designated to permit offices for the term of the Temporary Use Permit.*

**( Ransom / Nichols ) CARRIED**

2. *That the Advisory Planning Commission recommends to City Council that the City proceed with a Temporary Use Permit for office use on 5405 Argyle Street for a 3 year term.*

3. *That the Advisory Planning Commission recommends to City Council that the following conditions be applied under the Temporary Use Permit:*

- a. *That a maximum of 2 office units are permitted.*
- b. *That office use is only permitted in **Unit 116** and **Unit 124**.*

**( Ransom / Douglas ) CARRIED**

3. **Update** – Director of Development Services provided the following verbal updates:

- A Public Hearing is scheduled (June 25<sup>th</sup>) for "Zoning Bylaw Text Amendment No. T14 (Definition of Family - George), Bylaw No. 4965"
- Rainbow Gardens development status update.

4. **Other Business** - The next regularly scheduled meeting of the Advisory Planning Commission (July 19, 2018) has been cancelled.

5. **Adjournment** – The meeting adjourned at 1:00 p.m. The Advisory Planning Commission will meet next on **August 16, 2018** at 12:00 pm in the Committee Room at City Hall.

**( McRuer / Douglas ) CARRIED**

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Davina Hartwell - City Clerk




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Ken McCrae – Chair



# CITY OF PORT ALBERNI

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## DEVELOPMENT SERVICES DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

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TO: Advisory Planning Commission

FROM: Scott Smith, Director of Development Services

DATE: June 13, 2018

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**SUBJECT: DEVELOPMENT APPLICATION - Temporary Use Permit**  
5405 Argyle Street  
**Applicant:** Birinder Toor dba Parmtronics Marine Ltd. Inc. No. BC0419343

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### ISSUE

To consider an application for a Temporary Use Permit (TUP) on 5405 Argyle Street.

### BACKGROUND

The City has received an application for a Temporary Use Permit to allow the use of a portion of the building at 5405 Argyle Street for office use for a 3 year term.

A Temporary Use Permit (TUP) may do one or more of the following:

- Allow a use not permitted by a zoning bylaw;
- Specify conditions under which the temporary use may be carried on;
- Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

The Official Community Plan allows for consideration of Temporary Use Permits (TUP). The policy is as follows:

#### *"TEMPORARY USE PERMITS*

*The Local Government Act (Division 8, Section 493) allows a local government to issue a Temporary Use Permit. The permit may be issued for a three year term, with the possibility of a renewal for an additional three years.*

#### *Council Policy*

- 1. Temporary Use Permits may be considered on all lands designated Industrial or Commercial on Schedule "A" (Land Use Map).*
- 2. The issuance of a Temporary Use Permit is intended to provide a short term opportunity for uses that either relocate or cease to exist within a maximum of a six year period.*
- 3. Ensure long term public policy for the area is not changed.*
- 4. Maintain a reasonable level of compatibility with the surrounding development."*

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### Official Community Plan Bylaw and Zoning Bylaw designations

- a) The property located at 5405 Argyle Street is currently designated 'General Commercial' on the Official Community Plan Schedule A – Land Use Map and is included in 'Development Permit Area No. 2 (General Commercial)' on the Official Community Plan Schedule B – Development Permit Area Map.
- b) The property located at 45405 Argyle Street is currently zoned as a mix of 'W1 – Waterfront Commercial' and 'W2 – Waterfront Industrial' on the Zoning Bylaw Schedule - A Zoning Map.

### DISCUSSION

The building at 5405 Argyle Street is located immediately west of the entrance to the Harbour Quay. The immediate neighbouring uses are substantially waterfront industrial in nature with the majority of waterfront commercial uses located closer to the Alberni Inlet.

The building at 5405 Argyle Street has had some vacant spaces over the last several years or has been used as storage. The property has a mix of existing uses, including a restaurant, marine electronics, retail and a small office currently operating without a business license. A kayak rental and outdoor store is opening soon. The new owners have been investing in the building and have the opportunity to lease space for office uses. There is one small office currently and one additional office is looking to occupy one of the units.

The uses at the Harbour Quay and W1 zone are intended to be primarily for commercial operations, serving marine-based and tourist activities. Allowing office uses on the ground floor of 5405 Argyle Street is a change from the original intent of the W1 zone.

The proposed temporary use of a portion of 5405 Argyle Street complies with the OCP policy for TUP. The offices could be relocated, would be a reasonably compatible use within the building and would not negatively impact the long term use of the building and property.

The W1 District is similar to the Downtown Core Districts in that public on-street parking is provided and the ability to provide on-site parking is limited. The W1 does not require any on-site parking. There is time limited parking in Harbour Quay and employees of the any office will not be able to park long term in the immediate area. There are some parking areas in the general area that can be used for longer term parking.

### CONCLUSIONS

In considering the Temporary Use Permit, the Advisory Planning Commission and City Council should consider whether this TUP is appropriate for the community.

The proposed TUP would allow office uses to occupy a portion of the building for a defined period. It is recommended that a condition to limit the number of offices to 2 be included in the TUP. This would allow the current office to receive a business license and the proposed office to open. If approved, the owner and City could evaluate if the office use is appropriate for this property in the Harbour Quay area.

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**RECOMMENDATIONS**

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a Temporary Use Permit for office use on 5405 Argyle Street for a 3 year term.*
2. *That the Advisory Planning Commission recommends to City Council that the following condition be applied under the Temporary Use Permit:*
  - a. *That a maximum of 2 office units are permitted.*

Respectfully submitted,



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Scott Smith, MCIP  
Director of Development Services

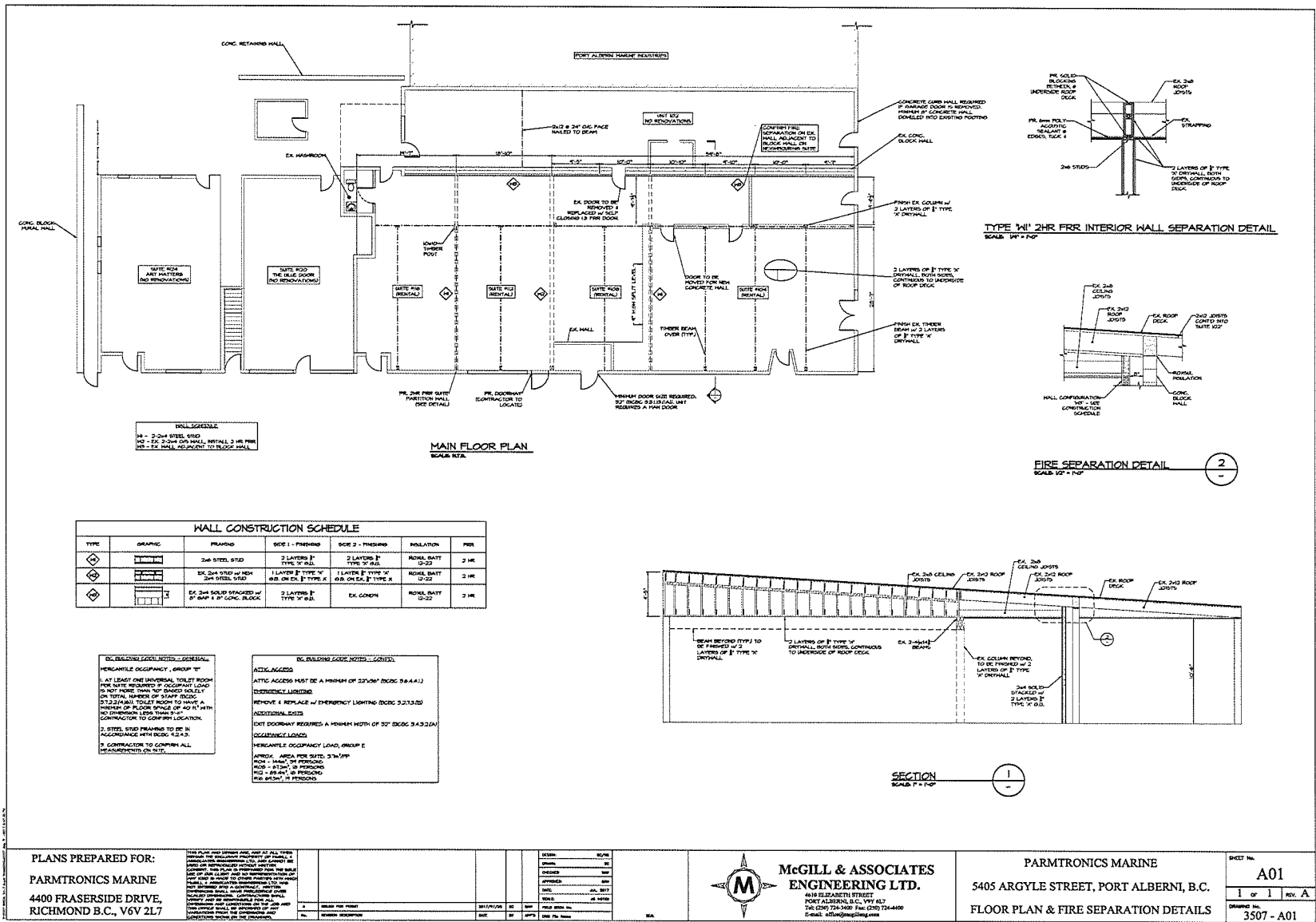


PROPERTY



5405 Argyle Street

J:\Engineering\Planning\Development Applications\TempUsePermit\TUP-2018\TUP18-01-5405ArgyleSt-Parmtronics\TUP18-01-5405ArgyleSt-Parmtronics-TemporaryUsePermits-SiteMapOrtho.dwg, 6/5/2018 12:01:02 PM



PLANS PREPARED FOR:  
**PARMTRONICS MARINE**  
 4400 FRASERSIDE DRIVE,  
 RICHMOND B.C., V6V 2L7

NO.	REVISION	DATE	BY	APP'D.	DATE	REVISION
1	ISSUE FOR PERMIT	2017/07/26	MS	MS	2017/07/26	1
2	ISSUE FOR REVISION	2017/07/26	MS	MS	2017/07/26	2

**McGILL & ASSOCIATES**  
**ENGINEERING LTD.**  
 4418 BELLAIR STREET  
 PORT ALBERNI, B.C. V7Y 4Z7  
 TEL: (250) 724-3000 FAX: (250) 724-4000  
 E-MAIL: a25@mgaeng.com

**PARMTRONICS MARINE**  
 5405 ARGYLE STREET, PORT ALBERNI, B.C.  
**FLOOR PLAN & FIRE SEPARATION DETAILS**

SHEET No.	<b>A01</b>	
1 of 1	REV.	A
DRAWING No.	<b>3507 - A01</b>	

Bylaw 4832

***W1 – WATERFRONT COMMERCIAL***

5.33 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.

5.33.1 Permitted uses

Principal 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
- Microbrewery
- Nightclub, Cabaret, Bar and Pub
- Observation Tower
- Public market
- Restaurant, excluding *drive-in or drive-through*
- Retail

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

5.33.2 Site Development Regulations

Maximum Height, Principal <i>Building</i>	8 m	(26.2 ft)
Maximum Number of Principal <i>Building Storeys</i>	2	

5.33.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.33.1,
  - (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.

Bylaw 4832

- (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 m<sup>2</sup> (2530 ft<sup>2</sup>).
- (c) Marine fuelling operations shall be located not less than 60 m (196.8 ft) from any R or RM *zone*.

Bylaw 4832

**W2 – WATERFRONT INDUSTRIAL**

5.34 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.

5.34.1 Permitted uses

Principal 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  
 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

5.34.2 Site Development Regulations

Maximum Height, Principal Building	12.5 m	(41 ft)
Maximum Number of Principal Building Storeys	3	

5.34.3 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.

July 4, 2018

Good afternoon,

I would like to also request that unit 120B-5405 Argyle Road, Port Alberni be part of the application for temporary zoning and allowed to potentially be utilized for office space. This would be in addition to the two other units earmarked. The unit is currently leased out to the church and used for long shore people. We have extended the lease an additional year since purchasing the property; however have done so while subsidizing the cost as a good faith measure to the tenant.

The current rental amount is far below what is sustainable for the building and the tenant is aware that the rent will go up as legally applicable in a commercial lease. We are unsure if they would be able to renew given the limited funding and have far extended by subsidizing thus far. The space is not ground level and up a flight of stairs unlike any of the other spaces within the building. Thus it is not suitable for retail given the lack of space and signage.

The best use would be for office space, obviously with the same consistent stipulations. Without this being reconsidered, this will most likely be a vacant property.

Please note that well over \$100,000 has been invested, units have been created where there are were none and there are now more potential commercial spaces with what was just storage in the past.

Thank you,



Bobby Toor  
250-228-8667



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**CITY CLERK'S DEPARTMENT  
REPORT TO COUNCIL**

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TO: Tim Pley, CAO  
FROM: Davina Hartwell, City Clerk  
COPIES TO: Mayor and Council  
DATE: June 28, 2018

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**SUBJECT: Best Western Barclay – Change to Liquor Licence – New Patio**

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The Best Western Barclay Hotel (4277 Stamp Avenue) has applied to the Liquor Control and Licensing Branch (LCLB) for a structural change to their liquor licence to accommodate an extension to their outdoor patio area. This would increase their occupant load in the new outdoor space to 74 people (from 23). Their proposal is as follows:

- to expand the patio
- seating for 44 with room for stand-up
- Removal of present white tent
- Expand the area by 10' x 37.5" towards and along the parking lot. (see drawing Barclay 0002). Removal of some of the existing plants in front of the existing wooden fence.
- Replace the wooden fencing with smoke glass railings
- The new area will be covered and tied in with the building upgrades completed in the front of the hotel as well as the pool area project currently underway
- Gas fireplace with rock facing at the south end of the patio
- The entire area will be controlled and part of Pastimes Sports Bar & Grill
- Our hours of operation will not change 11am – 12pm Monday to Saturday and Sunday 12 noon – 10pm

As part of the process, Council is required to consider the application and either provide the Branch with a resolution including comments and a recommendation with respect to the licence application or "opt out" of the process in which case the LCLB will gather the views of residents and may request additional information from staff to determine if it would be in the public interest to approve the application.

If Council chooses to comment, the regulatory criteria the City must consider is as follows:

- a) Impact of noise on the community in the vicinity of the establishment
- b) The general impact on the community if the application is approved
- c) The views of the residents and a description of the method used to gather views;

- 
- d) The local government's recommendations (including whether the application should be approved) and the reasons on which they are based.

Comments are as follows:

**a) Impact of Noise**

There are no residential properties in close proximity to the Best Western. The patio area is located on the south side of the building and not visible to the neighbourhood. Noise is not expected to have any impact.

**b) General Impact on the Community**

The proposed patio renovation and extension will be a positive addition to the community in light of other recent improvements to the property and will offer an attractive outdoor seating area and social venue for both locals and visitors.

**c) View of Residents**

A notice was published in the Alberni Valley News (attached) on June 20<sup>th</sup> and 27<sup>th</sup>, 2018 and was placed in the City's Public Notice Posting Places. No comments were received.

**Recommendation:**

*That Council for the City of Port Alberni support the structural change application to the Liquor Primary licence for The Barclay for addition of a new outdoor patio and endorse the comments as provided in the report from the City Clerk dated June 28, 2018 for submission to the Liquor Control and Licensing Branch.*

Respectfully submitted

Davina Hartwell  
City Clerk

J:\Clerks\Liquor Licence Applications\Best Western Barclay\Report To Council\_June27.doc





**CITY OF PORT ALBERNI**  
**NOTICE FOR PUBLIC COMMENT**

**The Best Western Barclay** at 4277 Stamp Avenue has applied to the Liquor Control & Licensing Branch for a structural change to their Liquor Licence in order to expand their patio. This would increase the occupant load for the new outdoor area from 23 to 74.

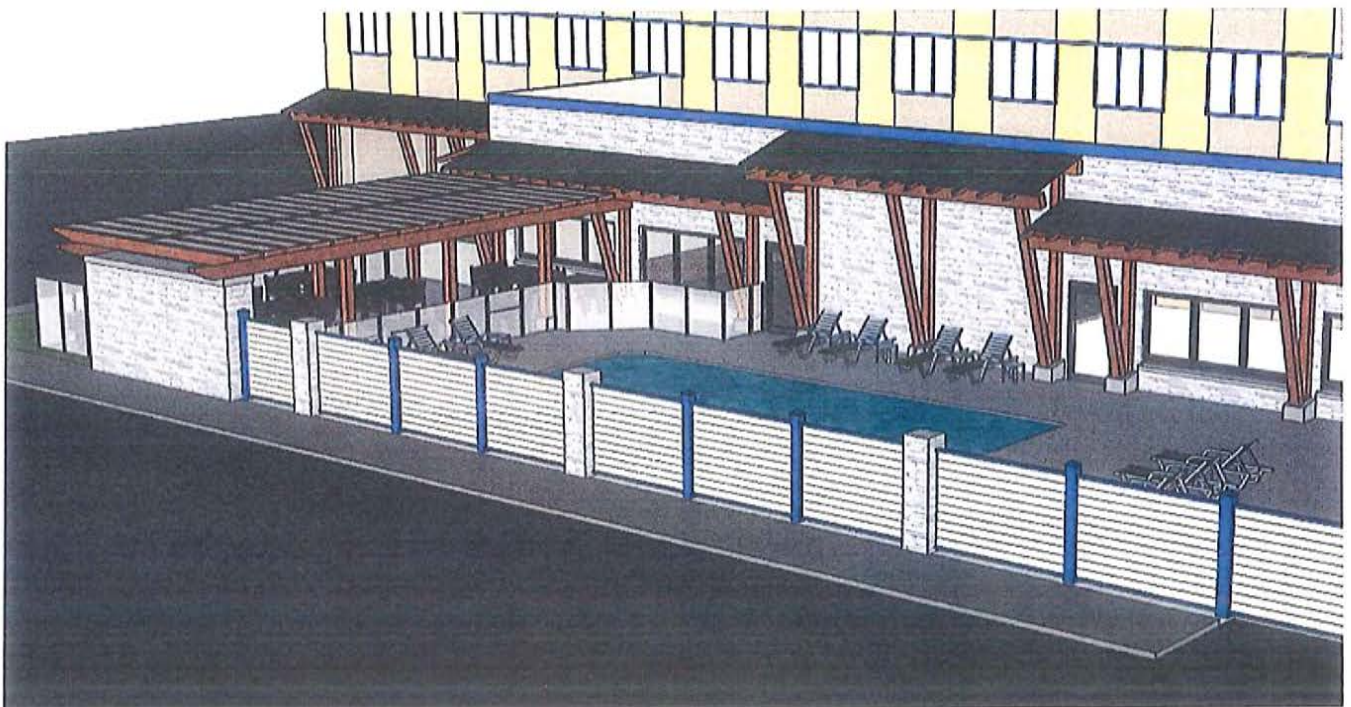
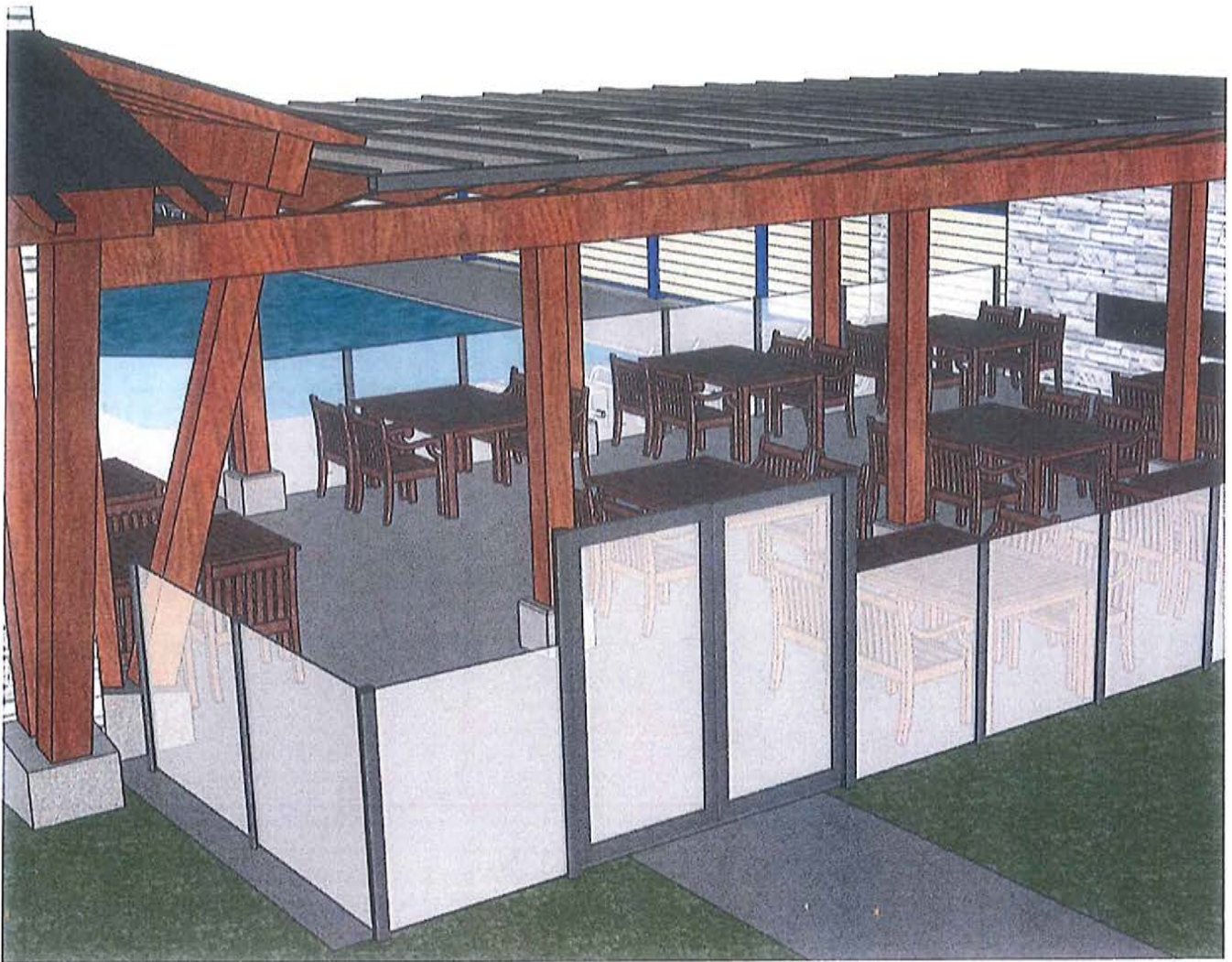
Hours of liquor service will remain unchanged. Hours are 11:00 am to 12 pm, Monday to Saturday and 12 noon to 10:00 pm on Sunday.

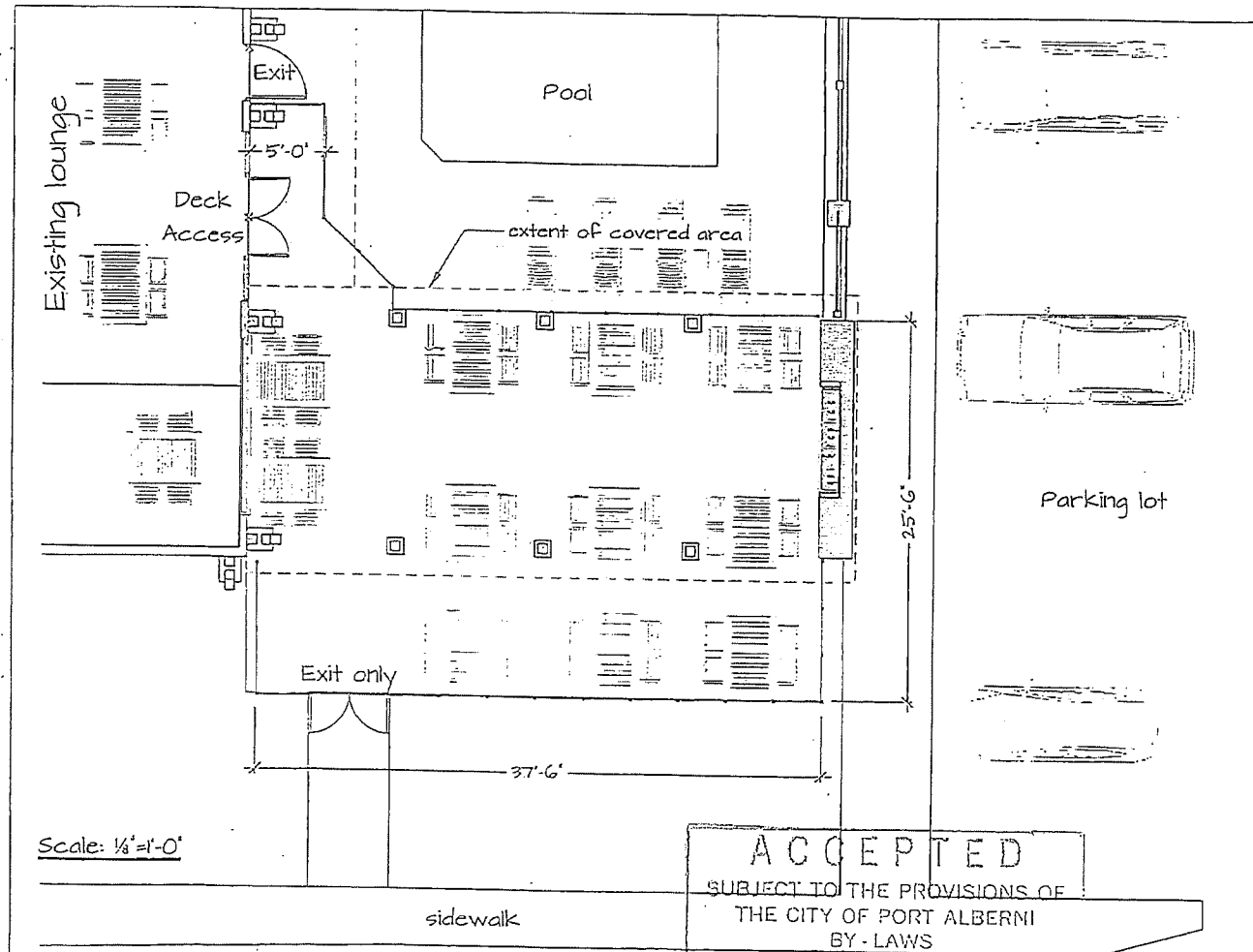
Under the Provisions of the *Liquor Control and Licensing Act*, the City is inviting the views of the public on the proposed amendment.

Any person who deems their interest affected by the above described application, may direct their comments to City Council by addressing a letter to the City Clerk, 4850 Argyle Street, Port Alberni BC V9Y 1V8 or via email to [davina\\_hartwell@portalberni.ca](mailto:davina_hartwell@portalberni.ca)

Submissions must be received by 4:30 pm on Wednesday, July 4, 2018.

Davina Hartwell  
City Clerk





Bill BARRETT  
 1277 STAMP MILL  
 PORT ALBERNI, BC  
 V9Y 7X8

OUTDOOR SEATING  
 CAPACITY AS OUTLINED  
 IN GRADING

AREA  
 $91.5 \times 25.1 = 2306.65 \text{ sq ft}$   
 $= 2306.65 \text{ sq ft} / 1.2 = 1922.21$

AREA APPROX  
 FOR 74 PEOPLE  
*[Signature]*



**CITY OF PORT ALBERNI**  
 Development Services

**KEVIN PETERS**  
 Building Planning Inspector  
 Bus: 250-720-2332  
 Fax: 250-723-3402  
 kevin.peters@portalberni.ca  
 www.portalberni.ca

City Hall  
 4850 Argyle Street  
 Port Alberni  
 British Columbia  
 V9Y 1V8

**ACCEPTED**  
 SUBJECT TO THE PROVISIONS OF  
 THE CITY OF PORT ALBERNI  
 BY-LAWS

FLOOR AREA AS INDICATED IN PLANS OF 956.25  
 ALLOWS FOR A MAXIMUM OF 74 PERSONS  
 BASED ON 1.2 M<sup>2</sup> PER PERSON.

DATE MARCH 22, 2018  
 BY R. Kelly  
 CITY OF PORT ALBERNI  
 FIRE DEPARTMENT



# CITY OF PORT ALBERNI

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## BYLAW SERVICES

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TO: Tim Pley, CAO  
FROM: Flynn Scott, Manager of Bylaw Services  
DATE: June 28<sup>th</sup>, 2018

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**SUBJECT: Bylaw Notice Dispute Adjudication Registry System**

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**Issue:**

To enter into an agreement between the City of Port Alberni and the City of Nanaimo for the purpose of joining the Bylaw Notice Dispute Adjudication Registry System ("DARS").

**Background:**

Bylaw notice tickets are enforceable under the City of Port Alberni's Bylaw Offence Notice Enforcement Bylaw No. 4929. This bylaw also regulates the Screening Officer process. In the event that a bylaw notice ticket is further disputed, a formal process, known as an Adjudication Hearing, must commence, as required under provincial legislation.

DARS is a partnership agreement between various municipalities (Duncan, Nanaimo, North Cowichan, Parksville, Port Clements, and Tofino) and hosted in Nanaimo, BC. The purpose of DARS is to alleviate costs associated with hiring an Adjudicator to review dispute bylaw notice tickets.

**Discussion:**

The cost to independently hire an Adjudicator for one day is approximately \$800.00. Depending on the total number of disputed tickets requiring review, it is likely that the cost to the City of Port Alberni would be substantially higher than the revenue returned from successful disputes. DARS offers a partnership agreement between various municipalities to share such a cost. The cost to each municipality is dependent on the number of disputed tickets brought forward. Each dispute incurs a \$25.00 fee – a cost that can be recovered as a surcharge and applied to the alleged offender (pending an unsuccessful dispute).

Other charges include a \$15.00 "host fee" per Adjudication Hearing date, as well as an annual fee of approximately \$100.00 to \$300.00, as determined by the City of Nanaimo.

Please refer to Appendix 1 for the DARS agreement.

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**Recommendation:**

*That the report from the Manager of Bylaw Services dated June 28<sup>th</sup>, 2018, be received and Council for the City of Port Alberni authorize the Mayor and Clerk to enter into an agreement with the City of Nanaimo for the purpose of joining the Bylaw Notice Dispute Adjudication Registry System.*

Respectfully submitted



Flynn Gray Scott  
Manager of Bylaw Services

**NANAIMO BYLAW NOTICE DISPUTE ADJUDICATION**

**REGISTRY AGREEMENT**

This Agreement dated \_\_\_\_\_ day of March, 2018 (the “Agreement”).

BETWEEN:

**CITY OF NANAIMO**, 455 Wallace Street, Nanaimo, BC V9R 5J6

(“Nanaimo”)

AND:

**CITY OF DUNCAN**, 200 Craig Street, Duncan, BC V9L 1W3

(“Duncan”)

AND:

**CITY OF PARKSVILLE**, Box 1390, 100 Jensen Avenue East, Parksville, BC V9P 2H3

(“Parksville”)

AND:

**DISTRICT OF TOFINO**, PO Box 9, 121 – 3<sup>rd</sup> Street, Tofino, BC V0R 2Z0

(“Tofino”)

AND:

**THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN**, 7030 Trans Canada

Highway, Box 278, Duncan, BC V9L 3X4

(“North Cowichan”)

AND:

**THE VILLAGE OF PORT CLEMENTS**, PO Box 198, 36 Cedar Avenue West, Port Clements,

BC V0T 1R0

(“Port Clements”)

AND:

**ADDITIONAL LOCAL GOVERNMENTS** (to be included in Schedule A, without further modification of this Agreement)

(the “Parties”)

**WHEREAS:**

1. The *Local Government Bylaw Notice Enforcement Act* (the “*Act*”) provides that a local government may, by bylaw, deal with a bylaw contravention by Bylaw Notice in accordance with the *Act*;
2. The *Act* also provides that two or more local governments may enter into an agreement adopted, by bylaw, by each local government that is party to it;
3. The Parties wish to:
  - (a) Share the costs of a bylaw notice Dispute Adjudication Registry System (“DARS”); and
  - (b) Enter an agreement to establish DARS, and to provide for the sharing of costs.

**NOW THEREFORE in consideration of the mutual promises contained herein, the Parties agree as follows:**

#### **INTRODUCTORY PROVISIONS**

##### **1. Definitions**

1.1 In this Agreement, the following definitions apply:

“Act”	Means the <i>Local Government Bylaw Enforcement Act</i> .
“Adjudication Fee”	Means the sum of \$25.00 payable to the applicable Party should the disputant be unsuccessful in the dispute adjudication.
“Agreement”	Means this Agreement.
“Authorizing Bylaw”	Means a bylaw adopted by each Party for the purposes of section 2 of the <i>Act</i> (application of the <i>Act</i> ).
“Bylaw Adjudication Clerk”	Means a person who facilitates a hearing and assists the adjudicator.
“Bylaw Notice”	Has the same meaning as in the <i>Act</i> .
“Consult”	Means to contact the Screening Officer via telephone, email, regular mail, or in-person for the purpose of obtaining information.
“Disputant”	Has the same meaning as in the Regulation.
“Dispute Adjudication Registry System” or “DARS”	Means a system established in accordance with the <i>Act</i> that provides for the hearing and determination of disputes in respect of whether: <ol style="list-style-type: none"><li>a) a contravention in a Bylaw Notice occurred as alleged; or</li><li>b) the terms and conditions of a compliance agreement were observed or performed.</li></ol>
“Host Municipality”	Means the City of Nanaimo.

“Parties”	Means all of Nanaimo, Duncan, Parksville, Tofino, North Cowichan, Port Clements or any additional local governments that may be added later in Schedule A
“Party”	Means any one of Nanaimo, Duncan, Parksville, Tofino, North Cowichan, Port Clements or any additional local governments that may be added later in Schedule A
“Regulation”	Means the Bylaw Notice Enforcement Regulation.
“Roster Organization”	Has the same meaning as the Regulation.
“Screening Officer”	Has the same meaning as in the <i>Act</i> .
“Terms”	Means the terms of this Agreement as set out herein.

**2. Establishment of DARS**

2.1 Subject to the *Act* and to the adoption of the Authorizing Bylaws, the Parties agree that DARS is hereby established.

**ADJUDICATION**

**3. Screening Officer**

3.1 The Parties agree that where a Screening Officer position has been established by a Party in accordance with the *Act*, a Bylaw Notice must be reviewed by that Screening Officer in that local government before a dispute adjudication may be scheduled. If a Disputant Consults a Screening Officer of the Host Municipality, a fee will be assessed under Schedule B.

**4. Dispute Adjudication Registry System**

4.1 The Parties agree that a DARS will be established as a function to manage disputes heard by an adjudicator who is selected by a Roster Organization in accordance with the Regulation.

4.2 The Parties agree that Nanaimo will enter into a contract with a designated Roster Organization for the purpose of providing dispute adjudication services to DARS.

**DARS OPERATIONS**

**5. Location**

5.1 DARS will be located in the Service and Resource Center, City of Nanaimo, 411 Dunsmuir Street, Nanaimo, BC V9R 5J6

**6. Services Provided**

6.1 Nanaimo will provide all administrative services required by DARS, including:

- (a) providing the venue and facilities to hear dispute adjudications in accordance with the *Act*;
- (b) submitting requests to the Roster Organization for the assignment of an adjudicator;
- (c) providing a Bylaw Adjudication Clerk on each hearing date to facilitate and support the hearing and the adjudicator;
- (d) providing venue security;



- (e) providing for the collection of Adjudication Fees and any penalties payable to a Party for a bylaw contravention;
- (f) obtaining legal advice and services to ensure this DARS is operating pursuant to the *Act*.
- (g) Issuing cheques to the applicable Party for penalty amounts collected with the Bylaw Notice number(s); and
- (h) Issuing invoices to the applicable Party in accordance with Schedule B.

6.2 Despite section 6.1 (e), the collection of penalties will be the responsibility of the applicable Party if not collected by DARS immediately following the adjudication.

## **7. Payments and Disbursements**

7.1 The Parties agree to pay the City of Nanaimo proportionate costs of the fees charged by the Roster Organization. Amounts owing are to be calculated based on the Fee Schedule at Schedule B and in accordance with the Municipality Rate Schedule at Schedule C.

7.2 Nanaimo will issue an invoice to the applicable Party within 30 days of the service being rendered. Amounts owing are due and payable within 30 days of receipt of the invoice.

7.3 For certainty, the Parties agree that hearing costs relating to witnesses, screening officers, bylaw enforcement officers or prosecuting lawyers will be borne by the Party that issued the Bylaw Notice and not by DARS.

## **GENERAL PROVISIONS**

### **8. Amendments**

8.1 The Parties may, in good faith, negotiate amendments to this Agreement upon request of any Party. All amendments will be in writing, approved by a two-thirds majority of the Parties by response letter only and listed as an itemized Amendment at Schedule D.

### **9. Dispute Resolution**

9.1 If a dispute arises under this Agreement and is not resolved by the Parties within 60 days, it will be settled by final and binding arbitration conducted under the *Commercial Arbitration Act of British Columbia*.

### **10. Term**

10.1 This Agreement comes into effect upon adoption of the authorizing bylaws and continues in effect until December 31, 2025. With the consent of a two-thirds majority of the Parties, the effect of this agreement can be extended until a new agreement is in place or until December 31<sup>st</sup>, 2026, whichever comes first. Any Party may withdraw from this Agreement upon 30 days' written notice to the other Parties.

### **11. Execution of Agreement**

11.1 This Agreement may be executed in counterparts through original copies, facsimile copies, or by email PDF copies. Each counterpart will be deemed to be an original that, together with

the other counterparts, constitutes one agreement having the same effect as if the Parties had signed the same document.

IN WITNESS WHEREOF all Parties have executed this Agreement on the date first above written.

**THE CITY OF Nanaimo**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE CITY OF Duncan**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE CITY OF Parksville**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE DISTRICT OF Tofino**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE CORPORATION OF THE  
DISTRICT OF North Cowichan**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE VILLAGE OF Port Clements**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**SCHEDULE B (FEES)**

DARS will operate under the following cost recovery fees:

<b>SUBJECT</b>	<b>FEE</b>
Hearing	\$25.00 per bylaw notice dispute resulting in a hearing
Screening Officer from Host Municipality	\$25.00 per bylaw notice Consult if Disputant contacts Screening Officer from Host Municipality
Adjudicator Cost	Apportioned amongst attending Parties at scheduled hearing proportionate to use as determined by the Screening Officer
Security	\$25.00 per bylaw notice hearing per attending Party
Maintenance and Hospitality	\$15.00 per bylaw notice hearing per attending Party
½ Day Hearings	\$400.00 charged in addition to Adjudicator Cost where a single dispute on a bylaw notice hearing ranges between 1-3 hours
Full Day Hearings	\$800.00 charged in addition to Adjudicator Cost where a single dispute on a bylaw notice hearing exceeds 3 hours
Annual Membership Fee—Fee Level 1	\$100.00
Annual Membership Fee—Fee Level 2	\$200.00
Annual Membership Fee—Fee Level 3	\$300.00

**SCHEDULE C (MUNICIPALITY RATES)**

This is the rate schedule for the following parties:

<b>LEVEL</b>	<b>MUNICIPALITIES</b>
Level 1	Village of Port Clements
Level 2	City of Duncan City of Parksville District of Tofino
Level 3	Corporation of the District of North Cowichan City of Nanaimo

Council Directed Action Items on Current Status Report					
	Meeting Date	Item	Strategic Plan Fit	Status / Recommendation	Priority
<b>Chief Administrative Officer (CAO)</b>					
1.	Regular March 27/17	MOU between City and Hupacasath First Nation	Goal #5: Responsive Government	Council to Council discussion	High
2.	Regular March 27/17	Renewal of Protocol Agreement with Tseshaht First Nation	Goal #5: Responsive Government	Council to Council discussion	High
3.	Regular March 27/17	Report regarding the Truth and Reconciliation Commission's specific Calls to Action and the United Nations Declaration of Indigenous Peoples	Goal #5: Responsive Government	Review pending completion of Reconciliation Committee work. Reconciliation Committee hosted a public input session on March 27, 2018 – will be reviewing final report and preparing recommendations	High
4.	Org. Structure Review	Pursue Shared Service opportunities with ACRD	Goal #5: Responsive Government	Ongoing. Direction from Council (May 15/17) to schedule meeting of Council to discuss this matter before requesting a meeting with the ACRD.	Medium
5.	January 8/18	Issue RFP for supply and installation of solar PV arrays on one or more city owned facilities		Not to exceed \$100,000 available in Carbon Reserve Fund. RFP currently being developed. Awaiting Engineer sign-off of roof load capacity	Medium
6.	Regular May 24/16  Special Dec 12/16	Staff to investigate potential for receiving market revenues for services from properties under jurisdiction of senior governments.	Goal #5: Responsive Government	Ongoing	Low
<b>Clerk's Dept.</b>					
7.	Regular April 23/18	Representatives of business, labour and the general public to develop formula for council wages taking into account recent tax changes		To be completed early August Deputy Director of Finance working with Committee – Report to Council August 13	High
8.	SICC Jan 7/08	Policy requiring review and adoption of Policy Manual following each general municipal election	Goal #5: Responsive Government	Recommend changes to Policy Manual. Ratification of all Policies in Manual by Council.	Medium
9.	Regular Sep 5/17	Update AV Community Forest Terms of Reference		City Clerk to review	Low

## Council Directed Action Items on Current Status Report

	Meeting Date	Item	Strategic Plan Fit	Status / Recommendation	Priority
<b>Parks, Recreation &amp; Heritage</b>					
10.	Regular March 27/17  April 23/18	Pursue development of a quad-partite agreement between City, Tseshaht, Hupacasath and ACRD for operation of the Alberni Valley Museum	Goal #1 Live Within Our Means	Separate meetings to be arranged with each of the parties to determine interest (City Clerk). In process – have reached out to each organization	High
11.	Regular Sept. 28/15	Review 'Partner in Parks' Program (City of Nanaimo) and provide recommendations	Goal #5: Responsive Government	Provide brief report to Council regarding potential of this program	Low
12.	Regular June 27/16	Draft development plan options for Canal Beach for public consultation regarding a long-term development plan.	Goal #4: Revitalizing Economy/Liveability	Kiwanis delegation April 24/17 – initiatives supported by Council. WFP advised of planned improvements.  Review of structural integrity of pier supports complete	Low
<b>Economic Development Dept.</b>					
<b>Engineering &amp; Public Works Dept.</b>					
13.	Regular Sept 14/15 Regular May 28/18 Regular June 25/18	Report recommending alternate truck route options (other than 3 <sup>rd</sup> /Anderson)	Goal #2: Connected Community	Bring forward project for consideration in 2019 budget	High
14.	Regular April 10/17  Regular Jan 11/16	Update of Active Transportation Plan with options for "AAA" bike facilities Create a phased implementation plan for all-abilities protected bike lanes including possible tree and garden planting (FSCDC Report)	Goal #2: Connected Community	Director of Engineering & Public Works	Medium

<b>Council Directed Action Items on Current Status Report</b>					
	<b>Meeting Date</b>	<b>Item</b>	<b>Strategic Plan Fit</b>	<b>Status / Recommendation</b>	<b>Priority</b>
15.	Regular Sep 5/17	Investigate improvements to intersection of Gertrude & Southgate	Goal #2: Connected Community	Report on traffic counts received and forwarded to ICBC for comment. Will consider what improvements can be made	Medium
16.	Regular Sep 5/17	Investigate improvements to intersection of Argyle & Anderson	Goal #2: Connected Community	Report on traffic counts received and forwarded to ICBC for comment. Will consider what improvements can be made	Medium
17.	Regular June 25/18	Proposal and design options to improve 3 <sup>rd</sup> Avenue (request from Uptown Merchants for Traffic Circle)			Medium
<b>Finance</b>					
18.	Regular Nov 27/17	Develop a purchasing policy that supports local vendors and contractors.	Goal #5 Responsive Government	Economic Development Manager reviewing	High
19.	Regular Dec 11/17	Review social procurement policy examples	Goal #5 Responsive Government		High
<b>Fire Dept.</b>					
<b>Development Services Dept. (Planning/Development)</b>					
20.	Regular Dec. 14/15	Report on secondary suite provisions of zoning bylaw including provisions for carriage houses	Goal #4: Revitalize Economy/Liveability		High
21.	Regular May 23/17 April 23/18	Commence remedial action against owner of Arrowview Hotel, Athol Street.	Safety Issue	Direction to proceed with Demolition order – notice provided. Awaiting prices from contractors for demolition	High
22.	Regular Jan 23/17	Issue RFP for sale and development of a portion of City owned property adjacent to Westporte	Goal #4: Revitalize Economy/Liveability	RFP to be issued – appraisal being undertaken	Medium
23.	Regular Feb. 9/16 Regular Dec 11/17	Draft bylaw to establish a Social Planning Commission	Goal #5 Responsive Government	Social Planning Council attendance at COW April 16, 2018 – no recommendation from COW to Council.	Medium

### Council Directed Action Items on Current Status Report

	Meeting Date	Item	Strategic Plan Fit	Status / Recommendation	Priority
24.	Regular May 15, 2018	Review current bylaws related to marijuana/cannabis to ensure compliance with potential fed govt changes			Medium

### Development Services Dept. (Bylaw Services)

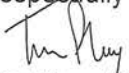
25.	Regular March 12/18	Bylaw enforcement compliance and enforcement Policy	Goal #4: Revitalize Economy/Liveability		High
26.	Regular May 23/17 Regular Feb 13/18	Report regarding the City's Nuisance Abatement Bylaw, including enforcement and increases to the fees and charges recoverable (update Schedule A)	Goal #4: Revitalize Economy/Liveability	Report/Bylaw July 9, 2018	Medium
27.	Budget Feb 1/18	Identify how fines levied under Nuisance Abatement & Property Maintenance Bylaws could help fund additional bylaw services in 2019.	Goal #4: Revitalize Economy/Liveability		Medium
28.	Regular Feb 13/18	Include Schedule A of Nuisance Abatement Bylaw with Property Maintenance Bylaw	Goal #4: Revitalize Economy/Liveability		Medium
29.	Regular Jan 22/18	Report and recommendations for consideration on panhandling bylaw	Goal #4: Revitalize Economy/Liveability		Medium
30.	Regular March 27/17	Report re general regulation and licensing of dogs		COW November 20/December 19, 2017	Low
31.	Regular March 27/17	Report re the current provision of parking enforcement within business districts	Goal #4: Revitalize Economy/Liveability	COW November 20/December 19, 2017	Low



**Council Directed Action Items on Current Status Report**

	<b>Meeting Date</b>	<b>Item</b>	<b>Strategic Plan Fit</b>	<b>Status / Recommendation</b>	<b>Priority</b>
32.	Regular June 11/18	Options re banning plastic straws			Low

Respectfully Submitted

  
Tim Pley - CAO

J:\Clerks\Council\RegularCouncilMeetings\Status Reports\2018\July 9\_18.doc

July 3, 2018

**CITY OF PORT ALBERNI DEVELOPMENT SERVICES  
DEPARTMENT  
MONTHLY REPORT FOR JUNE, 2018**

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For the month of June 2018 the Development Services Department reports the following significant items:

- The Approving Officer gave final approval for a 14-lot Bare Land Strata subdivision and a 4-lot fee-simple subdivision on McBride Street.

<b>DEVELOPMENT APPLICATION ACTIVITY REPORT</b>		
<b>Type</b>	<b>Year to Date - 2017</b>	<b>Year to Date - 2018</b>
Subdivision	5	7
OCP and/or Rezoning	5	3
Development Variance	0	0
Development Permit	2	1
Temporary Use Permit	0	1
Sign Bylaw	0	0
<b>Total Applications</b>	<b>12</b>	<b>12</b>

<b>RESIDENTIAL BUILDING UNITS COMPARISON</b>		
<b>Type</b>	<b>Year to Date - 2017</b>	<b>Year to Date - 2018</b>
Single Family	15	18
Duplex	2	0
Multiple	0	0
Secondary Suite	4	0
<b>Total Units</b>	<b>21 units</b>	<b>18 units</b>



# CITY OF PORT ALBERNI

## ENGINEERING & PUBLIC WORKS DEPARTMENT HIGHLIGHTS OF DEPARTMENTAL ACTIVITIES JUNE 2018

### PUBLIC WORKS - STREETS/ CONSTRUCTION/ UTILITIES/ MECHANICAL

- **North Park Drive – 7<sup>th</sup> Ave to 10<sup>th</sup> Ave:**
  - a. Completion of new sanitary sewer main and storm drainage
  - b. Road grade prep and final asphalt paving
  - c. Remaining work (July) – asphalt curbs and boulevard restoration



- **Hilton Ave Storm Drainage:**
  - a. Completed culvert replacement between 2433 & 2441 Hilton Ave
- **Roadway Line Painting and Thermoplastic Work:**
  - a. Completed repainting bike lanes and stencils, crosswalks, arrows and stop bars
  - b. July – painting of centre lines, shoulder lines, and dividing lines
- **Cemetery:**
  - 1 full burial, 1 burial of cremated remains, 4 plot marker installations

#### **Water Distribution**

- Implementation of Stage 1 water restrictions, effective July 1st
- Customer Water Service Requests – 29
- Repaired water main break (150mm dia cast iron) at 10<sup>th</sup> Ave and Redford St
- Serviced 28 fire hydrants
- Installed 2 new water services and renewed 2 water services (main to property)

### **Sewage Collection**

- Customer Sewer Service Requests – 17
- Processed 91 BC One Calls
- Sewer Service Cleanout installations and repairs at 7 homes

### **Mechanical Services**

- Performed PM services on 5 pieces of heavy equipment, and 8 fleet vehicles
- Performed R&M on 10 pieces of heavy equipment, and 5 fleet vehicles
- Fabricated stand for new PHEV charging station at City Hall

### **ENGINEERING**

- **Coal Creek Sanitary Sewer 5<sup>th</sup> Ave to 6<sup>th</sup> Ave**
  - a. Contract awarded to Hazelwood Construction Services
  - b. Construction scheduled to start mid-July
- **6<sup>th</sup> Avenue, Argyle St to Bruce St**
  - a. Continued to work with Koers & Associates on design, cost estimates, and strategies for phased implementation
- **Argyle St, 17<sup>th</sup> Ave to 21<sup>st</sup> Ave Water Main Replacement**
  - a. Continued to work with Koers & Associates on final design and cost estimates
  - b. Construction tender to be issued for fall 2018 construction



# CITY OF PORT ALBERNI

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## BYLAW SERVICES

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TO: Tim Pley, CAO  
FROM: Flynn Scott, Manager of Bylaw Services  
DATE: July 3<sup>rd</sup>, 2018

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**SUBJECT: Nuisance Abatement Amendment Bylaw No. 4969**

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**Issue:**

This report proposes an amendment to the "City of Port Alberni Nuisance Abatement 2008, Bylaw No. 4705" ("Nuisance Abatement Bylaw") by replacing Schedule "A" (Appendix 1) with a new Schedule "A" for the purpose of updating all fees.

**Background:**

Under sections 8 and 64 of the *Community Charter*, Council has the authority to regulate, prohibit, and impose requirements in relation to nuisances.

Pursuant to section 194 of the *Community Charter*, Council may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the municipality or the exercise of a regulatory authority by the municipality.

**Discussion:**

The fees specified in Schedule "A" (Appendix 1) of the Nuisance Abatement Bylaw reflects hourly rates dated back to 2008. The new Schedule "A" proposes an updated fee schedule to reflect current hourly rates for the City. The proposed hourly rates were researched and verified by the appropriate City staff.

**Recommendation:**

*That the report from the Manager of Bylaw Services, dated July 3<sup>rd</sup>, 2018, be received.*

*That "City of Port Alberni Nuisance Abatement, 2018, Amendment Bylaw No. 4969" be introduced and read a first, second, and third time.*

Respectfully submitted,

Flynn Gray Scott  
Manager of Bylaw Services

**CITY OF PORT ALBERNI**

**BYLAW NO. 4969**

**A BYLAW TO AMEND “CITY OF PORT ALBERNI NUISANCE ABATEMENT, 2008, BYLAW NO. 4705”.**

**WHEREAS** section 137 of the *Community Charter* provides that the power to adopt a bylaw includes the power to amend or repeal it;

**AND WHEREAS** the Council of the City of Port Alberni wishes to amend Bylaw No. 4705 by replacing Schedule “A” in its entirety;

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

**1. Title**

This Bylaw may be known and cited for all purposes as the “**City of Port Alberni Nuisance Abatement, 2018, Amendment No. 1, Bylaw No. 4969.**”

**2. Text Amendments**

“City of Port Alberni Nuisance Abatement, 2008, Bylaw No. 4705” is hereby amended as follows:

- a) By replacing Schedule “A” with Schedule “A” attached hereto and forming part of this Bylaw.

**READ A FIRST TIME THIS DAY OF, 2018.**

**READ A SECOND TIME THIS DAY OF, 2018.**

**READ A THIRD TIME THIS DAY OF, 2018.**

**FINALLY ADOPTED BY COUNCIL THIS DAY OF , 2018.**

---

Mayor

---

Clerk

**SCHEDULE "A"**

The following hourly rates will be charged for every hour or ¼ hour portion thereof which any of the following City staff, RCMP or Fire/Rescue Personnel use to deal with the abatement of a nuisance and depending upon the day of the week and the time of day which such services are required the hourly rate may be increased by one and a half or two times.

<b>City Staff</b>	<b>Hourly Rate</b>
Director of Development Services	\$60.21
Manager of Bylaw Services	\$43.59
Building Inspector	\$36.80
Bylaw Enforcement Officer/ Business License Inspector	\$33.95

<b>RCMP</b>	<b>Hourly Rate</b>
Inspector	\$67.00
Staff Sergeant	\$57.00
Sergeant	\$52.00
Corporal	\$48.00
Constable	\$44.00

<b>Fire/Rescue</b>	<b>Hourly Rate</b>
Fire Chief	\$62.49
Deputy Fire Chief	\$58.32
Captain	\$56.20
Chief Fire Prevention Officer	\$56.20
Fire Fighter	\$45.44

<b>Engineering/Public Works</b>	<b>Hourly Rate</b>
Superintendent	\$45.40
Charge Hand	\$36.66
Tradesperson	\$34.50
Operator	\$32.91
Labourer	\$28.56

The following hourly rates will be charged for every hour or ¼ hour portion thereof which any of the following equipment and vehicles are used to deal with the abatement of a nuisance and depending upon the day of the week and the time of day which such services are required the hourly rate may be increased by one and a half or two times.

<b>Equipment and Vehicles</b>	<b>Hourly Rate</b>
City Car	\$5.00
City Truck – Light	\$8.00
City Truck – Service	\$20.00
City Equipment	\$32.00
Fire Truck	\$100.00
Fire Vehicle, Inspector	\$10.00
Police Vehicles	\$10.00

<b>Contract Work and Contracted Equipment</b>	<b>Hourly Rate</b>
Cost plus 10% administration	N/A

**Subject:** present to UBCM; CST- Child Sex Trafficking in BC and how to stop it  
**Importance:** High

Dear Mayors, City Councils, Premier and Solicitor General of British Columbia,  
FYI, I have included a newspaper article from the Chilliwack Progress newspaper dated last Friday.  
The article describes the pandemic of CST and a summary of my presentation to the Chilliwack Youth  
and Children Committee.

**ASK:** please write a letter to the UBCM to support my presentation request for Whistler UBCM  
Convention in September.

I hope to hear from your communities. Our children are not safe in BC.

Thank you, Sincerely, Mrs. Cathy Peters BC anti-human trafficking educator, speaker, advocate  
Phone- 604-828-2689 #302-150 W. 15<sup>th</sup> St., North Vancouver, BC V7M 0C4

A MODERN EQUAL SOCIETY DOES NOT BUY AND SELL WOMEN AND CHILDREN.



# The Chilliwack Progress

Friday



Black Press

YOUR COMMUNITY NEWSPAPER • FOUNDED IN 1891 • WWW.THEPROGRESS.C



B.C. anti-child sex trafficking advocate, Cathy Peters, visited Chilliwack to motivate the community to help put an end to what she's calling "The new pandemic: Child sex trafficking in B.C. and how we can stop it." (Sarah Gawdin/The Progress)

## Chilliwack's children are at risk, says B.C. child sex trafficking watchdog

Cathy Peters wants Chilliwack to be a positive example for the province

Sarah Gawdin  
The Progress

A B.C. former teacher turned advocate wants to help "make Chilliwack an example for the rest of the province," when it comes to putting an end to child sex trafficking.

Cathy Peters says she's always had a soft-spot for children, but it wasn't until her son began working for a Manitoba MP that the safety of children became her key priority.

Where Peters taught in

Delta was near what's called "a kiddie stroll," she said. "A place where children would walk up and down the street to sell their bodies." At the time, her goal was just to get her students to successfully complete Grade 10.

Today, her mission has expanded from getting kids to a certain point in their education, to preventing them from ever being sold into the sex trade. As a result, Peters has been presenting all over the province to police, city councils, schools, churches,

and whomever else she can, to talk about what she's calling a new pandemic: child sex trafficking in B.C.

In the past two-and-a-half years, Peters has presented to more than 180 groups free of charge.

"British Columbia is the best place in Canada and North America for sex buyers," said Peters during her presentation in Chilliwack's Neighbourhood Learning Centre on June 19.

And Peters wants to make sure Chilliwack, with its close proximity to the American border, has its eyes wide open when it comes to the safety of the community's children.

"Don't fool yourselves," she said, looking around at the dozens of people who attended her presentation. "You have a very big problem here. Don't be surprised if you find prostitution rings in the high schools."

"Where children play, predators prey," Peters said simply. "Child sex trafficking is all about the money," continued the retired schoolteacher. The average pimp, says Peters, can get anywhere from \$280,000 to \$360,000 per year per victim. And right now, the most popular commodity on the sex trade market are young, white girls between nine- and

Continued on Page A6

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REGULAR COUNCIL AGENDA - JULY 19, 2018

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# News

## Accident?

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initial consultation.

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Law Group LP

r compensation

Box 372, V2P 6J4  
4-792-1906  
erwestlaw.com



6pm, Th-Fr 10-8pm  
10, Sun 11-4pm

# Participants urged to report sex trafficking

Continued from Page A1

14-years-old.

"And our aboriginal girls are getting destroyed by this," added Peters.

Const. Isabelle Christensen, who has been a member of the RCMP for more than two decades, sat in on Peters' discussion.

"I think when we hear human trafficking we think of something different than what it is," said the community liaison officer. "We'd like to think we don't have that problem in Chilliwack, but seeing how it's defined, it's more like the old version of prostitution and johns."

And the best way to combat that model says Peters, is to focus on what she calls the "Two Es": education and enforcement.

In 2014, Canada enacted Bill C-36, the Protection of Communities and Exploited Persons Act, which made the buyers of sex criminals, and those selling sex victims. However, Pe-

ters says it's poorly enforced, which has lit the region up like a beacon to those looking to buy illicit sex.

"Our federal government is on the trajectory to fully decriminalize prostitution ... We already have johns who act with impunity ... and this will lead to brothels in every community. We are headed for hundreds

over the course of a month to make her presentation. "Don't take (issues) on personally, get the police involved.

"I hear all the time from police, 'We just don't get the reports.' So I beg of you, report it," Peters continued.

And while the police reports help tremendously, Peters says the other aspect of ending this pandemic is ensuring a community has the right services to help victims escape with their lives.

Having seen a lot in her career with the RCMP, Christensen says one of the most important things that she walked away from Peters' presentation with was the resources we have available at our fingertips.

"It opened my eyes to the services we have," said the community-based officer. "The possibility of help is there."

For more information on the services Chilliwack has to offer, visit the local services website at [www.comserv.bc.ca](http://www.comserv.bc.ca), or the Child and Youth services web-

### "Where children play, predators prey"

Cathy Peters,

Anti-child sex trafficking advocate

of (Robert) Picktons (at this rate)," continued Peters.

But even in the darkest of places, the smallest bit of light helps. And Peters says Chilliwack is primed to be a leader in ridding the province of this criminal blight.

"You have a great detachment here, work with them!" exclaimed Peters, who met with each of the city's four watches

# WOODY'S

# SAVINGS

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### Ultra-Light Trailers

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Double over Double Bunks w/  
Sofa/Dinette Slide

WAS \$44,980 NOW \$27,643



Stk# 35367

### 2019 Wilderness 2500RL

U-Shaped Dinette Slide -  
Rear Recliners  
WAS \$51,980 NOW \$28,812

\$118 Bi-Weekly

OAC, ZERO Down, 60/240

WOW Save Today!!



Watershed Forest Alliance,  
3668 Craig Road.  
Port Alberni, B.C.

City of Port Alberni,  
4850 Argyle Street,  
Port Alberni, B.C.

July 1, 2018

**Correspondence for action**

**Briefing note: Opportunity to direct federal conservation funding to BC Land Acquisition Fund**

Attn: Mayor and Council

**Summary**

With \$1.3 billion being allocated to expand Canada's protected area system in the federal government's 2018/19 budget, including a \$500 million Nature Fund that will help protect more private lands, a unique opportunity currently exists to direct federal funds to protect the watersheds, old-growth forests, and lands of high conservation and recreational value in the Port Alberni area. These funds can be augmented by provincial funding contributions for purchases of endangered private lands.

**Background**

Conservationists have long been calling on government to fund the protection of endangered old-growth forests on private lands in the Port Alberni area, including in the city's drinking watershed, which feature extremely scarce old-growth Douglas-fir forest, high quality ungulate (deer) winter range, and endangered Queen Charlotte goshawk habitat.

Establishing new protected areas on these and other endangered private lands requires the outright purchase of lands from willing sellers.

**Federal Conservation Funding**

In its February 2018 budget, the Canadian government earmarked \$1.3 billion over five years to expand protected areas and help endangered and threatened species. The commitment aims to fulfil Canada's pledge under the Convention on Biological Diversity to safeguard at least 17 per cent of Canada's land and inland waters by 2020.

\$500 million of this funding is committed to a "Nature Fund," which will target more private land for conservation and be specifically dedicated to provincial, territorial, and Indigenous government spending for protection of land in their jurisdictions. The Nature Fund is aimed at protecting sensitive

ENTERED

ecosystems, expanding species protection, and helping Indigenous groups play a role in conservation efforts.

The initiative is expected to leverage an additional \$500 million from the private sector and other levels of government.

***Opportunity for Provincial Land Acquisition Fund***

Since there is no dedicated, annual provincial funding to acquire major tracts of endangered land in BC, conservationists are recommending the BC government establish a dedicated annual Land (or “Park”) Acquisition Fund to purchase and protect private lands to add to BC’s protected areas system.

Once accessed, the BC government should commit a portion of the federal government’s Nature Fund, with a matching provincial funding contribution, to a dedicated provincial land acquisition fund to purchase and protect private lands in BC. The proposed fund should start with a minimum annual \$40 million commitment and rise to an annual \$100 million by 2024 through \$10 million increases each year and would enable the timely purchase of significant tracts of endangered private lands of high conservation, scenic, and recreation value to add to BC’s parks and protected areas system.

The Port Alberni Watershed-Forest Alliance believes the federal government’s funding commitment presents an exceptional opportunity to protect rare and sensitive forest ecosystems in the Port Alberni area. This includes contentious old-growth forests located in Cameron Valley Firebreak, Katlum Creek, McLaughlin Ridge and China Creek drinking watershed, and on Horne Mt above the iconic Cathedral Grove.

These lands are part of 78,000 hectares of land (originally owned by Weyerhaeuser, followed by Island Timberlands) that were removed from Tree Farm Licence (TFL) 44 on Vancouver Island in 2004, thereby removing the BC government’s planned environmental policies and/or regulations intended to protect the area’s species at risk (in Wildlife Habitat Areas), old-growth forests, deer and elk winter ranges (in Ungulate Winter Ranges), and riparian areas; to control the rate of cut; and to restrict raw log exports to protect local mills.

Protecting these areas would conserve vital habitat for endangered species, as well as Roosevelt elk, deer, and other wildlife; ensure clean and abundant water for fish and drinking watersheds; protect hiking, hunting, fishing, and recreational areas; and would provide huge potential for eco-tourism ventures in the area.

The Association of Vancouver Island and Coastal Communities (AVICC), numerous municipal councils and the Islands Trust, and 19 environmental and recreation organizations, including the Ancient Forest Alliance, Sierra Club of BC, Wilderness Committee, BC Spaces for Nature, CPAWS BC, and BC Federation of Mountain Clubs, have pledged their support for a provincial land acquisition fund.

Environment and Climate Change Canada has yet to provide details on the timeline for the Nature Fund’s distribution, criteria for accessing the funds, or cost-sharing requirements. However, we ask that you support the allocation of federal funding from the Nature Fund, along with a significant

funding contribution from the BC government, to a provincial Land Acquisition Fund for the purchase and protection of endangered forest lands in the Port Alberni area, with McLaughlin Ridge in the China Creek watershed being of the highest priority.

Sincerely,

Jane Morden ,  
Coordinator, **Port Alberni Watershed-Forest Alliance**

# THE CORPORATION OF THE TOWNSHIP OF SPALLUMCHEEN

4144 Spallumcheen Way, Spallumcheen, BC V0E 1B6  
Phone: 250-546-3013 • Fax: 250-546-8878 • Toll Free: 1-866-546-3013  
Email: mail@spallumcheentwp.bc.ca • Website: www.spallumcheentwp.bc.ca



June 8<sup>th</sup>, 2018

Ministry of Finance  
Honourable Carole James  
PO Box 9048  
STN Prov Govt  
Victoria, BC  
V8W 9E2

Re: Employer Health Tax Impact on Local Government

To Whom It May Concern,

This is to advise that the Township of Spallumcheen Council passed the following resolution at its Tuesday, May 22<sup>nd</sup>, 2018 Regular Council Meeting:

*"THAT the Township of Spallumcheen Council, based on the survey results and the financial impacts identified, inform all Union of British Columbia Municipalities (UBCM) participants and appropriate Ministries that the Council of Spallumcheen opposes the implementation of the Employer Health Tax (EHT);*

*AND THAT based upon the logic that the imposition of incrementally sustainable increases in taxation to residential, commercial and industrial zones through City and municipal taxation will ultimately negatively affect the very citizens of British Columbia it is purportedly required to assist."*

Because Spallumcheen is ultimately a farming community with a very limited tax base due to farming tax breaks, the negative impacts the EHT will have on the few industrial and commercial operations located in our community could adversely damage these industrial partners that make Spallumcheen sustainable for all residents.

If you have any questions in this regard, please contact the undersigned.

Respectfully,

A handwritten signature in black ink that reads "Janice Brown". The signature is written in a cursive style.

Mayor Janice Brown

cc: UBCM  
Member Municipalities  
Chief Financial Officer

# MINUTES FOR AQC MEETING

JUNE 12, 2018, 2pm

ACRD Board Room

Present: Larry Cross (Catalyst Paper)  
Dave Jarrett (Community at large)  
Earle Plain (MOE)  
Anna Lewis (Chair)  
Gary Swann (Community member)  
Judy Carlson (Community at large)  
Patty Edwards (MLA's Office)  
Keith Wyton (ACRD)  
Via phone: Jade Yehia (Island Health)  
Via phone: Gethsemane Luttrell (on behalf of Karen Larsen, First Nations Health Authority)

Regrets: Kelly Gilday (Fire Department)  
Chris Alemany (City of Port Alberni)  
Ashley Popovich (Catalyst Paper)  
Stephanie Bruvall (Island Health)

Meeting called to order at: 2:03

## 1. WELCOME – acknowledgement of traditional territories

## 2. APPROVAL OF AGENDA

-Addition of discussion of letter received today from the Citizen's Stewardship Coalition and points that emerged from their meeting, June 10<sup>th</sup>.

## 3. UPDATES

- VIU: Regional Mapping Project Anna  
-Dr. Erik Krogh and PhD students scouted the area including locations for both mobile and stationary deployments including the Port Authority lands, Catalyst, the landfill, wastewater treatment facility, waterfront area and main traffic corridors. A draft proposed route is attached. See Appendix A.  
-VIU met with Tseshaht to present the project and better understand their concerns. They will provide access and are developing a document with them to outline a separate data management and communications plan.  
-Erik is planning on following up with the City re a presentation and/or press release.

*After reviewing the route plan main points that emerge from AQC stakeholders:*

*- With Bernadette Wyton's initial nephelometer route including quite a bit of the Cherry Creek area, Gary Swan proposed that the route could incorporate more of this area as it would allow for some comparisons. Will propose that winter sampling can prioritize the Cherry Creek region in the route.*

*-Keith Wyton wanted it noted that having the data that is collected on the Tseshaht FN for their exclusive use raises interesting conundrums as it defeats the idea of a community approach to air quality or a regional air mapping project if all sample data is not shared or included in final document and/or community presentation.*

*-Winter months is when the tire burning of the mill occurs.*

*-Sample at the onsite treatment plant at Catalyst.*

- Woodstove Exchange Anna
  - only two completed exchanges thus far. 1 for the \$250 voucher and 1 for the \$400 voucher. June 30<sup>th</sup> is final day for exchanges before summer and was set to resume after Labour Day weekend but due to the low exchanges will try to move up to August 21<sup>st</sup>. Will promote heavily at the Fall Fair event.
  - Anna to connect with retailers, WETT inspectors to encourage promotion of WSE and to ask if number of woodstove replacements has gone down in comparison to prior years.
  
- Recap of community engagement/stakeholder engagement pieces Anna
  - and where the Vancouver Foundation project is at.
  - 1.5 people attended the community engagement piece
  - 8 people were at the stakeholder session although 14 had RSVPed and two of those that came by had not RSVPed.
  - Due to low attendance of engagement pieces Genevieve is trying a different tactic and hosting three coffee house sessions as well as two surveys to engage more people. Dates for coffeehouse: Wednesday June 20 Steampunk Café 5-6pm; Monday June 25, Burde Beans 12-1pm; Wednesday June 27, Burde Beans 12-1pm
  - Final report due: July 31st
  
- 4. **Firesmart Grant: City and ACRD** Anna

"The ACRD and the City of Port Alberni received grant funding from UBCM to provide Fire Smart initiatives throughout the valley. These initiatives include community presentations on how to prepare your property to prevent wildfire from spreading to your home. This work is done in cooperation with the BCWS." Kelly will relay information as to dates for community engagement as they come up so we can spread the word.
  
- 5. **Presentation to Catalyst Port Alberni Operations** Larry
  - Power boiler particulate (quarterly test) – continues to be low ~ 3-5 mg/m<sup>3</sup>
  - Power boiler dioxins (annual pair of tests) – Dec. 2017 tests at the low end of historical range
  - TDF (chipped tires) continues to be used to support combustion of wetter hog fuel in winter months ~ 2000 tonnes / year
  - Greenhouse gas emissions (reported Federally & Provincially each year)
    - 2017 CO<sub>2</sub>e similar to 2016
  - Shortage of hog fuel earlier this year resulted in burning some additional natural gas; this does add incentive for steam use saving ideas
  - Achieved a 5-10% reduction in "fibre loss" from paper machines to effluent treatment system (saves fibre & \$\$)
  - 21% increase in BC permit fees (for effluent, air emissions & landfill)
    - (last time they were increased was 2006). Total is now ~ \$125,000/year.



- Successfully achieved registration to the latest 14001:2015 ISO standard for Environmental Management Systems ; standard now refers to Interested Parties such as this AQC, not just laws and legal requirements
- Progressing 10 year Dam Safety Review for the Great Central Lake dams; no significant issues identified
- Working with ACRD and other stakeholders on management of the weir on the Sproat River (re winter flooding both lakeshore and downstream)
- The 2 mills in the US that were acquired in 2015 have been sold (Biron, Wisconsin and Rumford, Maine)
- Mill has a Total Mill Outage scheduled for October 2018  
-2 day shutdown of everything including water and steam to allow repairs/inspections; last done 2013
- Crofton – application to pump water “over their weir/dam” to maintain flow in the Cowichan River in dry years
- Powell River – plan to sink one of the historical “hulk” breakwater ships for a dive site
- Catalyst is a private company as of last year
- Port Alberni operation currently has 2 paper machines
- Trialing production paper for food industry (ie. Wrappers for fast food)

*Discussion that emerged from presentation:*

*-Anna: the last couple months there seems to be a frequent low stack velocity and related lingering pollution. Any idea what is going on with the Catalyst operations that may be contributing to this? A few complaints related to odour the past little while. While unsure what may be contributing to this and the smell that may correlates to the mill activity, it is possible that if the plume is cooler the plume rise is lower.*

*-Keith: Does Catalyst intend to purchase the 30 acres across from the Barclay Hotel for another potential sawmill? Larry can direct question to the appropriate person as he cannot comment.*

*-Gary: spoke to the issue of forest debris being burnt. In a recent webinar on biodynamics and permaculture a third of the time was spent talking about water in the forests and the main idea was that you should keep material around as long as you can and let wood decompose naturally. Would be interesting to see a forest try to utilize their wood through the creation of swales (depressions along a contour) and berms and see what the results are. Don't remove waste by burning as eventually that wood does turn into soil.*

## 6. Cantimber Biotech termination

Earle

The Port Alberni Port Authority issued a press release May 31<sup>st</sup>. See Appendix B. Cantimber Biotech and PAPA have officially terminated their relationship and the biochar facility will not move ahead.

The CSC (Citizen Stewardship Coalition) met June 10th to go over the Cantimber Biotech termination and out of that gathering there emerged a few points that are worthy of mentioning and potentially taking a closer look at. Points B and C could potentially be integrated into airshed management plan.

Some of the points that came out of gathering:

- a) Call for a project proposal review policy (front and hind end)

- b) Call for an industrial park that is properly sited (away from residences and the waterfront) for industry that doesn't require water access.
- c) Call for land use planning principles that reflects the public desire for more habitation, amenity and citizen access to the waterfront.
- d) Call for better leadership and a more democratic governance for our port.
- e) Thank Earle Plain, Paul Hasselback and the AQC for their vigilance and concern. See Appendix C for letter from coalition.

*Further discussion that emerged:*

*-the idea of a light industrial/industrial park being sited/identified through a community planning process would provide incoming industry some assurance that they can move forward with their project. The Bainbridge area and the Link Mill site by Cameron Shop towards Bamfield were both referenced.*

*-Cheryl MaKay from the Ministry of Economic Development is interested in developing a lessons learned document. Anna believes that Keith Hunter was working on something related to this for the FLNR and will follow up on.*

7. **Securing funding for the air emissions inventory to occur.** Earle/Anna
- Province has set aside \$20,000 for Port Alberni but still need to come up with \$10,000. Earle does not know if this opportunity will arise again. Key technical piece of airshed management strategy.
  - Anna has identified a few grants which may be applicable:
    - 1)Coastal Community Credit Union: Building Healthier Communities grant. The primary purpose of the BHCF is to provide onetime financial support or 'seed money' for initiatives that contribute to building healthier island communities. Up to \$5,000. Next intake is July 15th
    - 2)Plan H. (doesn't directly relate but could be used for community forum and continued work on airshed strategy) Grants of up to \$5,000 each are available for up to 15 local governments working with health authorities and other partners to better understand priority areas and local needs and to take action to improve the built and/or natural environments in their community or region. The ACRD, pending a resolution, would apply on behalf of the Air Quality Society.
    - 3)First Nations Health Authority Contaminants Funding: Brandy from Hupacasath had recommended the AQC investigate this further.
    - 4)Alberni Valley Community Foundation timing does not work but something to keep in mind. Due in February with cheques coming out the end of May.
    - 5)If grants and fundraising come short some of the funds designated towards wage of AQC chair could be utilized.
    - 6)Green Infrastructure Projects: Eligible projects will support public infrastructure, defined as a tangible capital asset primarily for public use and benefit. To be eligible, projects must meet at least one of the following outcomes:
      - Increased capacity to treat and/or manage wastewater and stormwater
      - Increased access to potable water
      - increased capacity to reduce and/or remediate soil and/or air pollutants
  - Jade is going to check into if this grant is actually applicable to the AQC as after initial reading seems more water and building associated infrastructure.

*-Earle needs some sort of confirmation that Port Alberni will be able to attain \$10,000 by November at the latest. The earlier the better to ensure earmarked provincial funds to not get frozen or reallocated.*

8. **Direction and Focus of AQC chair for the next couple months.**
  - Plan H grant, Coastal Community Grant; increased social media outreach; VF; Fall Fair; development of RD open burning bylaws and WSE; outreach to retailers for heavier promotion of WSE; development of brochures and materials; potentially connecting with SD70 and Bulldogs around air quality; fall forum
  
9. **AQC booth at Fall Fair (Sept. 6-9<sup>th</sup>)**
  - could potentially combine a booth with the ACRD (perhaps they will have emergency response coordinator)
  - heavy promotion of the woodstove exchange
  - outdoor burning bylaw changes for regional district
  - survey and associated material
  - Anna can person partially but also personning the Agriculture table so would need some assistance if not sharing a space with the ACRD.
  
10. **Fall Forum**
  - end of October was suggested but looking at the municipal elections it appears as if mid-November would be a better timeframe
  - will look at incorporating into the Plan H grant
  - speaking with Paul Hasselback he would like about 3 months lead time to ensure that he can be present
  
11. **Next Meeting and presentation**
  - Most likely Thursday, September 13<sup>th</sup> or 20<sup>th</sup>. Will send out email mid-August to AQC members
  - Jade Yeha offered to do presentation on health data and associated granularity

Meeting adjourned at 4:10

## **APPENDIX A**

### DRAFT Route Plan

For *Regional Air Quality Mapping Pilot Project (2018/19)*

#### **Dates:**

Five (5) sampling days in July/August including early mornings during high pressure conditions.  
Five (5) sampling days in Dec/January including some early evenings during cold dry conditions.

#### **Fixed Locations:**

Tourist Info (Alberni Hwy & Port Alberni Hwy junction)  
Port Alberni Elementary School (Helen & Arrowsmith)  
Waterfont Park (Johnston & Victoria Quay)  
Catalyst (Stamp Ave)  
Harbour Quay Pier (Argyle)  
Port Alberni Port Authority (Harbour Rd)  
ACRD Landfill (Landfill Rd)  
City wastewater treatment facility lagoons

#### **Drive Routes (East side of inlet):**

Follow Alberni Hwy to Johnston  
Right on River Rd to Falls St  
Right on Falls to Malabar  
Right on Malabar to Beaver Creek  
Right on Beaver Creek to River Rd  
River Rd to Victoria Quay to Roger  
Left on Roger to Stamp Ave  
Right on Stamp Ave to Harbour Rd  
Left on Ship Creek to 3<sup>rd</sup> Ave to Argyle  
Right on Argyle to 5<sup>th</sup> Ave to Neill St  
Left on Neill St to 10<sup>th</sup> Ave  
Left on 10<sup>th</sup> Ave to Burde St  
Left on Burde St to 4<sup>th</sup>  
Right on 4<sup>th</sup> to Maitland St  
Right on Maitland St to 6<sup>th</sup>  
Right on 6<sup>th</sup> St to Bute  
Left on Bute to 8<sup>th</sup>  
Left on 8<sup>th</sup> to Roger St  
Right on Roger to 10<sup>th</sup>  
Right on 10<sup>th</sup> to Redford  
Left on Redford to Port Alberni Hwy back to Tourist Info

#### **Drive Routes (West side of inlet):**

Fixed locations only at Landfill and WWTP facility

**Contacts for site access:**

**Port Alberni Port Authority**

David McCormick, Director Public Relations, 250-723-5312

[dmccormick@alberniport.ca](mailto:dmccormick@alberniport.ca)

Ron Kyle, Operations Manager, 250-723-5312 or 250-731-5437

[rkyle@alberniport.ca](mailto:rkyle@alberniport.ca)

**Catalyst Paper**

Larry Cross, Manager Environment, 250-724-7889 or 250 735-0426

[Larry.cross@catalystpaper.com](mailto:Larry.cross@catalystpaper.com)

**Landfill**, Alberni Clayoquot Regional District

Doug Holmes, Chief Administrative Officer, ACRD or designate

[dholmes@acrd.bc.ca](mailto:dholmes@acrd.bc.ca)

**Wastewater Treat Plant**, City of Port Alberni

Tim Pley, Chief Administrative Officer, City of Port Alberni or designate

[Timothy\\_pley@portalberni.ca](mailto:Timothy_pley@portalberni.ca)

**Waterfront Quay**, City of Port Alberni

Tim Pley, Chief Administrative Officer, City of Port Alberni or designate

[Timothy\\_pley@portalberni.ca](mailto:Timothy_pley@portalberni.ca)

**Fire Hall (10<sup>th</sup> & Bute)**

Kelly Gilday, Chief

**Tseshah FN**

Darren Mead-Miller, Executive Director, 250-724-1225 or 250-735-0260

[executivedirector@tseshaht.com](mailto:executivedirector@tseshaht.com)

**Project Contact Personnel:**

Dr. Erik Krogh, Co-Director Applied Environmental Research Laboratories,

Vancouver Island University

Dr. Nick Davey, Research Associate, Applied Environmental Research Laboratories, Vancouver Island

University

## **APPENDIX B**

### **Notice of Termination of The Licence of Occupation from the Port Authority to Cantimber Biotech Inc.**

The Port Alberni Port Authority (PAPA) is disappointed to announce that the Licence of Occupation and, with it, the efforts to achieve an Operating Permit, with Cantimber Biotech Inc. (Cantimber) has been terminated .

After much research and efforts among PAPA, the City, British Columbia Ministry of Environment and many community stakeholders, including local small businesses, the Company achieved an agreement in May, 2015 to create and operate an activated carbon manufacturing facility in one of the Port's storage warehouses. The goal was to utilize wood waste that remains from area logging operations – much of it burned off every year, harming our air shed – into a value-added commodity product used for many environmentally-beneficial activities, such as water filtration and natural fertilizer. However, concerns about potential adverse air quality and health impacts arose during the company's operational commissioning trials resulting in the ceasing of operations in June 2016.

The Port authority invested a significant amount of its own resources to engage community partners and contract Golder & Associates to conduct a thorough operational review. PAPA invested these resources on behalf of our shared priorities with the community for a healthy environment and economic development. The result of Golder's review was a report completed in December of 2016 listing 21 recommendations. This report was shared with and vetted by community partners, including BC Ministry of Environment, Vancouver Island Health Authority, First Nations Health Authority and the City of Port Alberni, in December of 2016, listing 21 recommendations. The recommendations needed to be implemented before a new, revised permit to operate would be issued to Cantimber by PAPA.

Unfortunately, after more than a year of additional support, encouragement and best efforts by PAPA, Cantimber was unable to meet the requirements to operate. Therefore, the Port and the company have mutually agreed to terminate the licence of occupation. The result of this decision is that the facility will be dismantled and assets made available for sale in accordance to due process.

The Port thanks the community and partners for your patience, interest and contributions to our efforts to foster economic development while ensuring our health and safety. We will continue to fulfill our mandate to facilitate economic and community development as we work to support the diversity, transition and prosperity of our community, region and country.

For more information please contact:

Zoran Knezevic:  
President & CEO  
Port Alberni Port  
Authority  
Ph: 250-723-5312  
E: [zknezevic@alberniport.ca](mailto:zknezevic@alberniport.ca)

## APPENDIX C

### Citizens Stewardship Coalition

June 12, 2018

Air Quality Council of Port Alberni  
Earle Plain  
Paul Hasselback

Dear Earle, Paul, and AQC Members,

On June 10, 2018 fourteen people including all of the directors of the Citizens Stewardship Coalition gathered to acknowledge the termination of the Cantimber project and consider possible helpful actions that might emerge from the Cantimber experience.

There was a shared feeling of relief to be released from further grappling with Cantimber operations. There was also a shared feeling of gratitude for the constructive effort so many brought to the issue.

The Citizens Stewardship Coalition would like to thank the Air Quality Council for the firm direction and forbearance offered during the Cantimber Controversy and for their ongoing commitment to airshed management on behalf of our community.

The Citizens Stewardship Coalition would also like to thank Earle Plain and Paul Hasselback for the effort and vigilance they maintained through the extended period of difficulties arising from the Cantimber project. Their wisdom, diplomacy, and commitment to good air quality and health is exemplary,

Many thanks to all of you on behalf of the Citizens Stewardship Coalition,

A stylized, handwritten-style signature of the letter 'K' in a dark grey color.

Keith Wyton, President

June 18, 2018

Ms. Davina Hartwell, City Clerk  
City of Port of Alberni  
4850 Argyle Street,  
Port Alberni, BC V9Y 1V8

RECEIVED

JUN 25 2018

CITY OF PORT ALBERNI

Dear Ms. Hartwell:

Thank you for your May 30, 2018 letter on behalf of the City of Port Alberni regarding changes to the Net Metering Policy. We appreciate the opportunity to explain the rationale for the program changes.

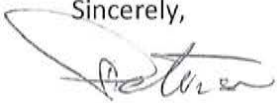
The intent of the Net Metering program was to allow customers to offset all or part of their electricity use with their own clean energy. However, at the time of the amendment, some residential customers have installed significantly oversized generation compared to their load, resulting in significant payouts (up to \$60,000/year). The Net Metering program was not intended to be a revenue generating program, and the costs associated with these payouts are covered by all BC Hydro customers.

I understand that the City of Port Alberni has a 1 kW solar installation on a municipal structure, which will not be affected by the interim amendment. The amendment was put in place as a temporary solution to limit those customers who are intentionally oversizing their generation. We support the city's efforts to promote the installation of solar technology.

While the interim amendment is in place, BC Hydro is conducting a review of the Net Metering program to ensure it will be sustainable. This review will include stakeholder engagement and opportunities for customers like the City of Port Alberni to provide feedback to us. We hope you will participate in these future discussions. You can join Power Acquisitions Mailing List at <https://www.bchydro.com/acquiring-power-mailing-list.html>.

If you have any further questions in the interim, please contact our Net Metering Program Manager, Alevtina Akbulatova at 604-623-3878.

Sincerely,



Ken Peterson  
BC Hydro, Executive Chair





# CITY OF PORT ALBERNI

City Hall  
4850 Argyle Street,  
Port Alberni, BC V9Y 1V8  
Telephone: 250-723-2146  
www.portalberni.ca

Fax: 250-723-1003

May 30, 2018

BC Hydro  
P.O. Box 8910  
Vancouver, B.C.  
V6B 4N1

ATTN: Ken Peterson  
Executive Chair of the Board

Dear Mr. Peterson:

At a regular Council meeting on May 28, 2018, Council for the City of Port Alberni endorsed the following resolution:

*That the City of Port Alberni send a letter expressing concern in proposed changes to BC Hydro's Net Metering Policy in light of the City's efforts to promote the installation of solar technology on city, residential, and commercial buildings.*

City council is concerned that the proposed change, which will limit the energy being returned to the power grid, will change the dynamics and cost effectiveness of installations quite dramatically.

The City of Port Alberni is currently pursuing solar energy efficiencies as one component in becoming a more energy self-sufficient community. BC Hydro's proposed changes to the Net Metering Policy is considered by City Council to discourage our citizens from investing in micro-power generation projects and by extension, energy conservation efforts.

The City of Port Alberni therefore requests that BC Hydro reconsider the proposed changes to the Net Metering Policy.

Yours truly,  
CITY OF PORT ALBERNI

**ORIGINAL SIGNED BY**

Davina Hartwell  
City Clerk

J:\Clerks\Letters\ID G H\Other\2018\BC Hydro\_net metering policy concerns\_May30.docx

June 29, 2018

Mayor Ruttan and Council for the City of Port Alberni:

Twenty-nine years ago, the McLean Mill site was commemorated a National Historic Site for its close association with the history of the B.C. forestry industry.

Various studies and management documents were produced in the early 1990's, eventually resulting in the City of Port Alberni adding the McLean Mill property to their Heritage Network. It was to be presented as a working sawmill community, including the operation of historical equipment.

Statements throughout various McLean Mill site plan management documents, including the Commonwealth Historic Resource Management Report of 1993, and final version of 1996, make reference of the need to adhere to the principles of commemorative integrity, with respect to safeguarding in situ assets, and the cultural landscape within the historic zone.

There are also other publications and statutory regulations regarding the standards and guidelines for the conservation of historic places in Canada.

On page 2 of the "Operation and Management Agreement" between the MMS and the City of Port Alberni, under the heading Interpretation 1.1 (g), the "Historic Zone" is referenced as that area identified in Schedule "A", pages 14 to 20 of the "Agreement". On page 15, forming part of Schedule "A", is a map that clearly demarcates the historic zone on the McLean Mill property. This same map was presented as "Schedule C" on page 14 in the 2012 "Management Agreement" that existed in a prior arrangement between the City and the WVIHS for the operation and care of McLean Mill and related assets.

Recently, the public learned of the accidental disposal of one of the in situ assets from within the historic zone, apparently related to the addition of a campground/RV park being located within the historic zone – the same historic zone identified in the two separate agreements mentioned above. Such actions don't meet the spirit of the 1996 agreement between the City of Port Alberni and the Minister of Canadian Heritage for the management of the historic zone, and particularly for this discussion, those terms agreed to in items 1(b), (c) and (d) of that agreement.

It may well be, that all of the signatories of a contract authorized by council between the McLean Mill Society and the City of Port Alberni, were not aware that subordinates were accidentally removing, then disposing of an asset of historical relevance to the property. But when people have signing or management authority, they usually get credit for all of the good, and unfortunately, have to take responsibility for any of the bad that may occur under their watch.

That's not what happened at the June 25th meeting of council. None of the signatories to the contract between the City and the MMS spoke to the issue of the disposed asset directly, or indicated some responsibility for it publicly. Instead, heritage staff were tossed under the metaphorical bus by a suggestion that heritage staff failed to meet with the McLean Mill Society, "in advance of any of the work being done on the site, to confirm the inventory of the assets, and the buildings."

ENTERED

I checked with heritage staff and was told that the Museum Manager regularly attends society meetings for the MMS and the WVIHHS. Logically then, there was opportunity for the MMS to raise the topic of disposing of a building from the historic zone during a meeting when the museum manager was in attendance. I don't think it would be reasonable for the museum manager, or members of council, to be expected to ask at every meeting with the MMS, "Are you contemplating the imminent disposal of anything from the mill property?" Council has to trust that their contractor is conducting its actions carefully within the historic zone. And Appendix "A" in the signed contract between the City and the MMS clearly shows the historic zone. That, along with the aforementioned documents detailing the responsibilities for careful conduct within the historic zone, puts much of the burden for that conduct on the MMS. The MMS are, after all, a nearly \$350,000 a year contractor to the City of Port Alberni for care of the site. So I think the real question here should be why either the Museum Manager, the Heritage Commission or the Governing Mind (council) was not first consulted by the MMS, or by its subordinates, prior to the action of the removal of the old building from the historic zone.

In defence of the MMS, the political directive given to them by this iteration of council, is to find creative and new ways to increase revenues at the property. But industrial forestry sites like McLean Mill, did not have music fests, RV and tent sites, corporate retreats, or holistic sessions during their operational days. These new initiatives of interpreting the site are at odds with the original intent nearly 3 decades ago, which was to present the McLean Mill property as a working sawmill community, including the operation of historical sawmilling equipment, and to reflect what McLean Mill truly was – an industrial, forestry site. It is the sole reason the property and assets were designated a Heritage Site by the Monuments Board of Canada.

It is the council of 2014 through 2018 that has responsibility for:

- Terminating the Management Agreement between the City and the WVIHHS,
- Using their authority to direct staff to incorporate the McLean Mill Society as a one-member society, and making the City of Port Alberni the lone member of that society,
- Using their authority to select and appoint their own directors to the board of the MMS in a manner incongruous with the methods normally used by societies to appoint directors to their boards,
- Making council the "governing mind" for the one member (City of Port Alberni),
- Using their authority to set the mandate of the MMS,
- Directing hundreds of thousands of dollars of taxpayer money and in-kind municipal staff and services in support of the MMS.

During the June 25th council meeting, a moment arose where it was imperative for council to acknowledge openly that they are ultimately responsible for oversight of the MMS, and that the results of all actions by the MMS, good or bad, including what recently occurred at the McLean Mill property, accrue to council, because council created, directs and supports the MMS under council's new operating model. Instead, council missed or ignored the moment, thereby shirking their responsibility and allowing for paid, knowledgeable and professional staff to be publicly left hung out to dry. That should have never happened.

Roland Smith



6705 Fraser Highway  
Surrey B.C. V4N 0E8  
fortisbc.com



June 11, 2018

Dear Mike Ruttan,  
4850 Argyle Street  
Port Alberni BC V9Y 1V8

Did you know that British Columbia averages more than three instances of accidental damage to the natural gas system every day?

FortisBC's natural gas system delivers vital energy to homes, businesses, schools and hospitals every day. When a natural gas line is damaged, there is a potential for serious consequences. It can create unsafe situations, traffic delays, service interruptions and require costly repairs. As such, we are committed to providing the information that you need to help keep residents safe and services reliable.

FortisBC and BC One Call promote safe digging year-round, and especially during times when property owners, contractors, landscapers and farmers start projects that involve ground disturbance. Whether one is excavating, planting a tree or even gardening, they should stay safe and avoid unexpected costs by notifying BC One Call to find out where buried utilities are located before commencing any type of ground disturbance work.

**Click or Call Before You Dig**

FortisBC takes an active role in preventing the risk of third-party damage to our natural gas distribution service lines by promoting safe digging practices, and working closely with stakeholders such as BC One Call and municipalities.

Approximately 90 per cent of damages to our natural gas distribution service lines can be prevented if customers, the public and professional excavators follow safe excavation practices. This includes calling BC One Call for gas line information prior to the start of work and hand digging to expose the location of the gas line as well as following through on the directions and procedures provided. BC One Call can be reached at **1-800-474-6886** or by visiting **bconecall.ca** to find out where buried utilities are before digging. The call and information are free.

We thank you for taking an active part in keeping your city safe and free of unnecessary disruptions. We encourage you to share this information with your municipal works department and residents and visit **fortisbc.com/digsafe** to learn more.

Sincerely,

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