
AGENDA - REGULAR MEETING OF COUNCIL
Tuesday, October 10, 2023 @ 2:00 PM
In the City Hall Council Chambers & Via Video-Conference
4850 Argyle Street, Port Alberni, BC

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

Watch the meeting live at www.portalberni.ca

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

A. CALL TO ORDER & APPROVAL OF THE AGENDA

1. Council for the City of Port Alberni respectfully acknowledges that we are holding our meeting on the unceded traditional territories of Tseshaht and Hupacasath First Nations.
2. Late items identified by Councillors.
3. Late items identified by the Corporate Officer.
4. Notice of Video Recording (live-streaming and recorded/broadcast on YouTube)

That the agenda be approved as circulated.

B. ADOPTION OF MINUTES - Page 6

1. Minutes of the Special meeting held at 11:30 am and Regular Council meeting held at 2:00 pm on September 25, 2023, as presented.

C. DELEGATIONS

1. **Introduction | Director of Infrastructure Services**
Introduction of Jim MacDonald, the City's new Director of Infrastructure Services.

D. UNFINISHED BUSINESS

Includes items carried forward from previous Council meetings.

E. STAFF REPORTS

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

1. **Accounts**
THAT the certification of the Director of Finance dated October 10, 2023, be received and the cheques numbered _____ to _____ inclusive, in payment of accounts totalling \$_____, be approved.

F. BYLAWS

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

1. **Zoning Bylaw No. 5074, 2023 | Bylaw Modernization** - Page 10
Report dated October 4, 2023 from the Manager of Planning requesting Council consider final reading of the proposed bylaw.

THAT “Zoning Bylaw No. 5074, 2023” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5074.

G. CORRESPONDENCE FOR ACTION

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

1. **Western Vancouver Island Industrial Heritage Society (WVIHS) | Two Spot Locomotive Display** - Page 117
Letter received September 20, 2023 requesting Council consideration to display the Two Spot Locomotive in an alternate location.

THAT Council direct staff to prepare a report outlining alternate locations, within the proximity of the train station, to display the Two Spot Locomotive.

H. PROCLAMATIONS

1. **Minister of Children and Family Development** - Page 118
Email dated September 26, 2023 requesting the month of October be proclaimed as ‘Foster Family Month’ in Port Alberni.

THAT Council proclaim the month of October as ‘Foster Family Month’ in Port Alberni.

I. CORRESPONDENCE FOR INFORMATION

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

1. **Correspondence Summary** - Page 120
 - a. Youth Parliament of British Columbia Alumni Society | Application Form
 - b. Vancouver Island Regional Library | 2024 Adopted Budget
 - c. Cathy Peters | Anti Human Trafficking Initiative UBCM Tradeshow Follow-Up
 - d. B’nai Brith Canada | International Holocaust Remembrance Alliance Plenary Summary
 - e. Minister of Housing | Point in Time (PiT) Homeless Count Final Results
 - f. Advisory Planning Commission Minutes | August 17, 2023

J. REPORT FROM IN-CAMERA

K. COUNCIL REPORTS

1. **Council and Regional District Reports - Page 141**
THAT the Council reports outlining recent meetings and events related to the City's business, be received.

L. NEW BUSINESS

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

1. **First Nation Representatives at Council Meetings | Notice of Motion provided September 25, 2023**
THAT Council direct staff to prepare a report outlining options to include a representative from both Tseshah and Hupacasath First Nation to attend public Council meetings for the purposes of providing input to Council.
2. **BC's Housing Central Conference | Authorize Council Registration - Page 143**
Report dated October 2, 2023 from the Deputy Director of Corporate Services requesting Council authorization for member attendance at the Central Housing Conference.

THAT Council authorize [insert names] to participate in BC's Central Housing Conference taking place November 20-22, 2023 in Vancouver, BC with authorization to include reimbursement of expenses incurred as per City Travel Policy No. 3009-2.
3. **Occupational Health and Safety Policies - Page 146**
Report dated September 27, 2023 from the Director of Human Resources requesting Council rescind various policies and approve an overarching OH&S policy.
 - a. *THAT Council rescind current Council-approved occupational health and safety policies as follows to permit future policy approval by the Chief Administrative Officer:*
 - *Occupational Health and Safety Policy*
 - *Critical Incident Stress Management Program*
 - *Joint Occupational Health and Safety Committees*
 - *Personal Protective Equipment*
 - *Prevention of Workplace Violence*
 - *Worker's Compensation Act & Regulations*
 - *Working Alone*
 - b. *THAT Council approve 'Council Occupational Health and Safety Policy' No. 5005-1.*

4. **Human Resources Policies - Page 150**

Report dated September 27, 2023 from the Director of Human Resources requesting Council rescind various human resources policies.

THAT Council rescind current Council-approved administrative human resources policies as follows, to permit future policy approval by the Chief Administrative Officer:

- *Employment Fitness Evaluation*
- *Employment of Relatives*
- *Interview Expenses*
- *Moving Expenses*
- *Probationary / Trial / Acting Periods*
- *Reference Requests*
- *Impairment in the Workplace*
- *Attendance*
- *Attendance Management*
- *Communication Systems*
- *Electronic Device Use*
- *Progressive Discipline*
- *Smoke Free Workplace*
- *Standards of Conduct / Conflict of Interest*
- *Workplace Harassment*
- *Apprenticeship Training*
- *EFAP*
- *Employee Computer Purchase Plan*
- *Compensation for Emergency Response Outside of Regular Hours – Exempt Employees*
- *General (Personal) Leaves of Absence without pay*
- *Job Improvement Courses*
- *Leave of Absence with Pay*
- *Leave to Vote in Elections*
- *Memorial Plaques*
- *Municipal Pension*
- *Personal Vehicle Use for City Business Purposes*
- *Sick Leave (Detoxification Program)*
- *Workplace Accommodation*
- *Acting Pay for Exempt Employees*
- *Acting Pay for Schedule “B” Employees*
- *Benefits for Sick/Disabled Employees*
- *Conversion of Vacation to Sick Leave (Union Members)*
- *Standby Compensation – Exempt Staff*
- *Union Member Temporarily Filling a Management Position*
- *Social Networking Policy*

M. QUESTION PERIOD

An opportunity for the public to ask questions of Council on decisions or recommendations made during the course of the meeting. A maximum of three [3] questions will be permitted per speaker.

N. ADJOURNMENT

That the meeting adjourn at PM

MINUTES OF THE IN-CAMERA MEETING OF COUNCIL
MONDAY, Sept 25, 2023 @ 11:30 AM
City Hall Committee Room | 4850 Argyle Street, Port Alberni, BC

PRESENT: Mayor S. Minions (via Teams)
Councillor D. Dame
Councillor J. Douglas
Councillor C. Mealey
Councillor T. Patola
Councillor C. Solda

Staff: M. Fox, Chief Administrative Officer
S. Smith, Director of Development Services | Deputy CAO
A. McGifford, Director of Finance
D. Monteith, Director of Corporate Services

Regrets: Councillor D. Haggard

The meeting was Chaired by Councillor Patola

Call to order: @ 11:31 a.m.

MOVED and SECONDED, THAT Council conduct a special Council meeting closed to the public on the basis that one or more matters covered under Section 90 of the Community Charter will be considered, specifically outlined as follows:

Section 90 (1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

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

CARRIED

The meeting was adjourned at 12:22 pm.

CERTIFIED CORRECT

Mayor

Corporate Officer

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, September 25, 2023 @ 2:00 PM
In the City Hall Council Chambers & Via Video-Conference
4850 Argyle Street, Port Alberni, BC

Present: Mayor S. Minions @ 2:14 pm [Electronically]
Councillor D. Dame
Councillor J. Douglas
Councillor C. Mealey
Councillor T. Patola [Chair]
Councillor C. Solda

Absent: Councillor D. Haggard

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

Gallery: 2

A. CALL TO ORDER & APPROVAL OF THE AGENDA

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

MOVED AND SECONDED, THAT the agenda be amended to include an item under New Business 'Notice of Motion | First Nation Representatives at Council Meetings'. The agenda was then adopted as amended.

CARRIED

B. ADOPTION OF MINUTES

MOVED AND SECONDED, THAT Minutes of the Special meeting held at 10:30 am and Regular Council meeting held at 2:00 pm on September 11, 2023, be adopted as presented.

CARRIED

C. DELEGATIONS

1. Introduction | Manager of Community Safety and Social Development

The Director of Corporate Services introduced the City's new Manager of Community Safety and Social Development, Mary Clare Massicotte.

D. UNFINISHED BUSINESS

E. STAFF REPORTS

1. Accounts

MOVED AND SECONDED, THAT the certification of the Director of Finance dated September 25, 2023, be received and the cheques numbered 153460 to 153596 inclusive, in payment of accounts totalling \$2,562,032.48, be approved.

CARRIED | Res. No. 23-275

F. BYLAWS

Chair Patola left the meeting at 2:07 pm, declaring a conflict of interest as it relates to his position on the Board of the Port Alberni Toy Run Association.

Councillor Mealey assumed the Chair at 2:07 pm.

1. **Permissive Tax and Places of Public Worship Exemption Bylaws**

MOVED AND SECONDED, THAT "Permissive Tax Exemption Bylaw No. 5090, 2023" be now introduced and read a first time.

CARRIED | Res. No. 23-276

MOVED AND SECONDED, THAT "Permissive Tax Exemption Bylaw No. 5090, 2023" be read a second time.

CARRIED | Res. No. 23-277

MOVED AND SECONDED, THAT "Permissive Tax Exemption Bylaw No. 5090, 2023" be read a third time.

CARRIED | Res. No. 23-278

MOVED AND SECONDED, THAT "Places of Public Worship Exemption Bylaw No. 5091, 2023" be now introduced and read a first time.

CARRIED | Res. No. 23-279

MOVED AND SECONDED, THAT "Places of Public Worship Exemption Bylaw No. 5091, 2023" be read a second time.

CARRIED | Res. No. 23-280

MOVED AND SECONDED, THAT "Places of Public Worship Exemption Bylaw No. 5091, 2023" be read a third time.

CARRIED | Res. No. 23-281

Chair Patola returned to the meeting at 2:14 pm and resumed the Chair.

G. CORRESPONDENCE FOR ACTION

1. **Community Arts Council & Arrowsmith Rotary Club | Art Auction Fundraiser**

MOVED AND SECONDED, THAT Council authorize the Community Arts Council and Arrowsmith Rotary Club to host an Art Auction Fundraiser 'Cork & Canvas' on November 9th from 6:30 pm to 9:30 pm at the Grove Art Gallery, #7-5440 Argyle Street, Harbour Quay subject to:

- receipt of confirmation that a Special Event Permit from the LCRB has been issued;
- consultation with all affected businesses/residents; and
- provision of standard liability insurance in the amount of \$5M [minimum].

CARRIED | Res. No. 23-282

H. PROCLAMATIONS

1. **KidSport BC**

MOVED AND SECONDED, THAT Council proclaim the week of October 1 – 7, 2023 as 'KidSport BC Powered by Sport BC Week' in Port Alberni.

CARRIED | Res. No. 23-283

I. CORRESPONDENCE FOR INFORMATION

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

- a. BC Nature Federation of BC Naturalists | Municipal Protected Areas Project Webinar, October 4, 2023
- b. BC Ombudsperson | Quarterly Report April 1 – June 30, 2023
- c. Union of British Columbia Municipalities | Confirmation of Receipt of Resolution Re: Economic Relief for Commercial and Industrial Business Sectors Impacted by Wildfires within British Columbia

J. REPORT FROM IN-CAMERA

Council released for public consumption Council's approval, in principal, to participate in a regional accessibility committee, led by the Alberni-Clayoquot Regional District in order to complete an accessibility plan as required under the *Accessibility BC Act*.

K. COUNCIL REPORTS

L. NEW BUSINESS

1. Council Leave Policy

MOVED AND SECONDED, THAT Council approve Policy 3002-4 'Council Leave'.

CARRIED | Res. No. 23-284

Councillor Solda left the meeting at 2:20 pm, declaring a conflict of interest as it relates to her membership with the Portal Players Dramatic Society.

2. Capitol Theatre | Liquor Primary License Structural Change

MOVED AND SECONDED, THAT Council support the Liquor Primary Structural Change [Capacity Increase] application for the Capitol Theatre operating at 4904 Argyle Street and endorse the comments provided in the staff report dated September 14, 2023.

CARRIED | Res. No. 23-285

Councillor Solda returned to the meeting at 2:22 pm.

3. Notice of Motion | First Nation Representatives at Council Meetings

That Council direct staff to prepare a report outlining options to include a representative from both Tseshaht and Hupacasath First Nation to attend public Council meetings for the purposes of providing input to Council.

M. QUESTION PERIOD

N. ADJOURNMENT

MOVED AND SECONDED, THAT the meeting adjourn at 2:24 pm.

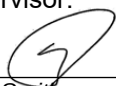
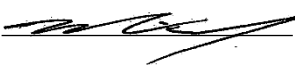
CARRIED

CERTIFIED CORRECT

Mayor

Corporate Officer

Date: Oct 4, 2023
File No: 3900-02-5074
To: Mayor & Council
From: M. Fox, CAO
Subject: Zoning Bylaw No. 5074, 2023 | Bylaw Modernization

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

1. THAT "Zoning Bylaw No. 5074, 2023" be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5074.

PURPOSE

Staff are proposing updates to the Zoning Bylaw to address accessory dwelling units, incorporate new legislation, and provide clarity on interpretation and application of the bylaw.

BACKGROUND

Zoning Bylaw No. 4832 was adopted on March 10, 2014 and since this time legislation has changed along with the needs of the community. Staff are bringing forward topics for consideration to modernize the Zoning Bylaw and address issues identified by Council and staff. The intent is for Zoning Bylaw No. 5074 to replace current Zoning Bylaw No. 4832. The changes are limited in scope, and are intended to address outstanding issues that have been identified by Council and staff. Following adoption of the 2024 Official Community Plan (OCP), staff will undertake a more comprehensive review of the Zoning Bylaw.

Status of Bylaw

At the regular meeting on June 26, 2023 Council gave 1st Reading of the Zoning Bylaw. At the July 10, 2023 regular meeting, Council gave 2nd Reading to the Zoning Bylaw "as amended" to include changes from recently adopted rezoning applications. Subsequently, a Public Hearing was held at City Hall Council Chambers on July 31, 2023.

On September 11, 2023 Council read the bylaw for a 3rd time. Staff then submitted Zoning Bylaw No. 5074 to the Ministry of Transportation and Infrastructure (MOTI) for review. On October 4th, 2023 MOTI approved the bylaw.

ALTERNATIVES/OPTIONS

1. *THAT “Zoning Bylaw No. 5074, 2023” be now finally adopted, signed by the Mayor and Corporate Officer and numbered 5074.*
2. *THAT Council decline to adopt the bylaw.*

Staff recommend Option #1.

ANALYSIS

The attached *Zoning Amendment Summary Table* outlines bylaw content changes corresponding to the sections of the Zoning Bylaw.

Major topics addressed in the bylaw include:

- New and Updated Definitions
- Accessory Dwelling Units (ADU)
- Day Care
- Fencing
- Density Calculation
- Density Bonusing
- C7 Commercial Zone Building Height
- Building Storeys
- Shipping Containers
- Update to Residential Zones (R1, R2, R3)

IMPLICATIONS

The Zoning Bylaw No. 5074 clarifies use and interpretation of the bylaw. It also addresses several topics identified by Council and staff in recent years, including updated definitions, day care, fencing, shipping containers, building storeys, density bonusing and density calculations. The bylaw also updates residential zones and enables Accessory Dwelling Units, which will lead to greater housing diversity in Port Alberni. This gentle infill housing aligns with the Government of BC’s *Homes for People* action plan and forthcoming housing legislation. Additional options for housing in small-scale rental formats such as carriage suites and garden houses, will also help the City meet its goals in the *2021 Housing Needs Assessment*.

COMMUNICATIONS

Engagement

The City conducted engagement through the *LetsConnectPA* website, which included notices to subscribers and a public online survey in March 2023. A copy of the draft zoning bylaw was uploaded for online viewing, advertised in the Alberni Valley News, and posted to social media. Periodically updated versions of the draft were uploaded to *LetsConnectPA* for public access.

Public Hearing

Prior to the Public Hearing, staff completed all required statutory notifications. Advertisements were placed in the newspaper, but mailed notices were not required as ten or more parcels are subject to the bylaw amendment (*Local Government Act* s. 466[7]). No correspondence was received in response to the Public Hearing notice, and there were no members of the public in attendance at the meeting.

BYLAWS/PLANS/POLICIES

2023-2027 Corporate Strategic Plan

The “*Zoning Bylaw No. 5074, 2023*” aligns with Council’s mission of “*Providing or facilitating the delivery of high-quality core municipal services and programs*”. It also responds to the following Council Strategic Priorities:

Priority #1 Respond to demographic change/improve life

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

5.2 Safe and accessible housing options exist for all members of the community.

5.2.1 Develop a complete housing action plan.

5.2.2 Explore alternatives to lead the way in developing strategies for accessible housing options for all community members.

SUMMARY

The Zoning Bylaw No. 5074 which includes changes to residential zones, enabling accessory dwelling units, incorporating new legislation, and providing clarity for interpretation and application of the bylaw. The intent is for the “*Zoning Bylaw No. 5074, 2023*” to replace current Zoning Bylaw No. 4832.

Staff support Final Adoption of “*Zoning Bylaw No. 5074, 2023*”.

ATTACHMENTS/REFERENCE MATERIALS

“*Zoning Bylaw No. 5074, 2023*”

J:\Engineering\Planning\ZON\Zoning Bylaw Housekeeping 2022\Council\final adoption

Port Alberni Zoning Bylaw

2023



Bylaw No. 5074

Table of Contents

1. Title.....	3
2. Repeal of Bylaws.....	3
3. Administration.....	4
4. Definitions.....	7
5. Establishment of Zones.....	24
A1 – AGRICULTURE	26
FD – FUTURE DEVELOPMENT	28
RR1 – RURAL RESIDENTIAL	29
RR2 – SEMI RURAL RESIDENTIAL.....	31
R1 – SINGLE DETACHED RESIDENTIAL	32
R2 – SINGLE AND SEMI-DETACHED RESIDENTIAL.....	33
R3 – SMALL LOT SINGLE DETACHED RESIDENTIAL	35
RM1 – LOW DENSITY MULTI-RESIDENTIAL	36
RM2 – MEDIUM DENSITY MULTI-RESIDENTIAL	37
RM3 – HIGH DENSITY MULTI-RESIDENTIAL	38
MH1 – MOBILE AND MODULAR HOMES	40
C1 – NEIGHBOURHOOD COMMERCIAL	42
C2 – GENERAL COMMERCIAL	44
C3 – SERVICE COMMERCIAL	47
C4 – HIGHWAY COMMERCIAL	49
C5 – TRANSITIONAL OFFICE	52
C6 – GAMING CENTRE.....	53
C7 – CORE BUSINESS.....	54
C8 – COMMERCIAL RECREATION	57
C9 – COMMERCIAL GUEST HOUSE.....	58
M1 – LIGHT INDUSTRY	59
M2 – MEDIUM INDUSTRY	61
M3 – HEAVY INDUSTRY	63
M4 – UTILITIES.....	64
P1 – INSTITUTIONAL	65
P2 – PARKS AND RECREATION.....	68
W1 – WATERFRONT COMMERCIAL	69
W2 – WATERFRONT INDUSTRIAL	71
TH1 – TOWNHOUSE MULTI-FAMILY	72
6. General Regulations	74
7. Parking and Loading Regulations	91
8. Comprehensive Development Zones	98
CD1 – COMPREHENSIVE DEVELOPMENT – UPLANDS PHASE 2 – BURDE STREET	98
CD2 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL INFILL – 4738 Athol Street.....	100
CD3 – COMPREHENSIVE DEVELOPMENT – MULTI FAMILY RESIDENTIAL INFILL – 4835 & 4825 BURDE ST. AND 3614 & 3618 5TH AVE.	101
Schedule A: Zoning Map	103

CITY OF PORT ALBERNI

ZONING BYLAW

BYLAW NO. 5074

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

WHEREAS persons who deem their interest in property affected by this Bylaw have, before the passage hereof, been afforded an opportunity to be heard on the matters contained herein before the Council of the City of Port Alberni, all in accordance with the requirements of the *Local Government Act*, including Sections 465 and 466 related to the holding of public hearings for Zoning Bylaws;

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

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

1. Title

This bylaw may be cited for all purposes as the “Zoning Bylaw No. 5074, 2023” hereinafter referred to as the “Bylaw”.

2. Repeal of Bylaws

Bylaw No. 4832 and all amendments thereto are hereby repealed.

3. Administration

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

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

3.1 Application

- 3.1.1 This Bylaw shall be applicable to all land, *buildings* and *structures*, including the surface of water, within the City of Port Alberni.
- 3.1.2 No *building*, *structure* or use shall be located, constructed, altered or expanded except as is provided for in this Bylaw.
- 3.1.3 This Bylaw shall not relieve any person from complying with other Bylaws and legislation that are relevant to the development or *use* of land.

3.2 Amendments to the Bylaw

- 3.2.1 Any person applying to have this Bylaw amended, whether a text or a zoning map amendment or both, shall apply in writing *using* the prescribed form, describing the proposed change, providing reasons in support of such application, and any additional information required for application review and assessment.
- 3.2.2 Where an application to amend this Bylaw has been refused, no application the same as or similar to the refused amendment shall again be considered by *Council* for six (6) months after the date of refusal.

3.3 Bylaw Administration

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

3.4 Enforcement and Inspection

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

- 3.4.1 Enforce this Bylaw and carry out inspections regarding the *use* and occupancy of *buildings* and property;
- 3.4.2 Enter upon any property or premises, at all reasonable times, to ascertain whether the provisions of this Bylaw are being complied with; and
- 3.4.3 Give notice to the owner of any property directing the owner or occupant to correct any condition which constitutes a violation of this Bylaw.

3.5 Contravention

Every person who violates any of the provisions of the Bylaw, or who acts or suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing

anything required to be done under the provisions of this Bylaw shall be deemed to be guilty of an infraction of this Bylaw.

3.6 Penalties

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

3.7 Permits and Licences

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

3.8 Severability

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

3.9 Interpretation of Permitted Uses

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

3.10 Non-conformity

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

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

3.11 Siting, Size, and Shape

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

3.12 Measurement Discrepancies

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

3.13 Density Calculations

3.13.1 Low density residential development (single detached with carriage houses, semi-detached and triplex) is calculated on a unit/hectare basis as outlined in each zone. Accessory Dwelling Units are not considered a unit for the calculation of density. Where the calculation of units per hectare results in a fractional value, the number of units shall be rounded up to the nearest whole unit.

3.13.2 Multi-family (containing four or more dwellings), Commercial and Industrial Development density is determined by floor area ratio as prescribed in the applicable zone.

3.14 Rounding

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

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

4. Definitions

In this Bylaw unless the context otherwise requires:

ACCESS AISLE	means a travelling lane in a parking area or <i>parking lot</i> which is immediately adjacent to a <i>parking space</i> , is <i>used</i> for and/or is necessary for turning, backing, or driving forward a motor vehicle into such <i>parking space</i> but is not <i>used</i> for the parking or storage of motor vehicles.
ACCESSORY BUILDING	a detached building, the use or intended use of which is ancillary to that of a principal building situated on the same lot and excludes use for residential.
ACCESSORY DWELLING UNIT	means a subordinate dwelling unit attached to, within, or detached from a principal dwelling unit, where both dwelling units are located on the same parcel. This includes a secondary suite, carriage house, and garden suite.
ACCESSORY USE	means a <i>use</i> which customarily is ancillary, subordinate to and exclusively devoted to a principal <i>building</i> , or <i>use</i> of a principal <i>building</i> , or a <i>principal use</i> on the <i>lot</i> upon which such <i>accessory use</i> is located.
ACCESSIBLE	means the design and construction of <i>buildings</i> in a manner to make them <i>accessible</i> and useable by persons with special needs and including features which are complementary to the BC <i>Building Code</i> .
ADULT NOVELTY	means toys of a sexual nature, intended only for adult <i>use</i> .
ADULT RETAIL STORE	means the <i>use</i> of premises to display or <i>retail</i> either or both of the following: • <i>Adult novelties</i> • <i>Drug paraphernalia</i>
AFFORDABLE HOUSING	means rental or ownership housing that costs less than 30% of the before tax household income, subject to change by CMHC or BC Housing.
AGENTS	means those professionals or tradespeople under contract to the City of Port Alberni with responsibility for administration of the zoning bylaw.
AGRICULTURE	means the <i>use</i> of land, <i>buildings</i> and <i>structures</i> for growing, rearing, and harvesting agricultural products or raising <i>livestock</i> . <i>Agriculture</i> includes processing crops grown on the land, horticulture, storing and repairing farm equipment <i>used</i> on the land, and other related <i>uses</i> including greenhouses. In the context of this Bylaw, <i>agriculture</i> also includes aquaculture, horticulture, and <i>forest management use</i> but excludes marijuana growing, the operation of feedlots, fur farms, piggeries, <i>poultry</i> farms, and slaughterhouses.
AGRICULTURE USE, INTENSIVE	means " <i>Intensive Agriculture</i> " as defined in Section 555 (1) of the <i>Local Government Act</i> : for example, the confinement of <i>poultry</i> , <i>livestock</i> or fur bearing animals, or the growing of mushrooms.

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

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

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

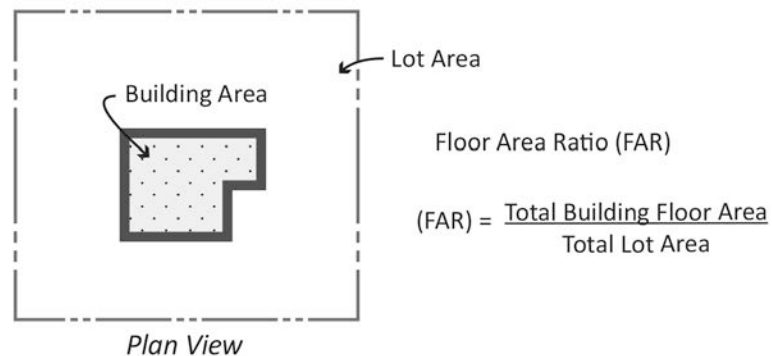
CITY ENGINEER	means the City Engineer of the City of Port Alberni.
CLUB OR LODGE	means a <i>building</i> or establishment <i>used</i> by an association or organization for fraternal, social or recreational purposes and which shall be operated for the <i>use</i> of club members and their guests only.
COMMUNITY CARE FACILITY	means any facility licensed or having an interim permit under the <i>Community Care and Assisted Living Act</i> or related regulations, including hospice, all facilities providing residential care for three or more children, youth, adults, or seniors, and all other facilities caring for three or more children who are not related to the operator by blood or marriage. This includes: Group Day Care, <i>Family</i> Day Care, Nursery <i>School</i> and Child-Minding Facilities, Facilities for Out-of-School Care, Specialized Day Care Facilities and Facilities for Residential Care for Children.
COMMUNITY GARDEN	means a non-commercial facility for the cultivation of fruits, flowers, vegetables, or ornamental plants.
CONTRACTOR'S SHOP	means an enclosed space <i>used</i> for the housing and/or operating of machinery, the provision of services, the fabrication of <i>building</i> -related products, interior storage, and may include the contractor's business <i>office</i> and exterior storage.
CONVENIENCE STORE	means a commercial <i>retail</i> outlet not exceeding 200 m ² (2,153 ft ²) in gross <i>retail</i> floor area selling food, beverage and other household convenience items for off-site consumption.
COUNCIL	means the City Council of the City of Port Alberni.
DORMITORY	means a <i>building</i> or portion thereof in which <i>sleeping units</i> are provided and/or rented by an institution, agency or industry, and which is regulated and maintained by such body. It may include commercial dining facilities.
DRIVE-IN/DRIVE-THROUGH	means a commercial establishment with facilities for accommodating and servicing customers travelling in motor vehicles, where customers remain in their vehicles and obtain goods. Does not include car washing, drive-in theatres, or gasoline service stations.
DRUG PARAPHERNALIA	means equipment supporting the consumption of illegal drugs.
DWELLING, MULTIPLE RESIDENTIAL	means any <i>building</i> consisting of three or more <i>dwelling</i> units, each of which is occupied or intended to be occupied as the permanent home or residence of one <i>household</i> .
DWELLING, SINGLE DETACHED	means any <i>building</i> consisting of one <i>dwelling</i> unit which is occupied or intended to be occupied as the permanent home or residence of one <i>household</i> . May include a fully enclosed <i>secondary suite</i> .

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

**FLOOR AREA
RATIO**

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

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

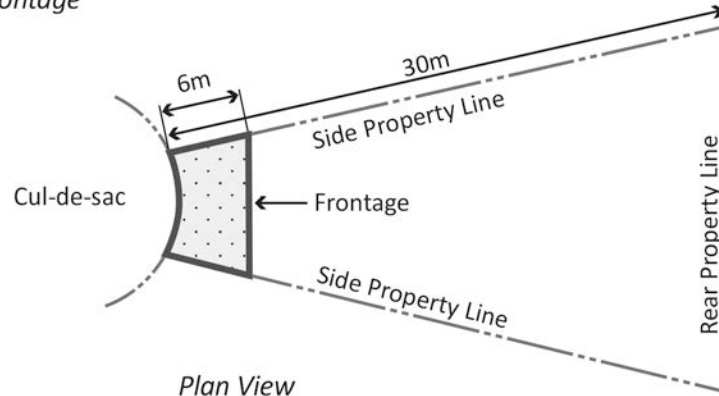
Floor Area**FOREST
MANAGEMENT**

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

FRONTAGE

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

Lot Frontage



GARDEN SUITE means a detached, subordinate dwelling unit, typically on a ground floor, located on a permanent, continuous foundation.

GAMING CENTRE means a *building* or part of a *building* where the *principal use* may include bingo, electronic bingo, slot machines, electronic gaming, and tele-wagering.

GARAGE, PRIVATE means a detached *accessory building* or a portion of a principal *building used* primarily for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or servicing such vehicles.

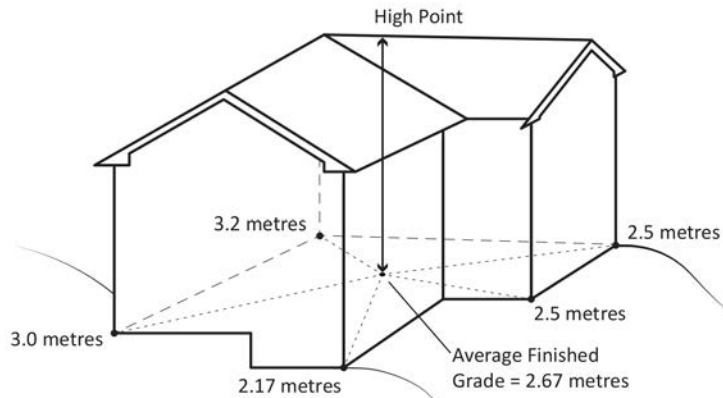
GRADE OR GRADE LEVEL means the finished average ground level at the centre of the exterior wall of a *building*.

GARDEN CENTRE means a building or structure or part thereof for the growing, display, wholesale or retail sale of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation, and may include the sale of other goods, products and equipment normally associated with gardening and landscaping, includes nursery and landscape supplies.

HABITABLE FLOOR SPACE means a floor area within a *dwelling* designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom, and kitchen.

HEDGE means an arrangement of shrubs or low-growing trees that are closely planted in a strip and intended to be maintained at a certain height, used to mark a boundary or enclose or screen an area of land. Does not include vegetation, foliage, or trees naturally occurring on a property.

HEIGHT, BUILDING means the vertical distance from peak of roof to average height of all outside corners of *building* at finished *grade*.



HELIPAD	means an area, either at ground level or elevated on a building or structure, licensed by the federal government, and approved for the loading, landing and takeoff of helicopters.
HOME OCCUPATION	means an occupation or <i>use</i> which is ancillary or secondary to a permitted residential <i>use</i> in accordance with the provisions of this Bylaw (Section 6.15).
HOTEL	means a commercial <i>building</i> containing more than six <i>sleeping units</i> to provide temporary accommodation for the travelling public. <i>Sleeping units</i> may contain microwave, bar fridge, coffee makers and in no case shall <i>sleeping units</i> be used for any other commercial <i>use</i> . <i>Sleeping units</i> shall have separate entrances through a common hallway include ancillary amenities such as fitness rooms, pools and restaurants.
HOUSEHOLD	means an individual or two or more people related by blood, marriage, adoption or foster parenthood or 5 unrelated non-transient people living as a single group within a dwelling unit.
HOUSING AGREEMENT	means an agreement between a property owner and the City as defined in Section 483 of the <i>Local Government Act</i> .
JUNK YARD	means an area outside of an enclosed <i>building</i> where junk, or <i>used</i> , discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A junk yard shall not include the sale, purchase or storage of <i>used</i> furniture or any <i>manufacturing</i> operations.
KENNEL	means any <i>building, structure</i> , compound, group of pens, or cages, or land on or in which 3 or more dogs or cats are or are intended to be trained, cared for, bred, boarded, or kept for any purpose whatsoever, and shall include any <i>building</i> or part thereof in which 2 or more dogs are kept for breeding purposes.
LANDSCAPE BUFFER	means a <i>landscaped</i> area intended to separate two adjacent land <i>uses</i> or properties, and to partially obstruct the view or block noise, lights or other nuisances.

LANDSCAPING AND LANDSCAPED	means the planting of lawns, shrubs and trees, and the addition of fencing, walks, drives, or other <i>structures</i> and materials so as to enhance the appearance of a property or where necessary to effectively screen a <i>lot</i> , site or <i>storage yard</i> . NOTE: <i>Landscaping</i> may be subject to Development Permit guidelines.
LANE	means a highway which affords only a secondary means of access to a <i>lot</i> , at the <i>side lot line</i> or <i>rear lot line</i> .
LIVE-WORK	means the <i>use</i> of premises for: (a) a <i>dwelling</i> unit, and (b) a business operated by the occupant of the <i>dwelling unit</i> that may include day care, <i>personal service</i> , <i>artist's studio</i> , general or professional <i>office use</i> , but does not include: any dating service, entertainment service, exotic dancer business, social escort business, tattooing, piercing, branding, or other similar business.
LIVESTOCK	means cattle, horses, sheep, goats, swine, rabbits, and fish.
LOADING SPACE	means an off- <i>street</i> space on the same <i>lot</i> as the <i>building</i> , or contiguous to a group of <i>buildings</i> , for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a <i>street</i> , <i>lane</i> or other appropriate means of access.
LOT	means any <i>lot</i> , block or other area in which land is held or into which it is subdivided, including a bare land <i>strata lot</i> , but does not include a highway or a <i>building strata lot</i> under the <i>Strata Property Act</i> .
LOT AREA	means the total horizontal area within the <i>lot</i> lines of a <i>lot</i> .
LOT, CORNER	means a <i>lot</i> at the intersection or junction of two or more <i>streets</i> .
LOT COVERAGE	means the total area of a lot covered by buildings or structures divided by the area of the lot itself expressed as a percentage.
LOT DEPTH	means the mean horizontal distance between the front and <i>rear lot lines</i> .
LOT LINE, FRONT	means the boundary line between a <i>lot</i> and a <i>street</i> on which the <i>lot</i> abuts. - in the case of a <i>corner lot</i>, the shortest <i>lot</i> line shall be considered the <i>front lot line</i>. Where both <i>lot</i> lines on a <i>corner lot</i> are equal in length the <i>lot</i> line shall be considered a <i>front lot line</i> if the adjacent <i>lot</i> fronts on the same <i>street</i>. - in the case of a <i>through lot</i>, the <i>lot</i> lines abutting two parallel or approximately parallel <i>streets</i> shall both be considered as <i>front lot lines</i>. - in the case of a water access <i>lot</i> which only abuts a waterfront walkway or a waterway giving boat access, the <i>lot</i> line nearest to or adjacent to the water shall be considered the front line of a <i>lot</i>. - in the case of a <i>lot</i> which abuts a <i>street</i> and which abuts a waterway giving boat access, the <i>lot</i> line adjacent to the <i>street</i> is designated as the <i>front lot line</i>.

- where the *lot* does not have a *lot* line that abuts on a public highway or private road, or way, the front line of the *lot* shall be as determined by the *Approving Officer*.
- where a *lot* is divided by a public way such as a dedicated road, *lane* or walkway, both sides of such public way shall be considered as *front lot lines*.

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

MICRO-BREWERY/ MICRO-DISTILLERY	means a facility, for the manufacturing of beer, cider or spirits, that produces less than 10,000 hectolitres per year and is licensed under a Manufacturing License by the Province of British Columbia and may include the following accessory uses: wholesaling of, tours of, retail sales of, and tasting of beer, cider or spirits produced on-site.
MINI-STORAGE	means self-contained storage rental units, with independent external entrances, for the storage of general household goods, vehicles and the like.
MOBILE HOME	means a single detached dwelling, factory built as a unit or units, suitable for year-round occupancy, capable of being drawn or moved from place to place, and meeting the CAN/CSA-Z240 MH standard.
MODULAR HOME	means finished sections of a complete dwelling built in a factory for transportation to the site for installation. Finished means fully enclosed on exterior and interior but need not include interior painting, taping, installation of cabinets, floor coverings, fixtures, heating systems, and exterior finishes. Modular homes conform to the National Building Code of Canada or British Columbia Building Code where mandated and contain a CSA modular home label.
MOTEL	means a <i>building</i> or group of <i>buildings</i> wherein more than six (6) units of sleeping accommodation is provided, for temporary occupation by transient motorists, none of which shall be <i>used for retail trade</i> . Each <i>sleeping unit</i> shall have a separate exterior entrance. A motel may include a café or restaurant and such ancillary facilities as self-service laundry. Each <i>sleeping unit</i> shall be self-contained, having its own bathroom with a toilet, wash basin and bath or shower. Each <i>sleeping unit</i> shall have its own <i>parking space</i> conveniently located on the <i>lot</i> and may contain basic cooking facilities in the units.
MOTHER'S CENTRE	means a shared and independent residential living space with built-in supports exclusively for women and children, including counselling, childcare, and administrative office space, but does not include intensive healthcare services.
NATURAL BOUNDARY	means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river or stream, or other body of water, a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.
OFFICE	means the <i>use</i> of a room or group of rooms within a <i>building</i> to conduct the affairs of a business, profession, service, industry, or government.
PARKING LOT	means an open area of land, other than a <i>street</i> or <i>lane</i> , <i>used</i> for the parking of vehicles. May be either commercial or non-commercial activity.
PARKING SPACE	means a space on a driveway for single, semidetached and townhouses, or within a <i>building</i> , or a <i>parking lot for multi-residential uses</i> , for the parking of one vehicle, excluding ramps, and <i>access aisles</i> .

PARTY WALL	means a wall jointly owned and/or shared by two or more parties as defined in the BC <i>Building Code</i> .
PERSONAL SERVICE	means establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal services may include activities such as dry cleaning, laundry, linen supply, diaper service, beauty shops, barbershops, shoe repair, funeral home, steam baths, fitness centres, health clubs, and, animal grooming services.
PLACE OF WORSHIP	means a church, temple, mosque, synagogue and the like, but excludes <i>schools</i> .
POLICE STATION	means a facility containing offices, detainment areas, laboratories and related ancillary facilities for the police in carrying out their duties of maintaining law and order.
PORCH, OPEN	means an unenclosed projection from the main wall of a <i>building</i> that may or may not <i>use</i> columns or other ground supports for structural purposes.
POULTRY	means domesticated birds kept for eggs, meat, feathers, hide, or other related purposes, and includes Cornish hens, layers, meat birds, breeding stock, replacement pullets, roasters, or ducks. On properties <i>zoned</i> to permit <i>agriculture</i> , also includes geese, turkeys, game birds, and <i>ratites</i> .
PRINCIPAL BUILDING	means a building in which the principal use of the lot on which the building is located is conducted.
PRINCIPAL USE	means the main or primary use of a premise that is provided for in the list of permitted uses in the zones in this Bylaw.
PRINTING, PUBLISHING AND ALLIED INDUSTRY	means a facility for the printing, publishing, engraving, or copying of papers, plans and newsprint.
PROFESSIONAL SERVICE	means an <i>office</i> that is used for work involving specialized areas of expertise and advice to clients. Professional services may include engineering, accounting, marketing, graphic design, architecture, realty, and financial and legal services.
PUBLIC MARKET	means a market held in an open area or in a <i>structure</i> where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.
PUBLIC UTILITY	means a system, works, plant, operative stationary equipment or service which furnishes services and facilities, available to or for the <i>use</i> of all the inhabitants of the City, including but not limited to:

- (1) communication by way of telephone or cable or satellite;

- (2) public transportation by bus or trolley coach;
- (3) production, transmission, delivery or furnishing of water, gas or electricity to the public at large; and
- (4) collection and disposal of sewage, garbage and other wastes.

a public utility can be owned or operated by or for the City or by a corporation under agreement with or a franchise from the City or under a federal or provincial statute.

**PUBLIC UTILITY,
UNATTENDED**

means a utility *use* where no employee is required to be on the site except for required repair and maintenance needs.

RATITE

means a bird that has small or rudimentary wings and no keel to the breastbone, and includes ostriches, rheas, and emus.

**RECREATIONAL
VEHICLE**

means a vehicle requiring a licence and designed to be used for temporary living and travel, recreation or vacationing and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes, boats, snowmobiles, or other similar vehicles but does not include manufactured home.

RETAIL

means a *building* or part thereof in which foods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public. Does not include pawn shops or *adult retail*.

**RESIDENTIAL
RENTAL TENURE**

means in relation to a dwelling unit in a multi-family residential building or multiple dwelling, a tenancy governed by a tenancy agreement that complies with the Residential Tenancy Act.

RESTAURANT

means a business establishment where food and beverages are prepared, served and consumed on the premises, and includes facilities for ordering and pick-up for consumption off-site. A restaurant may include dining establishments issued a food primary license pursuant to the Liquor Control and Licensing Act.

ROOF AREA

means the horizontal area of a roof regardless of the style or slope of the roof.

SCHOOL

means a school, providing an educational program offered by a district pursuant to the School Act, an Independent School pursuant to the Independent School Act, or a college or community college or educational facility as certified under the Private Training Act and/or constituted and established pursuant to a provincial statute.

SCREENING

means a continuous tight-board *fence* or wall uniformly finished or a compact evergreen *hedge* or combination thereof, supplemented with *landscape* planting, that would effectively screen the property which it encloses, and is broken only by access driveways and walkways.

SECONDARY SUITE

means a *dwelling* unit that is contained within and accessory to a single real estate entity and is comprised of one or more habitable rooms, intended for *use* as a separate and independent residence. A secondary suite contains sleeping

facilities, a bathroom, and cooking facilities that are for the exclusive *use* of the occupant(s) of the suite.

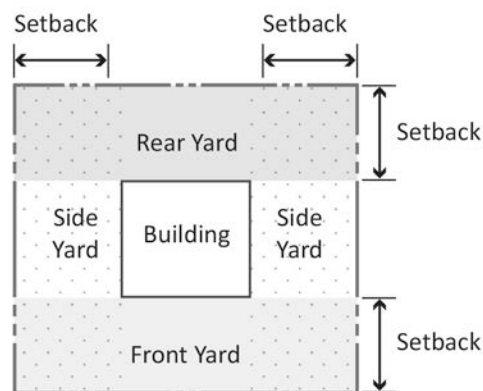
SETBACK	means the required minimum distance between a <i>building</i> or <i>use</i> and each of the respective <i>lot</i> lines.
SHOPPING CENTRE	means a group of <i>retail</i> stores and related businesses, which may include restaurants, <i>personal services</i> , <i>offices</i> , and veterinary clinics, in one or more <i>buildings</i> designed as an integrated unit, together with its ancillary parking and <i>landscaped</i> areas.
SLEEPING UNIT	means one or more habitable rooms <i>used</i> or intended to be <i>used</i> for sleeping, or sleeping and living purposes, but not including a kitchen sink or cooking facilities. A bathroom containing a water closet, wash basin and a bath or shower may be shared.
SMALL REPAIRS	means the repair of small items such as instruments, jewellery, small appliances.
SOCIAL SERVICE CENTRE	means a <i>building used</i> for administrative purposes and to provide information, referral, counselling and advocacy services.
STEWARDSHIP CENTRE	means a building, open to the public, that includes exhibits, interpretive and educational activities related to local ecological resources through public education, planning, events, research and management.
STORAGE BUILDING	means a <i>building</i> where the <i>principal use</i> is the storage of goods, wares, merchandise, substances, articles or other items.
STORAGE YARD	means an area outside of an enclosed <i>building</i> where contractors' or construction materials and equipment, solid fuels, lumber and new <i>building</i> materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, as a principal or an <i>accessory use</i> . A storage yard does not include an automobile wrecking yard or a <i>junk yard</i> .
STREET	means a public highway, road or thoroughfare which affords the principal means of access to abutting <i>lots</i> .
STRUCTURE	means anything constructed or erected, the <i>use</i> of which requires location on the ground or attachment to something having location on the ground but shall not include walls less than 1.5 m (4.9 ft) in height or <i>fences</i> that do not exceed the height permitted in the <i>zone</i> in which they are located.
SUBSIDIZED HOUSING	means all types of housing that receive subsidy or rental assistance for those living in the private market from public sources (be they federal, provincial/territorial, or municipal).

SUBDIVISION APPROVING OFFICER	means an Approving Officer appointed by the <i>Council</i> under the <i>Land Titles Act</i> .
SUPPORTIVE HOUSING	means housing that has no limit on length of stay, is purpose-designed building that provides ongoing supports and services to individuals who cannot live independently.
THEATRE	means a building or part thereof devoted to dramatic, dance, musical or other live performances.
TRANSITION HOUSE	means a facility providing temporary accommodation and/or counselling to persons in need or distress. Facilities operated under the <i>Community Care Facilities Act</i> , <i>Correction Act</i> or <i>Mental Health Act</i> are not included in this definition.
TRANSITIONAL HOUSING	provides housing for more than 30 days up to three years that includes provision of support services, on or off site, to help individuals move towards independence and self-sufficiency. This form of housing is often called second stage housing.
TRANSPORTATION DISPATCH AND DEPOT	means a transportation centre. Includes taxi dispatch, bus terminals, and other similar <i>uses</i> .
UNDERGROUND PARKING	means an area devoted exclusively for parking vehicles and is located beneath a principal <i>building</i> which is completely enclosed and exclusively devoted to parking vehicles. This area shall not be considered a <i>storey</i> .
USEABLE OPEN SPACE	means a level, unobstructed area or areas, available for safe and convenient <i>use</i> by all the <i>building's</i> users and occupants providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas <i>used</i> for off-street parking, off-street loading, service driveways, public walkways, and required <i>front yards</i> .
USE	means the purpose for which any <i>lot</i> , parcel, tract of land, <i>building</i> or <i>structure</i> is designed, arranged or intended, or for which it is occupied or maintained.
VIDEO RENTAL STORE	means a business where the primary activity is to rent or sell videos, DVD's, video games, and related items.
WHOLESALE	means a business establishment devoted to wholesale sales, being: the sale of goods, commodities and merchandise to retail distributors; to other wholesale distributors; to industrial, commercial, institutional or professional business users; or acting as agents or brokers and buying or selling goods, commodities and merchandise for incorporation and assembly into other products.

YARD, FRONT means that portion of the *lot*, extending from one *side lot line* to the other, between the front line of the *lot* and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the front line of the *lot* and the parallel line. In the case of a *through lot* there shall be two such *front yards*.

YARD, REAR means that portion of the *lot*, extending from one *side lot line* to the other, between the rear line of the *lot* and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the rear line of the *lot* and the parallel line.

Yard Setbacks



YARD, REQUIRED means the minimum front, rear, or *side yard* specified for each *zone*.

YARD, SIDE means that portion of the *lot*, extending from the *front yard* to the *rear yard* between the side line of the *lot* and a line drawn parallel thereto. The width of such yard shall mean the perpendicular distance between the side line of the said *lot* and the parallel line.

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

5. Establishment of Zones

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

A1 – Agriculture
 FD – Future Development
 RR1 – Rural Residential
 RR2 – Semi Rural Residential
 R1 – Single *Detached* Residential
 R2 – Single and Semi-Detached Residential
 R3 – Small *Lot* Single *Detached* Residential
 RM1 – Low Density Multi-Residential
 RM2 – Medium Density Multi-Residential
 RM3 – Higher Density Multi-Residential
 MH1 – Mobile and Modular Homes
 C1 – Neighbourhood Commercial
 C2 – General Commercial
 C3 – Service Commercial
 C4 – Highway Commercial
 C5 – Transitional Office
 C6 – Gaming Centre
 C7 – Core Business
 C8 – Commercial Recreation
 C9 – Commercial Guest House
 M1 – Light Industry
 M2 – Medium Industry
 M3 – Heavy Industry
 M4 – Utilities
 P1 – Institutional
 P2 – Parks and Recreation
 W1 – Waterfront Commercial
 W2 – Waterfront Industrial
 TH1 – Townhouse Multi-Family
 CD1 – Comprehensive Development – Uplands Phase 2 – Burde Street

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

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

W zones Shall mean all *zones* beginning with W followed by a number.

5.3 Zoning Map

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

5.4 Zone Boundaries

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

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

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

5.5 Permitted in all Zones

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

- 5.5.1 *Accessory Buildings and Structures*
- 5.5.2 *Public parks and playgrounds*
- 5.5.3 *Unattended Public Utility Use*
- 5.5.4 *Community Gardens*
- 5.5.5 *Market Gardens*
- 5.5.6 *Natural areas*
- 5.5.7 *Daycare or other preschools*

5.6 Zone Abbreviations

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

A1 – AGRICULTURE

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

5.7.1 Permitted Uses

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

Principal Uses

Agriculture, except for intensive agricultural uses

Aviary

Garden shop, nursery, and landscape supplies

Kennel

Single detached dwelling

Accessory Uses

Bed and breakfast

Farm market operation

Farm sales

Guest house

Home occupation

Housing for farm labour

Secondary suite

Supportive housing

5.7.2 Site Development Regulations

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

5.7.3 Conditions of Use

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

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

FD – FUTURE DEVELOPMENT

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

5.8.1 Permitted UsesPrincipal Uses

Agriculture, except for intensive agricultural
uses

Kennel

Single detached dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary suite

5.8.2 Site Development Regulations

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

5.8.3 Conditions of Use

- (a) The maximum *coverage* calculation shall include greenhouses.
- (b) Notwithstanding the provisions of 5.8.2, all *buildings, structures, cages, pens or runs used for kennels, aviaries* and the keeping of bees, shall be located not less than 25 m (82 ft) from all *lot* lines, and not less than 9 m (29.5 ft) from a *dwelling* situate on the same *lot*.
- (c) *Lots* less than 0.4 ha (1 ac) in area shall not be *used* for the keeping of cows, goats, horses, pigeons, or other animals, except as provided for in Section 6.24 of this Bylaw.
- (d) An area of not less than 0.2 ha (0.5 ac) shall be made available for the keeping of each horse, cow, goat, sheep, or other similar animal.

RR1 – RURAL RESIDENTIAL

- 5.9 The purpose of this zone is to provide for low density development of a rural character, with larger *lots*, serviced by on-site sewage disposal field.

5.9.1 Permitted UsesPrincipal Uses*Agriculture*, except *intensive agricultural uses**Aviary**Kennel*

Single detached dwelling

Accessory Uses*Bed and breakfast**Home occupation**Secondary suite**Supportive housing*Site Specific UsesA second single detached dwelling, or a semi-detached *dwelling*5.9.2 Site Development Regulations

Minimum <i>Lot Area</i>	4,000 m ²	(0.988 ac)
Minimum <i>Frontage</i>	40 m	(131.2 ft)
Maximum <i>Coverage</i>	33%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	3 m	(9.8 ft)
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)
Maximum number of residential units per <i>lot</i>	2	

5.9.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.9.2, on a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.
- (b) *Kennels*, aviaries and greenhouses are only permitted on *lots* greater than 8,000 m² (2 acres) in size.
- (c) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (d) Notwithstanding the provisions of 5.9.1, only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.
- (e) *Lots* less than 0.4 ha (1 ac) in area shall not be *used* for the keeping of cows, goats, horses, pigeons, or other animals, except as provided for in Section 6.24 of this Bylaw.

- (f) An area of not less than 0.2 ha (0.5 ac) shall be made available for the keeping of each horse, cow, goat, sheep, or other similar animal.

5.9.4 Site Specific Uses

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

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

RR2 – SEMI RURAL RESIDENTIAL

5.10 The purpose of this zone is to provide for low density development of a semi-rural character.

5.10.1 Permitted Uses

Principal Uses

Single detached dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary Suite

Supportive housing

5.10.2 Site Development Regulations

Minimum <i>Lot Area</i>	1,160 m ²	(12,487 ft ²)
Minimum <i>Frontage</i>	23 m	(75.5 ft)
Maximum <i>Coverage</i>	33%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)
Maximum number of residential units per <i>lot</i>	2	

5.10.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.10.2:
- (i) The sum of the width of both *side yards* must be equal to or greater than 20% of the *lot width*.
 - (ii) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.
 - (iii) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.

R1 – SINGLE DETACHED RESIDENTIAL

5.11 The purpose of this zone is to establish and maintain low-density neighbourhoods.

5.11.1 Permitted Uses

Principal Uses

Single detached dwelling

Accessory Uses

Bed and breakfast

Home occupation

Accessory Dwelling Unit

Supportive housing

5.11.2 Site Development Regulations

Minimum Lot Area	600 m ²	6,458 ft ²
Minimum Frontage	15 m	49.2 ft
Maximum Coverage	50%	
Minimum Setbacks:		
<i>Front yard</i>	7.5 m	(24.6 ft)
<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Density (units/hectare)	16	
Maximum Height, Principal Building	10 m	(32.8 ft)

5.11.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.11.2:
 - (i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
 - (ii) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.

R2 – SINGLE AND SEMI-DETACHED RESIDENTIAL

- 5.12** The purpose of this *zone* is to establish and maintain low-density neighbourhoods featuring single and semi-detached dwellings.

5.12.1 Permitted UsesPrincipal Uses

Single detached dwelling
Semi-detached dwelling

Accessory Uses

Bed and breakfast
Home occupation
Accessory Dwelling Unit
Supportive housing

5.12.2 Site Development Regulations

Minimum <i>Lot Area</i>	365 m ²	(3,929 ft ²)
Minimum <i>Frontage</i>	10 m	32.8 ft ²
Maximum <i>Coverage</i>	60%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6.0 m	(21.3 ft)
<i>Rear yard</i>	6.0 m	(21.3 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Density (units/hectare):		
Single detached dwelling	27	
Semi-detached dwelling	46	
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)

5.12.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.12.2:
- (i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (11.5 ft) wide.
 - (ii) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.

- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*:
bed and breakfast OR secondary suite OR supportive housing.

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R3 – SMALL LOT SINGLE DETACHED RESIDENTIAL

5.13 The purpose of this zone is to provide for gentle density in areas of the city that are being redeveloped, and to provide new single detached housing in a smaller format.

5.13.1 Permitted Uses**Principal Uses**

Single detached dwelling

Accessory Uses

Home occupation

Accessory Dwelling Unit

5.13.2 Site Development Regulations

Minimum <i>Lot Area</i>	300 m ²	(3,229 ft ²)
Minimum <i>Frontage</i>	10 m	(32.8 ft)
Maximum <i>Coverage</i>	60%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	5 m	(16.4 ft)
<i>Rear yard</i>	5 m	(16.4 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Density (units/hectare)	34	
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)

5.13.3 Conditions of Use

Notwithstanding the provisions of 5.13.2:

- (a) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
- (b) For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (c) The minimum permitted *setback* from the vehicle entrance of a principal or *accessory building* to a highway other than a *lane* is 5.8 m (19 ft).

RM1 – LOW DENSITY MULTI-RESIDENTIAL

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

5.14.1 Permitted UsesPrincipal Uses

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

Accessory Uses

Home occupation

5.14.2 Site Development RegulationsMinimum *Lot Area*

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

Minimum *Frontage*

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

Maximum *Coverage* 40%

Minimum *Setbacks*:

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

Maximum *Floor Area Ratio* 0.5

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

5.14.3 Conditions of Use

- (a) The principal access to each *dwelling* unit shall be from an outdoor area.
- (b) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- (c) Site development for single and semi-detached dwellings must be in accordance with the R2 zone regulations provided in Sections 5.12.2 and 5.12.3.

RM2 – MEDIUM DENSITY MULTI-RESIDENTIAL

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

5.15.1 Permitted UsesPrincipal Uses

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

Accessory Uses

Home occupation

5.15.2 Site Development Regulations

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

5.15.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.15.2, *useable open space* shall be provided on the *lot* of not less than 45 m² (484.4 ft²) for each *dwelling* unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling* unit of smaller size.
- (b) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this Bylaw.
- (c) Site development for single *detached* and semi-detached dwellings must be in accordance with the R2 *zone* regulations provided in Sections 5.12.2 and 5.12.3.

RM3 – HIGH DENSITY MULTI-RESIDENTIAL

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

5.16.1 Permitted UsesPrincipal Uses

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

Accessory Uses

Home occupation

5.16.2 Site Development RegulationsMinimum Lot Area

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

Minimum Frontage

Multi-residential dwelling 30 m 98.4 ft

Maximum Coverage

50%

Minimum Setbacks:

Front yard 6 m (19.7 ft)

Rear yard 9 m (29.5 ft)

Side yard 5 m (16.4 ft)

Maximum Floor Area Ratio

1.2

Maximum Height, Principal Building

14 m (45.9 ft)

5.16.3 Conditions of Use

- (a) Groups of single and semi-detached or multi-residential dwellings are permitted, as an exception to Section 6.1 of this Bylaw.
- (b) Site development for single and semi-detached dwellings must be in accordance with R2 zone regulations provided in Sections 5.12.2 and 5.12.3.

5.16.4 Site Specific Uses

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

<u>Principal Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
<u>Accessory Uses:</u> Hostel Restaurant Pub Assembly	4815 Argyle Street	Lot 7, Block 41, District Lot 1, Alberni District, Plan 197B (PID: 009-251-162) and Parcel A, Block 41, Plan VIP197B, Alberni Land District (Being a consolidation of Lots 8 & 9, See FB348042)
'Maximum Height, Principal Building' = 18 m (59 ft); and	4202 and 4238 8th Avenue	4202 8th Avenue – Lot 10, District Lot 1, Alberni District, Plan VIP18042; and

'Maximum Number of Building Storeys' = 5		4238 8th Avenue – Lot 11, District Lot 1, Alberni District, Plan VIP18042
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MH1 – MOBILE AND MODULAR HOMES

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

5.17.1 Permitted UsesPrincipal Uses*Mobile home**Modular home**Modular- or mobile-home park*Accessory UsesCommon recreation area or *building**Home occupation*Single detached dwelling (1) for owner or operator of *modular- or mobile-home park***5.17.2 Site Development Regulations for Mobile- and Modular-Home Parks**

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

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

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

Minimum *Frontage*

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

Minimum *Site Area*

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

Minimum *Setbacks*:

<i>Front yard</i>	3 m	(9.8 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
<i>Rear yard</i>	2.5 m	(8.2 ft)

Maximum *Site Coverage* 40%

- (b) *Setbacks* pertaining to each surveyed or clearly and permanently marked *mobile- or modular-home location* or established space are in addition to those specified in 5.17.2.

5.17.4 Conditions of Use

- (a) Notwithstanding the provisions of 5.17.2, a *lot* complying with the minimum *lot area* requirements may be subdivided to create *strata lots* for individual mobile or *modular homes* in accordance with the standards for mobile- or *modular-home* spaces, as set out in 5.17.3 of this *zone*.
- (b) The yard *setbacks* set forth in the Site Development Regulations, Section 5.17.2, shall be *used* as a buffer area, with *uses* within these *setbacks* limited to the provision of open or *landscaped* areas and access crossings.
- (c) Not less than five percent (5%) of the total *lot area* shall be set aside as a recreation or open space area *accessible* to all residents. This area shall not include any *required yards*.
- (d) For a mobile- or modular-home site located on a corner, the *side yard* against the flanking internal roadway shall be a minimum of 3.5 m (11.5 ft).
- (e) Notwithstanding any other provision of this Bylaw, *accessory buildings* situated upon a mobile- or modular-home space shall not exceed 20 m² (215 ft²) in area nor 4 m (13.1 ft) in height and may be located not less than 1 m (3.3 ft) from the side or *rear lot line* at the site when located to the rear of the mobile or modular home.
- (f) Where a porch is less than 10 m² (107.6 ft²) in area or a carport is attached to a mobile home, the porch or carport may project up to 1.5 m (4.9 ft) into a required 3 m (9.8 ft) *side yard*.
- (g) Internal roadways shall be a minimum of 8 m (26.2 ft) in width. Each modular-home/mobile-home park space shall have access to a roadway.
- (h) Each mobile- and modular-home space shall have its boundary clearly and permanently marked.
- (i) Notwithstanding minimum width requirements established elsewhere in this Bylaw, the minimum width of a modular home shall be 5.0 m (16.4 ft).

C1 – NEIGHBOURHOOD COMMERCIAL

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

5.18.1 Permitted UsesPrincipal Uses*Artist's studio**Community care facility**Live-work**Medical service**Office**Personal service**Professional service**Restaurant (not drive-through)**Retail*Accessory Uses*Dwelling unit(s) above or behind a permitted commercial use*Site-Specific Uses*Gasoline service station***5.18.2** Site Development Regulations

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

5.18.3 Conditions of Use

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

5.18.4 Site Specific Uses

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

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

C2 – GENERAL COMMERCIAL

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

5.19.1 Permitted UsesPrincipal Uses

Amusement establishment
Appliance repair
Artist's studio
Assembly

Automotive sales, repair and servicing
Bakery
Bank or other financial institution
Cannabis Retail Store, subject to 6.26
Club or lodge
Community care facility

Daycare or other preschool

Gasoline service station
Live-work
Medical service
Multi-residential dwelling

Office
Pawn shop
Personal service
Place of worship
Professional service
Public market
Restaurant, including drive-through
Retail

Principal Uses (continued)

School
Senior's housing
Shopping centre
Small appliances and electronics, sales, and repair
Social service centre

Veterinary clinic

Accessory Uses

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

Site Specific Uses

Liquor, Wine, and Beer Store

5.19.2 Site Development Regulations

<i>Minimum Lot Area</i>	800 m ²	(8,611 ft ²)
<i>Minimum Frontage</i>	15 m	(49 ft)
<i>Maximum Coverage</i>	75%	
<i>Minimum Setbacks:</i>		
<i>Front yard</i>	0 m	
<i>Rear yard</i>	3 m	(10 ft)

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

5.19.3 Conditions of Use

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

5.19.4 Site Specific Uses

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

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

C3 – SERVICE COMMERCIAL

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

5.20.1 Permitted UsesPrincipal Uses

Ambulance station
Amusement establishment
 Appliances and electronics, sales and repair
Artist's studio
Automotive sales, repair and servicing
 Bakery
 Bank or other financial institution
 Boat or *recreational vehicle* sales and repair
Building supply

Cannabis Retail Store, subject to 6.27
Cannabis Micro-Cultivation
Cannabis Micro-Processing
Cannabis Nursery
Cartage and delivery services
 Catering establishment
Club or lodge
Contractor's shop
 Custom woodworking
 Enclosed storage and warehousing, including mini-storage
 Garden shop, nursery and *landscape* supplies
 Gasoline service station

 Glass shop
 Medical service

Micro-Brewery/Micro-Distillery
Office

Principal Uses (continued)

Pawn shop
Personal service
 Petroleum products, wholesale

Prefabricated buildings sales
 Printing, publishing and allied industry
Public Market
 Recycling depot
 Restaurant, including drive-through

Retail
 Signs and displays industry
Transportation dispatch and depot
 Veterinary clinic
 Wholesale

Accessory Uses

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

Site Specific Uses

Liquor, wine and beer store

 Dwelling unit(s) behind street facing commercial units and dwelling unit(s) on the second storey

5.20.2 Site Development Regulations

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

5.20.3 Conditions of Use

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

5.20.4 Site Specific Uses

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

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

C4 – HIGHWAY COMMERCIAL

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

5.21.1 Permitted Uses

Principal Uses

Automotive sales, repair and servicing

Bank or other financial institution

Boat or *recreational vehicle* sales and repair

CAMPGROUND

Cannabis Retail Store, subject to 6.26

Cannabis Micro-Cultivation

Cannabis Micro-Processing

Cannabis Nursery

Garden shop, nursery and landscape supplies

Gasoline service station

Golf driving range

Hotel

Medical service

Miniature golf

Motel and Motor hotel

Personal service

Professional service

Restaurant, including drive-through

Retail

Shopping centre

Tourist service

Transportation dispatch and depot

Veterinary clinic

Accessory Uses

Caretaker's *Dwelling* Unit, subject to Section 6.16

Outdoor storage

Office

Site Specific Uses

Liquor, wine and beer store

Nightclub, Cabaret, Bar & Pub

5.21.2 Site Development Regulations

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

5.21.3 Conditions of Use

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

5.21.4 Conditions of Use: Campgrounds

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

5.21.5 Site Specific Uses

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

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

C5 – TRANSITIONAL OFFICE

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

5.22.1 Permitted UsesPrincipal Uses*Artist's studio**Community care facility**Live-work**Medical service**Professional Service**Personal service*

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

Small appliances and electronics, sales and repair

Accessory Uses*Office***5.22.2 Site Development Regulations**

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

5.22.3 Conditions of Use

- (a) All business activity shall be conducted within a completely enclosed *building* except for parking and loading facilities.
- (b) Where a single detached dwelling is the principal permitted *use*, the Site Development Regulations of the R2 *zone* and off-street parking requirements of this Bylaw shall apply.
- (c) Notwithstanding the off-street parking requirements of this Bylaw, no parking shall be located in a required *front yard*.
- (d) Commercial activities on C5 *zoned* property are exempt from the loading regulations (Section 7.7).

C6 – GAMING CENTRE

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

5.23.1 Permitted Uses

Principal Uses

Gaming Centre

Accessory Uses

Helipad

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

Lounge

Meeting Rooms

Micro-Brewery/Micro-Distillery

Office

Restaurant

5.23.2 Site Development Regulations

Minimum *Lot Area* 2 ha (4.9 ac)

Minimum *Frontage* 100 m (328 ft)

Maximum *Coverage* 35%

Minimum *Setbacks*:

Front yard 9 m (29.5 ft)

Rear yard 9 m (29.5 ft)

Side yard 9 m (29.5 ft)

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

5.23.3 Conditions of Use

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

C7 – CORE BUSINESS

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

5.24.1 Permitted UsesPrincipal Uses*Adult retail**Amusement establishment**Appliance repair**Artist's studio**Assembly**Automotive sales, repair and servicing**Bakery**Bank or other financial institution**Boat or recreational vehicle sales and repair**Cannabis Retail Store, subject to 6.26**Club or lodge**Community care facility**Daycare or other preschool**Gasoline service station**Government service**Hotel, Motor hotel and Hostel**Live-work**Lumber and Building Materials Retailers and Wholesalers**Medical service**Micro-Brewery/Micro-Distillery**Multi-residential dwelling**Nightclub, Cabaret, Bar and Pub**Parking lot**Pawn shop**Personal service**Place of worship**Printing, publishing and allied industry*Principal Uses (continued)*Professional service**Public market**Restaurant, including drive-through**Retail**School**Senior's housing**Shopping centre**Single or semi-detached dwelling (built prior to the adoption of this bylaw)**Small appliances and electronics, sales and repair**Social service centre**Theatre**Tourist Services**Transportation Dispatch and Depot**Tutoring Service*Accessory Uses*Home Occupation**Residential above commercial**Office*Site-Specific Uses*Dwelling units at ground level**Glass shop**Liquor, wine, and beer store*

5.24.2 Site Development Regulations

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

5.24.3 Conditions of Use

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

5.24.4 Site Specific Uses

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

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

C8 – COMMERCIAL RECREATION

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

5.25.1 Permitted *Uses**Principal Uses*

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

Accessory Uses

Assembly
 Lounge
 Restaurant
 Retail

5.25.2 Site Development Regulations

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

5.25.3 Conditions of Use

- (a) The principal *building* on the site shall be a minimum of 100 m² (1,076 ft²) in size.
- (b) The sum total of the *gross floor area* for *accessory buildings*, including restaurants, shall not exceed 230 m² (2,530 ft²) except that an additional accessory store with a maximum of 120 m² (1,292 ft²) is permitted in conjunction with a *campground*.
- (c) All mechanical, electrical or other service equipment located outside or on the roof of a *building* shall be screened from adjacent properties and *streets* by *landscaping*, ornamental *structures* or other means.
- (d) All outdoor storage and refuse receptacle areas shall be screened in accordance with Section 6.8.
- (e) A maximum of one caretaker's residence may be located in conjunction with the permitted *use* on the *lot*, subject to the provisions of Section 6.16.
- (f) Where a campground is the principal permitted *use*, the conditions of *use* contained in Section 5.21.4 (Highway Commercial) shall apply.

C9 – COMMERCIAL GUEST HOUSE

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

5.26.1 Permitted UsesPrincipal Uses

Guest House
Single detached dwelling
Semi-detached dwelling

Accessory Uses

Bed and Breakfast
Secondary suite

5.26.2 Site Development Regulations for Guest HousesMinimum *Lot Area*

Up to 4 units	900 m ²	(9,688 ft ²)
5 or 6 units	1,000 m ²	(10,764 ft ²)
7 or 8 units	1,100 m ²	(11,840 ft ²)

Minimum *Frontage*

25 m (82 ft)

Maximum *Coverage*

35%

Minimum *Setbacks*:*Front yard*

7.5 m (24.6 ft)

Rear yard

9 m (29.5 ft)

Side yard

1.5 m (4.9 ft)

Maximum Height, Principal *Building*

10.5 m (29.5 ft)

Maximum *Floor Area Ratio*

0.6

5.26.3 Conditions of Use

- (a) The conditions of use pertaining to Guest Houses are specified in 6.14.
- (b) Where a single or semi-detached dwelling is located in a GH zone, the Site Development Regulations of the R2 zone and off-street parking requirements of this Bylaw shall apply.
- (c) For single detached dwellings and semi-detached dwellings having no carport or attached garage with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 m (9.8 ft) for one side yard and 3 m (9.8 ft) for both side yards for a semi-detached dwelling.
- (d) Secondary suites are only permitted on those lots where a single detached dwelling is the principal use. For clarity, a secondary suite is not permitted in conjunction with a guest house or bed and breakfast use.

M1 – LIGHT INDUSTRY

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

5.27.1 Permitted Uses

Principal Uses

Automotive sales, repair and servicing
Boat or recreational vehicle sales and repair
Building supply
Cannabis Standard Cultivation
Cannabis Standard Processing

Cannabis Micro-Cultivation

Cannabis Micro-Processing

Cannabis Nursery

Cartage and delivery service

Contractor's shop

Custom workshop

Electronics repair

Enclosed Storage and warehousing, including mini-storage

Exterminating service

Food and beverage processing (excluding the fish, meat and poultry products industries)

Furniture and fixture manufacturing

Garden shop, nursery and landscape supplies

Gasoline service station

Glass shop

Health and fitness centre

Machine shop

Machinery and equipment sales, rental and repair

Other light manufacturing industry

Petroleum products, wholesale

Prefabricated buildings sales

Printing, publishing and allied industry

Recycling depot

Principal Uses (continued)

Signs and displays industry

Storage yard

Transportation dispatch and depot

Veterinary clinic

Wholesale (excluding wholesalers of scrap and waste materials)

Works yard

Accessory Uses

Caretaker's dwelling unit subject to Section 6.16

Display, storage, and retail sales of goods produced on the premises

Office

Site-Specific Uses

Medical Marijuana Facility

5.27.2 Site Development Regulations

Minimum <i>Lot Area</i>	930 m ²	(10,011 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	50%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard (total)</i>	6 m	(19.7 ft)
(Permitted on one side)	0 m	
Maximum Height, Principal <i>Building</i>	12.5 m	(41 ft)

5.27.3 Conditions of Use

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

5.27.4 Site Specific Uses

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

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

M2 – MEDIUM INDUSTRY

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

5.28.1 Permitted UsesPrincipal Uses**All uses permitted in the M1 Zone**

Animal shelter

Automobile wrecking yard

Blacksmithing and welding shop

Bulk fuel storage

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

Construction, house moving and excavation

Industry *offices*, workshops and storage

Large equipment or machinery sales and repairs

Machining

Manufacturing, excluding *uses* specifically listed in M3

Open storage

Scrap and waste materials wholesaler

Truck transport operation

Utility works yard

Wood industry, concerned with *manufacturing* or finishing from prepared lumberAccessory UsesCaretaker's *dwelling* unit, subject to Section 6.16Display, storage, and *retail* sales of goods produced on the premises
*Office*5.28.2 Site Development Regulations

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

5.28.3 Conditions of Use

- (a) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (b) Notwithstanding the provisions of 5.28.2, the minimum *lot area* for an *automobile wrecking yard* operation shall be one (1) hectare (2.47 ac).
- (c) All portions of a required *front yard* not *used* for permitted parking or display areas shall be *landscaped*.
- (d) Any part of a *lot used* or intended to be *used* as an outside storage area that is adjacent to a R, RR, or RM *zone* shall be separated by a solid screen from the properties in that *zone*. No material shall be piled so as to be higher than such *screening* within 15 m (50 ft) of the *lot* line.
- (e) Along any *lot* line adjacent to an R, RR or RM *zone*, a continuous *landscape buffer*, excluding any areas *used* for access, shall be provided and shall be not less than 1.8 m (5.9 ft) in height.

M3 – HEAVY INDUSTRY

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

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

Boiler and plate work

Fabricated metal products

Fish, meat and *poultry* products industry*Junk yard*Paper and allied *manufacturing* industry

Primary metal industry

Ready-mix concrete

Sawmill

Shipbuilding, *boatbuilding* and repair

Storage

Accessory UsesCaretaker's *dwelling* unit, subject to

Section 6.16

Display, storage, and *retail* sales of goods produced on the premises*Office***5.29.2** Site Development Regulations

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

5.29.3 Conditions of Use

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

M4 – UTILITIES

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

5.30.1 Permitted UsesPrincipal Uses

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

Accessory Uses**5.30.2** Site Development Regulations

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

5.30.3 Conditions of Use

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

P1 – INSTITUTIONAL

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

5.31.1 Permitted UsesPrincipal Uses

Ambulance station

Arena

Assembly, cultural or recreational facility

Childcare centre

*Community Care facility**Dormitory*

Firehall

Hospital

Hostel

Medical service

Office

Parking Lot

*Personal service**Place of worship*

Police station

Pound

*School**Supportive housing**Transition house*

Tutoring service

Accessory UsesCaretaker's *dwelling* unit, subject to Section 6.16Site Specific *Accessory Uses* as permitted under Section 5.31.4.**5.31.2** Site Development Regulations

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

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

- (a) Notwithstanding the provisions of 5.31.2, the total of both *side yards* must be equal or greater than 20% of the *lot width*.
- (b) *Community care facilities* for seniors may include an accessory beauty shop or other provision of other *personal services*, limited to 16m² (172 ft²) in floor area and 2 service chairs, operating between the hours of 8:30 am to 5:00 pm, Monday to Friday and 9:00 am to 12:00 pm on Saturday.

5.31.4 Site Specific

A.

The following *Accessory Uses* are permitted on the property located at **5100 Tebo**

Avenue – Lot 1, District Lot 13, Alberni District, Plan VIP78180 (PID: 001- 346-377):

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

- i. The following conditions apply to *Accessory Uses* listed in 5.31.4.A:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 1,077 m² (11,592 ft²).
 - c) No retail activity is permitted as part of any business located on the property.

B.

Site – **4411 Wallace Street** – Lot B, District Lot 1, Alberni District, Plan 32448

VIP78180 (PID: 000-154-130).

- i. Notwithstanding the maximum coverage provisions of Section 5.31.2, for the property known as Fir Park Village, a maximum coverage of 58% is permitted.

C.

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

- i. The following accessory use is permitted:
 - Restaurant
- ii. The following conditions apply to *Accessory Uses* listed in 5.31.4.Ci:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 481 m² (5,180 ft²).

D.

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

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

E.

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

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
 - a) *Mother's Centre*

P2 – PARKS AND RECREATION

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

5.32.1 Permitted UsesPrincipal Uses*Assembly, cultural and recreational facility**Cemetery**Fairground**Fish hatchery**Forest management**Golf course**Natural Areas, Open Spaces and Parks**Public Parks and Playgrounds*Accessory Uses*Caretaker's dwelling unit, subject to Section 6.16**Carnivals, Circuses, Exhibitions, Horse, Dog and Pony Shows**Office**Picnic Area**Parking Lot**Public Toilet***5.32.2 Site Development Regulations***Minimum Lot Area*1,000 m² (10,764 ft²)*Minimum Frontage*

30 m (98.4 ft)

Maximum Coverage

40%

*Minimum Setbacks:**Front yard*

6 m (19.7 ft)

Rear yard

9 m (29.5 ft)

Side yard

1.5 m (4.9 ft)

Maximum Height, Principal Building

8 m (26.2 ft)

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 UsesPrincipal Uses

Boat rental operations
Boat tour and charter operations
Commercial mooring facilities

Docks, Wharves, and Floats (for the use of water taxis, ferries, float planes and amphibious vessels)

Fish product industry

Marina

Marine fuelling operations

Marine-oriented clubs such as yacht clubs

Micro-Brewery/Micro-Distillery

Nightclub, Cabaret, Bar and Pub

Observation Tower

Public market

Restaurant, (excluding drive-in or drive-through)

Retail

Stewardship Centre

Accessory Uses

Loading facility

Office

Permanent residence (on one boat or vessel by one member or employee of any other use permitted within this zone for purposes of security and fire protection)

Private floats and wharves

Storage

Temporary boat storage

Temporary or seasonal residence (on a boat or vessel for commercial fishing purposes)

Site Specific Uses

Barber

Beauty Shop

Residential Above Commercial

Salon

Spa

5.33.2 Site Development Regulations

Maximum Height, Principal Building 8 m (26.2 ft)

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.

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

5.33.4 Site Specific Uses

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

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

W2 – WATERFRONT INDUSTRIAL

- 5.34** 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 UsesPrincipal Uses

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

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

Marine fuelling operations

Office

Shipbuilding, boatbuilding and repair

Accessory Uses

Loading facility

Private floats and wharves

Storage

Temporary boat storage

Permanent residence on one boat or vessel by one member or employee of any other use permitted within this *zone* for purposes of security and fire protection

Temporary or seasonal residence on a boat or vessel for commercial fishing purposes

5.34.2 Site Development Regulations

Maximum Height, Principal *Building*

12.5 m

(41 ft)

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*.

TH1 – TOWNHOUSE MULTI-FAMILY

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

5.35.1 Permitted usesPrincipal Uses

Multiple family dwellings

Accessory Uses

Home occupation

5.35.2 Site Development Regulations

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

5.35.3 Conditions of Use

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

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

6. General Regulations

6.1 Number of Principal *Buildings* on a Site

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

6.2 Location of *Buildings*

- 6.2.1 No *building* shall be located in any required front, side, or *rear yard* except in accordance with this Bylaw.
- 6.2.2 No principal *building* shall be located so as to be within more than one *lot*, except where one or more of the *lots* is an air space parcel.

6.3 Location of *Buildings* and *Structures* Adjacent to Watercourses

- 6.3.1 Unless otherwise required by another level of government, all *buildings*, and *structures* in all *zones* shall be located not less than 15 m (49.2 ft) from the *natural boundary* of a lake, marsh, pond, river, creek, stream, including without limitation:
- Rogers Creek;
 - Dry Creek, east of the Quadrant *Street*;
 - Ship Creek, east of 3rd Ave;
 - Lugin Creek;
 - Cherry Creek;
 - Kitsuksis Creek, east of the Kitsuksis Dyke; and
 - the Somass River, north of Lupsicupsi Point,
 - or any other natural body of water, except the ocean.
- 6.3.2 *Buildings* and *structures* shall be located not less than 7.5 m (24.6 ft) from any dyke right-of-way or other flood protection *structure*.
- 6.3.3 Parking and loading areas and other impervious surfaces shall be located not less than 7.5 m (24.6 ft) from the *natural boundary* of any lake, marsh, pond, river, creek, stream or any other natural body of water, except the Alberni Inlet, and must fulfil the requirements of other levels of government.

6.4 Height Exemptions

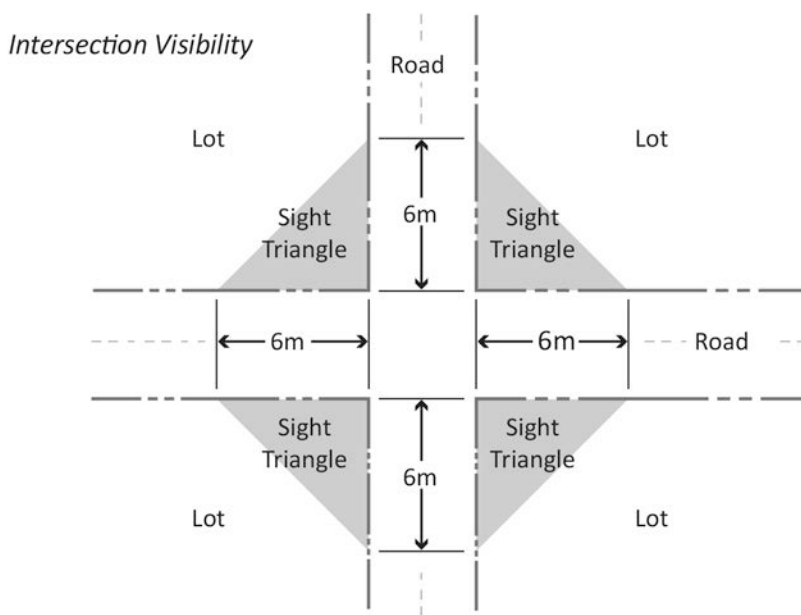
The following *structures* or structural parts shall not be subject to the *building height* requirements of this Bylaw:

- belfries;
- cellular towers;
- chimneys;
- church spires;
- domes;
- elevator and ventilating machinery penthouses
- fire and hose towers;
- flag poles;
- grain storage;
- monuments;
- observation towers;
- radio towers;
- silos;
- solar panels;
- stadiums;
- transmission towers; and
- wind turbines,
- photovoltaic cells

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

6.5 Visibility at Intersections

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



6.6 Minimum *Lot* Size Exemptions

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

6.7 Fences and Hedges

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

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

6.8 Landscaping

- 6.8.1 In RM, P1, C, M1 and M2 *zones*, all areas not *used for buildings, structures*, parking, loading, access or storage shall be *landscaped*.
- 6.8.2 In all RM, C, and P1 *zones*, *screening* not less than 1.5 m (4.9 ft) and not greater than 1.85 m (6.0 ft) in height shall be provided on at least three (3) sides of garbage bins, receptacles or storage areas, unless located within a completely enclosed *structure*.
- 6.8.3 Notwithstanding Section 6.7.4, *screening* not less than 1.5 m (4.9 ft) and not more than 2.4 m (8.0 ft) in height shall be provided:
 - (a) along any side or rear boundary of a *lot* in a C *zone* that abuts an R, RR, RM, or A *zone*; and
 - (b) between any RM *zone* and any parking or access *uses* that abut any R *zoned lot*, along the common *lot* lines.
- 6.8.4 For boulevards: *Landscaping* in the form of grass, unless otherwise approved by the *City Engineer*, shall be provided between the *lot* line and curb or *street* shoulder in the absence of a curb.
- 6.8.5 Notwithstanding 6.8.1 through 6.8.4, all *landscaping* requirements are subject to the provisions of Section 6.5.
- 6.8.6 Maximum area of impervious surface in any R *zone* is calculated as follows:
 $(\text{Lot Area} - \text{Coverage}) \times 0.5 = \text{impervious surface}$

6.9 Storage of Vehicles and Equipment

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

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

6.10 Accessory Buildings

- 6.10.1 *Accessory buildings* shall not be erected unless:
(a) the principal *building* has been erected; or
(b) the principal *building* will be erected simultaneously; or
(c) the *principal use* is in effect.
- 6.10.2 An *accessory building* shall not be used as a *dwelling*, except for a permitted caretaker's *dwelling* unit as provided for in Section 6.16.
- 6.10.3 Except as otherwise provided in this Bylaw, *accessory buildings* may be located in required rear and *side yards* provided that no portion of the *building* is located within 1.0 m (3.3 ft) of a rear or *side lot line*.
- 6.10.4 Where a garage or carport is accessed from a *lane*, said *building* shall be located not less than 1.5 m (4.9 ft) from the laneway *lot line*.
- 6.10.5 In R, RR, and RM zones, the total floor area of all *accessory buildings* shall not exceed 90 m² (807.3 ft²), and the height of any *accessory building* shall not exceed 5.5 m (18 ft) nor 1 *storey*, subject to 6.10.8 of this Bylaw.
- 6.10.6 In A zones, the total floor area of all *accessory buildings* shall not exceed 90 m² (969 ft²), and the height of any *accessory building* shall not exceed 4.5 m (14.8 ft) nor 1 *storey*.
- 6.10.7 In A, R, RR, or RM zones, not more than two-thirds of the width of the *rear yard* nor 50% of the *lot area* to the rear of the principal *building* of any *lot* shall be occupied by *accessory buildings*.
- 6.10.8 In A, R, RR, or RM zones, where a carport or garage or portion thereof is located in the required *side yard* of the principal *building* and is attached to the principal *building*, the required *side yard* adjoining the garage shall be reduced to 0.9 m (3 ft), whether or not it is an interior or *corner lot*.

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

6.11 Temporary Buildings

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

6.12 Projections

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

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

Projection	Distance
Steps and wheelchair ramps	not restricted
Eaves and gutters	0.9 m (3 ft)
Cornices and sills	0.6 m (2 ft)
Bay windows and hutches	0.9 m (3 ft)
Chimneys and other heating and ventilating equipment	0.9 m (3 ft)

(b) into required front or *rear yards*:

<u>Projection</u>	<u>Distance</u>
Cantilevered balconies and sunshades	1.25 m (4.1 ft)
<i>Open porches</i>	1.85 m (6.0 ft)
<i>Marquee</i>	1.85 m (6.0 ft)
Canopy	1.85 m (6.0 ft)

(c) into *side yards*:

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

6.12.2 Notwithstanding 6.12.1, where a *side yard* is less than 1.5 m (4.9 ft) no projection shall project over 50% of a required *side yard*.

6.12.3 Permitted equipment for dispensing flammable or combustible liquids or gas may be located in a required front or *side yard*, provided that no part of any such pump island shall be closer than 4.5 m (14.8 ft) to any front or *side lot line*.
Notwithstanding 6.12.1 and 6.12.2, a canopy may be erected over any such pump island provided only that it projects not closer to any *lot line* than 50% of the distance between the pump island and the *lot line*.

6.12.4 In *zones* where no yard is required and where the width of the public right-of-way is not less than 10 m (32.8 ft), certain architectural elements may project over the public right-of-way, provided that such architectural elements are located at or above a minimum height above *grade*, as specified in the following:

<u>Projection</u>	<u>Maximum Permitted Projection Distance into R-O-W</u>		<u>Minimum Height Above Grade</u>	
Cornice	0.6 m	(2 ft)	3.65 m	(12 ft)
Eave	0.6 m	(2 ft)	3.65 m	(12 ft)
Gutter	0.6 m	(2 ft)	3.65 m	(12 ft)
<i>Marquee</i>	1.85 m	(6 ft)	2.75 m	(9 ft)
Canopy	1.85 m	(6 ft)	2.75 m	(9 ft)
Sunshade	1.85 m	(6 ft)	2.75 m	(9 ft)

6.13 Swimming Pools

- 6.13.1 Detached and enclosed swimming pools shall be subject to the requirements established in Section 6.10 for *accessory buildings*.
- 6.13.2 Swimming pools shall be located not less than 2.0 m (6.6 ft) from any *lot* line.
- 6.13.3 Unenclosed swimming pools shall be subject to the requirements established in Section 6.7.8, fencing of swimming pools.
- 6.13.4 No swimming pool shall be located within a *front yard*.

6.14 Bed and Breakfast and Guest House Operations

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

- 6.14.1 The operation must be conducted in a single detached dwelling.
- 6.14.2 The operation must be conducted by permanent residents of the *dwelling*. Guest House operations may utilize a maximum of two (2) non-resident employees who are specifically employed to provide services required by the Guest House.
- 6.14.3 *Bed and breakfast* operations shall have a maximum of two (2) bedrooms for *bed and breakfast* accommodation, with not more than two (2) guests per room.
- 6.14.4 Guest House operations shall have a maximum of eight (8) *sleeping units* for *Bed and Breakfast* accommodations, being provided to a maximum of sixteen (16) guests in total.
- 6.14.5 Breakfast shall be the only meal permitted to be served to guests.
- 6.14.6 One (1) off-street *parking space* for each bedroom *used* for the operation must be provided.
- 6.14.7 Tandem parking may be *used* up to two (2) deep.
- 6.14.8 Guest houses shall provide a *landscaped buffer* along property lines abutting residential *uses*.

6.15 Home Occupations

- 6.15.1 A *Home Occupation* must be conducted entirely within the *dwelling* unit.
- 6.15.2 Notwithstanding 6.15.1, where the *Home Occupation* is urban *market gardening*, the regulations in Section 6.25 apply.

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

- (g) Notwithstanding 6.15.6 (e)(iii) of this Bylaw, the operation of a Tutoring/Instruction Service as a *Home Occupation* shall be limited to a maximum of eight (8) students at any one time; and
- (h) In multi-unit residential zones, *home occupation* as a permitted use is restricted to *office* space.

6.16 Caretaker Accommodation

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

- 6.16.1 All applicable *building* and fire bylaws are met.
- 6.16.2 The *dwelling* shall be a maximum of 60 m² (645.9 sq ft).
- 6.16.3 The *dwelling* unit must be self-contained and separated from any commercial activities.
- 6.16.4 The caretaker's presence is necessary to the facility operation and/or public safety.

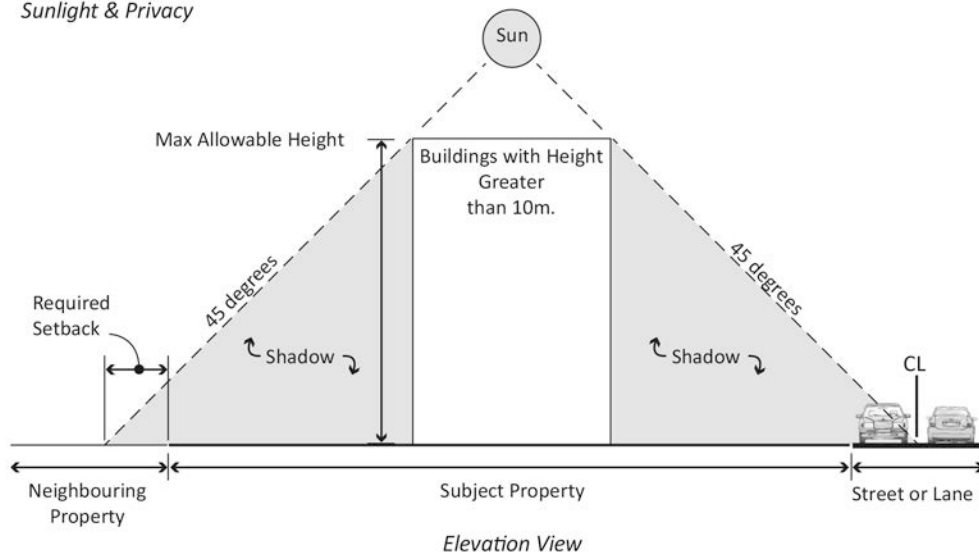
6.17 Floats and Wharves

- 6.17.1 Wharves, floats, piers and boat launching facilities constructed, leased, kept or maintained are permitted in any *zone* abutting the waterfront and subject to the approval of other Government Agencies having jurisdiction.
- 6.17.2 Floats, wharves, piers, and walkways shall be located within the boundaries of a lawful water lease area or licence of occupation area.

6.18 Sunlight Protection and Privacy

In the case of a *building* having a height greater than 10 m (32.8 ft) situated in an A, R, GH or P *zone*, no portion of such *building* or *structure* shall project above a plane defined by lines extending towards the *building* or *structure* from all points at ground level from the neighbouring property's required *setbacks* or along the centre line of any *street* or *lane* parallel to and abutting the northerly *lot* line of the site on which the *building* or *structure* is situated and inclined at an angle of 45 degrees to horizontal.

Sunlight & Privacy



6.19 Minimum Dwelling Unit Width

- 6.19.1 The minimum *dwelling* unit width for all single or semi-detached dwellings shall be 5 m (16.4 ft) in width or depth, except for *mobile home* units located within the MH1 *Mobile and Modular Homes zone*.
- 6.19.2 Measurement of *dwelling* unit width shall be from the outside surface of an exterior wall and the centre line of a *party wall*.

6.20 Minimum Setback from Provincial Highway No. 4 (Johnston Road)

Development immediately adjacent to Provincial Highway No.4 (Johnston Road and River Road) requires approval of the Ministry of Transportation and Highways for purposes of legislation under their jurisdiction.

6.21 Adult Retail Store

Adult retail stores shall not be located within 0.5 km radius of a daycare, school or church.

6.22 Accessory Dwelling Units

6.22.1 *Secondary suites*

May be located in any single detached, semi-detached or townhouse on the following conditions:

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

6.22.2 *Carriage Houses*

May be located on a lot with a single detached dwelling on the following conditions:

- (a) Is not located on a lot that contains another *accessory dwelling unit*;
- (b) Is provided direct access to a roadway or laneway or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the *carriage suite* parking area to the entrance of the *carriage suite* when direct access to the *carriage suite* from a roadway or laneway is not provided;
- (c) Is not located in the required front yard setback area or in front of the principal dwelling;
- (d) Meets minimum side yard setback requirements of the applicable zone;
- (e) May be located in the required rear yard setback;
- (f) No portion of the *building* is located within 1 m of a rear lot line;
- (g) Does not exceed a maximum height of the principal building;
- (h) Does not contain a gross floor area (excluding a first-storey garage) greater than 40% of the gross floor area of the single detached dwelling, up to a maximum of 90 m²;
- (i) Must have a minimum of 18 m² of *useable open space*; and
- (j) Provides for parking in accordance with Section 7.

6.22.3 *Garden Suites*

May be located on a lot with a single detached dwelling on the following conditions:

- (a) Is not located on a lot that contains another *accessory dwelling unit*;
- (b) Is provided direct access to a roadway or laneway, or includes a minimum 1.0 m wide pathway constructed of durable material, extending from the *garden suite* parking area to the entrance of the *garden suite* when direct access to the *garden suite* from a roadway or laneway is not provided;

- (c) Is located in a rear yard;
- (d) Meets minimum side yard setback requirements of the applicable zone;
- (e) May be located in the required rear yard setback;
- (f) No portion of the *building* is located within 1 m of a rear lot line;
- (g) Does not exceed a maximum height of 8 m;
- (h) Does not contain a gross floor area greater than 40% of the gross floor area of the single detached dwelling, up to a maximum of 90 m²;
- (i) Must have a minimum of 18 m² of *useable open space*; and
- (j) Provides for parking in accordance with Section 7.

6.23 Market Gardens, Urban

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

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

6.24 Animals in Single *Detached Residential Zones*

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

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

6.25 Cannabis Retail Store operations

All Cannabis Retail Stores shall conform to the following:

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

6.26 Cannabis Production facilities

All Cannabis Production facilities shall conform to the following:

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

6.27 Useable Open Space

- 6.27.1 All multi-unit development must provide usable open space.
- 6.27.2 All usable open space must meet the following:
 - (a) Usable open space must be an unobstructed area or areas, available for safe and convenient use by all the *building's* users and occupants, having no dimension less than 5.25 m (17.2 ft) and no slope greater than 10 percent.
 - (b) Usable open space shall exclude areas *used* for off-street parking, off-street loading, service driveways, public walkways, and required *front yards*.
 - (c) Not more than half of the useable open space required for any *dwelling* unit may include roof garden areas where no dimension is less than 5.25 m (17.2 ft), private balconies where no dimension is less than 1.5 m (4.9 ft) and private patios where no dimension is less than 2.4 m (7.9 ft).

- 6.27.3 Notwithstanding the provisions of 6.27.2, useable open space within a RM-1 zoned property shall be provided on the lot of not less than 45 m² (484.4 ft²) for each dwelling unit containing 3 or more bedrooms, and not less than 28 m² (301.4 ft²) for each dwelling unit of smaller size
- 6.27.4 Notwithstanding the provisions of 6.27.2, *useable open space* within a RM-2 or 3 zoned properties shall be provided on the *lot* of not less than 45 m² (484.4 ft²) for each *dwelling* unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling* unit of smaller size.

6.28 Density Bonusing

- 6.28.1 The purpose of the following density bonusing provisions pursuant to section 482 of the LGA are to support the development of:
- Universally Accessible housing units as per 482 (b)
 - Affordable housing units as per 482 (b)
 - Provision of amenities 482 (a)
- 6.28.2 On lands with an RM zone and the following Density Bonusing is available as follows:
- (a) For each ten percent (10%) of the *dwelling* units constructed using universally accessible design standards and elevators are provided the floor area ratio may be increased by 0.1;
 - (b) For each ten percent (10%) of the *dwelling* units that are designated as affordable the permitted the floor area ratio may be increased of 0.1; and
 - (c) Where greater than seventy-five percent (75%) of the required off-street parking is provided *underground* or enclosed underneath the principal *building*, the floor area ratio may be increased by 0.1.
- 6.28.2.1 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5.
- 6.28.2.2 Where density bonusing is to be sought under 6.28.2 (b) above, a housing agreement is required as outline under section 483 of the *Local Government Act*.
- 6.28.3 On lands zoned C-7 the following Density Bonusing is available as follows:
- (a) A 0.5 increase in FAR where a minimum of one *storey* or sixteen and one-half percent (16.5%) of the *gross floor area* of the *building* is *used* for commercial purposes;
 - (b) A 0.5 increase in FAR where greater than seventy-five percent (75%) of the required parking is provided *underground* or enclosed underneath the principle *building*;

- (c) A 0.1 increase in FAR for each ten percent (10%) of the *dwelling* units are constructed as *accessible* and where elevators are provided to all *storeys* in the *building*;
- (d) A 0.1 increase in FAR for each ten percent (10%) of the *dwelling* units are designated as affordable; and
- (e) A 0.5 increase in FAR where a common meeting room or amenity room containing a minimum of 22 m² (235 ft²) is provided.

- 6.28.3.1 To receive a density bonus a proposal may use one or a combination of the above provisions. The maximum increase in FAR through these provisions is 0.5 for a maximum FAR of 3.5.
- 6.28.3.2 Where density bonusing is to be sought under 6.28.3 (d) above, a housing agreement is required as outline under section 483 of the *Local Government Act*.

6.29 Shipping Containers

- 6.29.1 Use of land for the placement of shipping containers is permitted only in M zones, except where authorized by 6.29.3.
- 6.29.2 A shipping container shall only be used to store materials or products that are incidental to the operation of a business or facility located on the parcel and shall not be used for mini-storage.
- 6.29.3 A shipping container may be used for the temporary storage of tools and materials on a property other than an M zone, for the construction or maintenance of a building or structure for which a required building permit has been obtained and remains active. Upon completion of construction the container must be removed within 14 days.
- 6.29.4 No shipping container may be located in the setback area, as specified by the applicable zone, or within 3 m of any lot line adjoining an R, RM, or MH zone.

7. Parking and Loading Regulations

7.1 Applicability

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

7.2 General

- 7.2.1 All off-street parking facilities or loading areas in excess of the requirements of this Bylaw shall conform to the regulations set forth in this Bylaw.
- 7.2.2 Where a *use* is not specifically mentioned or defined, the required off-street *parking spaces* for that *use* shall be the same as for a similar *use*.
- 7.2.3 Off-street loading areas shall not be considered as nor calculated as off-street parking facilities.
- 7.2.4 Where more than one *use* is located on a *lot* or involves collective parking for more than one *building, structure* or *use*, the total number of spaces shall be the sum of the various classes of *uses* calculated separately, and a space required for one *use* shall not be included in calculations for any other *use*.
- 7.2.5 In the C7 (Core Business) or W2 (Waterfront Industrial) zones, off-street parking shall be permitted on the same *lot* or on a different *lot*, provided that:

- (a) the different *lot* is not more than 150 m from the off-street parking *use* it serves, measured as the shortest *accessible* walking route; and
- (b) a covenant pursuant to Section 219 of the *Land Title Act* is registered against the property containing the parking to ensure the required parking is provided.

7.3 The Use of Parking Facilities

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

7.4 Development and Maintenance Standards

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

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

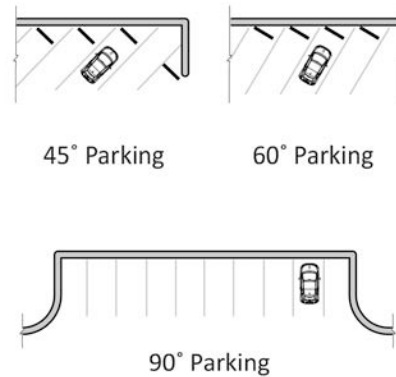
- 7.4.2 Where a *parking space* abuts a *fence*, wall or other *structure* along its length, the width of the *parking space* shall be increased by 0.3 m (1 ft) along any side that abuts such *fence*, wall, *building* or other *structure*.

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

- 7.4.4 Minimum *access aisles* widths shall be:

Parking Angles

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



- 7.4.5 *Access aisles* that are intended for two-way traffic flow shall be not less than 6 m (19.7 ft) in width.
- 7.4.6 All *parking lots* shall be provided with adequate vehicle stops and curbs in order to retain all vehicles within the parking area, and to ensure that any *fences, walls, hedges, landscaped areas or buildings* will be protected from any vehicles using the *parking lot*.
- 7.4.7 The *parking lot* of any development that is required to provide more than eight (8) off-street *parking spaces* shall be paved or covered with some other hard, durable and dust-free surface.
- 7.4.8 All *parking lots* that are required to be paved or covered with some other hard surface shall have all *parking spaces* marked with painted lines and traffic flow directions clearly marked.
- 7.4.9 Any lighting *used* to illuminate any *parking lot* shall be arranged so that all direct rays of light are reflected upon such parking area and not on any adjoining property.
- 7.4.10 Where more than ten (10) parking spaces are required, up to twenty percent (20%) of the required *parking spaces* may be small car *parking spaces*. Any small car *parking space* shall be clearly marked as such. For R and MH1 zones, one (1) of the required off-street *parking spaces* shall be a small car *parking space*.
- 7.4.11 All *parking lots* and loading areas shall be graded and drained to ensure the proper disposal of all surface water.
- 7.4.12 Except for single and semi-detached residential dwellings, *parking lots* shall be designed such that individual *parking spaces* do not have direct access to any *street*. For the purposes of this provision, a *lane* shall not be considered to be a *street*.

- 7.4.13 The location of *street* access to or from an off-street parking lot shall be subject to approval by the *City Engineer*.

7.5 Accessible Parking Requirements

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

7.6 Measurement

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

7.7 Location and Siting of Loading Facilities

- 7.7.1 Off-street loading areas shall not be located within a required *front yard*.
- 7.7.2 Off-street loading spaces shall be designed and located to prevent any vehicle *using* such spaces from encroaching on a public right-of-way.
- 7.7.3 The location of *street* access to or from any off-street loading area shall be subject to approval by the *City Engineer*.
- 7.7.4 Where a *lot* is 15 m (49.2 ft) or greater in width and has a *rear yard* which adjoins a constructed public *lane* for a distance of not less than 15 m (49.2 ft), the *rear yard* may serve as a *loading space*.
- 7.7.5 Where a lot is less than 15 m (49.2 ft) in width and has a rear yard which adjoins a constructed public lane, the rear yard may be utilized in conjunction with the rear yard of an adjoining lot as a loading space.

7.8 Required Amount of Off-Street Loading

- 7.8.1 For the purposes of 7.8, *gross floor area* shall include the floor area of *accessory buildings* and *basements*, except where they are *used* for parking, heating, or storage.
- 7.8.2 Where there is more than one *use* or tenant in a *building* or *lot* and all such *uses* and tenants have adequate access to common loading facilities, the required off-street loading shall be determined by calculating the requirements of the sum of the *gross floor area* of the different *uses* and/or tenants.
- 7.8.3 For *retail*, industry, warehouse and other similar *uses*, not less than 1 off-street *loading space* shall be provided for every 2,000 m² (21,529 ft²), or portion thereof, of *gross floor area*.
- 7.8.4 For an *office building*, place of public *assembly*, hospital, institution, *hotel*, *club* or *lodge*, auditorium, *public utility*, *school*, or other similar *uses*, not less than 1 off-street *loading space* shall be provided for every 3,000 m² (32,293 ft²), or portion thereof, of *gross floor area*.

7.9 Required Amount of Parking

Residential Use	Required Parking Spaces
Single detached dwelling	2 parking spaces plus 1 extra parking space where the home is operating as a provincially licensed Group Home
Semi-detached dwelling	4
<i>Suites or carriage house</i>	1 space per unit
<i>Supportive housing, and Community Care Facilities</i> with a maximum of 4 residents	1 space per 4 resident rooms, plus the single <i>detached dwelling</i> requirements
<i>Bed and Breakfast</i>	1 per guest room, plus the single <i>detached dwelling</i> requirements
<i>Community care facility; Seniors housing</i>	1 space per 3 resident rooms or <i>dwelling</i> units, plus 15% of total number of rooms designated as visitor and staff parking
Mobile-Home, Modular-Home	2 per unit
Multi-residential dwellings	1.25 per <i>dwelling</i> unit
<i>Dwelling Unit in Commercial Zones*</i> *For C7 (Core Business) zone requirements, see Section 7.1.4 and 5.24.3(e)	1.25 per <i>dwelling</i> unit
Boarding, Lodging House	1 per <i>dwelling</i> or <i>sleeping unit</i>
Institutional Use	Required Parking Spaces
Hospital, Extended Care Housing for Seniors, Personal Care Homes	1 per 2 employees and 1 per 5 beds
<i>Place of Worship</i>	1 per 10 seats plus 1 per 20 m ² (215.3 ft ²) of floor area <i>used for offices, recreation or assembly</i>
Senior High School	1 per employee and 1 per 10 students
Junior High School	1 per employee
Elementary School	1 per employee
Community College	1 per employee and 1 per 5 students
Day Care Facility	1 per employee
Public Assembly Places, Recreational Use	1 per 40 m ² (431 ft ²) of <i>gross floor area</i> or 1 per 4 seats, whichever is greater

Commercial Use	Required Parking Spaces
<i>Cannabis Production Facility</i>	<i>1 per employee or 1 per 190 m² (2,045 ft²) of gross floor area, whichever is the greater</i>
<i>Public Utility Office</i>	1 per employee
<i>Public Service Office</i>	1 per 35 m ² (377 ft ²) of <i>gross floor area</i>
Gasoline Service Station and Motor Vehicle Repair Shop	1 per 2 employees plus 2 per service bay
<i>Retail Store</i>	1 per 30 m ² (323 ft ²) of <i>retail floor area</i>
<i>Convenience Store</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Furniture Store	1 per 200 m ² (2,153 ft ²) of <i>retail floor area</i>
<i>Shopping Centre</i> (containing more than 10 stores)	1 per 17 m ² (183 ft ²) of gross leasable floor space
Automobile Sales and Service	1 per 70 m ² (753 ft ²) of <i>gross floor area</i> plus 1 per service bay plus 1 per 2 employees
<i>Office</i>	1 per 35 m ² (377 ft ²) of <i>gross floor area</i>
Bank or Other Financial Institution	1 per 45 m ² (484 ft ²) of <i>gross floor area</i>
Laundromat	1 per 20 m ² (215 ft ²) of <i>gross floor area</i>
<i>Personal Service Shop</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Medical and Dental <i>Office</i> or Clinic	1 per 35 m ² (484 ft ²) of <i>gross floor area</i>
<i>Veterinary Office</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Funeral Home	1 per 4 seats
<i>Hotel, Motel or Motor Hotel</i>	1 per unit and 1 per 5 seats in a restaurant and the like or bar and the like
Nightclub, Lounge, Public House, <i>Drive-Through</i> and <i>Drive-In</i> Restaurant	1 per 5 seats 10 minimum for drive-in facility
Warehouse Facility	1 per 200 m ² (2153 ft ²) of <i>gross floor area</i>
Motion Picture Theatre	1 per 10 seats
Billiard and Pool Hall	1 per table
Bowling Alley	3 per lane
<i>Amusement Establishment</i>	1 per 30 m ² (323 ft ²) of <i>gross floor area</i>
Golf Course	40 spaces per 9 holes
Marina	1 per employee plus 1 per 3 berths
Health and Fitness Facility	1 per 15 m ² (161 ft ²) of <i>gross floor area</i>
Restaurant	1 per 4 seats
Industrial Use	Required Parking Spaces
<i>Cannabis Production Facility</i>	<i>1 per employee or 1 per 190 m² (2,045 ft²) of gross floor area, whichever is the greater</i>
<i>Manufacturing and Industrial Use</i>	1 per 3 employees or 1 per 100 m ² (1,076 ft ²) of <i>gross floor area, whichever is the greater</i>
<i>Medical Marijuana Facility</i>	1 per employee or 1 per 190 m ² (2,045 ft ²) of <i>gross floor area, whichever is greater</i>
<i>Mini-storage Facility</i>	1 per 200 m ² (2,153 ft ²) of <i>gross floor area</i>
Wholesaling	1 per 200 m ² (2,153 ft ²) of <i>gross floor area</i>
Storage Area or Yard	1 per 200 m ² (2,153 ft ²) of <i>lot area</i>

8. Comprehensive Development Zones

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

CD1 – COMPREHENSIVE DEVELOPMENT – UPLANDS PHASE 2 – BURDE STREET

- 8.1** The purpose of this one is to provide for varying lots sizes, for single detached dwellings, and to retain and preserve the environmentally sensitive area of the site.

8.1.1 Permitted Uses

Principal Uses

Single detached dwelling
Parks and playgrounds
Natural areas

Accessory Uses

Bed and breakfast
Home occupation
Secondary suite
Supportive housing

8.1.2 Site Development Regulations

Minimum Lot Area

<i>Single detached dwelling</i>	350 m ²	(3,767 ft ²)
<i>Single detached dwelling with Bed and breakfast</i>	600 m ²	(6,458 ft ²)
<i>Single detached dwelling with Secondary suite</i>	600 m ²	(6,458 ft ²)
<i>Single detached dwelling with Supportive housing</i>	600 m ²	(6,458 ft ²)

Minimum Frontage

<i>Single detached dwelling</i>	10 m	(32.6 ft)
<i>Single detached dwelling with Bed and breakfast</i>	15 m	(49.2 ft)
<i>Single detached dwelling with Secondary suite</i>	15 m	(49.2 ft)
<i>Single detached dwelling with Supportive housing</i>	15 m	(49.2 ft)

Minimum Setbacks

<i>Front Yard</i>	7.5 m	(24.6 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.0 m	(16.4 ft)
<i>Rear Yard</i>	9.0 m	(29.5 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.5 m	(18.0 ft)
<i>Side Yard</i>	1.5 m	(4.9 ft)

Maximum Coverage

OR on lots less than 600 m ² (6,458 ft ²)	40%
	50%

Maximum Floor Area Ratio

<i>Maximum Height, Principal Building</i>	0.5 m	
<i>Maximum Number of Principal Building Storeys</i>	10 m	(32.8 ft)
	2.5	

Maximum Number of <i>dwelling units</i> per lot	2
OR on lots less than 600 m ² (6,458 ft ²)	<u>1</u>

8.1.3 Conditions of Use

- a) Notwithstanding the provisions of 8.1.2:
 - i. On a corner lot, the side yard by the flanking street must be not less than 3.5 metres (11.5 ft.) wide; and
 - ii. For single detached dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 metres (9.8 ft.) for one side yard.
- b) For supportive housing, the maximum number of persons in care shall not exceed four (4).
- c) Only one of the three (3) following accessory uses is permitted on any lot: bed and breakfast OR secondary suite OR supportive housing.
- d) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a highway other than a lane is 5.8 metres (19 ft.).
- e) The Principal Uses 'Parks and Playgrounds' and 'Natural areas' are permitted only on property owned by the City of Port Alberni.

8.1.4 Fencing and Signage of Environmentally Sensitive Areas

- a) A minimum fence height of 1.8 m (6ft) shall be required along all residential property boundaries adjacent to environmentally sensitive areas and shall be designed to protect those areas.
- b) Facing each residential lot, standard signage shall be required to identify environmentally sensitive areas.

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

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

8.2.1 Permitted Uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.2.2 Site Development Regulations

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

8.2.3 Conditions of Use

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

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

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

8.3.1 Permitted Uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.3.2 Site Development Regulations

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

8.3.3 Conditions of Use

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

READ A FIRST TIME this 26th day of June, 2023.

READ A SECOND TIME this 10th day of July, 2023.

A PUBLIC HEARING WAS HELD this 31st day of July, 2023.

READ A THIRD TIME this 11th day of September, 2023.

RECEIVED the approval by the Ministry of Transportation this 4th day of October, 2023.

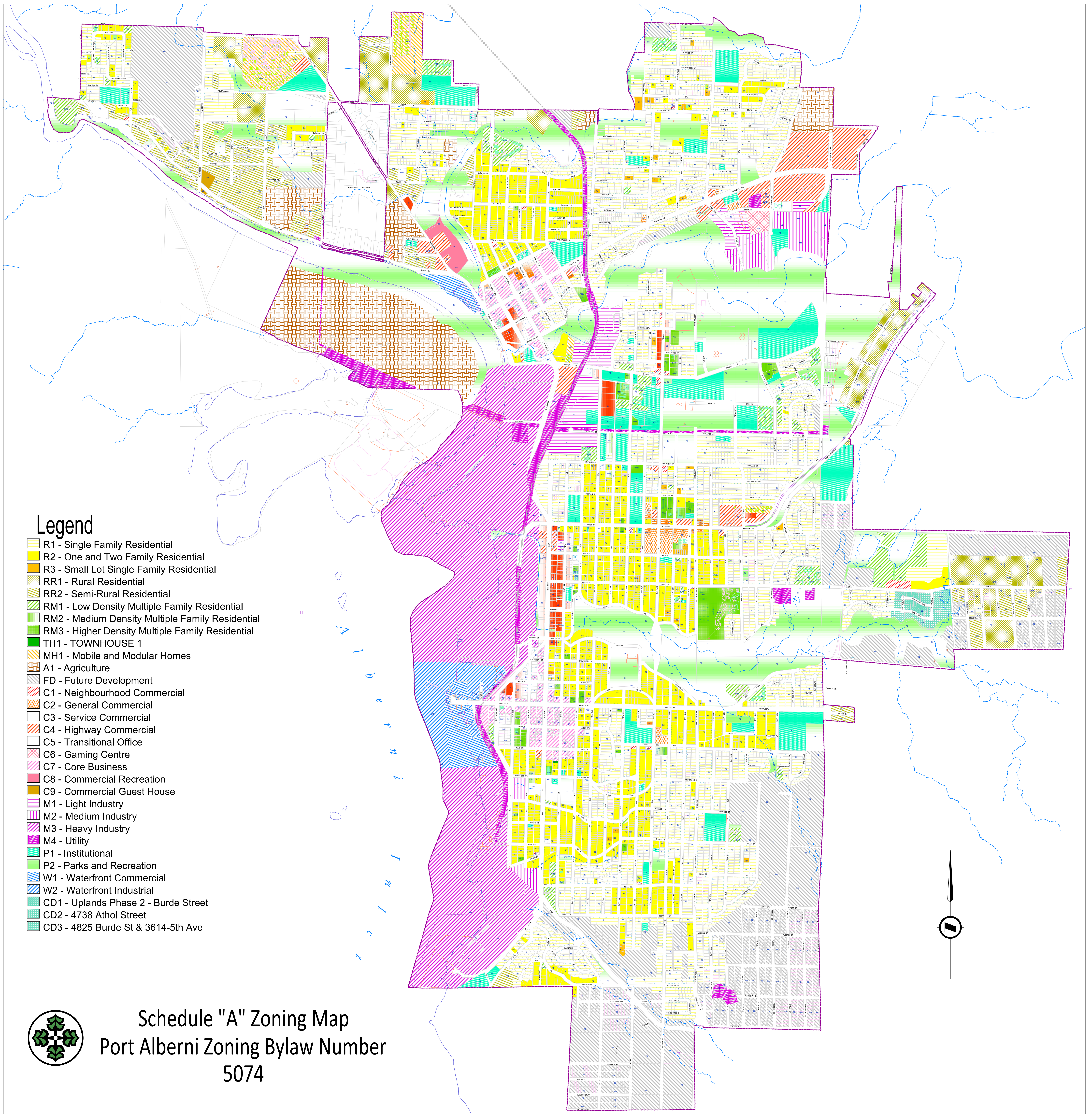
ADOPTED this day of , 2023.

Mayor

Corporate Officer

Schedule A: Zoning Map

COPY AVAILABLE FOR PUBLIC INSPECTION



This map has been consolidated to July 10, 2023. All persons making use of this consolidated map are advised that it has no legislative sanction; that the amendments have been embodied for convenience of reference only and that the original bylaw and all amending bylaws must be consulted for all purposes of interpreting and applying the law. Any parts of the original bylaw or original bylaw as amended which have been repealed have not been included in this consolidation.

RECEIVED

SEP 20 2023

CITY OF PORT ALBERNI

Dear City Mayor and Council,

☒ Council
☒ Mayor
☒ CAO
☒ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☒ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other
RCM Oct 10, 23
File # 02.30-20-WVIIHS

I am writing to you today as the President of the Western Vancouver Island Industrial Heritage Society (WVIIHS) as it has recently come to our attention that with changes to the train station and the Quay to Quay pathway, the siding at the train station will be removed. In our development of a vision for the railway the WVIIHS had hoped to display the 2 Spot locomotive on that siding. If the siding must be removed, we ask Council to explore options for the displaying the 2 Spot in the vicinity of the train station.

The Two Spot locomotive restoration was the impetus for the formation of the WVIIHS in 1984, some 40 years ago. The Two Spot locomotive is a rare and valuable piece of industrial heritage that operated in the Alberni Valley for many years and was one of the attractions at the Steam Expo in Vancouver in 1986 and has been featured in several documentaries and publications. Unfortunately, the locomotive was recently vandalized, and its iconic brass bell was stolen. We believe that displaying the Two Spot at the Port Alberni Train Station would not only protect it from further damage, but also enhance the historical and cultural value of the station.

The Port Alberni Train Station which was restored by the WVIIHS will hopefully again in the near future serve as the departure point for the Alberni Pacific Railway, a heritage railway that operates a steam locomotive and vintage coaches.

By displaying the Two Spot locomotive at the Port Alberni Train Station, you would be supporting and honoring the legacy of the people who worked in the logging and railway industries. You would also be creating a unique attraction that would draw more tourists and locals to visit the station and enjoy the heritage railway experience. I urge you to approve this request and help preserve and promote our rich industrial heritage.

Thank you for your time and attention.

Sincerely,



R. Corbeil
WVIIHS President
3250A 9th Avenue
Port Alberni BC, V9Y 4T2
Phone: 250 723 4285

RECEIVED

SEP 26 2023

CITY OF PORT ALBERNI

From: MCF Info MCF:EX <MCF.Info@gov.bc.ca>

Sent: Tuesday, September 26, 2023 3:02 PM

To: CityPa <citypa@portalberni.ca>

Subject: E-mail from the Honourable M. Dean, Minister of Children and Family Development

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other
RCM Oct 10, 23
File # 0630-01 3 0405-MCFD

VIA E-MAIL

Ref: 281051

Your Worship Mayor Sharie Minions

City of Port Alberni

E-mail: citypa@portalberni.ca

Dear Mayor and Council:

Since 1990, October has been declared a time to celebrate and honour the caregivers in our communities across British Columbia who make the unconditional commitment to protect and care for some of our most vulnerable children and youth. I am pleased to announce that this October will mark the 33rd Foster Family Month in British Columbia.

As Minister of Children and Family Development, I would like to offer my sincere gratitude to caregivers who have stepped up when they are needed most. By embracing the challenges and rewards of caring for these children, they have made a huge difference in their lives, as well as the communities in which they reside. I have the deepest respect for the hard work that they have done and continue to do as caregivers. In being part of the lives of these young people, they fulfill many roles, including parent, mentor, teacher, friend, and cheerleader. Their efforts and compassion create a safe haven and a home while responding to each unique family situation. I wish to express my sincere gratitude for the warmth and dedication these caregivers and foster families have shown to the children and youth in their care. The support, guidance, and love they have shown will last a lifetime.

To help these children and youth, as part of *Budget 2023*, the Ministry of Children and Family Development increased monthly payments for foster caregivers by as much as 47 percent to ensure that these young people and those who care for them will have the support they need to build safe, stable and happy futures.

Please join me in celebrating October as Foster Family Month to show those in your community how important the role of a foster caregiver is. I encourage you to celebrate foster families for the selfless work they do for the children, youth, and families of British Columbia.

RECEIVED
2023 OCT 10 PM 4:15
On behalf of the Government of British Columbia and its citizens, thank you for your continued support in recognizing foster caregivers.

Sincerely,

M. Dean

Minister

Sent on behalf of the Minister by:



Client Relations Branch

Executive Operations

Ministry of Children and Family Development

This communication and any accompanying document is confidential and is intended solely for the addressed recipient(s). If you received this e-mail message in error, please delete the e-mail and any attachments and contact the Client Relations Branch, Ministry of Children and Family Development at: MCF.Info@gov.bc.ca.

RECEIVED
SEP 20 2023
Youth Parliament
of British Columbia

CITY OF PORT ALBERNI



Alumni Society

Unit B – 1211 Roy Road
Victoria, BC V8Z 2X8

- | | |
|--|---|
| ☒ Council | ☐ Economic Development |
| ☒ Mayor | ☐ Engineering/PW |
| ☒ CAO | ☐ Parks, Rec. & Heritage |
| ☐ Finance | ☐ Development Services |
| ☒ Corporate Services | ☐ Community Safety |
| ☒ Agenda | ☐ Other |

registrar@bcyp.org

14 September 2023

Dear Mayor and Council:

Re: British Columbia Youth Parliament, 95th Parliament

File # 0400-20-YP [NF]
Rcm Oct 10, 23

The British Columbia Youth Parliament will hold its 95th Parliamentary Session in Victoria at the Provincial Legislative Chambers from December 27 to 31, 2023.

The Youth Parliament is a province-wide non-partisan organization for young people ages 16 to 21. It teaches citizenship skills through participation in the parliamentary session in December and continuing involvement in community service activities throughout the year. **Youth Parliament is a one-year commitment.**

I invite you to encourage eligible youth from your municipality or region to apply to sit as members of the Youth Parliament. BCYP is non-partisan, and applicants need only be interested in learning more about the parliamentary process and in serving their community. If your municipality sponsors a "youth of the year" award or has a municipal youth council, young people with that sort of initiative and involvement are ideal candidates for BCYP.

Each applicant who is accepted to attend as a member of BCYP must pay a \$425 registration fee. Thanks to private donations and fundraising, a portion of the cost of transportation and accommodation is covered for all members. We encourage municipalities or youth councils to contribute towards the application fee for applicants who are in financial need. If the approval of financial support causes any delay, we encourage the applicant to send in their forms on time along with a note saying that the cheque will arrive after the deadline. In this case, if we receive the completed form and personal statement before the deadline, it will be considered received on time. If you are not able to aid, a limited number of bursaries are available for applicants who cannot meet the expense of the registration fee. Requesting financial assistance will not affect an applicant's chance of being selected as a member. (See <https://bcyp.org/session>)

Members will sit and debate in the Legislative Chambers for five days and will be accommodated for four nights at the Marriott Hotel in Victoria. During that time, participants are supervised by members of the Board of Directors of the Youth Parliament of B.C. Alumni Society and other youth parliament alumni. In addition, transportation to and from Victoria will be provided for all members who require it.

I have enclosed an application form and a brochure about BCYP. I encourage you to make the application form and brochure available to interested young people and to make copies of the forms as needed. A soft copy of the form, brochure and poster are available from our website at <https://bcyp.org/session>.

All applications must be received by October 27, 2023. Applicants will be notified whether they have been selected in mid-November. If you require more information, please contact me by telephone or e-mail as indicated above or visit our website at www.bcyp.org.

Yours truly,

[Redacted Signature]

A [Redacted] Yung
Registrar, Youth Parliament of B.C. Alumni Society

Sponsoring the British Columbia Youth Parliament



British Columbia Youth Parliament

Application Package & Background Information

95th Parliamentary Session
December 27-31, 2023 - Victoria, BC

WHAT IS BCYP?

British Columbia Youth Parliament (BCYP) is a youth organization that recognizes every young person's potential to lead and serve in the community. Since 1924, BCYP has provided a forum for young people to develop skills in leadership, organization, public speaking, and the parliamentary process, and to put these skills into practice through service to youth in their local communities.

BCYP is not affiliated with any political party and is a non-profit organization.

Membership in BCYP begins with attending the Parliamentary Session in Victoria and continues throughout 2024. For detailed information about BCYP's activities, visit our website, www.bccyp.org.

BCYP'S ACTIVITIES

BCYP's year begins with the Parliamentary Session from December 27 – 31, 2023. Members sit in the Legislative Assembly in Victoria and use the parliamentary style of debate to plan educational and service projects, establish BCYP's financial commitments, and amend BCYP's governing legislation.

At Session, Members:

- Meet young people from all over the province;
- Debate Cabinet's legislation which sets out BCYP's activities for 2024;
- Debate current local, national, and international issues;
- Learn about debating and the rules of parliamentary procedure;
- Elect BCYP's Premier, Deputy Speaker, and Leader of the Opposition for the 96th Parliament.

After Session, Members put into action the plans made at Session, which usually include:

- Volunteer service projects in their home communities;
- Group volunteer service projects with summer camps, food banks charity walks, soup kitchens, and other service groups;
- Special projects which vary depending on annual legislation but have included summer festivals, children's day camps and Camp Phoenix;
- Regional Youth Parliaments;
- Fundraising events;
- Social activities with other Members.

WHO CAN ATTEND?

Each year 97 youth are "elected" to BCYP as representatives of their communities. Each applicant must be nominated by an organization committed to youth (i.e. a school, community group, club, Municipality or church). Five members of that group must indicate their support by signing the application form.

To be eligible for membership you must be:

- Age 16 – 21 (inclusive) as of Dec. 31, 2023;
- A resident of British Columbia;
- Nominated by an organization committed to youth;
- Willing and able to participate in BCYP's activities for one year.

Due to the limited number of seats in the Provincial Legislature and public health guidelines, only 97 applicants will be selected to become Members this year.

SESSIONAL ARRANGEMENTS

Accommodations: Accommodation at the Marriott Hotel Inner Harbour, Victoria is provided for all Members for the nights of December 27 – 30 (inclusive). Members will share hotel rooms. BCYP will follow a Provincial Public Health Order.

Transportation: Transportation for Members residing outside the Victoria area is included in the registration fee. Members living in the Interior, North, or North Island will be required to travel on December 26 and January 1.

Meals: Each Member is responsible for the cost of meals in Victoria. Some dinners will be at assigned restaurants, others free-choice.

PRE-SESSIONAL INFORMATION

The Registrar will notify all applicants by email or mail as to their acceptance status by mid-November. Accepted Members are provided with an orientation package prior to Session and are invited to attend one of the Pre-Sessional Workshops held in different regions of the province. The details of the workshops as well as travel and health & safety info will be announced in the acceptance letters.

FOR MORE INFORMATION

Inquiries from applicants, parents, teachers and nominating organizations are welcomed.

Please contact: A. Yung, Registrar
registrar@bccyp.org

APPLICATION PROCEDURE

Complete the attached application form (pages 3 and 4 of this package) and forward it with your personal statement and registration fee. Members who require financial support can email to request a Financial Aid Application.

A. Yung, Registrar
Unit B – 1211 Roy Road
Victoria, BC. V8Z 2X8

e-mail: registrar@bccyp.org

Applications must be **RECEIVED** by **Tuesday, October 27, 2023** by mail or email attachment. If you send the application by email attachment, please mail the original signed copy with your application fee.

Please print clearly. Illegible or incomplete applications may be rejected. You email a LEGIBLE scan of your form BY THE DEADLINE and send your hard copy of your form and cheque by other means such as courier. Original signed hard copies must be received to consider your application complete.

REGISTRATION FEE

The registration fee for each member is **\$425**. A cheque or money order made payable to the **Youth Parliament of B.C. Alumni Society** must be sent with the application form or follow an e-mail with the original signed application as soon as possible (any acceptance is not final until a registration fee is received). An eTransfer can be sent to payment@bccyp.org. **Be sure to include the full name of the applicant in the comments section and email us your password.** Registration fees will be held onto (but not cashed) for those on the waitlist and returned to those not accepted. **NSF cheques are subject to a \$45 fee.**

Applicants who are in financial need are first encouraged to approach school and community groups to contribute to the cost of the application fee. For those who are not able to secure outside funding, a limited amount of **financial support is available from BCYP**. For more information, please contact the Registrar **before** the October 27 application deadline to request a financial Aid application form. Requests for financial assistance will not impact membership selection. So that we can provide support for as many members as possible, we encourage applicants to submit a cheque for whatever portion of the application fee they can afford. Requests for financial assistance cannot be considered after applicants have been accepted as members.

CANCELLATION

Accepted individuals who cancel on or before **December 1** will be refunded their registration fee minus a **\$25 administration fee and minus the price of a non-refundable travel already purchased** for them. No refunds will be issued for cancellations after December 1.

THANKS TO OUR SPONSOR

British Columbia Youth Parliament is sponsored by the Youth Parliament of BC Alumni Society, a registered, non-profit organization composed of past members of BCYP.

APPLICATION FORM – NINETY FIFTH BC YOUTH PARLIAMENT

LAST name: _____ FIRST name: _____ GENDER: _____ Room with: ☐ M ☐ F

☐ I identify as someone with indigenous ancestry

CURRENT ADDRESS (including temporary/University residence):

STREET / PO BOX: _____ CITY: _____

POSTAL CODE: _____ PHONE: (____) _____

E-MAIL: _____ CELL PHONE: (____) _____

PERMANENT ADDRESS (i.e. parents) or STREET ADDRESS if DIFFERENT from above:

STREET / PO BOX: _____ CITY: _____

POSTAL CODE: _____ HOME PHONE: (____) _____

TRANSPORTATION TO VICTORIA REQUIRED FROM:

CURRENT/TEMPORARY ADDRESS ☐ PERMANENT ADDRESS ☐ OTHER: _____

BIRTHDATE: (YYYY/MM/DD) _____ SCHOOL/UNIVERSITY: _____

NOMINATING ORGANIZATION: _____

STREET: _____ CITY: _____

POSTAL CODE: _____ PHONE: (____) _____

CONTACT TEACHER / COORDINATOR NAME: _____ E-MAIL: _____

SIGNATURE OF TEACHER / GROUP COORDINATOR: _____

Would you (teacher/coordinator) like to receive a print and e-mail copy of the application package each year?
☐ Yes ☐ No ☐ Already on the list

THE FOLLOWING MEMBERS/STUDENTS of _____ NOMINATE
(NAME OF ORGANIZATION/SCHOOL)

_____, A MEMBER/STUDENT OF OUR ORGANIZATION/SCHOOL TO SIT AS A BCYP MEMBER.

FIVE NOMINATING SIGNATURES REQUIRED: (other members/students of the organization/school)

	Name	Signature	email
1			
2			
3			
4			
5			

APPLICATIONS MUST BE RECEIVED BY OCTOBER 27, 2023

PERSONAL STATEMENT

At the Parliamentary Session in Victoria, Members of BCYP participate in parliamentary debating and plan activities and community service for the upcoming year. During the year, Members are responsible for service and fundraising in their communities, and organize and participate in projects such as Regional Youth Parliaments, fundraising events, community outreach projects, and other service and debating activities.

All **new** applicants must attach a **one-page** personal statement, outlining:

1. Why you would like to be a Member of BCYP;
2. What community service have you been/are, or intend to become, involved with in your community;
3. Any activities you have been/are involved with that relate to debate or public speaking;
4. With reference to the preceding paragraphs, how you believe you can personally contribute to BCYP, including debate at Session AND its projects and other activities throughout the Sessional year.

YOUTH PARLIAMENT EXPERIENCE

Have you attended BCYP before? ☐ Yes ☐ No

If **yes**, do you wish to become a member of the Alumni Society?

☐ Yes ☐ No ☐ Already on the list

If **"Yes"** or **"Already on the list"** above, do you consent to receive e-mail communications from the Alumni Society, which may include requests for donations or other items of a commercial nature? (Note: answering "No" below means you will not receive any e-mails, including the Alumni Society's newsletter *The Speaker* or email invitations to alumni events.)

☐ Yes ☐ No

Have you attended a Regional Youth Parliament as a Member or Ambassador?

☐ Yes (as a member) ☐ Yes (as an ambassador); If yes, which one(s)? _____ ☐ No

How did you **first** hear about BCYP? (Please choose one option)

☐ From a teacher ☐ From a group leader ☐ Saw a poster/brochure (where? _____)

☐ Through a Regional Youth Parliament ☐ From a member or of BCYP or RYP alumni
(which one? _____) (name of individual: _____)

☐ Facebook ☐ Instagram ☐ Twitter ☐ Other (please specify: _____)

WAIVER

In consideration for acceptance to British Columbia Youth Parliament (BCYP), the undersigned on behalf of the Applicant and all heirs, executors and administrators, waives any and all claims for damages against BCYP and the Youth Parliament of British Columbia Alumni Society, and their directors, officers, and agents for any and all injuries or loss which the Applicant may suffer during, or in connection with any BCYP Session, trip, or any other activity, or transportation to or from Session or any other activity.

Applicant's Signature: _____ (Applicant should sign even if a parent or guardian is also required to sign.)

If **under 19**, Signature of Parent or Guardian: _____

Printed Name of Parent or Guardian Signing: _____

Please remember to:

- ☐ Save a legible scan of this form for your records. As a backup, please email the scan to:

registrar@bcyp.org

- ☐ Mail or courier a signed hard copy of this completed form along with a cheque for \$425. **We must receive original signed hard copies for anyone under the age of 19. Your application will not be considered complete until the hard copy is received.**

Unit B – 1211 Roy Road Victoria, BC V8Z 2X8

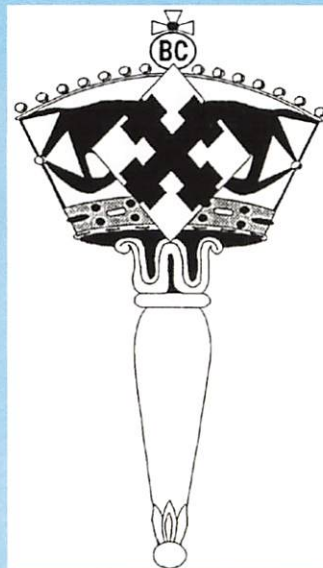
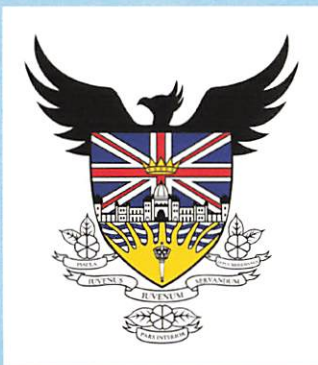
British Columbia Youth Parliament (BCYP) is about youth taking responsibility and initiative to make a positive impact in their communities. BCYP is a non-profit, non-partisan, parliamentary education and service organization. BCYP is an extraordinarily unique organization - for youth and by youth.

For a full year, 97 members pool their resources, creativity and determination for a common purpose: to advance, better and improve the youth of British Columbia. BCYP brings together youth from across the Province and unites them to fulfill the motto of "Youth Serving Youth". The youth of BCYP reach out and make a difference across British Columbia.

Why?

Because they Can!

And more importantly, because they care.



BCYP is unique in that it is not simply a "mock" or model parliament - the legislation members debate translates into real action in the community.

BCYP Session and all BCYP events will follow all BC COVID-19 safety protocols .

CONTACT US

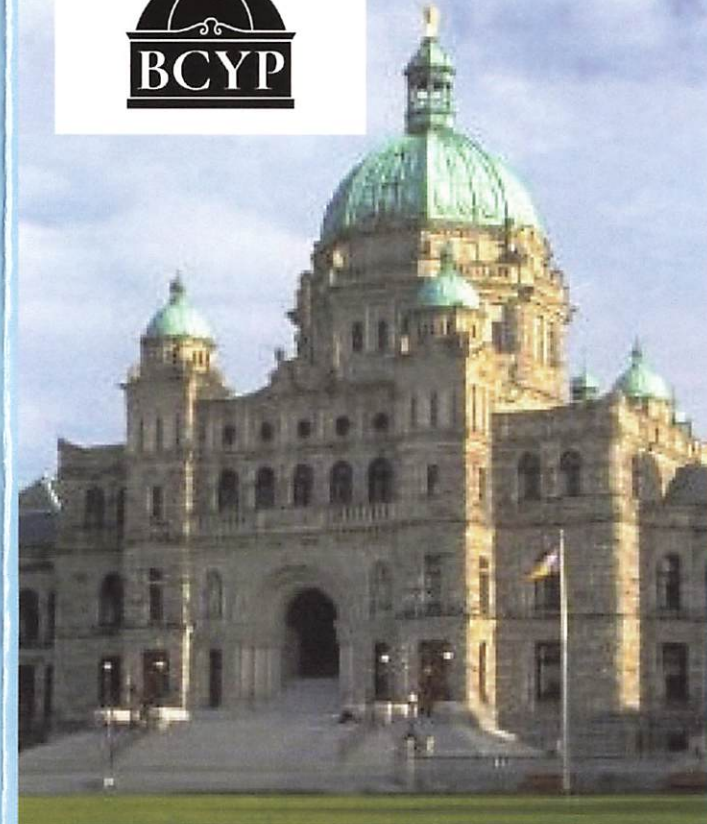
For more information on BCYP and its projects, visit our website:

www.bcyp.org

or contact the Premier:

premier@bcyp.org

For application info contact our Registrar
registrar@bcyp.org



BRITISH COLUMBIA YOUTH PARLIAMENT

Youth Serving Youth

Why We Are a Parliament

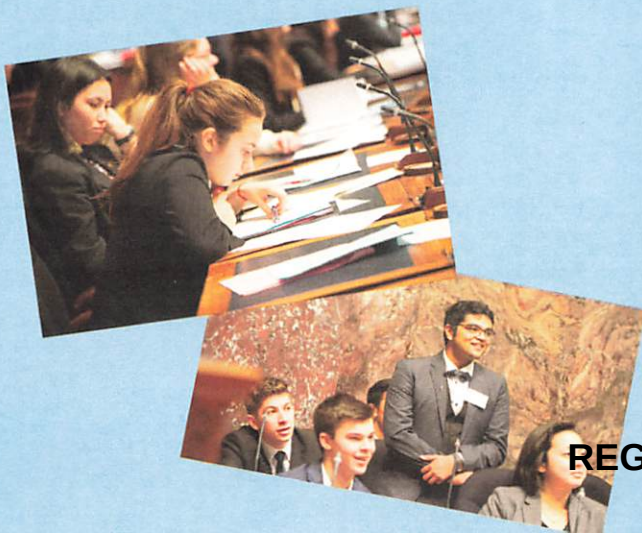
British Columbia Youth Parliament began as the TUXIS Older Boys' Parliament in 1924. It became the BC Youth Parliament in 1974, upon the admittance of girls, and 2018 marked its 90th Session.

Each year, between December 27th and 31st, 95 young people from across BC gather at the

Legislative Chambers in Victoria for BCYP's annual session. Members sit as independents; they do not represent any political party and they vote according to their own consciences. They learn about parliamentary process, debate topics of interest, and plan activities for the coming year.

Proposed activities are presented in the form of government bills. The debate is led by a Cabinet of experienced youth parliamentarians who spend months before preparing to present their plans. First-time members are also able to raise issues through debate on government legislation and by writing and presenting Private Members' Resolutions dealing with issues ranging from local to international in scope.

Once BCYP's bills are passed they must be put into effect. This is where BCYP differs from other youth parliaments in that BCYP is not a "model" or "mock" parliament - the legislation members pass translates directly into positive action in the community.



Youth Serving Youth

BCYP members plan and participate in group service events organized around the province. Members come together to volunteer with different organizations or special events, or provide service to the community in ways of their own devising. They volunteer with summer camps, food banks, charity walks, soup kitchens, community support services, and other service organizations.

As well, all over British Columbia throughout the year, individual members of BCYP perform solo acts of service in their communities and lend a hand through their involvement with other organizations. Across the province, BCYP members help others in myriad ways, limited only by their imaginations and the will to carry out the projects they envision.



Community Fundraising

Each year BCYP organizes a variety of fundraising events across the province. Members work in groups and in their communities to raise the funds required to run BCYP's projects and cover its operational expenses. They also engage in service-related fundraising, working in groups and individually to raise money for a variety of causes.

Members participate in a variety of fundraisers such as pledge events, car washes, and BCYP's annual Auction. Members also work with local businesses and prominent members of their local communities.

Regional Youth Parliaments

To increase the number of youths who are able to participate in Youth Parliament activities, BCYP members organize and run Regional Youth Parliaments in various regions of the province. Through these events, BC Youth Parliament furthers its goals of promoting community service, education in the parliamentary process, and training in public speaking and debating.

More local in scope than BCYP, Regional Youth Parliaments hold weekend-long Sessions aimed at high school students between the ages of 14 and 18. Regional Youth parliament members gather to discuss local, national, and international issues in a parliamentary setting.



Camp Phoenix

Camp Phoenix is BCYP's most ambitious project. It involves BCYP members organizing and running a summer camp for children from across BC who would otherwise be unable to live the summer camp experience. It is about pushing our limits and redefining terms like "hard work" and "commitment". It is about truly making a huge difference in the community.

This project is fully initiated, developed, and staffed by volunteer members of our organization. Our fundraising and efforts throughout the year come together to send up to 50 children aged 8-12 to enjoy a very special week of their summer and their lives. Camp Phoenix moves to different campsites across BC so that it provides the opportunity for children from all regions of the Province to attend. This major project can comprise almost half of BCYP's annual budget. This project if held will comply with all BC COVID-19 safety guidelines.

RECEIVED

OCT 02 2023

CITY OF PORT ALBERNI

☒ Council	☐ Economic Development
☒ Mayor	☐ Engineering/PW
☒ CAO	☐ Parks, Rec. & Heritage
☒ Finance	☐ Development Services
☒ Corporate Services	☐ Community Safety
☒ Agenda	☐ Other

File # 7960-01 **RCM Oct 10, 2023**

From: M████ Patterson <MPatterson@virl.bc.ca>

Sent: September 19, 2023 11:14 AM

To: Mike Fox <mike_fox@portalberni.ca>; Sharie Minions <sharie_minions@portalberni.ca>

Cc: Todd Patola <Todd_Patola@portalberni.ca>; Josie Osborne, MLA (josie.osborne.MLA@leg.bc.ca)

<josie.osborne.MLA@leg.bc.ca>; Gord Johns MP, Courtenay-Alberni (gord.johns@parl.gc.ca)

<gord.johns@parl.gc.ca>; B████ Hyman <BHyman@virl.bc.ca>; E████ Gillette <EGillette@virl.bc.ca>

Subject: VIRL 2024 Budget Adopted - Port Alberni

Greetings,

We are writing to inform you the VIRL Board adopted a [2024 Budget](#) at its September 16 meeting.

Budget 2024 forecasts VIRL's projected economic year given continuing demand for services in an increasingly complex environment. The 2024 total budget is \$38M. Local government levies will contribute \$32.5M, an overall increase of 3.4% over 2023. The Budget was unanimously supported. Please know that a proposal to adjust VIRL's Reserves was also passed by the Board. The new reserves contributions and reporting framework will better align with Local Government practices. A technical briefing will be offered to member local government finance staff in September.

Per the legislated formula, the City of Port Alberni's total levy contribution for 2024 will be \$1,072,702. New for 2024: VIRL's member local governments can choose to be invoiced monthly rather than quarterly, if that is their preference.

VIRL delivers tremendous economies of scale and significant returns on investment, by working with 38 local governments across a 42K km² service area. Our collective services are a demonstrable commitment to livability and affordability, and are enjoyed by nearly a third of residents overall. These services include free access to dynamic programming and events, bookable meeting rooms, and 39 branches that are essential Third Spaces in communities large and small. VIRL has the third-largest public library collection in BC, featuring downloadable e-books, audiobooks, digital news, streaming services, children's materials, and much more.

The Budget 2024 commits to operating continuity and maintains major Capital commitments, including the completion of the Masset Library and Haida Language Immersion Lab. Budget 2024 also reflects VIRL's new vision - a thriving, connected, cohesive and empowered region of Island and coastal communities. To achieve this vision, VIRL is preparing to introduce its new strategic plan next month. We will write to you again then.

Thank you for your continuing support.

Sincerely,

E████ Hemmens

Chair, VIRL Board of Trustees

And

B ■ Hyman
Executive Director
bhyman@virl.bc.ca
250-740-1404

Additional information:

- [Q2 Performance Scorecard](#)
- [2022 Audited Financial Statements](#)

Sent on behalf of E ■ Hemmens, Chair, VIRL Board of Trustees and B ■ Hyman, Executive Director, VIRL.



M ■ Patterson
Executive Assistant
Vancouver Island Regional Library
Phone: 250-729-2310
Email: mpatterson@virl.bc.ca
Web: virl.bc.ca

This email may contain confidential information intended only for the individual or entity named. If the reader is not the intended recipient, or the agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is prohibited. If this email was received in error, please notify us by reply email and delete the original message.

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OCT 02 2023

CITY OF PORT ALBERNI

☒ Council	☐ Economic Development
☒ Mayor	☐ Engineering/PW
☒ CAO	☐ Parks, Rec. & Heritage
☐ Finance	☐ Development Services
☒ Corporate Services	☐ Community Safety
☒ Agenda	☐ Other

File # 0220-01 **RCM Oct 10, 2023**

From: [REDACTED]
Sent: Wednesday, September 27, 2023 2:58 PM
To: CityPa <citypa@portalberni.ca>
Cc: Todd Patola <Todd_Patola@portalberni.ca>
Subject: UBCM Tradeshow follow-up- from C [REDACTED] Peters and the Anti Human Trafficking Initiative booth

Dear Mayor Sharie Minions and Port Alberni City Council,
Thank you to the BC Mayors, Councillors and Directors who visited the Anti Human Trafficking Initiative booth 623 at UBCM.

Child Sex Trafficking is the fastest growing crime in the world and it is here in BC. Attached is the "**Overview of the Problem in Canada**" and "**8 Strategies for Cities and Municipalities**".

Below is a **2004 UBCM Resolution on Child Sex Trafficking** that went to FCM. This Resolution needs to be re-instated with action outcomes identified.
<https://www.ubcm.ca/convention-resolutions/resolutions/resolutions-database/approach-end-trafficking-children>

What you can do:

1. I am available for presentations to groups in your communities in January 2024.
2. Please purchase my book and place it in your schools, libraries, churches and medical facilities.

It is a textbook on the issue for Canada; it is readable and relatable with resources.

3. Redraft a Resolution on Child Sex Trafficking for next year's UBCM.

I look forward to hear back from you,

Sincerely, C [REDACTED] Peters

BC anti human trafficking educator, speaker, advocate

beamazingcampaign.org

[REDACTED]
[REDACTED]

Queen's Platinum Jubilee Medal recipient for my anti human trafficking advocacy work

Author: "**Child Sex Trafficking in Canada and How to Stop It**".

8 strategies for Cities and Municipalities:

1. Learn about the issue at my website: beamazingcampaign.org. Buy my book, “**Child Sex Trafficking in Canada and How to Stop It.**” Take the BC OCTIP (Office to Combat Trafficking in Persons) **free online course**. Encourage police to take HT course on the **Police Knowledge Network**.
2. Incorporate the United Nations 4 Pillars in a local strategy to stop Human trafficking/sexual exploitation: **Prevention, Protection, Prosecution, Partnerships**.
3. **Prevention:** raise awareness in community. Children of the Street (Plea), End Exploitation Education (Tiana Sharifi), BRAVE education (Alberta), National Human Trafficking Education Center (Joy Smith Foundation- Manitoba) does school and community programs. Encourage “Men End Exploitation” movements: Moosehide Campaign, Westcoast Boys Club Network. Support porn addiction services for youth; “Fightthenewdrug” program recognizing the public health effects to youth of viewing violent sexual material. Use communications to raise awareness: Canadian Centre to End Human Trafficking has FREE posters, wallet cards. Calgary has “Not in My City” campaign, Ontario has “Saving the girl next door program”.
4. **Protection:** have exit strategies in place for victims, consider 24-7 “wrap-around programs” Salvation Army “Deborah’s Gate”, Covenant House, Union Gospel Mission. Support **School Liaison Officer Programs in BC Schools** as an effective deterrent against organized crime recruitment for gangs and sex trafficking.
5. **Prosecution:** increase policing budget, training, and priorities. Have “buyer” deterrents in place, enforce the law; “**Protection of Communities and Exploited Persons Act**” which addresses “**demand**”- the profiteers, facilitators, buyers of commercially paid sex.
6. **Partnerships:** Train community stakeholders: Police, Health care workers, fire department, municipal business licensing managers, educators, businesses to recognize human trafficking/sexual exploitation. **Fraser Health Authority** has a human trafficking protocol, Surrey Fire department is trained to recognize HT indicators. Train judges/Crown Counsel/criminal justice system.
7. **Partnerships:** with other cities and municipalities at local government associations, Police agencies, 3 levels of government (civic, provincial, federal); UBCM, FCM with Resolutions.
8. **Goal:** safe, healthy, vibrant communities that are fit for families, youth, children, and all vulnerable populations.

National Human Trafficking Hotline Number: 1-833-900-1010

Overview of Human Sex Trafficking, Sexual Exploitation and Child Sex Trafficking in Canada.

2023 by C. Peters- BC anti human trafficking educator, speaker, advocate

Beamazingcampaign.org

Author: **"Child Sex Trafficking in Canada and How to Stop It".**

1. **Cases:** Most notorious cases in Canada: **Amanda Todd** (victim), **Robert Pickton** (sex buyer and serial killer), **Reza Moazami** (trafficker)- all from British Columbia.

Provinces are not consistently addressing the crime- Alberta, Ontario, Manitoba, Quebec, Nova Scotia have better public awareness than BC.

-Dr. Jacqui Linder registered psychologist and traumatologist from Alberta, states "Human Trafficking is one of the forms of trauma that when you really understand what people are going through and what is being done to them, it is TRUE EVIL."

2. **Crime:** Organized crime, international crime syndicates are typically involved.

3. **Mental Health and Addictions: Sexual Violence is the worse form of trauma a human being can experience.** Dr. Ingeborg Kraus- German psychotraumatologist.

-Children who are sexualized are vulnerable, live with CTSD- Complex Trauma Stress Disorder and ACEs- Adverse Childhood Experiences- Dr. Nadine Burke, USA pediatrician on ACEs.

-Dr. Vincent Felitti connects childhood experiences and physical and mental health as adults- childhood trauma is associated with chronic diseases during adulthood and child trafficking will worsen the economic burden on civil governance.

4. 4 Factors causing Sexual Exploitation: globalization, unregulated technology, limited law enforcement and very little prevention education.

5. **Definition:** Human trafficking is the recruiting, transporting, transferring, receiving, holding, concealing, harbouring, or exercising control over a person for the purpose of exploiting them. Key word is **EXPLOITATION**.

6. Stats:

-13 years is age of recruitment, 10-12 years in urban centers.

-54% in the sex trade are Indigenous, 70-90% in urban centers.

-82% had childhood sexual abuse/incest.

-72% live with CTSD or Complex PTSD.

-95% in prostitution want to leave- it is NOT a choice or a job.

-90%-99% of prostituted persons are pimped or trafficked. Traffickers make hundreds of thousands of dollars per victim per year or from \$1000-\$5000 per day per victim.

-1-5% of individuals are able to leave the sex industry- the majority become mentally ill, drug addicted, commit suicide or are murdered.

7. **My work:** raising awareness to 3 levels of government in BC, since **"The Protection of Communities and Exploited Persons Act"** became Federal Law in 2014. PCEPA Federal Law has **4 parts:**

1. Targets the DEMAND by criminalizing the buyer of sex, profiteer.

2. Seller of sex is immune from prosecution

3. Exit strategies are in place to assist the victim out of the sex trade.

4. Robust prevention education is in place so youth, children and the vulnerable are not pulled into the sex industry.

PCEPA Law focuses on the source of harm: the DEMAND. The clear statement from Parliament was that girls and women in Canada are **NOT FOR SALE**; they are full human beings with dignity and human rights. Canada has international obligations to deter demand: **Palermo Protocol Article 9, section 5**. Training for understanding and interpreting PCEPA: Nathalie Levman with Department of Justice: Nathalie.levman@justice.gc.ca Phone-613-948-7429, [REDACTED].

8. Problem: This Law is not enforced consistently in Canada or BC.

- Vancouver, Toronto and Montreal are global sex tourism hotspots.
- Canada is a Child Sex Tourism destination (TIP report from USA State Department).
- Global sex trade is targeting children- children is where the money is, fuelled by the internet where the luring takes place. Globally, Canada is one of the biggest consumers of CSAM (child sexual abuse material or child pornography).

9. Strategy for Provinces and Communities: Reduce Demand, Diminish Supply.

- Main businesses: unregistered massage and body rub parlours, nail spas, day spas, wellness centers, modelling agencies, tattoo parlours, escort services, cheap bars and hotels, men's clubs, AirBnb, VRBO, casinos, strip clubs, organized crime club houses, bus stops, train stations, homeless camps, tent cities, work camps, pool halls, community centers- wherever youth congregate.
- Schools are recruiting grounds for gangs and human trafficking. There is growing research that some school personnel are involved with sexual interference with students- source- Cybertip.ca.

10. Strategy for the public: Learn, Share, Alert. **Resources:**

Canadian: -beamazingcampaign.org- resources, research, teaching videos- C[REDACTED] Peters

-Public Safety Canada- Human Trafficking.

-Canadian Center to End Human Trafficking- National Hotline number: 1-833-900-1010.

-Cybertip.ca- Canadian Center for the Protection of Children.

-National Human Trafficking Education Center- Joy Smith Foundation.

USA:- National Centre on Sexual Exploitation- NCOSE (research based and holds global summits) and Demand.org (addressing demand to stop sexual exploitation).

-Protect Young Eyes- protectyouneyes.org- founded by Chris McKenna

-Defend Young Minds-defendyoungminds.org- founded by Kirsten Jensen

-Parents Against Child Abuse- P.A.X.A.- founded by Tania Haigh

International: OSCE- Organization for Security and Cooperation in Europe- Canada belongs along with 56 other countries- 1 billion people are represented. Valiant Richey is the OSCE Special representative and Co-ordinator for Combating Trafficking in Human Beings.

Trends:

- Increased sexualization of youth/children.
- Resulting in: increased childhood sexual assault/incest.
- Women/girls losing safe spaces with transgenderism movement.
- Pornography use is the fuel.
- Lack of digital safety training availability and lack of social media accountability.
- Lack of positive parenting support.
- Development of AI (Artificial Intelligence) of Child Sexual Abuse Material.

RECEIVED

OCT 02 2023

CITY OF PORT ALBERNI

☒ Council	☐ Economic Development
☒ Mayor	☐ Engineering/PW
☐ CAO	☐ Parks, Rec. & Heritage
☐ Finance	☐ Development Services
☒ Corporate Services	☐ Community Safety
☒ Agenda	☐ Other

File # 0230-01 **RCM Oct 10, 23**

From: M. [REDACTED] Rotrand <marvinr@bnaibrith.ca>

Sent: September 28, 2023 1:30 PM

Subject: International Holocaust Remembrance Alliance Plenary Summary

Dear Mayor and Councillor,

We thought you would find this useful. Feel free to share with your constituents. Please mention B'nai Brith in any email blast.

B'nai Brith supports the important work of the International Holocaust Remembrance Alliance (IHRA) in its work to preserve Holocaust remembrance and combat antisemitism.

It is the only intergovernmental organization of its kind.

In light of the recent events at Parliament, we thought this information would be more vital than ever.

IHRA describes itself as bringing together experts in Holocaust education, research and remembrance, including museum, memorial and education professionals, historians, archaeologists, and specialists in genocide studies and other disciplines. The multidisciplinary groups that result are able to focus on specific priority areas, allowing IHRA to put forth meaningful policy recommendations.

Canada joined IHRA in 2009. Today the organization comprises 35 member nations and 10 observer countries.

In 2016 IHRA adopted a definition of antisemitism which is considered the most authoritative guide to recognizing antisemitism. Canada adopted the IHRA definition in 2019. Six provinces have done so as well.

B'nai Brith is actively working for the adoption of this definition by every Canadian province and territory and urging its implementation so that decision makers, civil servants and law enforcement will be better able to react and confront hatred aimed at Jews.

The chair of IHRA is rotational. Croatia holds the presidency this year and last month hosted the first of two plenaries to discuss advancing the organization's goals and programs.

The Canadian delegation took part in the plenary in Dubrovnik, June 11-15.

Allow me to share the report on the plenary which can be accessed through the following link:

<https://sway.office.com/twZKUgnfuOFh6eKX?ref=Link>

International Holocaust Remembrance Alliance Dubrovnik Plenary: Summary Report, 11-15
June 2023

Photo credit: DarPro

sway.office.com

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The report outlines not only the discussion at the plenary but also gives us an idea of some of the important issues that IHRA will assess in the years to come including the impact of Artificial Intelligence, combatting Nazi glorification, creating university chairs in Holocaust studies, safeguarding Holocaust sites, relaunching the IHRA grant program, advancing education on the Roma genocide and countering antisemitism in sports.

I trust that you will find the plenary report inspirational. I did.

B'nai Brith encourages IHRA to expand its membership. We believe the struggle against antisemitism would be enhanced if all democratic countries became members.

Best regards,

M. Rotrand
National Director - League for Human Rights
B'nai Brith Canada
416.633.6224 x 121

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)



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OCT 04 2023

CITY OF PORT ALBERNI



BRITISH
COLUMBIA

☒ Council
☒ Mayor
☒ CAO
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☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☒ Community Safety
☐ Other
File # CMO-20 MCH RCM OCT 10 2023

VIA EMAIL

Ref. 61625

October 4, 2023

Her Worship Sharie Minions
Mayor of the City of Port Alberni
4850 Argyle Street
Port Alberni BC V9Y 1V8
Email: sharie_minions@portalberni.ca

Dear Mayor Minions:

I am writing to provide you with the final results from the Point in Time (PiT) homeless count that was conducted in Port Alberni on May 2, 2023. The count was led by an independent consultant in collaboration with the Homelessness Services Association of BC (HSABC). HSABC organized the counts on behalf of BC Housing and the Ministry of Housing. The data from this count and others conducted across the province will be included in a provincial summary planned for release in fall 2023.

The results identify the number of people experiencing homelessness in Port Alberni, including those identified as sheltered and unsheltered. Data is also organized by age, gender, Indigenous and racial identity, health concerns, reasons for housing loss, and use of social services. Key limitations and methodological considerations are also included. These results will be posted publicly on BC Housing's website on October 6, 2023, at: <https://www.bchousing.org/research-centre/housing-data/homeless-counts>.

Our government is taking bold steps to tackle the housing crisis and deliver the affordable homes British Columbians need. In Budget 2023, we launched the Homes for People action plan, building on the 2018 housing strategy – the largest investment in housing in BC's history. The action plan includes details on the additional \$4 billion over three years announced in Budget 2023, as well as a commitment to invest \$12 billion over the next 10 years, to deliver more homes faster for people.

.../2

Office of the
Minister of Housing

Website:
www.gov.bc.ca/housing

Mailing Address:
PO Box 9074 Stn Prov Govt
Victoria BC V8W 9E9
Phone: 236 478-3970

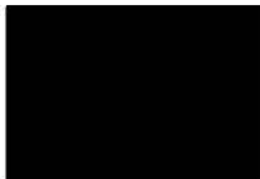
Location:
Parliament Buildings
Victoria BC V8V 1X4
Email: HOUS.Minister@gov.bc.ca

Her Worship Sharie Minions
Page 2

Alongside Homes for People, government is implementing Belonging in BC, a collaborative plan to prevent and reduce homelessness. The plan recognizes the intersectional factors that lead to homelessness and brings together all levels of government, BC Housing, Indigenous Peoples, the non-profit sector, developers and the construction industry to ensure all British Columbians get the care and support they need and deserve. The plan received a \$633 million investment in Budget 2022, with a further \$1.18 billion in Budget 2023.

If you have any questions about the count, you can contact M. [REDACTED] Dewitt, at [REDACTED]. We hope this data will assist you with the work you are doing to address homelessness in your community.

Sincerely,



Ravi Kahlon
Minister of Housing

Attachment

pc: The Honourable Josie Osborne, MLA, Mid Island-Pacific Rim

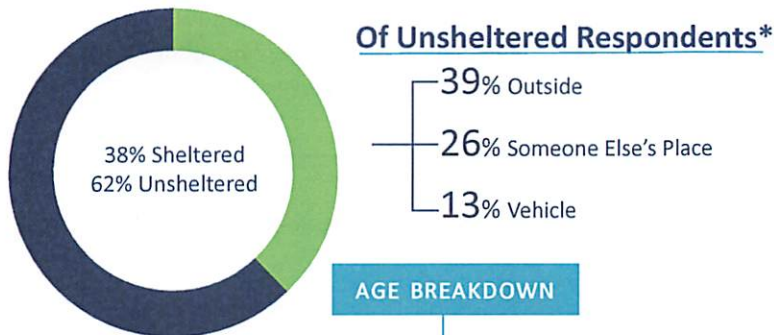
Port Alberni - 2023 Homeless Count

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

163

People were identified as experiencing homelessness compared to 125 in 2021.

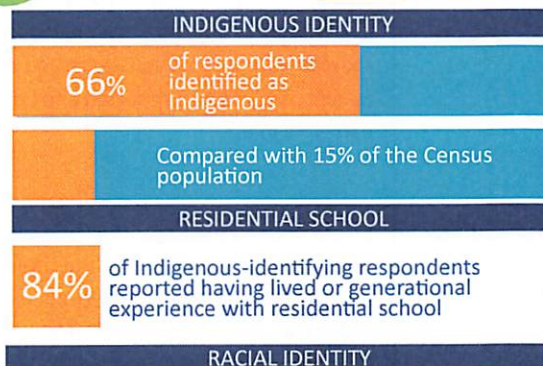
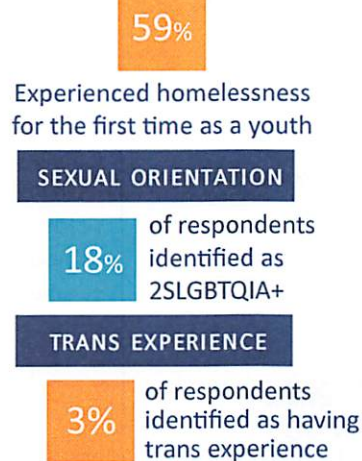
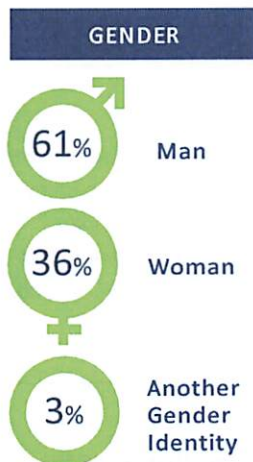
Where did individuals stay the night of the count?



19%
Youth
Under 25

65%
Adult
25-54

16%
Senior
55+



For the purpose of this count, an individual was defined as experiencing homelessness if they did not have a place of their own where they paid rent and could expect to stay for at least 30 days. This included people who:

- Stayed overnight on the night of the count in homeless shelters, including transition houses for women fleeing violence and youth safe houses, people with no fixed address (NFA) staying temporarily in hospitals, jails or detox facilities (defined as "sheltered"); and,
- Stayed outside in alleys, doorways, parkades, parks and vehicles or were staying temporarily at someone else's place (couch surfing) and/or using homelessness services (defined as "unsheltered").

The 2023 PiT Count took place in Port Alberni on the evening of May 1 and the daytime of May 2.

In the 2021 PiT Count, 9% of respondents were under the age of 25. It is important to consider that although this represents an increase from 2021, youth are often underreported in this methodology.

In the 2021 PiT Count, 65% of respondents identified as Indigenous.

This year, the PiT Survey asked respondents if they, a parent, or grandparent attended residential school. The Indigenous Homelessness Steering Committee and the Indian Residential School Survivors Society were instrumental in helping create this question and provide resources for respondents and interviewers to stay safe.



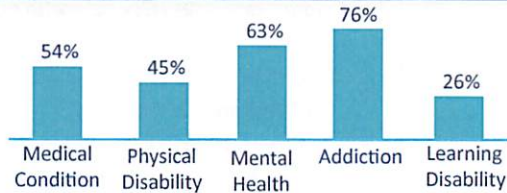
BC HOUSING
RESEARCH CENTRE

* Top responses highlighted

REASONS FOR HOUSING LOSS*



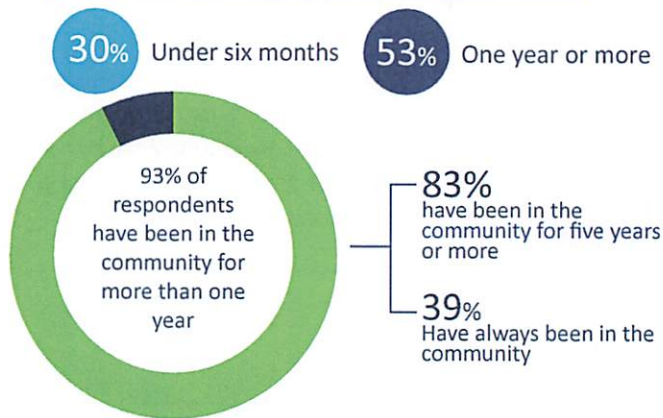
HEALTH CONCERNS



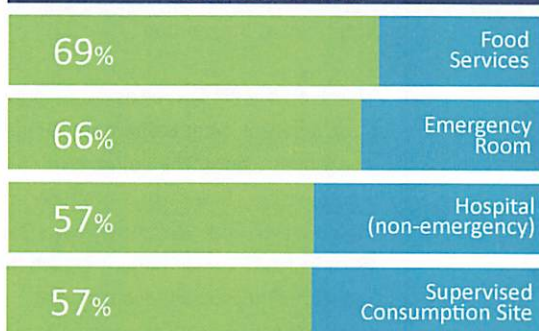
35% Reported an acquired brain injury

85% Reported two or more health concerns

LENGTH OF TIME EXPERIENCING HOMELESSNESS



SERVICES ACCESSED*



OVERNIGHT LOCATIONS IN LAST YEAR*



PiT counts are an undercount and represent only those individuals identified during a 24-hour period.

- While PiT Counts are an accepted methodological tool, the numbers are understood to be the minimum number of people who are experiencing homelessness on a given day in that community.
- Percentages are based on the number of respondents to each question, not the total population experiencing homelessness.

Responses to health questions were generally consistent with 2021.

Compared to 73% in 2021, fewer respondents in this count had experienced homelessness for one year or more.

Compared to 2021, fewer respondents have been in the community for less than one year, suggesting many people experiencing homelessness in the community were in the community the last time they were housed.

96% of respondents reported having an income source. The most common income sources were income assistance and disability benefit. Around 10% reported a full or part-time job.

New for the 2023 PiT Count, the survey asked respondents to check all the locations they had stayed in the past year from a list, rather than only asking if they had stayed in a shelter.

* Top responses only highlighted



**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on August 17, 2023 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ed Francoeur (Chair)
Stefanie Weber (Vice-Chair)
Harley Wylie (Alt. – Tseshah (č išaa?ath) F.N)
Callan Noye
Sandy McRuer
Councillor Dustin Dame (Council Liaison)

Regrets

Christine Washington, (SD70 Liaison)
Dan Holder
Joe McQuaid
Ken Watts (ECC, Tseshah (č išaa?ath) F.N)
Susan Wale, (Hupačasath F.N)
S./Sgt. Mike Thompson, R.C.M.P. Liaison
Derrin Fines (P.A.F.D. Liaison)
Wayne Mihalicz (Parks Liaison)

Staff

Brian McLoughlin, Manager of Planning
Haley Stevenson, Planner I
Cara Foden, Planning Technician
Scott Smith, Director of Dev. Services/Deputy CAO

Guests

Members of the Public: 2
Applicant/s: N. Wynne

Alternates (not in attendance)

Larry Ransom (Alt.– S.D.70)
TBD (Alt.– RCMP)
Councilor Deb Haggard (Alt. Council Liaison)



1. Acknowledgements and Introductions

- The Chair acknowledged that this meeting is being held within the un-ceded, traditional territories of the Hupačasath Nation and the Tseshah (č išaa?ath) First Nation.
- The Planner I welcomed the members of the public in attendance and when the applicant, N. Wynne, arrived she was introduced to the APC.

2. Adoption of previous meeting minutes

- Summary Report / Minutes from the APC Meetings held on July 20, 2023
(Noye /Weber) CARRIED

3. DEVELOPMENT APPLICATION – Development Variance Permit (DVP)

4735 Dunbar Street

Lot 22, Block 43A, District Lot 1, Alberni District, Plan 197B PID 009-251-812; and

4715 Dunbar Street

Lot 23, Block 43A, District Lot 1, Alberni District, Plan 197B PID: 009-251-855

APPLICANT: N. Wynne

- The Planner I presented a summary of the application. A full report dated August 10, 2023 was included in the Agenda package for the meeting.
- Attendees discussed the proposed DVP (to vary permitted fence height) giving opportunity to the applicant to provide rationale for the variance request. The applicant explained the reasons for requesting the height variance and included the following issues:
 - Food security and theft deterrent.
 - Safety (deterrent to intruders from entering the yard).
 - The non-conforming fence has reduced crime on her property.

- It was noted that the application for a DVP arose after a bylaw complaint was made about the fence and was received by the City in early 2023. The applicant confirmed that the bylaw complaint pre-dated and subsequently triggered her application for a DVP. The fence height exceeded the permitted height when the applicant had it constructed.
- The applicant confirmed that the non-conforming fence does not currently encompass the entire property. House numbers on the property are visible as per recommendations from the Fire Department.
- APC asked if the 'CAP Index Scoring System' (crime rating) is used by the City of Port Alberni with respect to residential property. The Director clarified that CAP is created and used by policing agencies. Crime Prevention Through Environmental Design (CPTED) principles are endorsed by the RCMP and are supported and used by the City, and many local governments, when evaluating development applications.
- The applicant indicated that other measures taken to deter property crime included signage and cameras. She claimed signs ('No Trespassing', 'Beware of Dog') and cameras installed on the property had been ineffective as crime deterrents. The applicant expressed that the fence had been a somewhat better deterrent.
- The applicant indicated there are many fences and hedges in the community that exceed the permissible height and stated that enforcement of the regulations appeared selective. Staff agreed that Port Alberni contains various examples of non-conformity with respect to fences and hedges while noting that many were established prior to the existence of regulations. Council has recently adopted a new policy for bylaw enforcement.
- The APC asked the applicant to comment on the options presented in the report. The applicant expressed a desire for full support of the proposed variance without conditions.
- When asked, the Planner provided information from their report regarding CPTED principles that were directly relevant to the application. The Planner noted that visibility promoted safety for the home occupant as well as for any persons who had reason to enter the property for legitimate reasons (ie guests, delivery staff, Can. Post etc).
- There was discussion regarding reviewing bylaws with balanced attention to social change along with respecting regulations that promote an attractive, healthy, safe community. The Director of Development Services clarified that every DVP must be considered on its' own merit but cautioned the APC to thoughtfully consider the community in terms of the potential to create "a walled front" community. Precedence and enforcement should be taken into consideration.
- Potential fencing solutions were discussed with attention to the CPTED guidelines. Visibility and clear site lines are proven to discourage criminal activity. The APC discussed examples from various communities where municipal staff had worked with applicants to arrive at fencing solutions that would align with CPTED principles. Clear, versus solid, fencing materials such as wrought iron and lattice were discussed as options. Solid fencing to the maximum permitted height was not problematic but some APC members suggested that anything over the maximum permitted height should promote visibility.
- The applicant indicated it was not physically or financially possible for her to make alterations to the non-conforming fence. APC members were supportive of recommending that the applicant work with the City to establish a reasonable timeline for completion of fence alterations that would improve visibility if the variance was supported.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that Council support the application with a condition that the top two (2) feet of the eight (8) foot fence provides an acceptable degree of transparency.*

(McRuer / Wylie) CARRIED

2. *That the Advisory Planning Commission recommends to City Council that Council work with the applicant to establish a timeline, agreeable to both the applicant and the City, to allow enough time for applicant's partner to make the recommended change to the fence.*

(McRuer / Noye) CARRIED

4. Updates from the Director of Development Services

- Zoning modernization Bylaw – a Public Hearing was held on July 31, 2023.:
- 3325 Johnston Road – status of Development Permit and Development Variance Permit.
- Update regarding Council's endorsement of an alternate review process for the Pacific Mayfair Estates OCP amendment.
- Development proposals for multi-family housing make up a significant portion of current applications.

5. Other Business

6. **Adjournment** – The meeting adjourned at 1:30 pm. The next meeting is scheduled for 12:00 pm on **Thursday, September 21, 2023.**



(Chair)

DRAFT APC-SummaryMinutes-Aug17-2023

Councillor Report

For October 10, 2023

Councillor Debbie Haggard

September 8, 2023 – BC Social Procurement Initiative – Highlights include:

- Updates on progress of social procurement in member communities
- Quarterly report updates
- Co-chairs will be meeting with ministries and program staff at UBCM to advocate for continued funding

September 9, 2023 – Councillor Dame and I volunteered to participate in the **Fall Fair Parade**. Thank you to the Vancouver Island Industrial Heritage Society for offering to have us ride in one of their vehicles. And a special thank you to the organizers of the parade and the many volunteers of the Fall Fair. This is a real community event that helps to bring everyone together and really helps to personify community spirit.

September 11, 2023 – I attended a coffee meeting organized by MP Gord John's office featuring guest speaker Eleanor McMahon on the Trans Canada Trail.

September 12, 2023 -Zoom meeting with Minister of Emergency Management and Climate Readiness - A provincial update on the wildfire and drought situation for local governments.

September 13, 2023 – Alberni Clayoquot Regional District Board meeting- Highlights include:

- A presentation providing a summary and overview of the work to date on the Aquatics Feasibility Study
- That the ACRD Board direct staff to lead a Hole in the Wall Feasibility Study and add it to the General Government budget and 2024 work plan
- That the ACRD Board approve the 2023 – 2024 promotional package with the Alberni Valley Bulldogs for marketing and community outreach opportunities

September 14, 2023 – Committee of the Whole meeting – Highlights include:

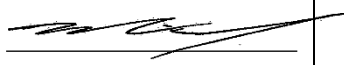
- BC Transit presented an overview of the BC Transit Shared Service operating model, key projects and the future transit service plan
- Representatives from the Synergy Foundation presented an overview of the circular economy framework in relation to the Somass Lands Project
- Update on the Graffiti Removal Program
- Discussion on a Council Leave Policy

September 15, 2023 – I was very honoured to speak at the Global Day of Climate Action rally held at City Hall. This was a very peaceful rally held by a very passionate group of people who are concerned about our future existence during this time of extensive climate changes.

September 18 - 22 2023 – Union of BC Municipalities – The theme for the week-long conference was **Balancing Act**.

- ***A Conversation on Decriminalization and Public Use*** – Earlier this year, the BC government received a three-year exemption by Health Canada to decriminalize the possession of certain illegal drugs. While local governments support decriminalization as one of the tools to address the overdose crisis, local governments are also raising concerns about the use of these drugs in parks, playgrounds, and other public spaces. This session explored the complex issues of the drug crisis, decriminalization, stigma and public use.
- ***Tools for Mindfulness and Stress Reduction*** – The role of an elected official can be rewarding, but the role can also bring stress and challenges. This workshop covered methods to help manage the demands of being an elected official through techniques such as mindfulness, meditation and self-compassion with the goal of strengthening mental health and well being.
- ***Beyond Balance: Bypassing Barriers*** – During this interactive session, the participants discussed the experiences of women in local government and how elected officials can continue to make positive changes to support women in elected office.
- ***Preparing for Future Wildfires*** – Representatives from local governments and the BC Wildfire services offered advice on what local governments can do now in order to be better prepared before next fire season.
- ***Keynote Address: John Hardman, Head Coach, Canadian Men's National Soccer Team*** – Hardman talked about his leadership philosophy with humour, hard work and strong dedication to his players and his love for the game of soccer.
- ***Emergency Preparedness*** – The ministers in this session spoke to resiliency and improving wildfire and flood preparedness, improving roads and infrastructure and adapting to climate change.
- ***Creating Climate Resilient Communities Through Collaboration*** – Adapting to climate change and protecting our communities requires coordination and collaboration between all levels of government.
- ***Resource Breakfast Series featuring the Honourable Josie Osborne, Minister of Energy, Mines and Low Carbon Innovation*** – Minister Osborne talked about innovation and working collaboratively with First Nations.

Date: October 2, 2023
File No: 0390-01
To: Mayor & Council
From: M. Fox, Chief Administrative Officer
Subject: BC's Housing Central Conference | Authorize Council Registration

Prepared by: SARA DARLING Deputy Director of Corporate Services	Supervisor: D. MONTEITH DIRECTOR OF CORPORATE SERVICES	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION[S]

THAT Council authorize [insert names] to participate in BC's Central Housing Conference taking place November 20-22, 2023 in Vancouver, BC with authorization to include reimbursement of expenses incurred as per City Travel Policy No. 3009-2.

PURPOSE

To provide Council with information regarding BC's Central Housing Conference taking place November 20-22, 2023 in Vancouver, BC and request direction regarding the registration of Council members.

BACKGROUND

Hosted by the BC Non-Profit Housing Association, Cooperative Housing Federation of BC and the Aboriginal Housing Management Association, the Central Housing Conference will bring together members, associates, housing leaders, civic, federal and provincial to identify solutions for improving housing affordability and attainability across the province. The agenda will include keynote speakers, 150+ education sessions and networking opportunities.

Councillor Patola has expressed an interest in participating in the Conference and while the City's Travel Policy authorizes members of Council to attend AVICC and UBCM, members of Council wishing to participate in other conferences requires authorization on the part of Council.

ALTERNATIVES/OPTIONS

1. That Council authorize [insert names] to participate in the BC's Central Housing Conference taking place November 20-22, 2023 in Vancouver, BC with authorization to include reimbursement of expenses incurred as per City Travel Policy No. 3009-2.
2. That Council not authorize members of Council to participate in the Housing Central Conference.

ANALYSIS

Option 1 - The City's 2023-2027 Financial Plan currently identifies \$71,100 to fund 2023 Council Travel and Development. Two complimentary registration tickets at a cost of \$820 per registrant have been extended to

Council. Should Council wish to authorize member's attendance at this Conference, staff estimate total costs to be approximately \$1,100 per person. This estimate includes conference accommodation, travel and per diem.

Option 2 – It is Council's prerogative to either support and/or deny the attendance of Council members at a particular conference/convention outside of those identified in the City's *Travel Policy 3009-2*. When considering an item based on policy, Council is encouraged to consider the merits of the conference and development being offered and how City representation will contribute to the betterment of the City.

IMPLICATIONS

Financial implications associated with participation in the Conference is approximately \$1,100 per registrant. This estimate includes complimentary registration [savings of \$820], accommodation, travel and per diem. The 2023 – 2027 Financial Plan includes \$71,100 to fund 2023 Council and Travel Development. Year to date expenditures were reviewed and it was confirmed that the estimated conference costs are available.

COMMUNICATIONS

n/a

BYLAWS/PLANS/POLICIES

In accordance with City *Travel Policy 3009-2*, Council attendance/participation outside of AVICC and UBCM requires a resolution of Council.

The request also aligns with Council's Strategic Priorities, in particular, No. 1 | Respond to Demographic Change/Improve Quality of Life and No. 5 | Foster a complete community (safe, healthy and inclusive).

SUMMARY

Councillor Patola has expressed interest in participating in BC's Central Housing Conference taking place November 20-22, 2023 in Vancouver, BC. Costs associated with participating are approximately \$1,100 per registrant. The 2023 – 2027 Financial Plan identifies \$71,100 to fund 2023 Council Travel and Development. The Conference provides an opportunity for participants to come together with members, associates, housing leaders, civic, federal and provincial to learn, connect and identify solutions for improving housing affordability and attainability across the province.

ATTACHMENTS/REFERENCE MATERIALS

1. *BC's Central Housing Conference Invitation*
2. *Travel Policy 3009-2 [ref.]*
3. *2023-2027 Corporate Strategic Plan [ref.]*

c: A. McGifford, Director of Finance

RECEIVED

SEP 19 2023

CITY OF PORT ALBERNI

☒ Council
☒ Mayor
☒ CAO
☒ Finance
☒ Corporate Services
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other _____
☐ Agenda _____
File # 0390-01

From: L [REDACTED] Dragan <admin@bcnpha.ca>

Sent: September 19, 2023 12:06 PM

To: Sharie Minions <sharie_minions@portalberni.ca>; Dustin Dame <Dustin_Dame@portalberni.ca>; John Douglas <John_Douglas@portalberni.ca>; Debbie Haggard <debbie_haggard@portalberni.ca>; Charles Mealey <Charles_Mealey@portalberni.ca>; Todd Patola <Todd_Patola@portalberni.ca>; Cindy Solda <cindy_solda@portalberni.ca>

Subject: FW: Invitation to attend BC's Housing Central Conference November 20-22, 2023

Good day Mayor and Council

We are inviting you to attend BC's Housing Central Conference which will run this year from November 20-22, 2023. Last year, we had our largest in person conference with 1,700 delegates joining us over 3 days, we expect to exceed that number this year. It was a great opportunity for our members, associates, housing leaders, civic, federal and provincial leaders to come together in person again and talk housing!

On behalf of BC Non-Profit Housing Association, Cooperative Housing Federation of BC. and the Aboriginal Housing Management Association we invite the City of Port Alberni Mayor and Councillors to attend and are offering 2 complimentary registration tickets.

This is a link to our Housing Central Conference if you would like to take a look and see what is happening at our plenaries and sessions over the 3 days. <http://conference.housingcentral.ca>

Let me know if you are interested and register using this code **HCC2023_Gov** which is for a complimentary registration to the full conference. We look forward to seeing you there!

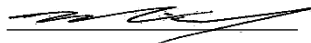
Thanks very much!

L [REDACTED] Dragan
Executive Assistant

BC Non-Profit Housing Association
Address: 220 – 1651 Commercial Drive, Vancouver, BC V5L 3Y3
Tel: 604 291-2600 Direct Line: 778 945-2165
Toll Free BC: 1. 833.227.0708
www.bcnpha.ca



Date: September 27, 2023
File No: 3950-20
To: Mayor & Council
From: M. Fox, Chief Administrative Officer
Subject: **City of Port Alberni | Occupational Health and Safety Policies**

Prepared by: K. BODIN DIRECTOR OF HUMAN RESOURCES	Supervisor: M. Fox CHIEF ADMINISTRATIVE OFFICE	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION[S]

- a. *THAT Council rescind current Council-approved occupational health and safety policies as follows to permit future policy approval by the Chief Administrative Officer:*
- Occupational Health and Safety Policy
 - Critical Incident Stress Management Program
 - Joint Occupational Health and Safety Committees
 - Personal Protective Equipment
 - Prevention of Workplace Violence
 - Worker's Compensation Act & Regulations
 - Working Alone
- b. *THAT Council approve 'Council Occupational Health and Safety Policy' No. 5005-1.*

PURPOSE

This report is intended to provide background information regarding the City's various occupational health and safety policies, request Council authorization to rescind previous policies approved by Council to be authorized moving forward by the Chief Administrative Officer [CAO] and request Council approval of a new overarching occupational health and safety policy.

BACKGROUND

The City currently has a number of occupational health and safety policies, all of which would be considered administrative in nature. Following a staff review, it was noted that a small number of policies, as noted below, were approved by Council rather than by administration. Rescinding of these policies in order to permit future approval by the Chief Administrative Officer would enable staff to efficiently develop, review and update policies as required moving forward.

- Occupational Health and Safety Policy
- Critical Incident Stress Management Program
- Joint Occupational Health and Safety Committees
- Personal Protective Equipment
- Prevention of Workplace Violence
- Worker's Compensation Act & Regulations
- Working Alone

ALTERNATIVES/OPTIONS

Option One: That Council rescind current Council-approved occupational health and safety policies as follows to permit future policy approval by the Chief Administrative Officer:

- Occupational Health and Safety Policy
- Critical Incident Stress Management Program
- Joint Occupational Health and Safety Committees
- Personal Protective Equipment
- Prevention of Workplace Violence
- Worker's Compensation Act & Regulations
- Working Alone

AND

That Council approve 'Council Occupational Health and Safety Policy' No. 5005-1.

Option Two: That Council continue to approve City occupational health and safety policies.

ANALYSIS

As authorized by provincial legislation, Council may delegate certain responsibilities and authorities to the Chief Administrative Officer, in the spirit of maintaining Council's ability to govern the municipality and maximizing the Chief Administrative Officer's ability to administer the municipality effectively and efficiently.

The "*City of Port Alberni Officers and Indemnification Bylaw No. 5061, 2023*" establishes the powers, duties and responsibilities of the Chief Administrative Officer as set out in section 147 of the *Community Charter* to include:

- (a) overall management of the operations of the municipality;
- (b) ensuring that the policies, programs and other directions of the council are implemented;
- (c) advising and informing the council on the operation and affairs of the municipality.

The City's occupational health and safety policies are operational in nature and based on applicable legislation and regulations. Some of these policies are no longer required, and many of them require revision and updating.

Having an overarching Occupational Health and Safety Policy that is approved by Council will allow Council to provide direction from which staff can develop new policies, or update and revise current policies. The proposed Occupational Health and Safety Policy is taken from the current Occupational Health and Safety Policy Statement, that is re-affirmed annually by the Mayor and CAO. It outlines the responsibilities of the City with regard to occupational health and safety and will provide the direction to ensure these responsibilities are being met as policies are developed or updated.

IMPLICATIONS

These changes will enable administration to develop or make changes to administrative occupational health and safety policies that effect the employees of the City. This will allow Council to focus on higher level policy development related to governing the City.

COMMUNICATIONS

None at this time. As occupational health and safety policies are developed or updated, they are reviewed with the City's Joint Occupational Health and Safety Committees, and then communicated to staff.

BYLAWS/PLANS/POLICIES

"City of Port Alberni Officers and Indemnification Bylaw No. 5061, 2023"

SUMMARY

Following a staff review of the City's current occupational health and safety policies, it was determined that a number had been approved by Council rather than administration as would be in alignment with current legislation and process.

Staff are recommending that Council rescind the occupational health and safety policies outlined to permit future policy approval by the Chief Administrative Officer and further, that Council approve the proposed overarching Occupational Health and Safety Policy No. 5005-1 that will provide direction to staff in the development and revision of future related policy.

ATTACHMENTS/REFERENCE MATERIALS

Draft Council Occupational Health and Safety Policy No. 5005-1.

Copy: M. Fox, Chief Administrative Officer
S. Smith, Director of Development Services | Deputy CAO
D. Monteith, Director of Corporate Services

POLICY No. 5005-1 | Council Occupational Health and Safety Policy

Approved: _____, 2023

Resolution No: R__-__

Date of Last Review:

CITY OF
PORT ALBERNI



POLICY

It is the policy of the City of Port Alberni to provide a safe work environment that is designed, operated and maintained in accordance with occupational health and safety standards.

It is the responsibility of City of Port Alberni management to develop, implement and maintain programs and policies designed to prevent injuries and occupational diseases throughout City of Port Alberni workplaces by ensuring that health and safety hazards are controlled or eliminated, and by developing work procedures conducive to a healthy and safe workplace.

It is the responsibility of every supervisor to ensure that all workers are instructed in, and follow all safe work procedures, regulatory requirements and collective agreement provisions.

It is the responsibility of all workers to follow proper safe work procedures and to monitor their workplaces for unsafe conditions and hazards.

It is the responsibility of all contractors working for or on behalf of the City of Port Alberni to implement effective safety programs for their workers, and comply with all safety rules of the City of Port Alberni.

Through the active participation and co-operation of management, supervisors, workers and joint occupational health and safety committees, the City of Port Alberni will promote healthy and safe working conditions and attitudes as integral parts of its operations.

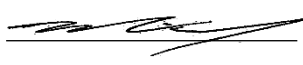
This policy will be reviewed and re-affirmed annually.

Sharie Minions
Mayor

Mike Fox
Chief Administrative Officer



Date: September 27, 2023
File No: 3950-20
To: Mayor & Council
From: M. Fox, CAO
Subject: City of Port Alberni | Human Resources Policies

Prepared by: K. BODIN DIRECTOR OF HUMAN RESOURCES	Supervisor: M. Fox CHIEF ADMINISTRATIVE OFFICE	CAO Concurrence:  M. Fox, CAO
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RECOMMENDATION[S]

THAT Council rescind current Council-approved administrative human resources policies as follows, to permit future policy approval by the Chief Administrative Officer:

- Employment Fitness Evaluation
- Employment of Relatives
- Interview Expenses
- Moving Expenses
- Probationary / Trial / Acting Periods
- Reference Requests
- Impairment in the Workplace
- Attendance
- Attendance Management
- Communication Systems
- Electronic Device Use
- Progressive Discipline
- Smoke Free Workplace
- Standards of Conduct / Conflict of Interest
- Workplace Harassment
- Apprenticeship Training
- EFAP
- Employee Computer Purchase Plan
- Compensation for Emergency Response Outside of Regular Hours – Exempt Employees
- General (Personal) Leaves of Absence without pay
- Job Improvement Courses
- Leave of Absence with Pay
- Leave to Vote in Elections
- Memorial Plaques
- Municipal Pension

- *Personal Vehicle Use for City Business Purposes*
- *Sick Leave (Detoxification Program)*
- *Workplace Accommodation*
- *Acting Pay for Exempt Employees*
- *Acting Pay for Schedule “B” Employees*
- *Benefits for Sick/Disabled Employees*
- *Conversion of Vacation to Sick Leave (Union Members)*
- *Standby Compensation – Exempt Staff*
- *Union Member Temporarily Filling a Management Position*
- *Social Networking Policy*

PURPOSE

This report is intended to provide background information with regard to various City human resources policies, and request Council authorization to rescind previous policies approved by Council to be approved moving forward by the Chief Administrative Officer [CAO].

BACKGROUND

Historically, Council has approved human resources policies for the City. As most of the current human resources policies are administrative in nature, the responsibility for these is covered under the CAO’s authority as outlined in the *Community Charter* (Section 147). As such, these policies are more appropriately approved by this position.

Current human resources policies have been outlined below. *Table 1* reflects the policies that would continue to fall under the authorization of Council. *Table 2* outlines those policies that are administrative in nature and are being requested to be rescinded by Council to permit future approval by the CAO.

Table 1:

Employee Fitness Program	Lieu Time Provision – Exempt Employees
Benefits for Supervisory (Exempt Staff)	Salary Administration – Exempt Staff
Recognition of Service	

Table 2:

Employment Fitness Evaluation	Employee Computer Purchase Plan
Employment of Relatives	Compensation for Emergency Response Outside of Regular Hours – Exempt Employees
Interview Expenses	General (Personal) Leaves of Absence without pay
Moving Expenses	Job Improvement Courses
Probationary / Trial / Acting Periods	Leave of Absence with Pay
Reference Requests	Leave to Vote in Elections
Impairment in the Workplace	Memorial Plaques
Attendance	Municipal Pension
Attendance Management	Personal Vehicle Use for City Business Purposes
Communication Systems	Sick Leave (Detoxification Program)
Electronic Device Use	Workplace Accommodation

Progressive Discipline	Acting Pay for Exempt Employees
Smoke Free Workplace	Acting Pay for Schedule “B” Employees
Standards of Conduct / Conflict of Interest	Benefits for Sick/Disabled Employees
Workplace Harassment	Conversion of Vacation to Sick Leave (Union Members)
Apprenticeship Training	Standby Compensation – Exempt Staff
EFAP	Union Member Temporarily Filling a Management Position
	Social Networking Policy

ALTERNATIVES/OPTIONS

Option One: That Council rescind the current Council-approved administrative human resources policies as listed in *Table 2*, to permit future policy approval by the Chief Administrative Officer:

Option Two: That Council continue to approve all human resources policies.

ANALYSIS

As authorized by provincial legislation, Council may delegate certain responsibilities and authorities to the Chief Administrative Officer, in the spirit of maintaining Council’s ability to govern the municipality and maximizing the Chief Administrative Officer’s ability to administer the municipality effectively and efficiently.

The “*City of Port Alberni Officers and Indemnification Bylaw No. 5061, 2023*” establishes the powers, duties and responsibilities of the Chief Administrative Officer as set out in section 147 of the *Community Charter* to include:

- (a) overall management of the operations of the municipality;
- (b) ensuring that the policies, programs and other directions of the council are implemented;
- (c) advising and informing the council on the operation and affairs of the municipality.

While the CAO is responsible for the overall management of the operations of the municipality, the CAO is also responsible for advising and informing Council on the operations of the municipality and this would include human resources policies and processes.

Having administrative human resources policies be approved by the CAO moving forward would allow for a more streamlined process for the development, review and updating of policies as required.

IMPLICATIONS

These changes will enable administration to develop or make changes to administrative human resources policies that effect the employees of the City. This will allow Council to focus on higher level policy development related to governing the City. Budgetary impacts that may arise from the administrative human resources policies would be subject to the financial planning process as is overseen and approved by Council.

COMMUNICATIONS

None required at this time. As policies are developed or revised, they will be communicated to staff as required.

BYLAWS/PLANS/POLICIES

“City of Port Alberni Officers and Indemnification Bylaw No. 5061, 2023”

SUMMARY

The City currently has a number of Council-approved human resources policies. This report recommends that Council rescind the human resources policies that are administrative in nature (*Table 2*) to be approved by the CAO moving forward, allowing for a more streamlined process for the development, review and updating of policies.

ATTACHMENTS/REFERENCE MATERIALS

[CPA Policy Manual \(updated Aug 2023\)](#)

Copy: *M. Fox, Chief Administrative Officer*
S. Smith, Director of Development Services | Deputy CAO
D. Monteith, Director of Corporate Services