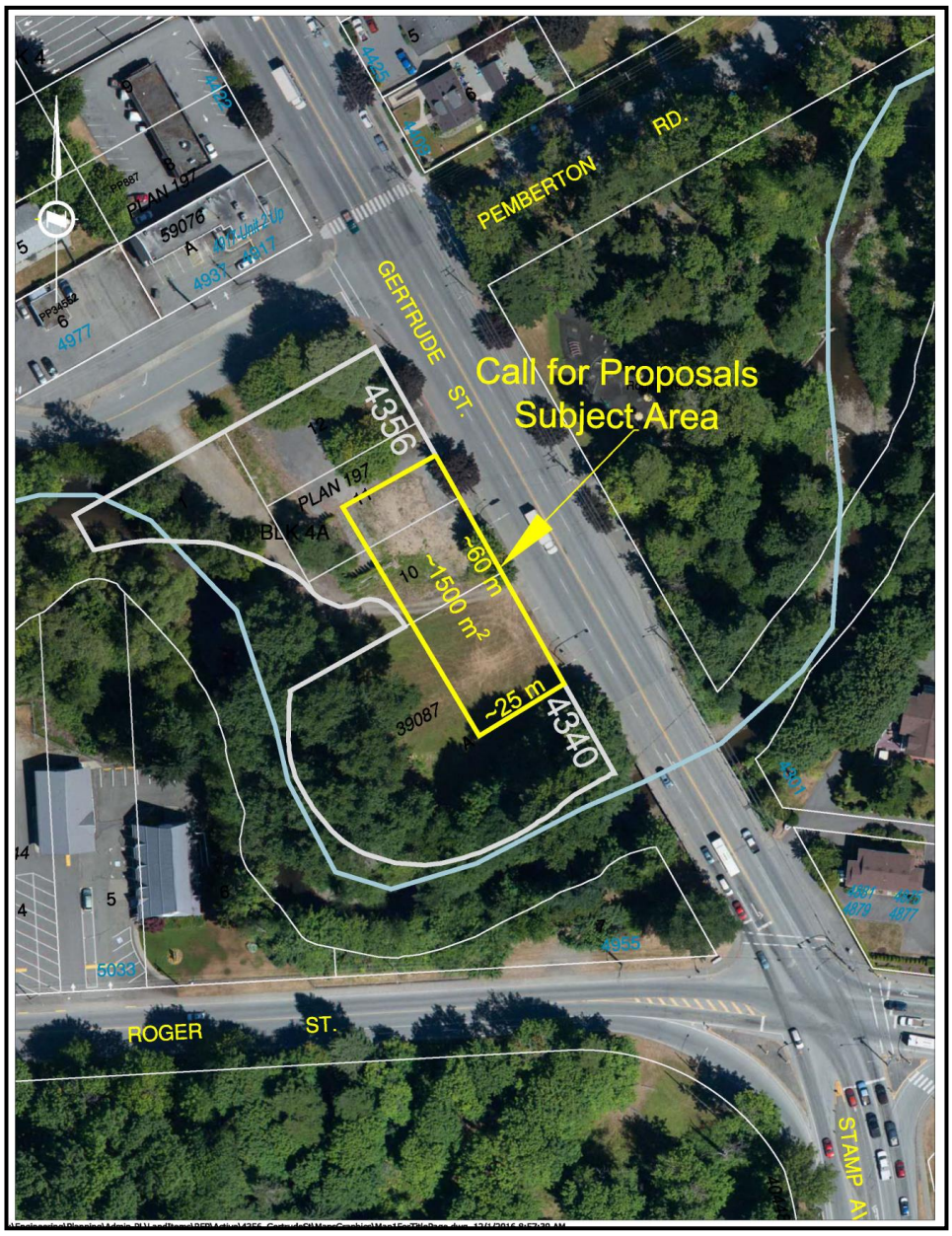
REQUEST FOR PROPOSALS

GERTRUDE STREET SITE



CITY OF PORT ALBERNI
DECEMBER 2016

1.0 INTRODUCTION

1.1 General Background

The site is located in Port Alberni on, Gertrude Street, on the north side of the adjacent Roger Creek. There are five (5) legal parcels, all city owned, that are relevant to the proposed site. The relevant portion of the site is ±1500 m^2 of the entire city owned site (± 6388 m^2 (±0.6 ha)). The City would consider subdivision and sale of the ±1500 m^2 portion of the site shown as "Subject Area" on the attached plans. The area could be modified based on the proposed development, at the sole discretion of City Council.

There is a city park located to the east across Gertrude Street, with the Northport commercial district located one block to the north. The site is currently accessed from Pemberton Road and also from Gertrude Street. Any development will require a new access permit as part of the Development Permit process.

1.2 City's Objectives for the Development of the Gertrude Street site

a) To sell a portion of the site to the successful proponent.

b) To obtain the highest possible investment in the local community in terms of both job creation and capital investment.

b) To ensure that a high quality project is developed that is compatible with the surrounding neighbourhood.

c) To ensure that the development is complementary to the park like setting of the property.

d) To ensure that a large Redwood tree located on the property is preserved.

e) To allow for the location of a trail connection through the property that would link sections of the City trail network.

2.0 SITE DESCRIPTION

2.1 Legal Description:

The site is owned by the City of Port Alberni and outlined in bold on the attached maps. (See attached legal plans). Five (5) legal parcels, at two (2) civic addresses, make up the subject site.

a) 4356 Gertrude Street:
Legally described as Lots 1,10,11,12, Block 4A, Plan VIP197, District Lot 1, Alberni Land District
PID Numbers: 000-287-296
000-287-181
000-287-342
000-287-393

b) 4340 Gertrude Street
Legally described as Lot A, District Lot 1, Alberni Land District, Plan VIP39087
PID Numbers 000-968-781

2.2 Official Community Plan

The Gertrude Street properties are designated as a mix of 'General Commercial' and 'Park and Open Space' in the current Official Community Plan (OCP). Any OCP bylaw amendment requirements must be included with the proposal submissions.

2.3 Zoning

The existing zoning of the Gertrude Street properties is 'C7 Core Business'. Any Zoning bylaw amendment requirements should be included with the proposal submissions.

2.4 The Property

The property is located to the west of Roger Creek Park and ravine.

Municipal services:

Water	-located to the east of the site running along Gertrude Street
Storm	-located to the north of the site along Pemberton Road
Sanitary	-located on site running in a north south direction through all five lots. The location of the services must be considered and addressed within the proposal.

3.0 REQUIRED FORMAT OF PROPOSALS

3.1 Sealed proposals shall be received by the Owner's representative up to **4:00 p.m. on February 14, 2017**, proposals received after this time and date shall not be considered.

3.2 Proposals must be submitted in the format described below and shall contain all of the information required by this Request for Proposals to facilitate comparison and evaluation of the proposals.

a) Cover Letter, (signed by the principals of the firms included in the proponent's team).

b) Purchase Price to be paid to the City of Port Alberni.

c) Executive Summary (describing the nature and components of the proposed development and how it meets the City's objectives as set out in Section 1.2 of this Request for Proposals.

d) Proponent Identification (description of owners, members, firms or individuals, to be involved in the proposed operation along with the proposed legal structure).

e) Details of the Qualifications and Experience of the Proponents.

f) Conceptual Development Plans.

g) Evidence of Financing Capacity.

3.3 The proposal must be submitted to the City of Port Alberni as follows:

- One (1) digital file, on a USB drive, in PDF (Portable Document Format) format
- One (1) hardcopy of the proposal in bound form
- One (1) hardcopy of the proposal in unbound form with plans in a format no larger than 11" x 17". One set of large scale plans may be provided if desired.

4.0 GENERAL CONDITIONS

4.1 Owner Representative

The City Planner, as the City of Port Alberni (Owner) representative is authorized to communicate and officially deal with Proponents and all Proponents must communicate and officially deal with that person only.

Scott Smith, MCIP, City Planner
City of Port Alberni
4850 Argyle Street
Port Alberni, B.C. V9Y 1V8
Telephone: (250) 720-2808 Fax: (250) 723-3402
e-mail: scott_smith@portalberni.ca

The Owner representative may involve other City staff and resource people in meetings and discussions with proponents and in evaluations of submissions received. Proposals along with evaluations will be considered by City Council.

4.2 Deadline for Submissions

Proposal submissions will be accepted until **4:00 p.m. on February 14, 2017**.

Legal Relationship Created by and Nature of this Request for Proposals

Neither this Request for Proposals nor the submission of a proposal by a Proponent is intended to create a legal relationship between, or any duties or obligations on the part of the Owner or a Proponent.

This Request for Proposals is an invitation to treat, and if the Owner decides upon receipt and review of proposals to explore, negotiate or otherwise treat with any Proponents, it may do so, and until a written offer is made and accepted under the seal of the Owner, by resolution of its Council, no contractual relationship of any kind will exist.

In considering any proposals received whether compliant to this Request for Proposals or not, the Owner may treat further and negotiate with anyone or all of the Proponents or none of the Proponents as it sees fit and may ultimately contract with one or more of the Proponents, or with none of the Proponents as in its unfettered discretion it considers desirable.

This Request for Proposals does not impose on the Owner any duty of fairness or natural justice to any or all respondents with respect to this Request for Proposals or the process it creates. Unless the Owner is expressly permitted or required by this Request for Proposals to “act reasonably”, the Owner is entitled to act in its sole, absolute and unfettered discretion.

4.3 Confidentiality of Proposals

The Owner is subject to the Freedom of Information and Protection of Privacy Act. That Act creates a right of access to records in the custody or under the control of the Owner, subject to the specific exceptions in the right set out in the Act. The Owner will receive all proposals submitted in response to this Request for Proposals in confidence, including for the purposes of S.21 of the Act. Because of the right of access to information created by that Act, the Owner does not guarantee that information contained in any proposals will remain confidential if a request for access in respect of any proposal is made under the Act.

4.4 Proprietary Information

If a Proponent considers that any part of its proposal is proprietary, including by reason of its being copyright, the proposal must clearly identify those portions of it that are considered proprietary.

4.5 Responsibility or Liability

The Owner accepts no responsibility or liability for the accuracy or completeness of this Request for Proposals (including any schedules or appendices to it) or of any recorded or verbal information communicated or made available for inspection by the Owner (including through the Owner's representative of any other individual) and no representation or warranty, either expressed or implied, is made or given by the Owner with respect to the accuracy or completeness of any of those things. The sole risk, responsibility and liability connected with reliance by any proponent or any other person on the Request for Proposals or any other such information as is described in this paragraph is solely that of each Proponent.

Each Proponent acknowledges and agrees that it is solely responsible for obtaining its own independent financial, legal, accounting, engineering and other advice with respect to the contents of the Request for Proposals or any such information as is described in this paragraph. Each Proponent who submits a proposal to the Owner is deemed to have released the Owner from, and waived, any action, cause of action, claim, liability, demand, loss, damage, cost or expense, of every kind, in any way connected with or arising out of the contents of the Request for Proposals or any such information as it described in this paragraph.

Each Proponent who submits a proposal is deemed to have agreed that it is solely responsible and liable to ensure that it has obtained and considered all information necessary to enable to understand the requirements of the Request for Proposals and to prepare and submit its proposal.

4.6 Compliance with Regulations

The successful Proponent/s will be responsible for complying with all municipal, provincial, and federal statutes, regulations, bylaws, and permits.

5.0 EVALUATION PROCESS

5.1 Evaluation Process

Submissions in response to this Request for Proposals will be evaluated by a team of senior City Managers and resource people designated by the Owner's representative.

5.2 Evaluation Criteria

- Comprehensiveness of the development proposal.
- Level of capital investment.
- Short and long term job creation.
- Other economic benefits to the community.
- Understanding of and commitment to developer's responsibilities for on-site services and construction.
- Meeting the City's objectives as set out in Section 1.2.
- Time line for development.
- Experience and qualifications of key members of the Proponent's team.
- Evidence of financial capacity of the Proponent to fund the development.
- Price offered for the property.

The Owner may give such weight to these evaluation criteria as it sees fit. Selection of the preferred proposal will be the decision of City Council. A proposal deemed at Councils sole discretion to be the most advantageous to the City of Port Alberni may be selected. City Council, at its sole discretion may choose to reject all proposals.

6.0 TERMS OF AGREEMENT

6.1 Further Process Leading to Contract

The Owner may negotiate and treat with any of the Proponents whose proposals best meets the objectives of the City.

6.2 General Conditions

a) The land is offered, "as is" and the City makes no representation and will take no responsibility with respect to the condition of the property.

b) All Proponents are advised that an agreement will not be signed until and unless, the successful Proponent submits, within two weeks of the City's acceptance of the offer, a Security Deposit of 10% of the purchase price. The Security Deposit will be refunded if completion of the sale does not occur.

c) All submissions should be clearly marked as follows:

d) "Response to Request for Proposals for the Development of the Gertrude Street Site should be directed to:

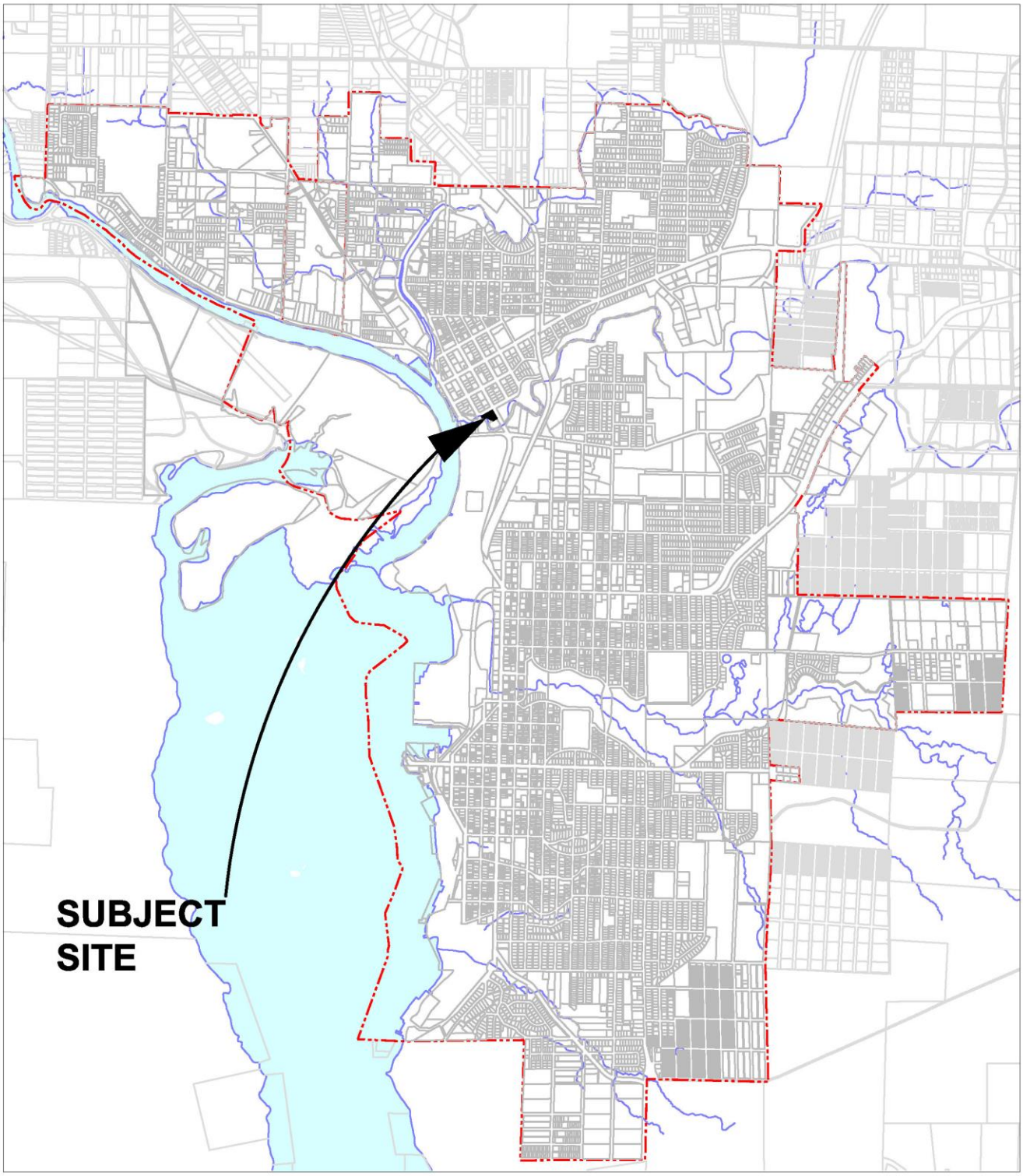
Scott Smith, City Planner
City of Port Alberni
4850 Argyle Street
Port Alberni, B.C. V9Y 1V8
Telephone: (250) 720-2808
Fax: (250) 723-3402
e-mail: scott_smith@portalberni.ca

e) The City of Port Alberni reserves to right to reject or negotiate any or all offers.

7.0 ATTACHMENTS TO THIS PROPOSAL:

- Location Plan
- Legal Plans – The site is made up of five (5) legal parcels.
- Area Official Community Plan designations – Bylaw amendments may be required
- Area Zoning designations – Bylaw amendments may be required
- Area Orthophoto
- Contour Map
- Municipal Infrastructure Map
- C7 – Core Business Zone

CITY OF PORT ALBERNI LOCATION MAP



4356 GERTRUDE STREET - 'LOT 1,10,11,12, DISTRICT LOT 1, BLOCK 4A, ALBERNI LAND DISTRICT, PLAN VIP197' (PID's 000-287-296, 000-287-181, 000-287-342, 000-287-393) and;
4340 GERTRUDE STREET - 'LOT A, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN VIP39087 (PID: 000-968-781)

05-223

Plan Nº 39087

REFERENCE PLAN OF LOTS 8 AND 9, BLOCK 4A, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 197 PURSUANT TO SECTIONS 96 AND 100 (1)(b) OF THE LAND TITLE ACT.

M3551
SEA

Deposited in the Land Title Office at Victoria, B. C. this 24th day of JAN, 198

Registrar

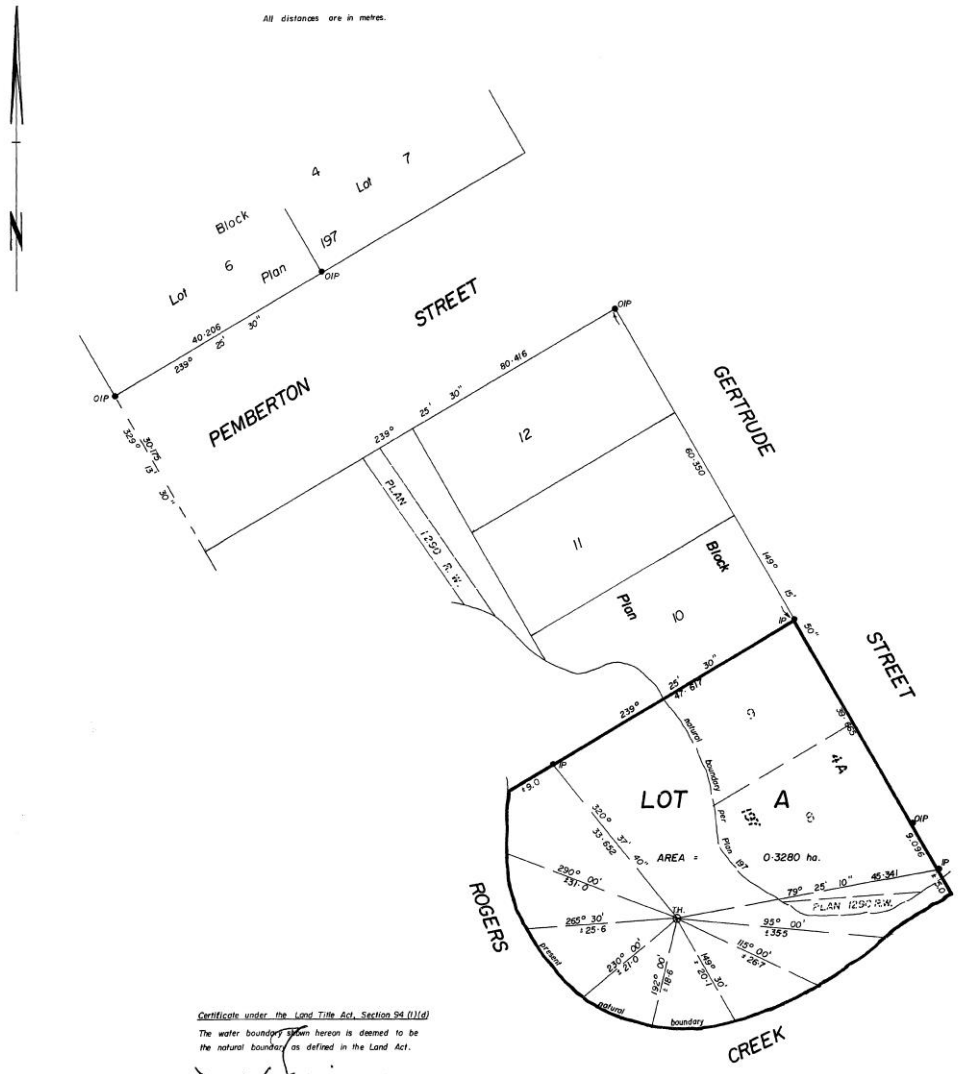
SCALE: 1 : 500

5m 0 10 20m

LEGEND
- ● OIP - denotes iron post found
- ● IP - denotes 13 mm square galvanized iron post set
- ○ T.H.- denotes traverse hub

Bearings astronomic derived from Plan 1290 R.W.

All distances are in metres.



Certificate under the Land Title Act, Section 94 (1)(d)

The water boundary shown hereon is deemed to be the natural boundary as defined in the Land Act.

Minister of Lands, Parks & Housing.
Victoria, B. C. January 18, 1983.

ANTHONY SWEENEY owner

Witness

4850 ARGYLE STREET
PORT ALBERNI B.C.
Witness Address

CITY MANAGER
Witness Occupation

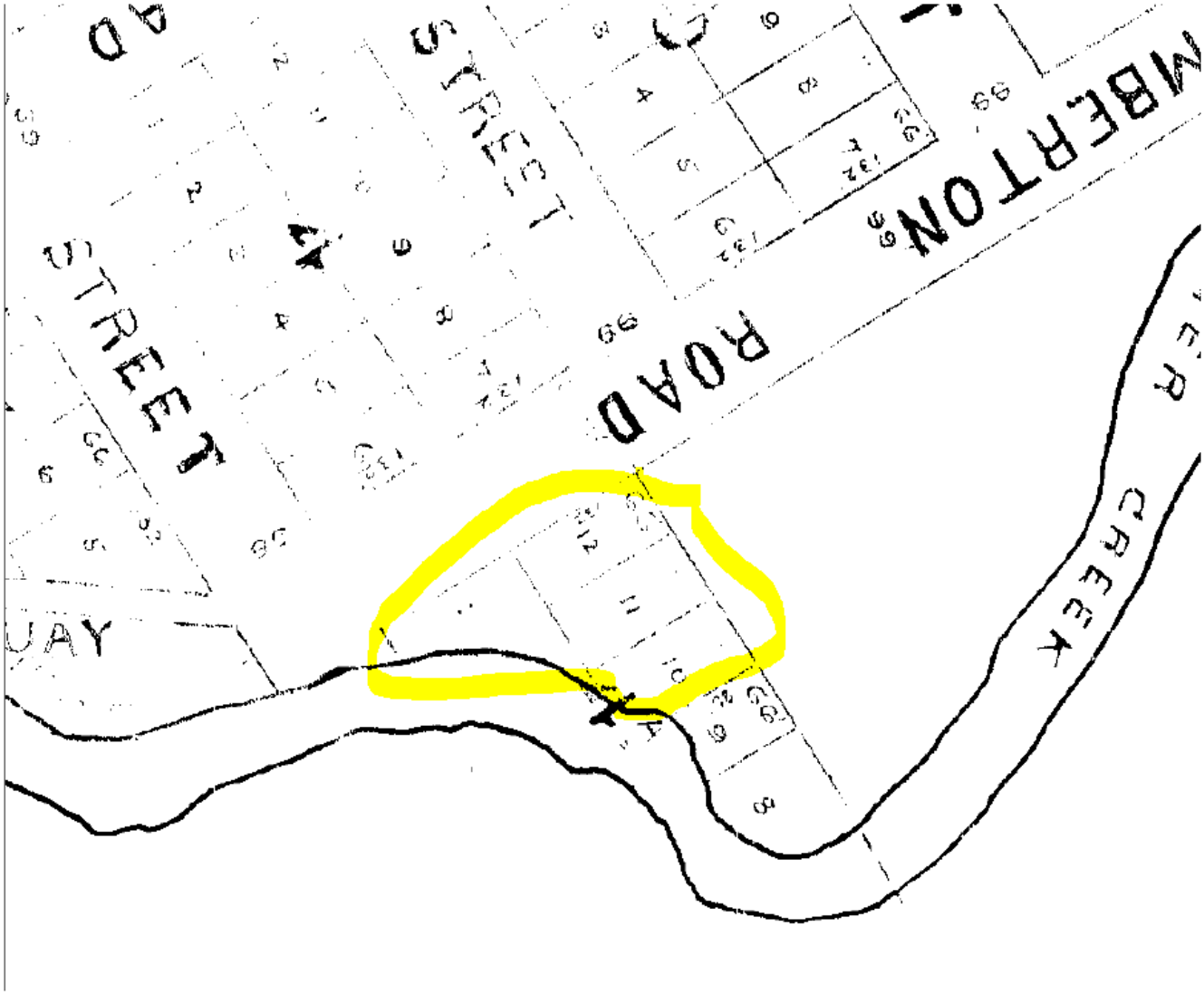
I, David Michael Pollock, a British Columbia Land Surveyor, of Port Alberni, in British Columbia, certify that I was present at and personally superintended the survey represented by this plan, and that the survey and plan are correct. The survey was completed on the 8th day of April, 1982.

B. C. L. S.

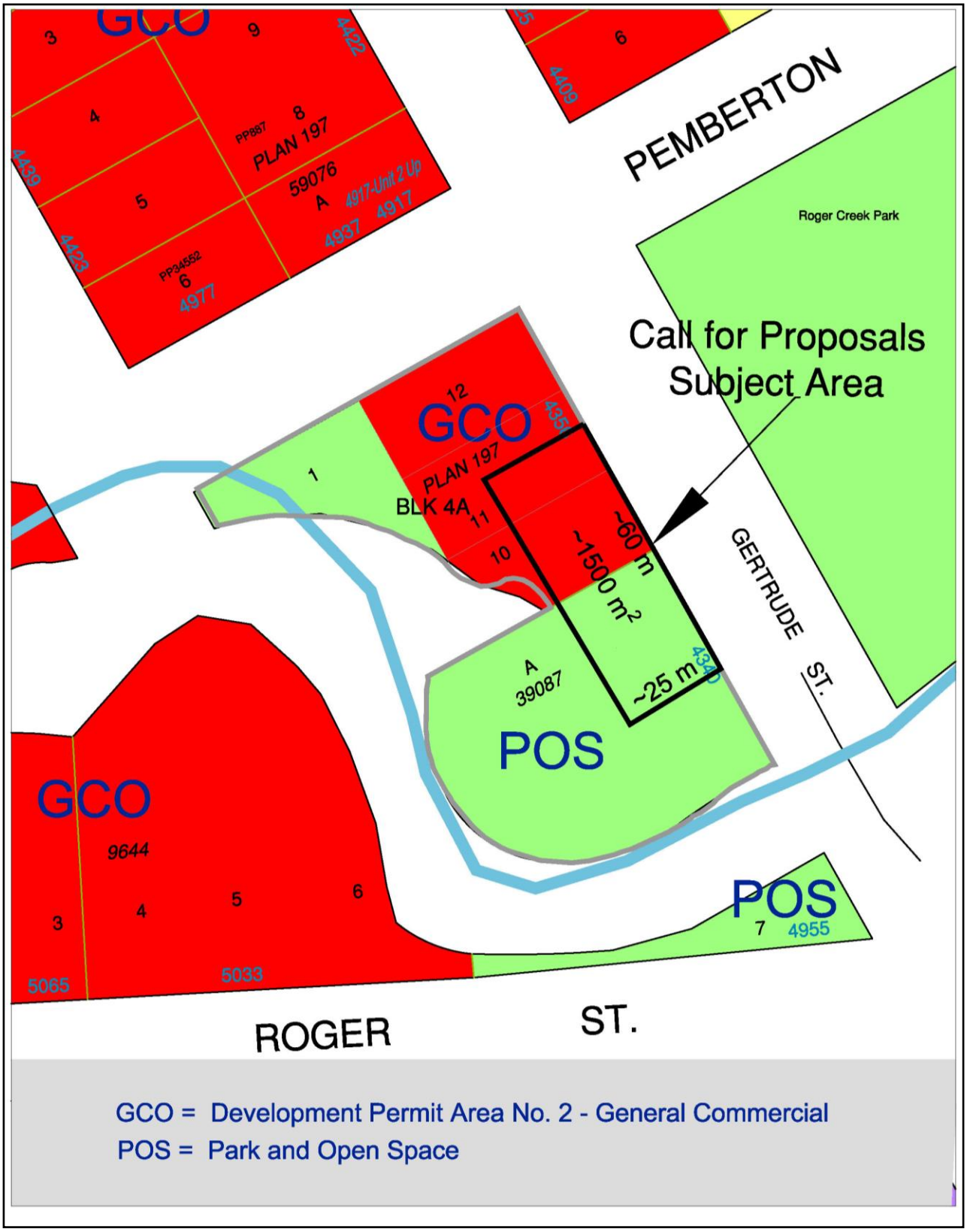
ACRES and POLLOCK,
B. C. Land Surveyors,
Port Alberni, B. C.
File No: 8245

This plan lies within the Alberni-Clayoquot Regional District.

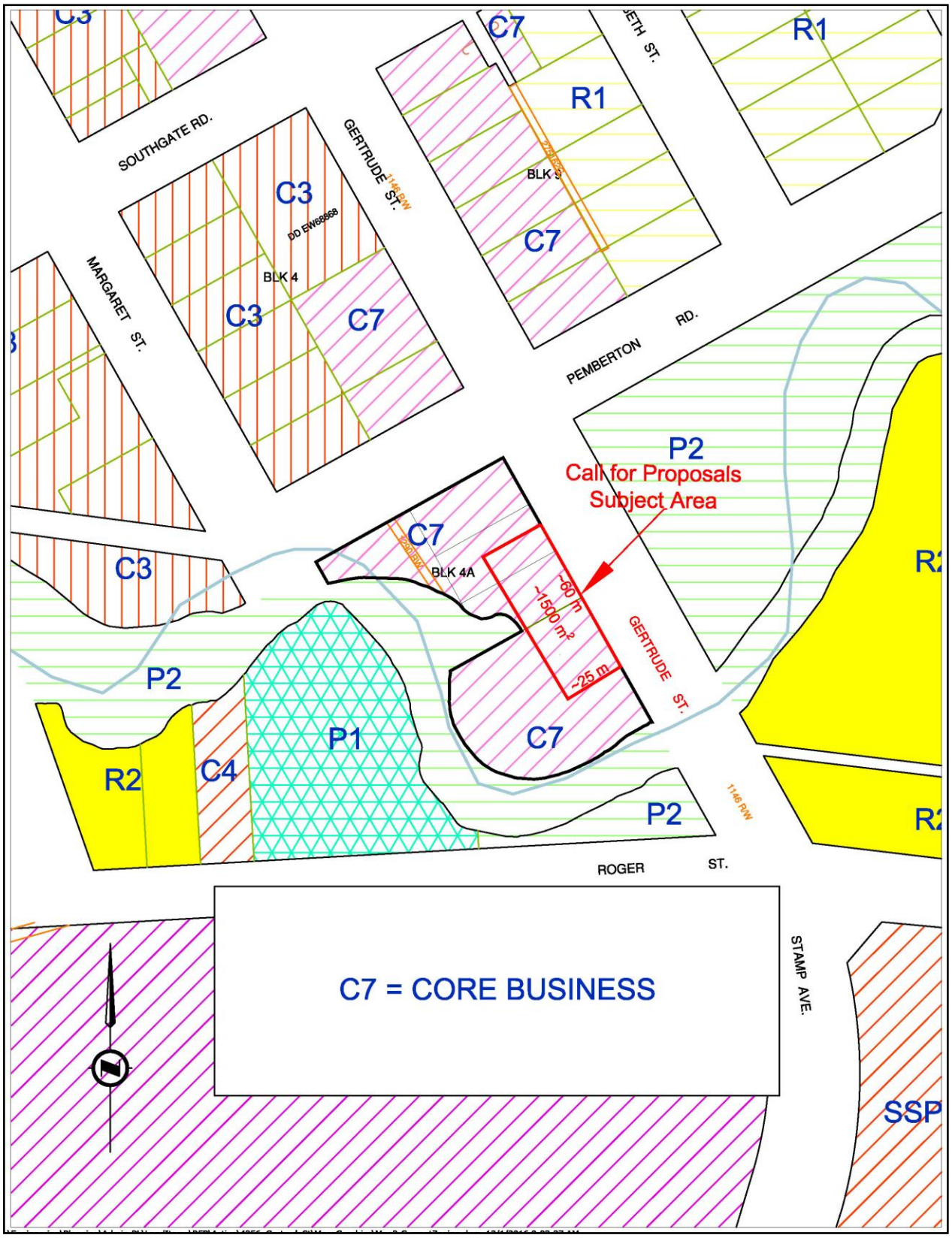
LEGAL PLAN (2 of 2) VIP197 (portion)



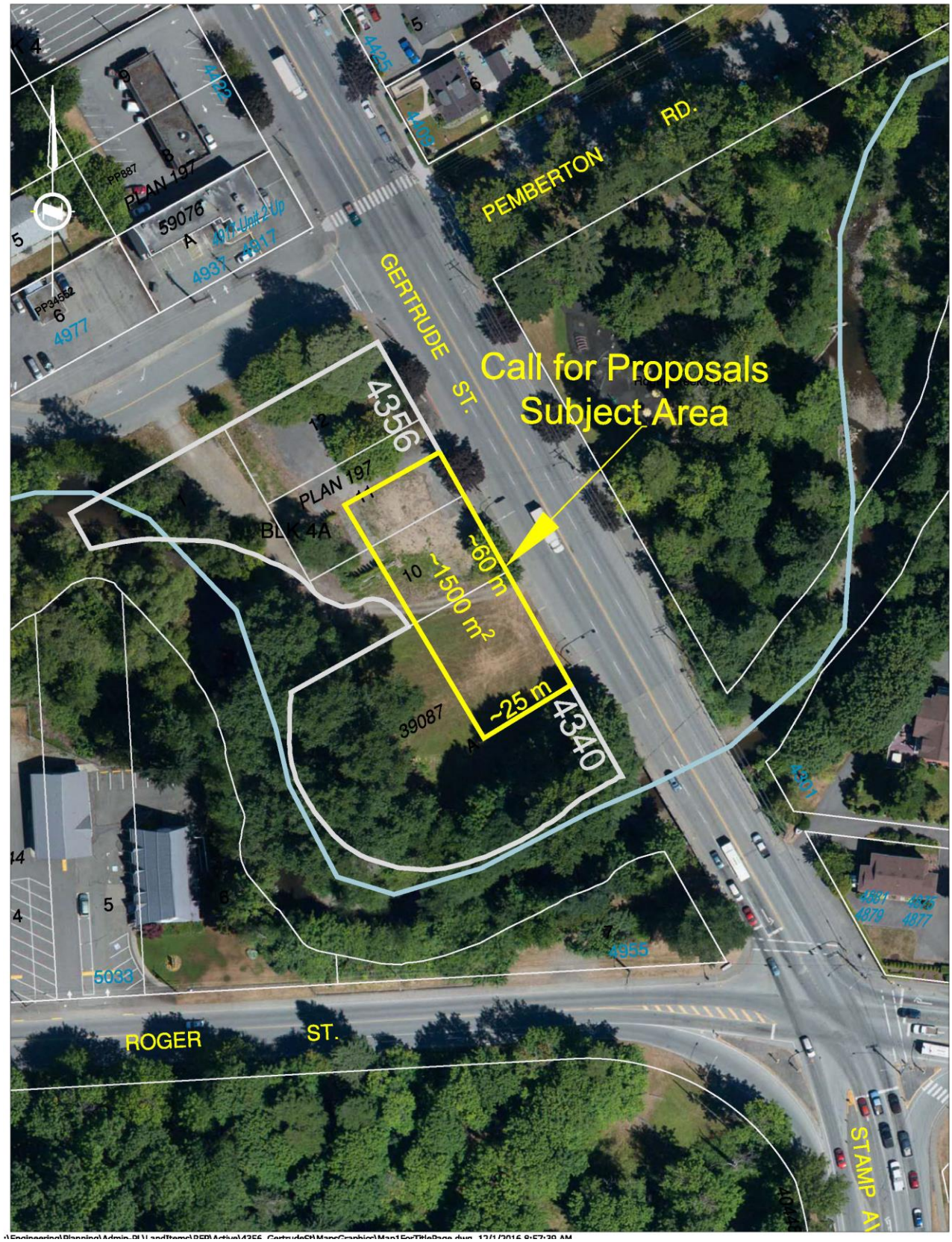
CURRENT OFFICIAL COMMUNITY PLAN DESIGNATIONS



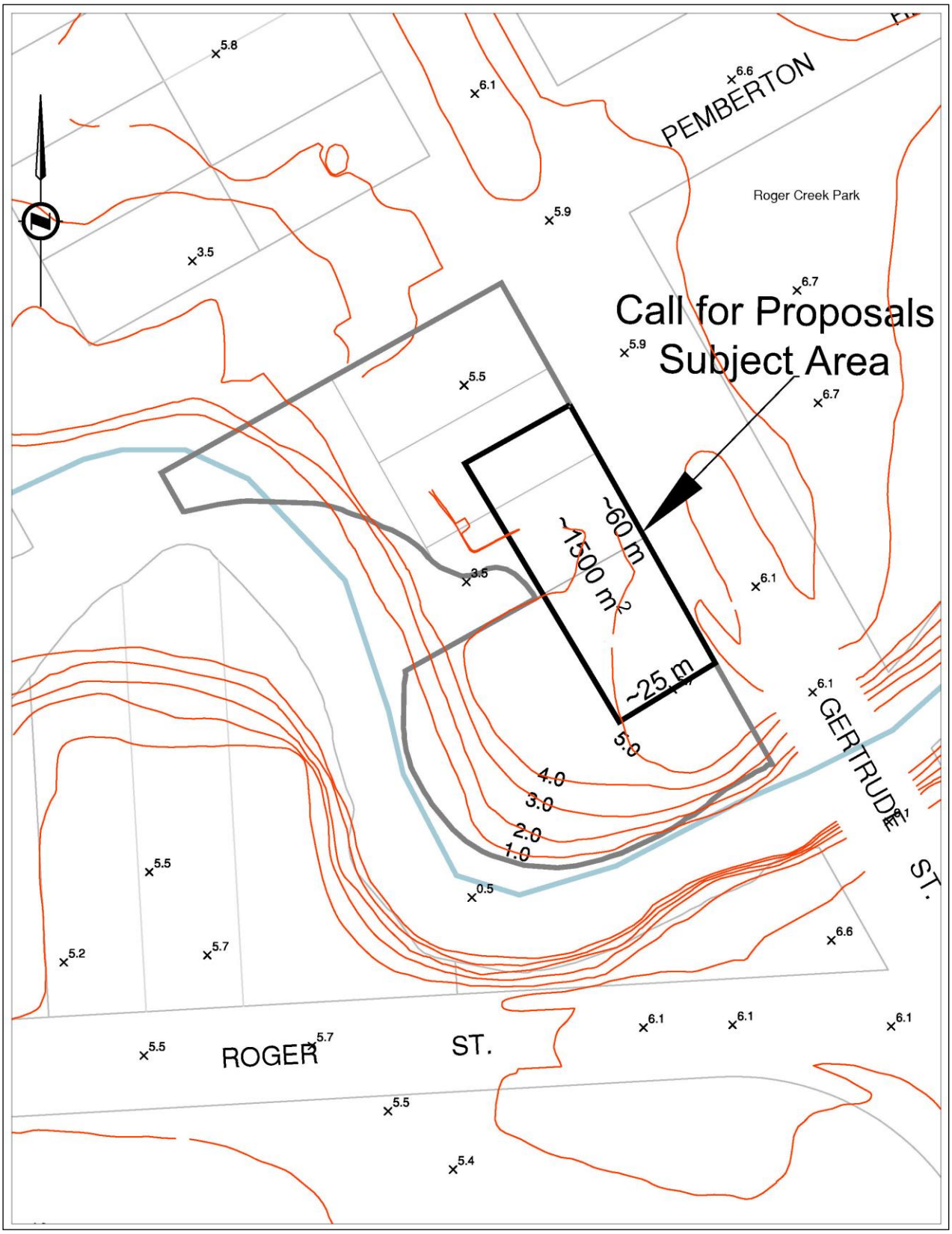
CURRENT ZONING DESIGNATION



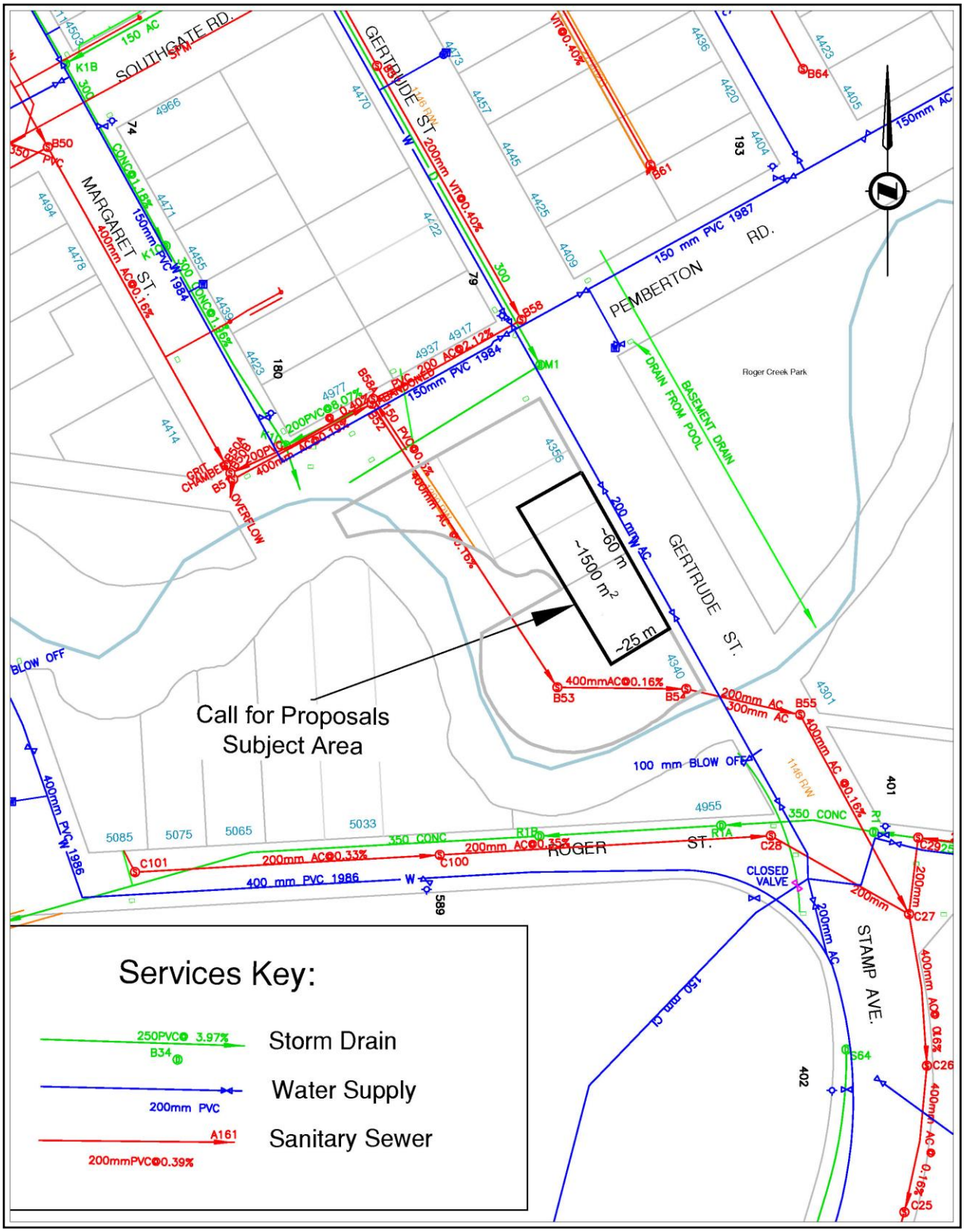
SUBJECT AREA - AERIAL VIEW



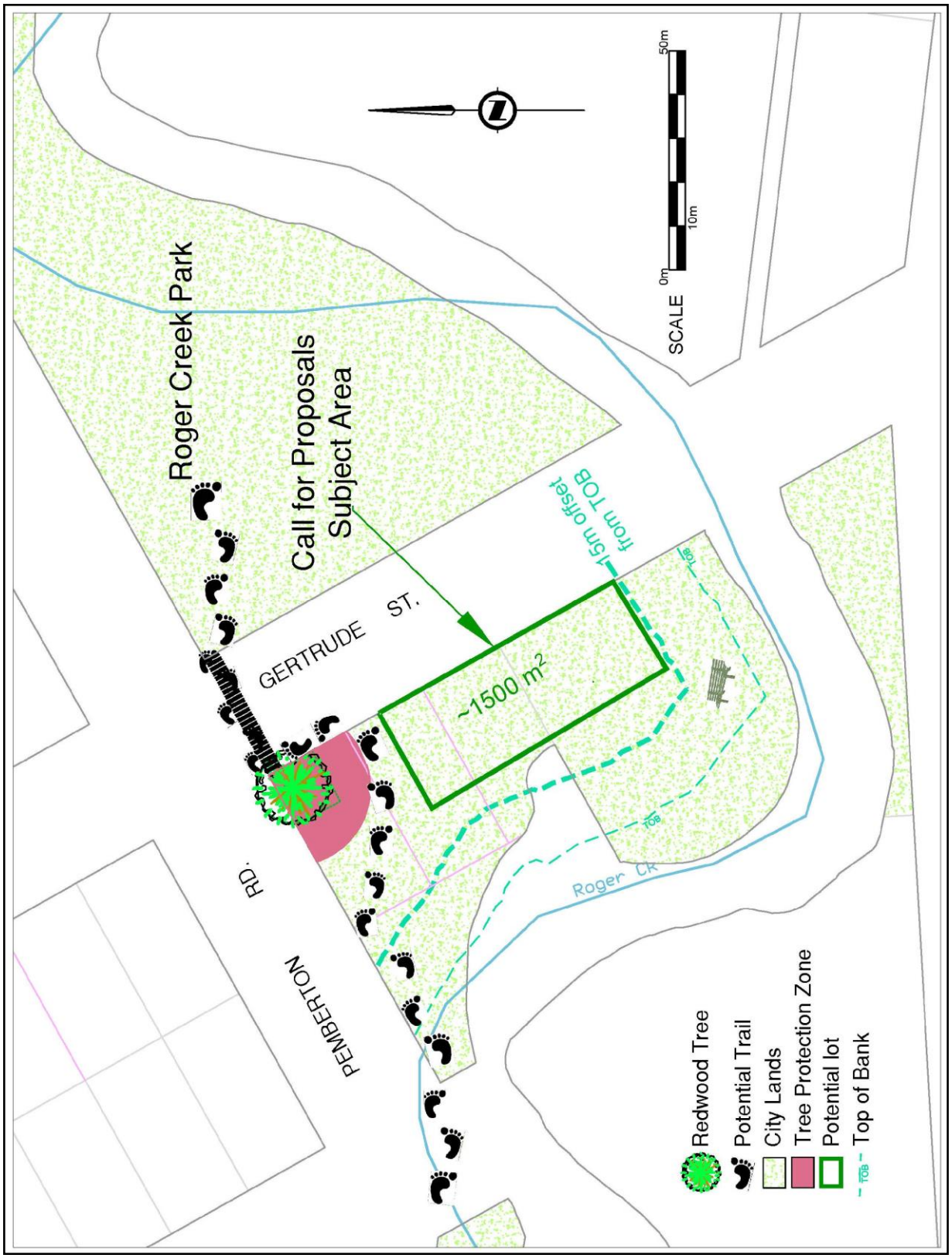
SUBJECT AREA - TOPOGRAPHY



SUBJECT AREA – MUNICIPAL SERVICES



SUBJECT AREA – CONCEPTUAL TRAIL INTEGRATION



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 *uses*

Principal Uses

- *Adult retail*
- *Amusement establishment*
- Appliance repair
- *Artist's studio*
- *Assembly*
- *Automotive sales, repair and servicing*
- Bakery
- Bank or other financial institution
- Boat or *recreational vehicle* sales and repair
- *Club or lodge*
- *Community care facility*
- Day care or other preschool
- Gasoline service station
- *Hotel*, *Motor hotel* and Hostel
- *Live-work*
- Lumber and *Building* Materials *Retailers* and Wholesalers
- Medical service
- Multiple *family dwelling*
- Nightclub, Cabaret, Bar and Pub
- *Office*
- *Parking lot*
- Pawn shop
- *Personal service*
- *Place of worship*

Principal Uses (continued)

- Printing, publishing and allied industry
- Professional service
- *Public market*
- Restaurant, including drive-through
- *Retail*
- *School*
- Seniors housing
- *Shopping centre*
- Single *family* or two *family 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

Site-Specific *Uses*

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

5.24.2 Site Development Regulations

Minimum *Lot Area*	540 m^2	(5812.7 ft^2)
Minimum *Frontage*	15 m	(49.2 ft)
Maximum *Coverage*	90%	
Minimum *Setbacks*:		
Front yard	0 m	
Rear yard	3 m	(9.8 ft)
Side yard	0 m	

Bylaw 4832

Maximum Height, Principal *Building*	14 m	(45.9 ft)
Maximum Number of Principal *Building Storeys*	4	
Maximum *Floor Area Ratio*	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 multiple *family 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 *Density Bonusing* for Mixed-*Use* Residential-Commercial Developments:

The maximum height permitted may be increased up to six (6) *storeys* and up to 18 m (60 ft), and the maximum *floor area ratio* permitted may be increased up to 3.5 from that indicated in 5.24.2 where all of the following conditions are met:

(a) 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) Greater than seventy-five percent (75%) of the required parking is provided *underground* or enclosed underneath the principle *building*;

(c) Elevators are provided to all *storeys* in the *building*;

(d) A minimum of ten percent (10%) of the *dwelling* units are designed as *accessible*;

(e) A minimum of ten percent (10%) of the *dwelling* units are designated as affordable, as specified in a *Housing Agreement* and where the owners enter into a *Housing Agreement* with the City, and where this Agreement is filed with

the Land Title Office; and

(f) A common meeting room or amenity room containing a minimum of 22 m^2 (235 ft^2) is provided.

5.24.5 Site Specific *Uses*

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

Use	Site Address	Site Legal Description
Dwelling units at *street* level	4815 Argyle *Street*	*Parcel A, Block 41, Plan VIP197B, Alberni Land District (Being a consolidation of Lots 8 & 9, See FB348042)*
Glass shop	4650 Margaret *Street*	*Lot A, District Lot 1, Alberni District, Plan VIP28247*
Liquor, wine, and beer store	5170 Argyle *Street*	*Lots 23 & 24, Block 86, District Lot 1, Alberni District, Plan 197*
	4963 Angus *Street*	*That portion of Lot B, District Lot 1, Alberni District, Plan 32610 north of Angus Street*
	5086 Johnston Road	*Lot 1, District Lot 1, Alberni District, Plan EPP13767*