



Alberni-Clayoquot Regional District

BOARD OF DIRECTORS MEETING

WEDNESDAY, JANUARY 27, 2016, 1:30 pm

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

AGENDA

	PAGE #
1. <u>CALL TO ORDER</u>	
Recognition of Traditional Territories.	
2. <u>APPROVAL OF AGENDA</u>	
<i>(motion to approve, including late items requires 2/3 majority vote)</i>	
3. <u>DECLARATIONS</u>	
<i>(conflict of interest or gifts)</i>	
4. <u>ADOPTION OF MINUTES</u>	
a. Board of Directors Meeting – January 13, 2016	9-18
<i>THAT the minutes of the Board of Directors meeting held on January 13, 2016 be adopted.</i>	
b. Bamfield Water Committee Meeting - January 18, 2016	19-22
<i>THAT the minutes of the Bamfield Water Committee meeting held on January 18, 2016 be adopted.</i>	
c. Alberni-Clayoquot Transportation Committee Meeting - December 8, 2015	23-24
<i>THAT the minutes of the Alberni-Clayoquot Transportation Committee meeting held on December 8, 2015 be adopted.</i>	
5. <u>PETITIONS, DELEGATIONS & PRESENTATIONS (10 minute maximum)</u>	
a. Presentation - Russell Dyson, Chief Administrative Officer - 5 Years of Service	
b. Inspector Mac Richards, Officer In Charge, Port Alberni Detachment, RCMP regarding the Port Alberni RCMP Report for December 2015.	25-26
c. Rebecca Hurwitz, Executive Director, Clayoquot Biosphere Trust regarding the Living Wage Calculation for the Biosphere Trust Region.	27-28

6. CORRESPONDENCE FOR ACTION

- a. **REQUEST FOR SUBMISSION** **29-54**
Office of the Minister of State for Emergency Preparedness, January 11, 2016 regarding an Invitation to make a Submission to the Ministry regarding the Emergency Program Act.

(Board Direction Requested)

- b. **REQUEST FOR SUPPORT** **55-56**
Central West Coast Forest Society, January 11, 2016, request for letter of support for their funding application to the Pacific Salmon Foundation to continue their work replacing the culverts in the English Cove Watershed.

Possible Motion:

THAT the Alberni-Clayoquot Regional District Board of Directors send a letter of support to the Central West Coast Forest Society for their funding application to the Pacific Salmon Foundation to continue their work replacing the culverts in the English Cover Watershed.

7. CORRESPONDENCE FOR INFORMATION

- a. **MINISTRY OF ABORIGINAL RELATIONS AND RECONCILIATION** **57-58**
Meeting at the Union of BC Municipalities Convention in 2015
- b. **AUDITOR GENERAL FOR LOCAL GOVERNMENT**
Release of Performance Audit Report For City of New Westminster **59**
Release of Perspectives Series Booklet **60**
- c. **ISLAND COASTAL ECONOMIC TRUST** **61-62**
Alert Bay to Enjoy New Performance Amphitheatre
- d. **CITY OF NORTH VANCOUVER** **63-66**
Feedback and recommendations to the Minister of Natural Gas Development and Minister Responsible for Housing regarding the Building Act under implementation
- e. **HUU-AY-AHT FIRST NATION** **67-69**
Purchase of Properties in Bamfield
- f. **OMBUDSPERSON** **70-71**
Files Closed from October 1 to December 31, 2015
- g. **MANAGED FOREST COUNCIL** **72-74**
Information on the Managed Forest Council
- h. **COMOX VALLEY REGIONAL DISTRICT** **75**
AVICC Special Committee on Solid Waste Management Long-Term Strategy for Solid Waste Management

THAT the Board of Directors receive items a-h for information.

8. REQUEST FOR DECISIONS & BYLAWS

- a. **REQUEST FOR DECISION**
Parcel Tax Roll Review Panel

76-77

THAT the Board of Directors:

1. *Set the date for the Parcel Tax Roll Review Panel sitting for **Wednesday, February 24, 2016, 9:30am** in the **Regional District Board Room**, located at 3008 Fifth Avenue, Port Alberni, BC;*
2. *Appoint three directors and one alternate director to the Parcel Tax Roll Review Panel;
Appoint Andrew McGifford, Acting Manager of Finance for the ACRD as the Collector for 2016.*

- b. **REQUEST FOR DECISION**
Transport Canada Divestiture Program - West Bamfield Dock

78

THAT the Board of Directors write a letter to the Honourable Marc Garneau, Minister of Transport with copies to the local MP, MLA and the Regional Manager, Property and Divestiture, Transport Canada; confirming that the Alberni-Clayoquot Regional District does not support the divestiture of the West Bamfield Dock by Transport Canada, and that the Board of Directors asks for a letter of support from the Huu-ay-aht First Nation.

- c. **REQUEST FOR DECISION**
50th Anniversary Logo & Celebration

79-80

THAT in recognition of the Alberni-Clayoquot Regional District's 50th Anniversary on April 21, 2016 the ACRD Board of Directors:

1. *Rebrand the Regional District logo as presented on all Regional District corporate documents for 2016.*
2. *Consider the required budget through General Government Services in 2016 for the celebration activities the Board desires to undertake.*

- d. **REQUEST FOR DECISION**
Third Avenue Recycling Depot Leased Lot

81-90

THAT the Alberni-Clayoquot Regional District Board of Directors approve the installation of 32 MPa, 4" thick concrete surface and associated drainage works by Bowerman Excavating Ltd., for the Third Avenue Recycling Depot in the amount of \$36, 200.00 with funds provided from the AV/Bamfield waste management service budget.

- e. **REQUEST FOR DECISION** **91-93**
Contravention of Unsightly Premises Bylaw, 1147 Front Street, Salmon Beach

THAT the Alberni-Clayoquot Regional District Board of Directors proceed with notice to the property owner of 1147 Front Street, Salmon Beach that cleanup will proceed after February 10, 2016 if the property owner does not cleanup the property by that date.

- f. **REQUEST FOR DECISION** **94-107**
Service Contract with Island Health for the AC Health Network

THAT the Alberni-Clayoquot Regional District Board of Directors enters into the 3 year service contract as presented with Island Health on behalf of the Alberni-Clayoquot Health Network in the amount of \$80,000 per year for a total of \$240,000.00.

9. PLANNING MATTERS

9.1 ELECTORAL AREA DIRECTORS ONLY

- a. **SA14004, 0924605 BC LTD, 200 BAMFIELD ROAD SOUTH** **108-110**
Subdivision Application – Parkland Dedication Request for Decision

THAT the Board of Directors recommend that parkland be dedicated by the owner of LOT 1, SECTION 18, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 38260, EXCEPT PART IN PLAN 45043, 46428, AND 47590 as shown on the proposed plan of subdivision to meet the requirements of Section 510 of the Local Government Act.

- b. **SA14004, 0924605 BC LTD, 200 BAMFIELD ROAD SOUTH** **111-115**
Subdivision Application – Parcel Frontage Waiver Memorandum

THAT the Board of Directors waive the 10 percent road frontage requirement for Lots 8 to 16 of the proposed subdivision.

- c. **DVB15015, SCOTT, 6980 DEBEAUX ROAD** **116-122**
Development Variance Application – Report

THAT the Board of Directors pass a resolution to consider issuing development variance DVB15015.

- d. **RD15006, DANELIUK, TWO RIVERS ARM, SPROAT LAKE** **123-128**
Rezoning Application – Memorandum and Bylaws P1331 and P1332

THAT Bylaw P1331, Regional District of Alberni-Clayoquot Sproat Lake Official

Meeting technical referral agency requirements.

- g. **RF15010, NEWBERRY, 6585 CHERRY CREEK ROAD** **161-168**
Rezoning Application – Report and Bylaw P1340

THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1340 be read a first time.

THAT the public hearing for Bylaw P1340 be delegated to the Director for Electoral Area 'F', the Alternate Director or the Chairperson of the Regional District.

THAT the Board of Directors confirm that adoption of Bylaw P1340 is subject to:

Confirmation from a Registered On-Site Wastewater Practitioner or Professional Engineer that the proposed lot is capable of accommodating on-site sewage disposal to a minimum 0.6 acre density; and

Meeting technical referral agency requirements.

10. REPORTS

10.1 STAFF REPORTS

- a. Staff Action Items Report – January 21, 2016 **169-174**
b. Meeting Schedule – February 2016 **175-176**
c. Building Inspector's Report – December 2015 **177**

THAT the Board of Directors receives the Staff Reports a-c.

10.2 COMMITTEE REPORTS

- a. **Alberni Valley & Bamfield Committee Meeting - January 25, 2016 - (Verbal)**

THAT this verbal report be received.

- b. **Reconciliation Committee Meeting - January 27, 2016 - (Verbal)**

THAT this verbal report be received

- c. **2016 Beaufort Planning Commission Appointment**

THAT Vicki Lee be appointed to the Beaufort Advisory Planning Commission for a 16 month term.

10.3 MEMBER REPORTS

- a. 9-1-1 Corporation – J. McNabb
- b. Vancouver Island Regional Library - L. Banton
- c. Central West Coast Forest Society – T. Bennett
- d. Emergency Planning – J. McNabb/P. Cote/M. Kokura/M. Ruttan/L. Banton/J. Osborne
- e. Alberni Valley Chamber of Commerce – J. McLeman
- f. Coastal Community Network – T. Bennett/D. St. Jacques
- g. West Island Woodlands Advisory Group –L. Banton
- h. Island Coastal Economic Trust – J. Osborne
- i. Air Quality Council, Port Alberni – J. McNabb
- j. West Coast Aquatic Board – T. Bennett/K. Wyton
- k. Association of Vancouver Island & Coastal Communities – J. Osborne
- l. Beaver Creek Water Advisory Committee – J. McNabb
- m. Other Reports

THAT the Board of Directors receives the Member Reports.

11. UNFINISHED BUSINESS

- a. **Association of Vancouver Island and Coastal Communities**
Re: 2016 Resolution submissions (to be circulated separately)

12. LATE BUSINESS

13. QUESTION PERIOD

14. IN CAMERA

Motion to close the meeting to discuss matters relating to:
i. Labour or other employee relations.

15. RECOMMENDATIONS TO THE BOARD FROM IN-CAMERA

16. ADJOURN

**Next Board of Directors Meeting: Wednesday, February 10, 2016, 1:30 pm
Alberni-Clayoquot Regional District Board Room**



Alberni-Clayoquot Regional District

MINUTES OF THE BOARD OF DIRECTORS MEETING HELD ON WEDNESDAY, JANUARY 13, 2016, 1:30 PM

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

DIRECTORS

Josie Osborne, Chairperson, District of Tofino

PRESENT:

Penny Cote, Vice-Chair, Electoral Area "D" (Sproat Lake)

Keith Wyton, Director, Electoral Area "A" (Bamfield)

Mike Kokura, Director, Electoral Area "B" (Beaufort)

Tony Bennett, Director, Electoral Area "C" (Long Beach) (Teleconference)

John McNabb, Electoral Area "E" (Beaver Creek)

Lucas Banton, Director, Electoral Area "F" (Cherry Creek)

John Jack, Councillor, Huu-ay-aht First Nation

Mike Ruttan, Mayor, City of Port Alberni

Jack McLeman, Councillor, City of Port Alberni

Dianne St. Jacques, Mayor, District of Ucluelet

Alan McCarthy, Member of Legislature, Yuułu?it'ath Government

Wilfred Cootes, Councillor, Uchucklesaht Tribe Government

OTHERS

Pam Craig, Alternate Director, Electoral Area "E" (Beaver Creek)

PRESENT:

STAFF PRESENT:

Russell Dyson, Chief Administrative Officer

Andrew McGifford, Acting Manager of Finance/Manager of
Environmental Services

Alex Dyer, Planner

Wendy Thomson, Manager of Administrative Services

1. CALL TO ORDER

The Chairperson called the meeting to order at 1:30 pm.

The Chairperson recognized the meeting this afternoon is being held in the Tseshaht First Nation and the Hupacasath First Nation Traditional Territories.

A moment of silence was held in honour of John Hornquist, Chief Building Inspector and Coordinator of Field Services for the Regional District from 1973 to 1999.

2. APPROVAL OF AGENDA

MOVED: Director Jack

SECONDED: Director McNabb

THAT the agenda be approved as circulated.

CARRIED

3. DECLARATIONS

4. ADOPTION OF MINUTES

a. Board of Directors Meeting – December 11, 2015

MOVED: Director Kokura

SECONDED: Director Jack

THAT the minutes of the Board of Directors meeting held on December 11, 2015 be adopted.

CARRIED

b. Long Beach Airport Advisory Committee Meeting - December 10, 2015

MOVED: Director St. Jacques

SECONDED: Director Cote

THAT the minutes of the Long Beach Airport Advisory Committee meeting held on December 10, 2015 be adopted.

CARRIED

c. Alberni-Clayoquot Transportation Committee Meeting - August 5, 2015

MOVED: Director McLeman

SECONDED: Director McNabb

THAT the minutes of the Alberni-Clayoquot Transportation Committee meeting held on August 5, 2015 be adopted.

CARRIED

d. Beaver Creek Water Advisory Committee Meeting - December 10, 2015

MOVED: Director McNabb

SECONDED: Director Cote

THAT the minutes of the Beaver Creek Water Advisory Committee meeting held on December 10, 2015 be adopted.

CARRIED

5. PETITIONS, DELEGATIONS & PRESENTATIONS

a. Inspector Mac Richards, Officer In Charge, Port Alberni Detachment, RCMP regarding the Port Alberni RCMP Report for November 2015.

- a. **Bill Dawson, Deputy Assessor/Vancouver Island Region, regarding 2016 Assessment Roll.**

Director Banton entered the meeting at 1:34 pm.

Mr. Dawson provided a power point presentation on what's new at BC Assessment and a review of 2016 assessments in the Alberni-Clayoquot region.

6. CORRESPONDENCE FOR ACTION

7. CORRESPONDENCE FOR INFORMATION

- a. **UNION OF BRITISH COLUMBIA MUNICIPALITIES**
2016 Asset Management Planning Program - Grant Approval
Gas Tax Agreement Community Works Fund Payment
- b. **DISTRICT OF SQUAMISH**
Transit Funding Concerns
- c. **BC GOVERNMENT NEWS**
Woodstove Exchange Program Benefits Communities
- d. **AUDITOR GENERAL FOR LOCAL GOVERNMENT**
Perspectives Booklet on Policing for Local Government
- e. **UNION OF BRITISH COLUMBIA MUNICIPALITIES**
Settlement Plans for Syrian Refugees
- f. **ISLAND COASTAL ECONOMIC TRUST**
Ford cove Receives ICET Funding for Harbour Redevelopment
- g. **CITY OF BURNABY**
Anticipated Property Assessment Changes in 2016
- h. **CHERRY CREEK WATERWORKS DISTRICT**
Franklin River Road Fire Protection
- i. **MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS**
Species at Risk in Canada
- j. **ENVIRONMENT AND CLIMATE CHANGE CANADA**
Notification of Updates to the Species at Risk Public Registry
- k. **TRANSMOUNTAIN**
Trans Mountain Expansion Project - December 2015 Update
- l. **SPROAT LAKE COMMUNITY ASSOCIATION**
Transfer of funds from ACRD to Tseshaht First Nation for Sani-Station
- m. **Ocean Networks Canada**
New Proposed Community Observatory in the Alberni Inlet
- n. **Ministry of Environment,**
December 21, 2015 regarding request for Comments on BC's Spill Response Regime.

MOVED: Director Kokura

SECONDED: Director McLeman

THAT the Board of Directors receive items a-n for information.

CARRIED

8. REQUEST FOR DECISIONS & BYLAWS

a. Request for Decision regarding 2016 ACRD & ACRHD Meeting Schedule.

MOVED: Director Kokura

SECONDED: Director St. Jacques

THAT the ACRD Board of Directors approves the Alberni-Clayoquot Regional District and Alberni-Clayoquot Regional Hospital District Meeting Schedule for 2016.

CARRIED

b. Request for Decision regarding Tofino Air Hangar Lease Renewal - LBA.

MOVED: Director McNabb

SECONDED: Director St. Jacques

THAT the Alberni-Clayoquot Regional District Board of Directors to renew Tofino Air's hangar lease at Long Beach Airport for a one year term commencing September 1, 2015 and expiring August 31, 2016 with an annual rent of \$4000.00 plus applicable taxes.

CARRIED

MOVED: Director Jack

SECONDED: Director Cote

THAT the meeting be closed to the public to discuss matters relating to:
i. Litigation or potential litigation affecting the Regional District.

CARRIED

Alternate Director Craig left the meeting at 2:16 pm.

The meeting was closed to the public at 2:17 pm.

The meeting was re-opened to the public at 2:26 pm.

Alternate Director Craig re-entered the meeting at 2:26 pm.

c. Request for Decision regarding Long Beach Airport Runway Lighting Tender Award.

MOVED: Director St. Jacques

SECONDED: Director Bennett

THAT the Alberni-Clayoquot Regional District Board of Directors award the Long Beach Airport Runway Lighting Project contract to Raylec Power LP for a total tender price of \$1,479,870.60 (incl. GST).

CARRIED

d. Request for Decision regarding ESS Reception Centre Management Plan - Tabled Motion.

MOVED: Director McNabb

SECONDED: Director Cote

THAT the Alberni-Clayoquot Regional District Board of Directors lift the following motion tabled at the December 11, 2015 regular Board of Directors meeting:

MOVED: Director McNabb

SECONDED: Director Kokura

THAT the ACRD Board of Directors enter into a three year agreement with the City of Port Alberni in the amount of \$20,000 per year for the City to develop and maintain a Comprehensive Reception Centre Management Plan for the Alberni Valley.

CARRIED

MOVED: Director McNabb

SECONDED: Director Cote

THAT the main motion be amended to reduce from a three year to a one year agreement.

CARRIED

The main motion as amended was

CARRIED

Director Cootes left the meeting at 2:45 pm.

e. Request for Decision regarding Tabled Motion-My Alberni APP.

MOVED: Director McNabb

SECONDED: Director Kokura

THAT the Alberni-Clayoquot Regional District Board of Directors lift the following motion tabled at the December 11, 2015 regular Board of Directors meeting:

MOVED: Director Bennett

SECONDED: Director McLeman

THAT the ACRD Board of Directors proclaim MyAlberni App as the Official Community App of the Alberni Valley.

CARRIED

The motion was back on the floor and was

DEFEATED

f. Request for Decision regarding Revenue Anticipation Borrowing Bylaw.

MOVED: Director Kokura

SECONDED: Director Cote

THAT the Alberni-Clayoquot Regional District Board of Directors give first reading to the bylaw cited as "Revenue Anticipation Borrowing Bylaw No. F1124, 2016".

CARRIED

MOVED: Director St. Jacques

SECONDED: Director Cote

THAT the Alberni-Clayoquot Regional District Board of Directors give second reading to the bylaw cited as "Revenue Anticipation Borrowing Bylaw No. F1124, 2016".

CARRIED

MOVED: Director McNabb

SECONDED: Director McCarthy

THAT the Alberni-Clayoquot Regional District Board of Directors give third reading to the bylaw cited as "Revenue Anticipation Borrowing Bylaw No. F1124, 2016".

CARRIED

MOVED: Director Kokura

SECONDED: Director Cote

THAT the Alberni-Clayoquot Regional District Board of Directors adopt bylaw cited as "Revenue Anticipation Borrowing Bylaw No. F1124, 2016".

CARRIED

g. Request for Decision regarding 2016 Committee Appointments.

MOVED: Director Bennett

SECONDED: Director Cote

THAT Director St. Jaques be added a representative on the Coastal Community Network.

CARRIED

*MOVED: Director Kokura
SECONDED: Director St. Jacques*

THAT the ACRD Board of Directors approves the 2016 Alberni-Clayoquot Regional District Committee Appointments and Appointments to Outside Boards, Agencies, Commissions as presented and amended.

CARRIED

h. Request for Decision regarding Finance Warrant No. 560.

*MOVED: Director Jack
SECONDED: Director Kokura*

THAT the Board of Directors approves Finance Warrant Number 560 in the amount of \$1,087,956.88 dated December 31, 2015.

CARRIED

9. PLANNING MATTERS

a. RD15006, DANELIUK, TWO RIVERS ARM, SPROAT LAKE
Rezoning Application – Memorandum, Public Hearing Minutes and Bylaws P1331 and P1332

*MOVED: Director Cote
SECONDED: Director McNabb*

THAT the Board of Directors receive the public hearing report.

CARRIED

*MOVED: Director Cote
SECONDED: Director Kokura*

THAT the Board of Directors receive the public hearing minutes.

CARRIED

*MOVED: Director Cote
SECONDED: Director Bennett*

THAT Bylaw P1331, Regional District of Alberni-Clayoquot Sproat Lake Official Community Plan Amendment be read a second time.

CARRIED

MOVED: Director Cote
SECONDED: Director McNabb

THAT Bylaw P1331, Regional District of Alberni-Clayoquot Sproat Lake Official Community Plan Amendment be read a third time.

CARRIED

Director St. Jacques left the meeting at 2:58 pm

MOVED: Director Cote
SECONDED: Director Bennett

THAT Bylaw P1332, Regional District of Alberni-Clayoquot Zoning Atlas Amendment be read a second time.

CARRIED

MOVED: Director Cote
SECONDED: Director McNabb

THAT Bylaw P1332, Regional District of Alberni-Clayoquot Zoning Atlas Amendment be read a third time.

CARRIED

b. RE15001, SIMISTER, 5825 SAUNDERS ROAD N
Rezoning Application – Bylaw P1326

MOVED: Director McNabb
SECONDED: Director Kokura

THAT Bylaw P1326, Regional District of Alberni-Clayoquot Zoning Atlas Amendment be adopted.

CARRIED

c. RF15002, KISS, 5819 STRATHCONA STREET
Rezoning Application – Bylaw P1329

MOVED: Director Banton
SECONDED: Director Cote

THAT Bylaw P1329, Regional District of Alberni-Clayoquot Zoning Atlas Amendment be adopted.

CARRIED

10. REPORTS

10.1 STAFF REPORTS

- a. **CAO Report – January 6, 2016**
- b. **Planning & Development Manager Report – January 7, 2016**
- c. **Financial Manager Report – January 7, 2016**
- d. **Staff Action Items Report – January 8, 2016**

MOVED: Director Kokura

SECONDED: Director Ruttan

THAT the Board of Directors receives the staff reports a-d.

CARRIED

10.2 COMMITTEE REPORTS

10.3 OTHER REPORTS

11. UNFINISHED BUSINESS

a. Association of Vancouver Island and Coastal Communities

Re: 2016 Resolution Submissions

The Board identified the following as possible resolutions for consideration at AVICC.

- Rainwater Harvesting System Rebate Program for Agricultural Users
- Marine Oil Spill Emergency Response
- Physician recruitment

Resolutions will be drafted for consideration at the January 27th Board of Directors meeting.

12. LATE BUSINESS

13. QUESTION PERIOD

14. IN-CAMERA

MOVED: Director McNabb

SECONDED: Director Cote

THAT the meeting be closed to the public to discuss matters relating to:

- i. Litigation or potential litigation affecting the Regional District.*

CARRIED

The meeting was closed to the public at 3:21 pm.

The meeting was re-opened to the public at 3:28 pm.

15. RECOMMENDATIONS TO THE BOARD FROM IN-CAMERA

16. ADJOURN

MOVED: Director Kokura
SECONDED: Director McNabb

THAT this meeting be adjourned at 3:29 pm.

CARRIED

Certified Correct:

Josie Osborne,
Chairperson

Russell Dyson,
Chief Administrative Officer



Alberni-Clayoquot Regional District

MINUTES OF THE BAMFIELD WATER COMMITTEE MEETING HELD ON MONDAY, JANUARY 18, 2016

Bamfield Volunteer Fire Department Hall, 352 Pachena Road, Bamfield, BC

- MEMBERS PRESENT:** Keith Wyton, Director, Electoral Area "A" (Bamfield)
Sean Rogers, Acting Director, Bamfield Marine Science Centre
Lisa Herbig, Member at Large
J.P. Hastey, Member at Large
John Mass, Advisory Planning Committee Chair
Barry Otterson, Bamfield Chamber of Commerce
- REGRETS:** Eric Clelland, Bamfield Volunteer Fire Chief
- STAFF PRESENT:** Andrew McGifford, Acting Manager of Finance/Manager of Environmental Services
Mike Irg, Manager of Planning & Development
Les Butler, Bamfield Water System Contractor

1. CALL TO ORDER

The Chairperson called the meeting to order at 5:05.

The Chair recognized the meeting is being held in the Huu-ay-aht First Nation Territories.

2. APPROVAL OF AGENDA

MOVED: S. Rogers

SECONDED: L. Herbig

THAT the agenda be approved with the addition of the minutes from the September 15, 2015 Bamfield Water Committee.

CARRIED

3. MINUTES

MOVED: J.P. Hasty

SECONDED: L. Herbig

THAT the minutes of the September 15, 2015 Bamfield Water Committee be received as circulated.

CARRIED

4. **REPORTS**

a. **Financial Report - December 2015**

b. **GILT Breakdown - Federal Buildings**

MOVED: S. Rogers

SECONDED: L. Herbig

THAT items a-b be received for information.

CARRIED

c. **Update to Underwater Inspection - J. Mass**

J. Mass updated the Committee on the completion of the underwater inspection. Discussion and questions from the Committee followed. It was suggested that the flanges be changed sooner than later but that will wait until the inspection report is in and can be discussed with the engineer.

d. **Treatment Plant - Costing**

The preliminary costing of the Bamfield Water System Filtration Plant and the long term impacts were discussed. The Committee would like to look at other options. In discussion of the Build Canada application it was suggested that staff contact the application evaluator(s) for the last unsuccessful application to see how projects were evaluated and why we were not approved. This could improve our next application.

MOVED: L. Herbig

SECONDED: B. Otterson

THAT staff be directed to review other options for water treatment and report back to the Committee.

CARRIED

Committee Member Hasteley left the meeting at 6:15 pm

e. **Future Water Tolls (Discussion)**

There was a short discussion regarding the future of water tolls. A. McGifford to review other water systems fees and provide to the Committee.

f. **Huu-ay-aht First Nations Interest in Water Treatment Plant Progress (Discussion)**

It was reported that preliminary discussions regarding a water treatment plant have taken place with HUU-AY-AHT First Nation staff.

g. Turbidity Meter Cost Estimates

There was a discussion regarding turbidity meter cost estimates.

MOVED: B. Otterson

SECONDED: S. Rogers

THAT staff proceed with installation of turbidity meter and associated equipment up to a cost of \$10,000.00.

CARRIED

**h. South Bamfield Road Subdivision - Status & Requirement to Proceed
M. Irg (Verbal)**

M. Irg provided the Committee with a verbal report on the status and requirements to proceed with the South Bamfield Road Subdivision and answered questions from the Committee.

i. 2016 Budget - Capital/Operations

The 2015 Capital Expenses for the Bamfield Water System were discussed. L. Butler provided the Committee with a list of upcoming repairs and replacements needed.

MOVED: S. Rogers

SECONDED: L. Herbig

THAT the Committee approve a 2016 Capital Cost Budget of \$50,000. including \$10,000. for turbidity meters and associated costs.

CARRIED

j. Watershed Update - Island Timberlands Meeting - A. McGifford (Verbal)

A. McGifford provided a report on a meeting with Island Timberlands earlier today. The Committee requested that staff send an invitation to Island Timberlands requesting a representative be present at a future Committee meeting to discuss the watershed assessment.

k. Water Contractor Renewal of Contract (Discussion)

L. Butler, Bamfield Water Contractor reported to the Committee. There was a discussion regarding increased costs associated with skill and certification costs.

The contractor requested an increase on the new contract (3 years). The Committee asked the contractor for a written request.

5. **LATE BUSINESS**

6. **ADJOURN**

MOVED: B. Otterson

SECONDED: L. Herbig

THAT this meeting be adjourned at 8:20 pm.

CARRIED

Certified Correct:

Keith Wyton,
Chairperson

Andrew McGifford, CPA, CGA
Manager of Environmental Services/Acting
Manager of Finance



**MINUTES OF THE ALBERNI-CLAYOQUOT TRANSPORTATION COMMITTEE
MEETING HELD ON DECEMBER 8, 2015, 9:30AM**

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

- MEMBERS** Jack McLeman, Co-Chair ACRD
- PRESENT:** Gillian Trumper, Co-Chair, Port Alberni Port Authority
Chris Alemany, Councilor, City of Port Alberni
Randy Orr, Island Timberlands
Neil Malbon, Alberni Valley Chamber of Commerce
- STAFF PRESENT:** Pat Deakin, Economic Development Manager, City of Port Alberni
Shelli Lyle, Administrative Assistant, ACRD
- REGRETS:** Mike Newton, R.F. Binnie & Associates
Dianne St. Jacques, Mayor, District of Ucluelet
Bob Cole, Alberni Valley Chamber of Commerce
Darren Deluca
Harold Frechette, Western Forest Products
Mike Lang, PA&DLC
Brian Chipman, Catalyst Paper
Lucas Banton, Director, ACRD

1. CALL TO ORDER

The Chairperson called the meeting to order at 9:30 am.

2. APPROVAL OF AGENDA

MOVED: C. Alemany

SECONDED: G. Trumper

THAT the agenda be approved as circulated.

CARRIED

3. ADOPTION OF MINUTES

a. AC Transportation Committee Meeting held August 5, 2015

MOVED: G. Trumper

SECONDED: R. Orr

THAT the minutes of the Transportation Committee meeting held on August 5, 2015 be adopted.

CARRIED

4. **PETITIONS, DELEGATIONS & PRESENTATIONS**

5. **REPORTS & DISCUSSION**

a. **Transportation Report Update (verbal)**

The report from CH2MHill, the consultant will be the discussion of the December 15th, 10:00 am meeting with the Ministry staff in Nanaimo - 3rd Floor - 2100 Labieux Road office. The intent of the meeting is to have the consultants go over the report and their findings as well as respond to questions and move forward to a final deliverable. Attending the meeting will be Jack McLeman, Gillian Trumper, Chris Alemany, Randy Orr, Pat Deakin, Darren DeLuca and a staff member from ACRD.

MOVED: G. Trumper

SECONDED: C. Alemany

THAT the AC Transportation Committee receive the report.

CARRIED

6. **CORRESPONDENCE FOR ACTION/INFORMATION**

7. **NEW BUSINESS**

8. **NEXT MEETING**

The next Committee meeting will be at the call of the Chairs.

9. **ADJOURN**

MOVED: R. Orr

SECONDED: G. Trumper

THAT this meeting be adjourned at 9:50 am.

CARRIED

Certified Correct:

Jack McLeman, Co-Chair



PORT ALBERNI RCMP DETACHMENT MONTHLY REPORT



This report represents the policing activities undertaken by the Port Alberni RCMP Detachment during December 2015. I have included an update on policing activities thus far in 2015 and a comparator to previous years.

The following represents some of the calls for services received, investigations undertaken and activities of the RCMP during the month.

- Officers received and responded to 931 calls for service.
- Crime Trends in Port Alberni in 2015 as compared to 2014:
 - The crime type that has shown the largest increase over 2014 is that of property crime. An overall increase of 20% has been seen in this area as compared to 6% for Vancouver Island as a whole
 - Total Criminal Code complaints are up 6% as compared to 4% for Vancouver Island
 - Persons Violent Crime is down 6% as compared to a 9% increase for Vancouver Island.
- In December the Victim Services Unit assisted 25 new clients, 14 in relation to violence within relationships.
- Traffic and road safety is a policing priority for 2015/16 and a key to ensuring safe roadways for everyone. In December the Port Alberni Detachment increased focus and enforcement with respect to impaired driving.
- Corporal Hayden transferred into the Detachment at the beginning of the month to oversee the Crime Prevention/Youth Section. Corporal Hayden is quickly getting herself acquainted with the community and the many programs that are in place. One such program is COP (Citizen's on Patrol). This has been a very active program in 2015 by volunteering 2258 hours, driving 9580 km and delivering 562 break and enter information packages.

Port Alberni RCMP's 2015/16 Annual Performance Plan will focus on:

- **Crime Reduction:** Reduce the impact and prevalence of crime
 - Complete 1200 judicial release compliance checks, 885 completed
- **Mental Health:** Increase awareness and decrease the impact of mental health in calls for service
 - Create 2 new partnerships. 2 have been created and a progressive referral system implemented
- **Visibility/engagement:** Engagement with community and patrols
 - Complete 460 proactive patrols, 781 completed
 - Attend 24 community events, 21 completed
- **Traffic:** Increased road safety through focus on Provincial traffic offences and impaired driving
 - Increase Provincial traffic enforcement by 8% to 2400 interactions, 1600 completed
 - Increase the detection of impaired driving offences by 10% to 150 incidents, 88 completed

Respectfully,
Insp Mac Richards
OIC Port Alberni Detachment

Detailed Crime - 2015 Year Review

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Assault	46	45	32	39	57	46	56	55	44	50	49	57	576
Relationship Violence	9	10	10	14	19	7	13	17	16	14	15	21	165
Thefts	77	74	58	78	91	101	64	74	96	95	63	69	940
Break and enter	17	16	28	28	25	25	23	14	22	22	12	23	255
Mischief	32	51	41	60	67	62	74	77	52	66	56	50	688
Drugs	12	30	16	24	30	23	29	22	23	19	15	16	259
Provincial Traffic	80	76	95	95	96	123	139	115	113	91	92	78	1193
Criminal Code Traffic	25	23	15	23	31	36	49	28	35	28	24	26	343
Motor Vehicle Incident	24	21	27	24	23	38	36	35	45	28	29	41	371
Calls for Service	843	847	840	906	1050	1152	1111	1086	1034	989	860	931	11649

7 Year Comparison

	2008	2009	2010	2011	2012	2013	2014	2015	Total
Assault	766	728	628	616	622	512	551		4423
Relationship Violence	222	175	158	112	140	87	101		995
Thefts	1508	1288	1159	1077	1124	961	962		8079
Break and enter	450	325	298	359	251	287	288		2258
Mischief	738	679	538	555	582	583	544		4219
Drugs	445	323	257	372	329	331	304		2361
Provincial Traffic	1212	1199	1211	1150	1042	1112	1090		8016
Criminal Code Traffic	373	359	398	374	354	294	285		2437
Motor Vehicle Incident	518	484	406	364	389	360	366		2887
Calls for Service	14340	12848	12077	12429	11790	11591	11698		86773

2008 – 2014 Average

Assault	631
Relationship Violence	142
Thefts	1154
Break and enter	322
Mischief	602
Drugs	337
Provincial Traffic	1145
Criminal Code Traffic	348
Motor Vehicle Incidents	412
Calls for Service	12396



A Living Wage

for the Clayoquot Sound Biosphere Reserve Region

The living wage is the hourly pay that each parent must earn to cover the basic expenses of an average family of four. It considers housing, food, transportation, child care, health care, and is the “bare-bones” a family needs for an adequate quality of life.

Why do we need a living wage?

Work should lift a person out of poverty, not keep them there. Working families that do not earn a living wage may face difficult choices, such as deciding between paying rent and purchasing healthy food. Earning a living wage provides security for families to avoid severe financial stress and is associated with better health for children, families, and their communities.

A living wage is not only influenced by employers, but by economic and social policies that increase affordability for families (such as child care subsidies and public transit).

The Clayoquot Sound Biosphere Reserve Region’s Living Wage uses the best data available for the communities of Hot Springs Cove, Ahousaht, Opitsaht, Tofino, Esowista/Ty-Histanis, Hitacu, Ucluelet, Macoah, and Alberni-Clayoquot Regional District, Area C.



The Living Wage Family

The living wage is calculated based on an average family of four:

- 2 parents each working 35 hours per week, year-round
- 4 year old child
- 7 year old child

A living wage is not the same as the minimum wage, which is the legal minimum all employers must pay. The living wage sets a higher test — a living wage reflects what earners in a family need to bring home, based on the actual costs of living in a specific community. The living wage is a call to private and public sector employers to pay wages to both direct and contract employees sufficient to provide the basics to families with children.

What is the living wage in the Clayoquot Sound Biosphere Reserve Region?

\$19.27

Housing	\$1464.17
Food	\$820.24
Transportation	\$450.29
Child care	\$1154.81
Health Care - MSP	\$144.00
Health Care - extended	\$139.00
Clothing & footwear	\$190.57
Parent education	\$75.58
Other household costs & social participation	\$762.15
Contingency	\$224.82
Total Monthly Expenses:	\$5425.62

How is the living wage calculated?

Using a standard methodology from The Canadian Centre for Policy Alternatives, in partnership with First Call: BC Child and Youth Advocacy Coalition. Learn more at www.livingwagecanada.ca and compare our region's living wage to other BC communities.

Housing

Median monthly rent of a 3 bedroom unit plus utilities, a land-line phone, and insurance. (Source: community survey, Clayoquot Biosphere Trust)



Some communities in our region lack 3 \ bedroom rental units or have subsidized units, and this is not captured in the living wage. The rental figure used applies to 71% of our population.



Transportation

Monthly cost of owning, operating, and maintaining one used vehicle in a rural community. (Source: * Market Basket Measure, Statistics Canada)

In our region, families rely on a variety of transportation, such as water taxi or personal boat, for everyday activities like grocery shopping, commuting, or visiting the doctor. The living wage does not capture those costs.

Clothing & footwear

The estimated monthly cost for a family of four.

(Source: * Market Basket Measure, Statistics Canada)



Parents' education

The cost of two courses at North Island College including tuition, books, and student fees.



Food



Monthly cost of healthy eating for a family of four on Vancouver Island.

(Source: Cost of Eating Report, Provincial Health Services Authority)

The living wage does not capture additional costs of food in our region. Food costs are up to 21% higher than nearby

**UP TO
21%
HIGHER**

Port Alberni and only two of our eight communities have adequate grocery stores, so they must pay to travel to buy healthy food. (Source: Vital Signs, Clayoquot Biosphere Trust)

Childcare

Median monthly cost of full-time care for a 4 year old, and out-of-school care for a 7 year old.

(Source: phone interviews with licensed providers in the region, Clayoquot Biosphere Trust)



Social participation & other expenses

A typical range of family recreation and entertainment activities calculated at 75% of the combined cost of food, clothing, and footwear.



Contingency fund

Coverage for unexpected events, based on two weeks of pay for two parents earning the living wage.



The living wage does not include:

- X credit card or debt payments
- X savings for retirement
- X children's post-secondary education
- X the cost of owning a home
- X care for elderly parents
- X relatives in need

Together we can create smart and caring communities

Discuss

Share the living wage information with your friends, family, local elected officials and employers.

Act

Get your organization motivated to take positive action or get involved with the many community-minded organizations that could use your help.

Talk to the CBT

The Clayoquot Biosphere Trust knows the issues and organizations in our region and can help you take that first step in making a difference.

Return trip to the grocery store

Some people in our region must travel outside their communities to buy groceries or see a doctor. Sample return trip costs are:



Ahousaht \$40



Opitsaht \$10



Macoah \$33



Hot Springs Cove \$164



Health Care - MSP

The monthly mandatory provincial cost for a family of three or more. (Source: Medical Services Plan of BC)



Health Care - extended

Health costs not covered by MSP such as prescriptions and dental. (Source: Pacific Blue Cross)




clayoquot
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January 11, 2016

Reference: 252888

Dear B.C. Emergency Management Partners:

Re: Discussion of the Emergency Program Act

As Minister of State for Emergency Preparedness, I am pleased to announce the release of *Prepared and Resilient: A Discussion Paper on the Legislative Framework for Emergency Management in British Columbia*.

This document is intended to support an online consultation and engagement with British Columbians through a dialogue about the current *Emergency Program Act* (the Act), which sets out the key responsibilities and authorities to guide and enable experts at the local and provincial levels in preparing for, responding to and recovering from emergencies and disasters.

It is our intention to review the Act to ensure that it provides a solid legal foundation to meet whatever challenges that may come our way here in this province, be they small scale emergencies contained at the local level or catastrophic events affecting a region or even possibly the entire province.

The Act was first introduced in 1993 and has undergone few changes since. While legislation may not be top of mind when we think about being prepared for an emergency or disaster, it is the key source of responsibilities and authorities required to empower elected officials and emergency management personnel to take the right actions at the right time.

Prepared and Resilient describes challenges in the current legislation as well as proposals for possible changes. The challenges and proposals reflect recent changes some Canadian jurisdictions have made to modernize their emergency management laws, as well as the findings and recommendations of two recent reports here in B.C.—the 2014 earthquake preparedness reports of the Auditor General and Henry Renteria.

The input we receive from you and other stakeholders through this consultation will be a key component to informing our government's review of the Act and, ultimately, any decision to move forward with the introduction of possible legislative changes.

.../2

- 2 -

The consultation period begins on January 11, 2016, with the release of the paper, and will continue until February 19, 2016, at 4:00 p.m. Please submit your formal responses to citizenengagement@gov.bc.ca before the end of the consultation period.

In order to promote that transparency of this review, any submission from your organization, or other stakeholders who have been invited to participate, may be posted on <http://engage.gov.bc.ca/emergencyprogramact/>. The web site contains a list of all stakeholders who have received invitations to participate. Please include the name of your organization in your submission. To protect your privacy or the privacy of any other members of your organization, please do not include your personal phone number or e-mail address in your submission.

Emergency management is fundamentally about partnerships. We must all continue to work together to ensure a prepared and resilient B.C. I am therefore looking forward to hearing the feedback and thoughts you and the members of your organization may have for possible improvements to the legislative framework for emergency management in B.C.

Sincerely,



Naomi Yamamoto
Minister of State



BRITISH
COLUMBIA

Prepared and Resilient

*A discussion paper on the legislative framework for
emergency management in British Columbia*

JANUARY 2016



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Message from the Minister

As Minister of State for Emergency Preparedness, I am pleased to announce the release of *Prepared and Resilient: A Discussion Paper on the Legislative Framework for Emergency Management in British Columbia*. This document is intended to support a consultation that will engage stakeholders in a dialogue about emergency management legislation in British Columbia.

When we think about being prepared for an emergency or disaster I think it is fair to say that legislation is not top of mind. Nevertheless, we must recognize that the coordination and synergies of emergency management experts in this province—whether at the local or provincial level—starts with understanding and fulfilling key emergency management responsibilities and having the appropriate authority to take the right actions at the right time when faced with an emergency or disaster. That’s where legislation comes in: to establish the legal framework for a prepared and resilient British Columbia.

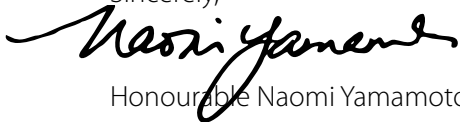
The *Emergency Program Act* is the key piece of legislation for emergency management in British Columbia. The Act, which was introduced in 1993, sets out roles and responsibilities for local authorities and the provincial government in preparing for, responding to and recovering from emergencies and disasters. The Act also sets out the authority for local government or the province to declare a state of emergency and to use emergency powers to protect the health, safety or welfare of people and to limit damage to property.

A key challenge with the Act and its regulations—and a principal reason for this consultation and engagement—is that while best practices in the field of emergency management in B.C. and elsewhere have evolved significantly over the past two decades, the *Emergency Program Act* has remained largely unchanged since its introduction and has never been the subject of a full and open review as proposed herein. The time has therefore come for us to examine the Act to ensure it provides the solid legal foundation we need here in B.C. to meet whatever challenges may come our way, be they small scale emergencies contained at the local level or catastrophic events affecting a region or even possibly the entire province.

This consultation acknowledges recent changes some other Canadian jurisdictions have made to modernize their emergency management laws. The engagement has also been shaped by findings and recommendations of the 2014 earthquake preparedness reports of the Auditor General and Henry Renteria, the former head of California’s Office of Emergency Services who consulted with stakeholders on earthquake preparedness issues and priorities.

Ultimately, though, it is the input and feedback that we receive from interested British Columbians on the challenges and proposals outlined herein that will best inform the development of any changes to the law. It is my hope that this consultation will engage British Columbians in a dialogue so that together we can create legislation that supports a prepared and resilient B.C.

Sincerely,



Honourable Naomi Yamamoto
Minister of State for Emergency Preparedness

Executive Summary

The Premier's mandate letter to Minister of State for Emergency Preparedness Naomi Yamamoto directs the Minister to lead a review of the *Emergency Program Act* (Act) to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia, providing a report back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016.

This engagement is intended to be a key component of the review of the legislation. It highlights several key challenges in the Act and seeks input from stakeholders on proposals for possible legislative changes so that government may better understand what improvements if any may be needed to ensure the Act is up to date and effective.

The specific examples of challenges presented in this consultation fall into one of the following three discussion areas, with each including proposals for possible changes to the Act for consideration and input of stakeholders:

A. Modernizing fundamental concepts and structure of the Act:

1. Phases of emergency management (prevention, preparedness, response and recovery);
2. Definition of emergency and disaster; and
3. Definition of local authority.

B. Clarifying roles and responsibilities:

4. Emergency Management BC;
5. Provincial emergency planning, response and recovery responsibilities;
6. Ministerial authority to direct emergency planning; and
7. Provincial authority for private sector and non-government agencies.

C. Supporting emergency response and recovery:

8. Shared responsibilities for emergency response;
9. State of Emergency;
10. Evacuation orders; and
11. Employment protection.

Stakeholder input on the identified challenges and discussion questions may be submitted to citizenengagement@gov.bc.ca by Feb. 19, 2016. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who Minister Yamamoto invited to provide input may be posted to Emergency Management BC's website. Submissions from members of the public posted to the website forum will be reviewed and incorporated into the review process along with the other stakeholder submissions.

Context of a Review of the *Emergency Program Act*

OVERVIEW OF THE LEGISLATIVE FRAMEWORK

The *Emergency Program Act* provides the legislative framework for the management of disasters and emergencies within British Columbia. This framework defines responsibilities of local authorities, provincial ministries and crown corporations along with the responsibility for the Province's emergency management program. It requires local authorities, ministries, crown corporations, and government agencies to develop plans and programs to prepare and respond to emergencies and disasters in the Province. It also provides local authorities, the Minister responsible for the Act, and the Lieutenant Governor in Council, with the ability to declare a state of emergency in order to access the extraordinary powers required to co-ordinate emergency responses.

Supporting the *Emergency Program Act* are three regulations made under the authority of the statute:

- ▶ *Emergency Program Management Regulation* identifies duties and responsibilities of provincial ministries and government corporations in relation to specific hazards and generally in the event of an emergency;
- ▶ *Local Authority Emergency Management Regulation* outlines roles and responsibilities of Local Authorities; and
- ▶ *Compensation and Disaster Financial Assistance Regulation* establishes the framework for the provisions of disaster financial assistance.

WHY REVIEW THE ACT?

The time is ripe to review the *Emergency Program Act* to ensure it is effective in supporting the management of emergencies in British Columbia. The current iteration of the *Emergency Program Act* dates back to 1993 and has been subject to a small number of limited amendments since then. Over the last two decades various events and operational responses have prompted the provincial government and other partners in emergency management to consider and revise operational practices and procedures.

A further factor contributing factor are the 2014 reports of the Office of the Auditor General and Henry Renteria on earthquake preparedness. These reports further highlighted where changes may be necessary to improve the preparedness of British Columbians in relation to the possible occurrence of a catastrophic event.

Finally, the Premier's July 30, 2015 mandate letter to Minister Yamamoto directs the Minister to lead a review of the Act to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia and reporting back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016. This consultation is intended as a key step in achieving a review as envisioned in the mandate letter by engaging stakeholders in a discussion about what improvements if any may be needed to ensure the Act is up to date and effective.

SCOPE OF REVIEW

This engagement identifies 3 main challenges in the Act and broken out into the following discussion areas:

- A. Modernizing fundamental concepts and structure of the Act**
- B. Clarifying roles and responsibilities**
- C. Supporting emergency response and recovery**

The list of challenges and examples presented for discussion and consideration are focussed on the Act and not the regulations. However, this does not preclude comments and input on any of the regulations as potential changes to the Act could also have implications for matters set out under the regulations.

Finally, the discussions presented here are not intended to be an exhaustive list. It is hoped that the items raised here will generate thought and discussion that will result in a broad range of items for government to consider.

OVERVIEW OF REVIEW PROCESS

Minister Yamamoto sent letters to key stakeholders on the release date of this engagement to invite them to provide submissions on the challenges and proposals outlined herein. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who received invitations may be posted to Emergency Management BC's website. A list of these stakeholders is also provided on the website.

Other interested stakeholders, including members of the public, may also make submissions.

Any submissions received from individuals or organizations who did not receive invitation letters from Minister Yamamoto will also be reviewed and incorporated into the review process; these submissions will be collected via the EMBC website forum.

Submissions will be received up to Feb. 19, 2016, at 4 p.m. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.

Challenges and Proposals

Discussion Area A:

Modernizing fundamental concepts and structure of the Act

Discussion 1:

The phases of emergency management

Background:

Emergency management is a universal term for the systems and processes used for preventing or reducing the impacts of disasters on communities. Emergency management is conceptualized in four phases: prevention/mitigation, preparedness, response and recovery.

This phased approach is an internationally recognized standard for defining and understanding different aspects of emergency management and is integral to the systems and processes in BC that local authorities and government use to minimize vulnerability to hazards and for coping with disasters. For example, over the last two decades local authority and government emergency plans, which are a central feature of the *Emergency Program Act*, have come to be understood as plans related to preparedness for, prevention and mitigation of, response to and recovery from an emergency and its effects.

Challenge in the current legislative framework:

While the *Emergency Program Act* references aspects of the phased approach to emergency management, it is important that the terms prevention, preparedness, response and recovery are used consistently throughout the legislation. Consideration should be given to structuring the Act

to reflect the distinct subject matter of the phases whereby separate parts are established for each phase, with powers and duties for local authorities and the provincial government set out in each part.

The Act's current name should also better reflect the emergency management focus of the act. The current name reflects the role of the Provincial Emergency Program, which has been superseded by Emergency Management BC. See Discussion Area B, Discussion 4. As well, "emergency program" is not defined and, while the term "program" is used in numerous sections in the Act, it may be unclear in some sections as to what this term means in relation to the phases of emergency management.

A further consideration is the definition of "local authority emergency plan" and "provincial emergency plan". These definitions do not currently emphasize that emergency planning involves all phases of emergency management.

Relevant sections in the legislation:

- ▶ Title of the Act
- ▶ Part 1—Definitions and Application
- ▶ Part 2—Administration
- ▶ Part 3—Emergencies, Disasters and Declared Emergencies

Proposal:

Consideration should be given to the following potential changes to the Act:

1. Renaming it the *Emergency Management Act*.
2. Restructuring the Act so that it contains parts reflecting the phases of emergency management (i.e. a part dedicated to preparedness, a part dedicated to response etc.)
3. Removing the term “emergency program” and references to “program” or “programs” throughout.
4. Defining an “emergency plan” as a plan under the Act to prepare for, prevent, mitigate against, respond to and recover from an emergency and its effects.

**Discussion 2:
Definition of “emergency”****Background:**

A definition of an “emergency” is essential to emergency management legislation. In the *Emergency Program Act*, the term “emergency” gives meaning to other important concepts such as emergency plans, emergency programs, emergency measures, and states of emergency.

The current definition of emergency in the Act provides that it is a “present or imminent event or circumstance that is caused by accident, fire, explosion, technical failure or the forces of nature ...”. A “disaster”, on the other hand, is a subset of an emergency. The Act defines a disaster as a calamity that is caused by accident, fire, explosion or technical failure or by the forces of nature and has resulted in serious harm to people or widespread damage to property.

**Challenge in the current
legislative framework:**

BC’s legislation limits the definition of an emergency to a specific set of causes, which raises a question as to whether some events or circumstances may fall outside the scope of the Act. Similar legislation in other provincial jurisdictions generally uses broader language that puts an emphasis on defining an emergency based on what could or does result from an event, situation, or condition. Many other jurisdictions have also included damage to the environment in the definition of emergency.

Relevant sections in the legislation:

- ▶ Section 1 of the *Emergency Program Act*

Proposal:

1. Consider removing the potential causes in the definition of 'emergency' and clarify that an emergency includes a disaster. The following definitions from other Canadian jurisdictions may be a helpful guide in revising the definition of 'emergency' in BC:
 - Manitoba's *Emergency Measures Act* defines 'emergency' as follows:

"a present or imminent situation or condition that requires prompt action to prevent or limit (a) the loss of life; or (b) harm or damage to the safety, health or welfare of people; or (c) damage to property or the environment"
 - Alberta's *Emergency Management Act* defines 'emergency' as follows:

"an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property"
 - Ontario's *Emergency Management and Civil Protection Act* defines emergency as follows:

"a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise"
2. Consider including damage to the environment in the definition of emergency.

Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>
- ▶ Alberta's *Emergency Management Act*:
<http://www.qp.alberta.ca/documents/Acts/Eo6P8.pdf>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:
<http://www.ontario.ca/laws/statute/90e09>
- ▶ Nova Scotia's *Emergency Management Act*:
<http://nslegislature.ca/legc/>

Discussion 3: Definition of “local authority”

Background:

Four treaties have been ratified to date under the BC Treaty Process with the Maa-Nulth First Nations, Tsawwassen First Nation, Tla’amin Nation, and Yale First Nation. In addition, a treaty was implemented outside of the treaty process with the Nisga’a in 2000.

All of the modern treaties implemented or ratified provide that Treaty First Nations and the Nisga’a Lisims Government have the “rights, powers, duties and obligations of a local authority under federal and provincial law in respect of emergency preparedness and emergency measures” on Treaty Lands. This includes specific law making authority in relation to emergency preparedness and emergency measures, as well as authority to declare a state of local emergency and exercise the powers of a local authority in accordance with federal and provincial laws in respect of emergency measures.

Challenge in the current legislative framework:

The *Emergency Program Act* defines a ‘local authority’ as one of the following:

- ▶ A municipality
- ▶ Regional district
- ▶ National park subject to an agreement between the province and the government of Canada

The definition does not currently include Treaty First Nations or the Nisga’a Lisims Government. As the Treaty First Nations have the status of local authorities for the purposes of the *Emergency Program Act*, consideration needs to be given to modernizing the definition of ‘local authority’ in the Act to ensure proper alignment with the provisions

of the treaties. This change will further reinforce the continued coordination of activities and shared responsibilities between the provincial government, Treaty First Nation governments, local governments, and other institutions to work together to mitigate, prepare for, respond to and recover from disasters.

Relevant sections in the legislation:

- ▶ Sections 1, 5, 6, 8, 10, 12, 13, 14, 15, 18, 19 of the *Emergency Program Act*
- ▶ Local Authority Emergency Management Regulation
- ▶ Compensation and Disaster Financial Assistance Regulation

Proposal:

1. Consider changing the definition of ‘local authority’ to include Treaty First Nations, including the Nisga’a Lisims Government.
 - Consider the impact of this proposal in relation to all provisions in the Act that are applied to local authorities.
 - This proposal is subject to provincial government consultation with the Treaty First Nations and the Nisga’a Lisims Government in accordance with treaty obligations.

Additional information for consideration:

BC Treaties:

- ▶ Under the BC Treaty Process:
<http://www.bctreaty.net/files/treaties-and-agreements-in-principle.php>
- ▶ Nisga’a Final Agreement:
<http://www.nnkn.ca/files/u28/nis-eng.pdf>

Discussion Area B: Clarifying roles and responsibilities

Discussion 4: Emergency Management BC

Background:

Emergency management requires cross-agency, cross-government and inter-jurisdictional coordination and integration to ensure effective delivery of emergency management services.

Emergency Management British Columbia (EMBC) was established in 2006 to take on the responsibilities of its predecessor, the Provincial Emergency Program (PEP), and to take on the role as the lead coordinating agency in the provincial government for all emergency management activities.

EMBC provides executive coordination, strategic planning, and multi-agency facilitation and strives to develop effective working relationships in an increasingly complex emergency management environment. EMBC works with local governments, First Nations, federal departments, industry, non-government organizations and volunteers to support the emergency management phases of mitigation/ prevention, preparedness, response and recovery. Additionally, EMBC engages provincial, national and international partners to enhance collective emergency preparedness.

Challenge in the current legislative framework:

The *Emergency Program Act* does not currently reference Emergency Management BC. Instead, the Act continues to reference the Provincial Emergency Program.

Relevant sections in the legislation:

- ▶ Section 2 of the *Emergency Program Act*
- ▶ Section 2 of the *Emergency Program Management Regulation*

Proposal:

1. Establish Emergency Management BC in legislation and remove references to the Provincial Emergency Program.
2. Clarify the responsibilities of the director of EMBC to include the following:
 - Lead the coordination of all provincial government emergency management activities,
 - Provide advice and assistance to other authorities—provincial and local authorities—in their emergency management responsibilities,
 - Establish and maintain a provincial emergency management system to standardize provincial emergency response activities, and
 - Reduce risk by promoting and supporting emergency preparedness, prevention and mitigation, response and recovery initiatives.

Additional information for consideration:

- ▶ EMBC website:
<http://www.embc.gov.bc.ca/index.htm>
- ▶ EMBC's strategic plan:
<http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/embc-strategic-plan.pdf>

Discussion 5: Assigning provincial emergency planning, response, and recovery responsibilities

Background:

Under section 4(1) of the *Emergency Program Act*, the Minister responsible for the Act is required to prepare provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters.

The Act also provides authority under section 28(2) (a) for the Lieutenant Governor in Council (LGIC) to assign responsibilities to ministries, boards, commissions or government corporations or agencies for the preparation and implementation of emergency plans, including arrangements to deal with emergencies and disasters.

The Emergency Program Management Regulation contains requirements for ministers and government corporations to develop emergency plans. The responsibility for ministers to make provincial emergency plans for specific hazards is assigned in Schedule 1 of the Regulation. Schedule 2 of the regulation sets out duties of ministers and government corporations in the event of an emergency.

Challenge in the current legislative framework:

The Ministerial responsibility under the Act for preparing provincial emergency plans and the LGIC authority to assign responsibility for provincial emergency plans requires clarification. The Minister responsible for the Act does not prepare all provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters. This responsibility is distributed across government ministries and agencies, a process that

is more accurately reflected in schedule 1 of the EPM Regulation.

However, the feasibility of assigning emergency planning and other duties by way of regulation is questionable. Emergency management practices have evolved considerably over the last two decades and will continue to do so. The process of updating and changing provincial emergency responsibilities through amendments to a regulation can be cumbersome and not well suited to responding to changes in the dynamic emergency management environment.

A further matter in the context of provincial emergency management responsibilities is the extent to which the legislative framework should capture public organizations such as school boards and health authorities, which do not fall under the definition of Government Corporation. Henry Renteria acknowledged concerns of many stakeholders respecting emergency management plans and capacities across specific sectors (p. 19). While other public bodies with various degrees of independence from government engage with government ministries in emergency planning processes, the question of government's responsibility to ensure coordination of planning, response and recovery duties when and where necessary should be considered.

Relevant sections in the legislation:

- ▶ Sections 4 and 28 of the *Emergency Program Act*
- ▶ See the *Emergency Program Management Regulation*

Proposal:

- 1.** Consider removing the current scheme from the Act whereby the Lieutenant Governor in Council (LGIC) assigns emergency planning, response and recovery duties by regulation and provide for the following in the Act:
 - An authority for the minister responsible for the Act to require other ministers, after consulting with them, to prepare emergency plans in relation to specified hazards.
 - An authority for the Minister responsible for the Act to require, after consultation, that a minister, government corporation, or other prescribed public bodies prepare emergency plans in relation to carrying out specific emergency response and recovery duties.
- 2.** In order to support the proposed changes outlined above, other amendments would be required, including the following:
 - Define ‘hazard’ as something that may cause, or contribute substantially to the cause of, an emergency.
 - Move the existing requirements in section 3 of the Emergency Program Management Regulation respecting emergency planning to the Act.
 - Provide an LGIC regulation creating the authority to prescribe public bodies for the purposes of the Act.

Additional information for consideration:

- ▶ Henry Renteria’s 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/reneria_eq_consultation_report_2014.pdf

Discussion 6: Ministerial authority to direct emergency planning

Background:

Effective emergency planning is essential to emergency management. In B.C., local governments lead the initial response to emergencies and disasters in their communities and, as required under the Act, they prepare emergency plans and maintain an emergency management organization to ensure the safety of citizens when a situation escalates beyond the first responder level.

Under section 4(2)(f) of the Act, the Minister has the authority to review and recommend changes to a local emergency plan. Currently, Emergency Management BC works with its partners in local governments to provide advice and guidance on the development of local emergency plans.

Challenge in the current legislative framework:

While the Minister has authority under the Act to review and recommend changes to a local emergency plan, the minister does not have authority to require that a local authority make changes to their plans in situations where a cooperative approach has not been productive to address a significant issue with a plan.

Most other jurisdictions in Canada provide the Minister responsible with authority to review and, if necessary, require changes to emergency plans. Manitoba has a clear and comprehensive scheme

under section 8 of that province's Act for the Minister to require revisions to local authority emergency plans as well as those across the provincial government. Ontario's Act provides authority for the Minister to set standards for plans under section 14 of that province's Act. Section 9 of Alberta's Act provides that the Minister responsible may "review and approve or require the modification of provincial and emergency plans and programs".

Henry Renteria referenced the expectation many stakeholders in British Columbia have with respect to provincial government leadership in setting standards respecting emergency plans and programs. Specifically, he stated that Emergency Management BC must "provide more clarity regarding the expectations of local authorities in the area of emergency management" in support of his recommendation that EMBC's authority be augmented to set minimum standards for emergency management programs.

Relevant sections in the legislation:

- ▶ Section 4 of the *Emergency Program Act*

Proposal:

1. Consider the addition of authority to provide that the Minister responsible for the Act may make an order requiring a local authority to change its local emergency plan where the minister has reviewed the plan and recommended modifications.
 - The authority should only be available to the Minister after the Minister has recommended modifications to an emergency plan and this authority should parallel the authority of the Minister to require revisions/changes to provincial emergency plans established by other ministries, government corporations and other agencies.

Additional information for consideration:

- ▶ Alberta's *Emergency Management Act*:
<http://www.qp.alberta.ca/documents/Acts/Eo6P8.pdf>
- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:
<http://www.ontario.ca/laws/statute/goeo9>
- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf

Discussion 7:

Private sector and non-government agencies

Background:

It is vital that critical infrastructure function through an emergency—a community's ability to respond and recover from a disaster requires restoration of and access to water, food, electricity, communications and other critical infrastructure.

In his 2014 *British Columbia Earthquake Preparedness: Consultation Report*, Henry Renteria wrote that entities such as private sector organizations and NGOs have a responsibility to those that depend on their services, particularly those organizations that provide critical goods and services, which, if disrupted or destroyed, would have a serious impact on the health, safety, security or economic well-being of citizens.

While Renteria's report acknowledges the efforts to date of Emergency Management BC to work with critical infrastructure (CI) partners through the establishment of a cross sector CI Steering Committee, he recommended the following key action to enhance the engagement of private sector and non-government organizations in emergency management as well support province-wide risk analysis:

"As a backdrop to voluntary engagement, the provincial and federal government must mandate appropriate private sector preparedness, including sharing of CI information and engagement in joint planning with emergency management organizations" (p. 28).

Private sector and non-governmental emergency management responsibilities is an emergent topic in other provincial jurisdictions. For example, in 2013, Manitoba introduced changes to its *Emergency Measures Act* to require private sector critical service

providers to prepare business continuity plans, as well as authority for the minister responsible to order these providers to take required measures during a state of emergency, including the implementation of any part of a business continuity plan.

Challenge in the current legislative framework:

In BC, the *Emergency Program Act* provides some specific powers during a state of emergency to local authorities and government in relation to the restoration of essential facilities and the distribution of essential supplies.

However, the Act does not set out responsibilities of private sector and non-government organizations respecting planning for and the prevention/mitigation of emergencies, nor any requirements for owners of critical infrastructure assets to provide information about their assets or their emergency plans regarding those assets.

Relevant sections in the legislation:

- ▶ Sections 5, 10 and 13 of the *Emergency Program Act*

Proposal:

1. Consider changes to the *Emergency Program Act* similar to Manitoba's to define "critical services" and require providers of these services to undertake business continuity planning as prescribed by regulation.
 - Manitoba's Act requires that critical service providers submit business continuity plans to the co-ordinator of the province's Emergency Measures Organization for review and approval.

2. Consider an authority to require owners of critical infrastructure assets to provide information about these assets as prescribed by regulation for the purposes of supporting efficient and effective emergency planning, prevention/mitigation, response and recovery.
 - Any change to the legislation in this regard would need to be supported by a definition of "critical infrastructure assets"; outline how such information would be provided; and provide for the confidentiality of the information.
 - Henry Renteria referred to "critical infrastructure" as "those physical and information technology facilities, networks, services and assets, which, if disrupted or destroyed, would have a serious impact on the health, safety, security, or economic well-being of Canadians or the effective functioning of governments in Canada" (p. 26).

Additional information for consideration:

- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf
- ▶ Manitoba's *Emergency Measures Act*:
<http://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>

Discussion Area C: Supporting emergency response and recovery

Discussion 8: Shared responsibility for emergency response

Background:

The *Emergency Program Act* provides that local authorities and the provincial government are to prepare emergency plans and implement them when “an emergency exists or appears imminent or a disaster has occurred or threatens.”

Section 7 of the Act provides that the Minister or designated person in a provincial emergency plan may cause the plan to be implemented if, in the opinion of the Minister or the designated person, an emergency exists or appears imminent. Section 8 provides that a local authority or a person designated in the local authority’s local emergency plan may cause the plan to be implemented if, in the opinion of the local authority or the designated person, an emergency exists or appears to exist.

The *Emergency Program Management Regulation* sets out that provincial emergency plans may include plans and procedures to assist local authorities with response and recovery from emergencies that “are of such magnitude that the local authorities are incapable of effectively responding to and recovering from them.”

Challenge in the current legislative framework:

A key aspect of emergency management is the sharing of responsibilities between local authorities and the province. In general, provincial government policy is that a local authority is responsible for planning for and responding to any emergency in its jurisdictional area with local resources and resources available to them through mutual aid/assistance agreements. This approach acknowledges that a

local authority’s knowledge about its community—its people, history, risks, vulnerabilities, operational requirements and services—is critical to planning for, responding to and recovering from emergencies.

The province provides advice and support to the local authority responding to an emergency. Where the scope of an emergency exceeds a local authority’s resources, the province coordinates the provision of provincial resources to assist the local authority. In some cases, the provincial government has statutory obligations with respect to emergencies. For example, when it comes to wildfires under the *Wildfire Act* that do not affect developed areas, the provincial government responds, not local authorities.

While this ‘shared responsibility’ framework to emergency response is generally understood and accepted by stakeholders, it is not reflected in the Act. One consequence of this, in combination with the current scheme in the legislative framework for assigning provincial emergency responsibilities, is that from time to time confusion may result as to whether a local authority or the province should be implementing emergency plans in certain circumstances. Such confusion can undermine the coordinated and collaborative approaches essential for effective emergency management.

Relevant sections in the legislation:

- ▶ Sections 7 and 8 of the *Emergency Program Act*
- ▶ Section 3 of the *Emergency Program Management Regulation*

Proposal:

- 1.** Consider the addition of provisions in the Act that set out the following in respect of local authorities:
 - Establish that a local authority is responsible for:
 - Assessing the threat to health, safety, or welfare of people or damage to property and the environment posed by an emergency;
 - Assessing the resources required to respond to and recover from the emergency; and
 - Implementing its local emergency plan and using local authority resources to respond to and recover from the emergency.
 - Provide that a local authority may implement one or more provisions of its local emergency plan in relation to responding to and recovering from an emergency if:
 - If the local authority is of the opinion that an emergency exists or is imminent in the local authority's jurisdictional area; the local authority has declared a state of emergency; or a provincial state of emergency has been declared.
- 2.** Consider the addition of provisions in the Act that set out the following in respect of the provincial government:
 - A Minister (or designate) is responsible for implementing one or more provisions of the Minister's provincial emergency plan to provide provincial assistance and support to a local authority's response to and recovery from an emergency if the following occur:
 - The scale of the emergency exceeds the response and recovery resources of the local authority and/or
 - The Minister is required under provincial law to provide provincial resources for emergency response and recovery.
 - Emergency Management BC is responsible for:
 - Communicating with a local authority in relation to an emergency within the jurisdictional area of the local authority, which includes:
 - Monitoring the needs of a local authority in responding to and recovering from emergencies;
 - Providing advice when necessary to local authorities responding to and recovering from emergencies; and
 - Communicating and providing advice when necessary to a Minister in relation to an emergency in the jurisdictional area of a local authority.

Discussion 9: State of emergency

Background:

The *Emergency Program Act* authorizes both local authorities and the province to declare a state of emergency. Once a state of emergency is declared, the level of government making the declaration may do “all acts and implement all procedures” that it considers necessary to prevent, respond to or alleviate the effects of an emergency or disaster, including one or more of the following:

- ▶ Acquire or use any land or personal property considered necessary;
- ▶ Authorize or require any person to render assistance of type the person is qualified to provide or that otherwise is or may be required;
- ▶ Authorize the entry into any building or on any land, without warrant;
- ▶ Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary; and
- ▶ Procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies, or other essential supplies.

Challenge in the current legislative framework:

The authority for a local government or the province to undertake “all acts and implement all procedures” it considers necessary to address an emergency or disaster is a very broad and sweeping power. While legislation in most other Canadian jurisdictions provides a similar approach to the declaration of emergencies and the exercise of emergency powers as BC’s Act, Ontario’s Emergency Management and Civil Protection Act notably establishes criteria to guide when a state of emergency should be

declared, as well as criteria for the making of orders during declared emergencies.

The emergency powers in the *Emergency Program Act* are generally consistent with those powers provided in similar legislation in other Canadian jurisdictions; however, some jurisdictions have recently included additional powers. Ontario’s legislation provides authority to require a person to collect, use or disclose information and this authority is contingent on the information collected only being used for the purpose of preventing, responding to or alleviating the effects of an emergency. Other BC legislation aimed at addressing specific emergency situations, such as the Public Health Act, also contains a similar general emergency power to collect, use and disclose information.

Relevant sections in the legislation:

- ▶ Sections 9 to 15 of the *Emergency Program Act*

Proposal:

1. Consider the addition of criteria or a test to guide local authorities or the provincial government in the declaration of a state of emergency and the making of orders during a declared emergency.
 - For example, criteria could include that a head of a local authority or the Minister responsible for the Act must believe that the declaration of a state of emergency is required because the use of one or more emergency powers under the Act is necessary and essential to protect the health, safety or welfare of persons or to limit damage to property.

2. Consider the addition of emergency powers not currently provided under section 10 of the *Emergency Program Act*. Some additional emergency powers that should be considered are as follows:
- Authority to collect, use or disclose information during a state of emergency that could not otherwise be collected, used or disclosed under any enactment.
 - Consideration must be given to including limits on any additional power respecting the collection, use and disclosure of information during an emergency. For example, in Ontario the information must only be collected, used or disclosed for the purpose of preventing, responding to or alleviating the effects of an emergency and for no other purpose.
 - Authority to fast track the accreditation of medical or other essential personnel from other Canadian jurisdictions who may arrive to provide assistance during a state of emergency.
 - A further potential emergency power to be considered is the authority for a local authority or the province to vary a licence, permit or other authorization the local authority or province, as applicable, has issued under an enactment.

Additional information for consideration:

- ▶ Ontario's *Emergency Management and Civil Protection Act*: <http://www.ontario.ca/laws/statute/90e09>
- ▶ BC's *Public Health Act*: http://www.bclaws.ca/civix/document/id/complete/statreg/08028_01

**Discussion 10:
Evacuation orders****Background:**

The current Act provides authority for local authorities or the government to declare a state of emergency. A 'state of emergency', once declared, authorizes the local or authority or the Minister to undertake acts and procedures to prevent, respond to or alleviate the effects of an emergency or a disaster, which includes ordering the evacuation of persons from an area that may be affected by the emergency or disaster.

Challenge in the current legislative framework:

While the Act provides authority for local governments or the Minister to make an evacuation order and "cause the evacuation" of people from an affected area, it says little of anything about how such an order is to be understood and carried out to ensure people are out of harm's way. There is currently no authority under the Act or in other legislation to compel competent adults to leave their private property after an evacuation order is made—emergency responders warn people of the imminent risks of remaining in an area subject to evacuation, but ultimately rely on people to voluntarily evacuate.

While leaving one's property in a very short period of time leading up to or following an emergency or disaster is extremely difficult to do, it is important to understand that an individual's decision not to heed an evacuation order can have serious implications not only for themselves, but also other people in the affected area. There have been numerous instances in Canadian jurisdictions and elsewhere where persons who refuse to evacuate require subsequent rescue, creating additional and unnecessary risk to themselves and emergency response personnel,

who are extremely burdened in times of crisis providing round-the-clock assistance to ensure the safety of the public.

The issue of enforcing evacuation orders has emerged as a recent topic of discussion in numerous Canadian jurisdictions. Manitoba became the first jurisdiction in Canada to address the issue in legislation, with amendments to its *Emergency Measures Act* in 2013. The changes provide authority to the police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety, as well as an ability to recover the costs of relocating the person.

As evacuation orders are rare and, when they do occur, are followed by the vast majority of people in an affected area, changes such as those introduced in Manitoba are intended to provide further support to voluntary evacuations by encouraging people to recognize the serious and grave nature of an evacuation order and to voluntarily comply with directions to leave their property without delay.

Relevant sections in the legislation:

- ▶ Sections 9, 10, 12 and 13 of the *Emergency Program Act*

Proposal:

1. Consider adding authority for police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety similar to sections 18.1 to 18.3 of the Manitoba *Emergency Measures Act*.
 - As part of this proposal, also consider the following supporting provisions:
 - Providing police with a right of entry and use of reasonable force to enforce an evacuation order;
 - Limiting the period of apprehension to be no longer than reasonably required to take a person to a place of safety; and
 - Authority for the province (in a state of provincial emergency) or a local authority (in a state of local emergency) to order a person who was apprehended to pay the costs incurred by police in taking the action to enforce the evacuation order.

Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>

Discussion 11: Employment protection

Background:

The *Emergency Program Act* provides authority in a state of emergency for a local authority or the provincial government to require a person to provide emergency assistance that the person is qualified to provide or may be required in order to prevent, respond to or alleviate the effects of an emergency or disaster.

The Act also provides (under section 25) that where a person is ordered to provide assistance under a state of emergency, that person's employment may not be terminated because of their being required to provide assistance.

Challenge in the current legislative framework:

A person who is ordered to provide assistance under a state of emergency is providing a civic service similar to jury duty; however, the Act currently does not provide a similar level of employment protection.

The scope of protection under s. 25 of the Act also appears to be specifically limited to a person who has been the subject of an order requiring the person to provide assistance in a declared state of emergency and, as such, does not appear to apply to a person who acts voluntarily (i.e. not under an order) or who acts in an emergency for which no state of emergency or local emergency has been declared.

Relevant sections in the legislation:

- ▶ Section 10(1)(e) and section 25 of the *Emergency Program Act*

Proposal:

1. Consider whether employment protection should be limited only to the duration of a state of emergency or whether the protection should extend to cover, for example, travel to and from the emergency or a time period after an emergency if the person is still required to provide assistance.
 - A further consideration here could include situations where a person is recovering from illness or injury as a result of providing assistance during an emergency.
 - Consideration should also be given to whether volunteers or other persons who assist in responding to and recovering from an emergency or disaster are entitled to employment protection in circumstances where they have not been ordered to provide assistance.
2. Consider expanding the protection against loss of employment in section 25 of the Act to include the same protections as those provided for a person on jury duty under section 56 of the *Employment Standards Act*.
 - This would add protection for employment benefits and benefits based on seniority, as well as provide that a person who is providing assistance is deemed to be on leave and must not be terminated as a result of being required to provide assistance or because the person is absent or unable to perform employment duties while on deemed leave.

Additional information for consideration:

- ▶ BC's *Employment Standards Act*:
http://www.bclaws.ca/civix/document/id/complete/statreg/96113_01

Conclusion

In order to solidify and maintain cooperative and effective approaches to emergency management in British Columbia, partners across the emergency management spectrum in British Columbia and the citizens of this province must engage in thoughtful and meaningful discussions so that we are ready when challenged by known and emergent threats to public safety. This consultation and engagement is but one of many steps we are taking together to ensure we are prepared and resilient.

Submissions may be made on the contents herein on or before Feb. 19, 2016. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.

Thank you to all who took time to consider this document's contents and submit feedback.



**BRITISH
COLUMBIA**

From: Tom Balfour [<mailto:tom@clayoquot.org>]
Sent: Tuesday, January 19, 2016 1:30 PM
To: Tony Bennett; Wendy Thomson
Subject: CWFS letter of support

Hi,

I'm writing from the Central Westcoast Forest Society in Ucluelet. We are putting together a application for funding to continue our culvert replacement work in English cove and I was wondering if you would be keen to write a short letter of support from the ACRD to help us in the grant application process.

Thanks a lot, any questions about the letter or the project feel free to contact me.

Tom

--

Tom Balfour.

O: 250-726-2424

C: 250-896-7510

clayoquot.org



CENTRAL WESTCOAST
FOREST SOCIETY



CENTRAL
WESTCOAST
FOREST
SOCIETY

1920 #2 Lyche Road
Po Box 641 Ucluelet BC, V0R 3A0
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info@clayoquot.org
clayoquot.org

To: ACRD

The Central Westcoast Forest Society is currently applying for funding through the Pacific Salmon Foundation to continue our work replacing the culverts in the English Cove Watershed. As part of the application process we have been asked to demonstrate that our organization and the work we do is supported by the local government. We would like to ask the ACRD and Council if they could provide us with a letter of support for this project in order to better our chances of receiving the funding.

Project Overview

The English Cove Watershed is regionally important and supports a variety of rare and endangered ecosystems. Pacific Rim Highway cuts directly through the centre of this watershed, resulting in fragmentation by 13 culverts, only 4 of which currently provide year round fish passage. In 2015 the Central Westcoast Forest Society along with help from many funders, replaced a damaged culvert with a fish passable culvert on Maltby Creek within the English Cove Watershed. The purpose of the English Cove Watershed Restoration Project – Stage II, is to continue to replace damaged culverts, improve water quality, restore fresh water habitat, increase species richness and biodiversity, remove barriers to fish passage, restore the ecological integrity of this watershed, create employment opportunities, engage volunteers and inspire habitat stewardship.

Thank you for considering our proposal, if there are any questions please contact me.

tom@clayoquot.org

C: 250-986-7510

O: 250-726-2424

Tom Balfour, **Central Westcoast Forest Society**.



Ref. 38172

January 7, 2016

Mayor Josie Osborne, Chairperson
Alberni-Clayoquot Regional District
3008 5th Avenue
Port Alberni BC V9Y 2E3

Dear Mayor Josie Osborne:

I am writing to express my appreciation for our meeting at the Union of BC Municipalities Convention on September 23, 2015. I apologize for the delay in responding.

During our meeting, you provided an update on work in partnership with the Maa-nulth First Nations, such as renaming First Nations' places and highway signs. You also talked about your treaty toolkit that is being successfully used by other municipalities across the province.

You can contact Johnathan Tillie, Operations Manager, Vancouver Island District, Ministry of Transportation and Infrastructure, to look at options to develop First Nation's transportation signage. He can be reached at 250-751-3287 or at Johnathan.Tillie@gov.bc.ca.

I was pleased to hear that your district is building a strong partnership with the Maa-nulth First Nations. The work that you are doing is a model for other local governments around the province as we move towards long-term reconciliation. By working together, you can build stronger communities and economic opportunities.

.../2

Again, thank you for your time at the convention.

Sincerely,

A handwritten signature in black ink, appearing to read "John Rustad". The signature is written in a cursive style with a long horizontal stroke extending to the right.

John Rustad
Minister

pc: Johnathan Tillie
Operations Manager, Vancouver Island District
Ministry of Transportation and Infrastructure

From: Virk, Pardeep AGLG:EX [<mailto:Pardeep.Virk@aglg.ca>] **On Behalf Of** Ruth, Gordon AGLG:EX
Sent: Monday, January 11, 2016 11:20 AM
Subject: Upcoming Release of Performance Audit Report Release

Sent on behalf of Gordon Ruth, Auditor General for Local Government.

Ref: 165614

To: Mayors and Councillors
Chairs and Directors of Regional District Boards
Chairs and Directors of Greater Boards

I am pleased to inform you that the Office of the Auditor General for Local Government will be releasing a performance audit report on the City of New Westminster under the topic "Local Government Performance in Managing Policing Agreements and Police Budget Oversight."

The audit report will be published on our website www.aglg.ca on Tuesday, January 12 at 11:00 am.

I welcome feedback from local governments on all aspects of the work of our office, so I look forward to your comments on the report to be issued tomorrow.

Regards,

Gordon Ruth FCPA, FCGA
Auditor General for Local Government



**AUDITOR GENERAL FOR
LOCAL GOVERNMENT**

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pc: Chief Administrative Officers

From: Virk, Pardeep AGLG:EX [<mailto:Pardeep.Virk@aglg.ca>] **On Behalf Of** Ruth, Gordon AGLG:EX
Sent: Monday, January 11, 2016 3:54 PM
Subject: Perspectives Booklet on Operational Procurement for Local Governments

Sent on behalf of Gordon Ruth, Auditor General for Local Government.

Ref: 165663

To: Mayors and Councillors
Chairs and Directors of Regional District Boards
Chairs and Directors of Greater Boards

Further to my email earlier today announcing the pending release of the New Westminster performance audit report, I am also pleased to inform you that the Office of the Auditor General for Local Government will be releasing a Perspectives Series booklet "Improving Local Government Procurement Process Through: Procurement Policy Enhancements, Procurement Performance Metrics and Reporting, and Vendor Performance Management" under the audit topic "Achieving Value for Money in Operational Procurement."

The purpose of this booklet is to assist local governments in improving procurement processes by developing strong procurement policy, performance metrics and vendor performance evaluation. This booklet is designed for both elected officials and staff. It is the fourth AGLG Perspectives Series booklet produced and will be published on our website www.aglg.ca on January 12 at 11:00 am.

I welcome feedback from local governments on all aspects of the work of our office, so I look forward to your comments on the Perspectives Series booklet to be issued tomorrow.

Regards,

Gordon Ruth FCPA, FCGA
Auditor General for Local Government



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cc: Chief Administrative Officers



FOR IMMEDIATE RELEASE

January 8, 2016

ALERT BAY TO ENJOY NEW PERFORMANCE AMPHITHEATRE

COURTENAY – Entertainers and participants in Alert Bay’s Seafest and Music Fest can look forward to enjoying a new covered amphitheatre for the popular annual weekend of community celebrations.

Seafest and *Music Fest* are part of a successful weekend festival of live performances and community activities that bring a large number of visitors to Cormorant Island each year. The existing platform stage that hosts the event does not offer protection from the coastal rainy weather. Current infrastructure lacks technical requirements needed by performers and limits shows the festival can attract.

“Creating a modern performance amphitheatre, with better weather protection, will provide a much needed venue for community cultural events and build upon the other cultural attractions on Cormorant Island,” said ICET Chair Phil Kent. “We are pleased to see that the project will benefit both the ‘Namgis First Nation and the Village of Alert Bay who have been working together to plan and implement enhancements to the local economy.”

The new performance venue builds upon the joint ‘Namgis First Nation and Village of Alert Bay “Tides of Change” economic development strategy adopted by the community in March 2015 and partly funded by the Island Coastal Economic Trust.

“Tourists seek out authentic, cultural experiences, and this new facility provides a modern, venue that will attract higher caliber performers,” said Alert Bay Seafest Society President Kim Mercer. “If we want to grow our tourism economy, and keep visitors in our community longer, we need to continue to invest in projects like this one.”

Along with Seafest and Music Fest, the amphitheatre will host ‘Namgis First Nation cultural events, night theatre, music performances, and will complement other local attractions on Cormorant Island such as the U’mistá Cultural Centre, ‘Namgis First Nation Bighouse, and Alert Bay’s unique coastal fishing community.

The new amphitheatre will feature the following elements:

- A 25’ wide by 25’ deep stage
- Peaked and shingled roof designed to maximize acoustics

- Full electrical wiring to accommodate a variety of show requirements
- Theatre style lighting
- Plumbing to support future plans for an adjacent washroom and greenroom

The Island Coastal Economic Trust is contributing \$38,900 to the \$77,800 project, with \$20,000 coming from local government funds and \$5,000 in applicant equity.

The project will begin April 1, 2016 and is estimated to be completed by fall 2016.

About the Island Coastal Economic Trust

The Island Coastal Economic Trust is a \$50 million endowment established in 2006 by the Government of British Columbia to help diversify the economies of central and northern Vancouver Island and the Sunshine Coast.

ICET is guided by a Board of Directors and two Regional Advisory Committees which include more than 50 locally elected officials and MLAs and five appointees. This exceptional team of leaders collaborates to set regional priorities and build vital multi-regional networks.

Through a community-centred decision-making process, ICET has approved \$49 million for over 140 economic infrastructure and economic development readiness projects on the Island and Sunshine Coast since implementing its grant program in 2007. ICET investments have leveraged over \$276 million in incremental funding into the region.

A full overview of ICET can be found at www.islandcoastaltrust.ca

-end-

For further information:

Line Robert, CEO
Island Coastal Economic Trust
Tel. 250-871-7797 (Ext. 227)
line.robert@islandcoastaltrust.ca

Mayor Phil Kent, ICET Chair
City of Duncan
Tel. 250-709-0186
mayor@duncan.ca

Kim Mercer, President
Alert Bay Seafest Society
Tel. 250-527-1099
Kem39@cablerocket.com



January 19, 2016

Honourable Rich Coleman, Deputy Premier
Minister of Natural Gas Development
Minister Responsible for Housing
P.O. Box 9486, Stn. Prov. Govt.
Victoria, BC V8W 9W6

Dear Minister Coleman:

RE: B.C. Building Act Implementation

Further to North Vancouver City Council's resolution on January 18, 2016 (attached), I am writing to provide feedback and recommendations regarding the Building Act under implementation. The City of North Vancouver appreciates and supports in principle the three pillars of the new Building Act: consistency, competency and innovation. We wish to offer feedback and recommendations to assist the Province in rolling out the Act in such a way that unintended consequences are avoided.

1. Innovative technologies and innovative urban form

The City of North Vancouver has built a strong reputation working cooperatively with the development and construction industry to ensure flexibility and efficient service, while meeting consistently high standards and sustainability targets. The City has repeatedly won the "Most Business Friendly" Award for Municipal Excellence from NAIOP (the Commercial Real Estate Development Association) and Business in Vancouver, including the most recent award years 2015 and 2014. Part of the City's success in this regard is the City's Inspections staff's willingness to use the Alternative Solutions pathway to meet the requirements of the BC Building Code while protecting the City's high Code compliance standards. The City's record in achieving good flexibility and customer service may be difficult to continue, as the capabilities of the Alternative Solutions pathway are at risk of being limited in future as a result of the new Building Act. It may therefore be more difficult for City staff and Council to respond to innovative technologies or innovative urban forms being promoted locally by the development community. We are hopeful that the Alternative Solutions pathway will not be unduly limited by ministerial regulations and that the alternate Provincial innovation review processes will be cost-effective and time-efficient.

2. Incenting energy efficient buildings

The City has been a leader in climate mitigation in Canada. Action is required to reduce building emissions if we are to achieve our Provincially-mandated greenhouse gas (GHG) emissions reduction targets and help minimize the effects of climate change. The City's Zoning Bylaw currently provides a density bonus in return for achieving a higher energy standard (i.e., lower GHG emissions). This practice has been recognized by NAIOP, the Union of BC Municipalities and the BC Community Energy Association. Under the BC Building Act, the City's current bylaws that provide for enhanced energy efficiency in buildings will become invalid. To date the Province has not been willing to confirm the City's ability to continue to use the density bonusing tool, as set out in s. 904 of the Local Government Act, for enhanced energy efficiency. The City respectfully requests further clarification with regard to these LGA provisions.

3. Policy impacts

It appears that a number of City policies could significantly be affected by the Building Act, including but not limited to the City's Adaptable Design Policy, the Enhanced Building Security Bylaw, City urban design guidelines (e.g., our ability to accommodate grade changes related to flood prevention), Solid Waste/Recycling Guidelines, and Active Design Guidelines. As these requirements are "building-related" (which is not defined in the Act) and in bylaw form, they are at risk of being rendered invalid on December 15, 2017. Due to a shortfall of detail and communication from the Province, there is very little to assist local governments with the bylaw review that the Province is encouraging. Changing municipal bylaws, and particularly zoning bylaws, is a lengthy process with significant statutory consultation responsibilities including public hearings and media notifications. To have to potentially change bylaws twice because we do not have all the details yet would be extremely challenging. We request further detail on a clear communications path on "what happens when" with regard to implementation so that our City can chart a path forward.

4. Additional requests

There are a number of other City initiatives that will potentially be impacted by the Act, but we and other BC municipalities currently lack specifics on how the provisions of the Act will be applied. Additional details are needed in order for municipalities to be able to conduct bylaw reviews. In particular:

- a) The Province is creating a guide for local governments on the Building Act. However, the sections of the guide that explain how local governments will be affected by the Act and how they can apply for a variation to the requirements of the Act is still in development. The guide is not anticipated to be available until spring 2016. We request that the guide be made available sooner, or that the two-year window to change all bylaws before they become invalid be extended.
- b) It is our understanding that opt-in Provincial regulations for enhanced energy performance and enhanced sprinklering are in development but have not yet been finalized. We request that the regulations and the municipal tools be finalized now, or that the two-year window to change all bylaws before they become invalid be extended.
- c) There is a need for a clear and transparent commitment by the Province to review and update certain elements of the Building Code on a continual learning basis, or at least on a three-year cycle (e.g., energy efficiency requirements). Emerging safety concerns, technological innovation and new opportunities should also trigger general Code reviews and consideration of variances, without the cost of these reviews falling on the shoulders of local governments.

Honourable Rich Coleman
January 19, 2016

The City of North Vancouver looks forward to working with you in the best interests of the community and industry. Our objective is to have the best possible results for business, public and industry stakeholders, and we hope to be able to continue to show leadership in working cooperatively with the development community.

Yours sincerely,



Darrell Mussatto
Mayor

Encl.

cc: Honourable Naomi Yamamoto, MLA, North Vancouver – Lonsdale
Chair Al Richmond, President, Union of BC Municipalities
Greg Moore, Chair, Metro Vancouver Board of Directors
Anne McMullin, President & CEO, Urban Development Institute – Pacific Region
Bob De Wit, CEO, Greater Vancouver Homebuilders Association

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, BC, ON MONDAY, JANUARY 18, 2016.

**12. Effects of Bill 3, *Building Act*, on City Bylaws and Development Processes
– File: 08-3010-01-0001/2016**

Report: Deputy Director, Community Development, January 12, 2016

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the report of the Deputy Director, Community Development, dated January 12, 2016, entitled “Effects of Bill 3, *Building Act*, on City Bylaws and Development Processes”:

THAT a letter from the Mayor, substantially in the form presented as Attachment #2 of said report, be sent to the Minister of Natural Gas Development and Minister Responsible for Housing, with copies to local MLA, Naomi Yamamoto, Urban Development Institute, Greater Vancouver Homebuilders Association, member municipalities of UBCM and Metro Vancouver.

CARRIED UNANIMOUSLY

Purchase of properties by Huu-ay-aht is first step to revitalization of Bamfield Inlet

Huu-ay-aht First Nations is pleased to announce the purchase of a number of properties in Bamfield Inlet. The deal involves 11 parcels, and it represents a significant investment in the community.

Purchasing these properties shows the Nation's commitment to restoring its presence in the village that borders its Traditional Territory, located on the West Coast of Vancouver Island.

Elected Chief Councillor Robert J. Dennis Sr. indicated that since entering into the Maa-nulth Treaty, Huu-ay-aht has maintained an interest in Bamfield Inlet due to its cultural and economic values.

Tayii Hāwīł Derek Peters said, as head chief, he is proud that his Nation could make such a large investment.

“By purchasing these properties, it will give my tribe more opportunity to play an economic role in the region,” he said. “Outside of our current forestry operations, it's a good step into tourism.”

The properties were bought as a package and include residential lots, businesses, land with cultural significance and land with future development potential. They are: Rance Island, a 6.8 acre parcel on the east side of the Bamfield Inlet; three acres on Binnacle Road; The Bay House on Seaboard Road, 6.11 acres along the Bamfield Inlet; 5.85 acres on Pachena Road; 5.36 acres on Grappler Road; 1.04 acres on Frigate Road; the Kingfisher Lodge and Marina on Bamfield Road; the Bamfield Airport, a 40-acre parcel on Binnacle Road; 0.275 acres on Seaboard Road; and Ostrom's Marine on Seaboard Road, a 1.72-acre property. Huu-ay-aht has been investigating the opportunity the properties offer the Nation and the community of Bamfield since the spring of 2015. Chief Dennis said the work that the previous government put into this acquisition is greatly appreciated, and he is proud to see it receive support from citizens at their People's Assembly.

By closing this deal, Huu-ay-aht has made a commitment to their neighbours in Bamfield to continue to build a strong relationship between the small First Nation and the community members.

“We have many citizens who remember growing up in what is now Bamfield Inlet,” Peters explained. “So to gain some of it back is a step in the right direction.”

Over the years, Bamfield residents have watched as businesses closed and the properties that once housed them fell into varying levels of disrepair. By purchasing these properties, Huu-ay-aht First Nations hopes to breathe new life into the area and create a bright future for its citizens and residents of Bamfield. The Nation sees this as a potential springboard for revitalization of these historic properties and the economy in the area.

“This is an integral piece to developing a strong Huu-ay-aht economy on our Traditional Territory,” explained Huu-ay-aht Councillor Trevor Cootes. “The Bamfield Property acquisition will be a cornerstone to the Nations’ Economic Plan, which will guide us into the future.”

Moving forward, the Nation will be working with the community to establish a plan for the future. Huu-ay-aht’s elected chief indicated they will be hosting meetings to keep citizens and residents informed.

“We want to build on the relationship we have with Bamfield residents,” Dennis said. “We will hold meetings with Bamfield residents and Huu-ay-aht citizens to inform them of the acquisition and our future plans.”

Huu-ay-aht takes possession of the properties immediately. The first step will be establishing each properties potential and what role it will play in the future of the Nation. The Huu-ay-aht Development Corporation will play a key role in this process through the Huu-ay-aht Group of Businesses. CEO for HDC is optimistic that this purchase will open doors and create opportunities for the Nation and its neighbours.

The day-to-day operation of the businesses will fall under the responsibility of the Huu-ay-aht Development Corporation.

CEO Gary Wilson said their main focus will be ensuring there is a smooth transition, while adding Huu-ay-aht’s signature to current businesses.

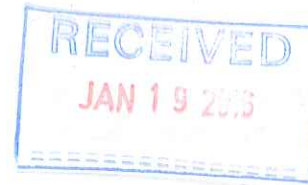
“We are looking forward to getting ready for the upcoming tourist season,” he said. “This will mean jobs and opportunities for Huu-ay-aht. We will focus on training and capacity building to enable us to participate in tourism and hospitality industry in the region.”

He said Huu-ay-aht’s investment will offer benefit for the whole region and will offer the Nation an opportunity to share its culture.

“We look forward to working with the Bamfield to revitalize the economy,” Wilson concluded.



Ms. Josie Osborne
Chair
Alberni-Clayoqout Regional District
3008 5th Ave.
PORT ALBERNI BC V9Y 2E3



Files Closed from October 1 to December 31, 2015

Alberni-Clayoquot Regional District

1. Requests for Information or Assistance	0
2. Complaints with No Investigation	1
<i>a. Assistance and/or referral</i>	0
<i>b. Refused (discretion)</i>	
• More than one year between event and complaint	0
• Insufficient personal interest	0
• Available remedy	1
• Frivolous/vexatious/trivial matter	0
• Can consider without further investigation	0
• No benefit to complainant or person aggrieved	0
• Complaint abandoned	0
• Complaint withdrawn	0
<i>c. Statute barred (FIPPA, Police Act, etc.)</i>	0
<i>d. Not a matter of administration</i>	0
<i>e. Pre-empted by existing statutory right of appeal, objection or review</i>	0
3. Complaints Investigated	0
<i>a. Not a matter of administration</i>	0
<i>b. Pre-empted by existing statutory right of appeal, objection or review</i>	0
<i>c. Investigation ceased (discretion) - No findings</i>	
• More than one year between event and complaint	0
• Insufficient personal interest	0
• Available remedy	0
• Frivolous/vexatious/trivial matter	0
• Can consider without further investigation	0
• No benefit to complainant or person aggrieved	0
• Complaint abandoned	0
• Complaint withdrawn	0
• Complaint settled	0

d. Investigation completed - Findings - Substantiated	
• Remedied in whole	0
• Remedied in part	0
• Not remedied	0
• Recommendations made - remedy to be implemented over time	0
e. Investigation completed - Findings – Not substantiated	0
4. Ombudsperson Initiated Investigations	0
a. Investigation ceased (discretion) - No findings	0
b. Investigation completed - Findings - Substantiated	
• Remedied in whole	0
• Remedied in part	0
• Not remedied	0
• Recommendations made - remedy to be implemented over time	0
c. Investigation completed - Findings – Not substantiated	0

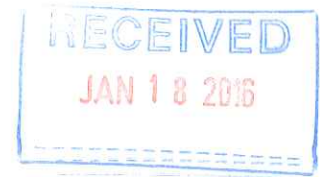


Jay Chalke
Ombudsperson
Province of British Columbia

11/01/2016



MANAGED
FOREST COUNCIL



January 13, 2016

Alberni-Clayoquot Regional District
3008 Fifth Avenue
Port Alberni, BC V9Y 2E3

Dear Chair Josie Osborne;

The Managed Forest Council is the independent provincial agency established under the *Private Managed Forest Land Act* to administer the Managed Forest Program. The Council regulates key public environmental values on private managed forest land in British Columbia.

Council is seeking opportunities to meet with stakeholders to inform them about its mandate and regulatory role on private managed forest land throughout British Columbia. Our office has created an interactive presentation to encourage discussion amongst participants. The presentation typically runs slightly less than 1 hour depending on the level of interaction.

If you wish to meet with Council and learn more about its regulatory role on private managed forest land, give our office a call or send us an e-mail at office@mfcouncil.ca.

Yours Truly,

Phil O'Connor
Executive Director



WHAT IS THE COUNCIL?

The Managed Forest Council is BC's independent agency responsible for administering the *Private Managed Forest Land Act* and regulations.

WHO IS THE COUNCIL?

Council consists of five members: two appointed by the provincial government; two elected by the owners of private managed forest land; and a chair elected by the other four members.

WHAT IS OUR MANDATE?

Council mandate is to encourage and regulate forest management practices on private managed forest in BC including the protection of key public environmental values.

WHAT IS PRIVATE MANAGED FOREST LAND & THE MANAGED FOREST PROGRAM?

Managed forest land is a BC Assessment property class established to encourage private landowners in BC to manage their lands for long-term forest production. Managed forest land is subject to the *Private Managed Forest Land Act* and Regulations.

The managed forest program is voluntary.

Eligible landowners must:

- File a management commitment with Council
- Provide annual information on harvesting, road construction, and reforestation
- Commit to using the land for growing and harvesting trees, and reforesting harvested or disturbed areas
- Manage the land in accordance with private managed forest land legislation

WHAT ARE KEY PUBLIC ENVIRONMENTAL VALUES?

There are five key public environmental values with associated management objectives:

Soil Productivity: to protect soil productivity

Drinking Water: to protect human drinking water both before and after harvesting

Fish Habitat: to retain sufficient streamside trees and vegetation both during and after harvesting to protect fish habitat

Critical Wildlife Habitat: to facilitate the long-term protection of that habitat

Reforestation: to promptly regenerate areas with a healthy commercially valuable stand of trees

WHAT IS THE REGULATORY MODEL?

Private managed forest land legislation is a results-based regulatory model that allows forest owners to develop and use management strategies most appropriate to the scale and geographic location of their operations while focusing on achieving measurable objectives as required under the regulation.



HOW DOES COUNCIL ENSURE COMPLIANCE WITH MANAGED FOREST REGULATIONS?

Council uses a number of mechanisms to measure performance in relation to compliance requirements:

Audits & Inspections: all managed forests are audited or inspected by qualified professionals at least once every five years. Performance is assessed relative to management commitments and regulatory requirements.

Investigations: Council follows up on all potential compliance issues revealed during inspections or audits, from third-party complaints, or reported by owners themselves. Geoscientists, fisheries biologists, and other specialists are involved as required.

Compliance Determinations: where it is alleged there have been contraventions of regulations, formal determination hearings are convened. Owners have a right for an opportunity to be heard, and affected third parties may also be granted standing at hearings. Owners are held responsible for outcomes. Hearing determinations are published on the Council website.



HOW DOES COUNCIL SUPPORT CONTINUOUS IMPROVEMENT?

Council carries out regular reviews of regulations and practices through audits and special studies. Past audits have resulted in numerous changes including:

- Tighter definition of and protection for fish streams
- Strengthened protection of licensed water supply intakes
- Strengthened soil protection and road deactivation requirements

In 2014 Council initiated a 2-year drinking water study that will assess current practices and effectiveness of the Council Regulation in protecting this resource.

WE'RE LISTENING AND WANT TO HEAR FROM YOU

Council is committed to delivering on its mandate to protect key environmental values on private managed forest land. We are broadening our communications efforts with local governments, provincial officials, water purveyors, and other stakeholders to identify issues and potential areas for improvement.

CONTACT US

TO LEARN MORE ABOUT COUNCIL, VISIT OUR WEBSITE OR CALL US AT 250-386-5737.

Office of the Chair

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 360-20/AVICC Solid Waste

January 22, 2016

Sent via email only: avicc@ubcm.ca

Edwin Grieve, Chair
AVICC special committee on solid waste management
525 Government Street
Victoria, BC V8V 0A8

Dear Chair Grieve:

Re: AVICC special committee on solid waste management long-term strategy for solid waste management

In regards to your correspondence dated November 20, 2015 regarding the Association of Vancouver Island and Coastal Communities (AVICC) special committee on solid waste management's request for support of the long-term strategy for solid waste management, the Comox Valley Regional District (Comox Strathcona waste management) board, at its January 14, 2016 meeting, passed the following resolutions:

THAT the Comox Valley Regional District (Comox Strathcona waste management) board confirm support for adopting the AVICC special committee's long-term strategy for solid waste management with special priority given to waste to energy, organics diversion and financial sustainability as short-term priorities;

AND THAT the Comox Valley Regional District (Comox Strathcona waste management) board confirm support for special committee work at the 2016 AVICC convention;

AND FINALLY THAT the Comox Valley Regional District (Comox Strathcona waste management) board confirm support for AVICC to continue providing leadership on this initiative.

The Comox Valley Regional District (Comox Strathcona waste management) board is very encouraged by the work that the special committee has completed to date and looks forward to the annual AVICC convention to have more discussions on the topic.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Jolliffe', is written over a light blue horizontal line.

Bruce Jolliffe
Chair

cc. Debra Oakman, chief administrative officer
Chair and Directors, AVICC regional districts
Barbara Price, AVICC President



REQUEST FOR DECISION

To: Board of Directors
From: Wendy Thomson, Manager of Administrative Services
Meeting Date: January 27, 2016
Subject: Parcel Tax Roll Review Panel

Recommendation:

That the Board of Directors:

1. Set the date for the Parcel Tax Roll Review Panel sitting for **Wednesday, February 24, 2016, 9:30am** in the **Regional District Board Room**, located at 3008 Fifth Avenue, Port Alberni, BC;
2. Appoint three directors and one alternate director to the Parcel Tax Roll Review Panel;
3. Appoint Andrew McGifford, Acting Manager of Finance for the ACRD as the Collector for 2016.

Desired Outcome:

To hold a Review Panel to update the Parcel Tax Roll for 2016.

Summary:

The ACRD operates several services in which bylaws have been adopted authorizing the collection of a parcel tax. These include:

- Arena – Beaver Creek
- Arena – Cherry Creek
- Arena – Sproat Lake
- Bamfield Water System
- Beaver Creek Water System
- Sproat Lake Community Association
- South Long Beach Multi-Purpose Path
- Salmon Beach Garbage
- Salmon Beach Power
- Salmon Beach Security
- Salmon Beach Sewage
- Salmon Beach Recreation
- Salmon Beach Transportation
- Salmon Beach Water

The ACRD must prepare and authentic the parcel tax assessment rolls each year before February 28th. As there are no new parcel taxes in 2016 the tax roll only requires an update but this must still be done by a Parcel Tax Roll Review Panel sitting. The Regional District is required to appoint at least three people to sit on the review panel and set the date, time and place of the sitting.

Owners of properties located in the rural areas of the ACRD have been able to view the roll since February 1, 2016 at the Regional District office in Port Alberni during regular office hours. The portion of the roll that is applicable to Electoral Area 'C' - Long Beach is also available at the District of Ucluelet office during regular office hours. Advertisements were placed in the AV News, Westerly News and ACRD website notifying the public of the process to update the parcel tax roll.

As per Section 205 of the Community Charter, a person may make a complaint to the parcel tax roll review panel for the following:

- a. There is an error or omission respecting a name or address on the assessment roll;
- b. There is an error or omission respecting the inclusion of a parcel;
- c. An exemption has been improperly allowed or disallowed.

In order for a request to be considered by the panel, it must be made in writing and received at the ACRD office at least 48 hours prior to the sitting of the Parcel Tax Roll Review Panel. The complaints received will be reviewed by the collector and those that qualify under the above criteria, will be added to the Parcel Tax Roll Review Panel meeting agenda for consideration by the panel. Any complaints regarding the amount of the various parcel taxes is not for consideration by the parcel tax roll review panel.

Once the parcel tax roll has been authenticated by the panel members, the parcel tax data is sent electronically to the Surveyor of Taxes. The Province will then include the parcel tax on the rural property tax notices that they issue each May to all rural property owners. The Province is responsible for collection of the parcel taxes on behalf of the ACRD and remits the funds collected to the ACRD in August each year.

Time Requirements – Staff & Elected Officials:


Updating the Parcel Tax Roll does require some staff time each year based on the requirements of the Community Charter. A limited amount of elected officials' time will also be required to conduct the Review Panel sitting.

Financial:

Minimal

Policy or Legislation:

Part 7, Division 4 – Parcel Taxes of the Community Charter applies.

Submitted by: 
 Wendy Thomson, Manager of Administrative Services

Approved by: 
 Russell Dyson, Chief Administrative Officer



REQUEST FOR DECISION

To: Regional Board of Directors

From: Keith Wyton, Director Electoral Area "A" Bamfield

Date: January 21, 2016

Subject: Transport Canada Divestiture Program – West Bamfield Dock

Recommendation:

That the Board of Directors write a letter to the Honourable Marc Garneau, Minister of Transport with copies to the local MP, MLA and the Regional Manager, Property and Divestiture, Transport Canada; confirming that the Alberni-Clayoquot Regional District does not support the divestiture of the West Bamfield Dock by Transport Canada, and that the Board of Directors asks for a letter of support from the Huu-ay-aht First Nation.

Background:

The West Bamfield Dock was constructed and is maintained by the Federal Government. This facility is a critical piece of infrastructure for Bamfield, specifically West Bamfield which can only be accessed by water from Bamfield Inlet. The dock is used by the Coast Guard, other government agencies and private citizens to off load freight and dock large vessels.

The current Federal Government has a mandate to invest in public infrastructure and the West Bamfield Dock is a critical piece of transportation infrastructure for Bamfield. The need for this facility is the same today as it was when the Federal Government originally constructed the West Bamfield Dock.

Keith Wyton, Director Electoral Area "A" Bamfield



REQUEST FOR DECISION

To: Board of Directors

From: Wendy Thomson, Manager of Administrative Services

Meeting Date: January 27, 2016

Subject: 50th Anniversary Logo & Celebration

Recommendation:

THAT in recognition of the Alberni-Clayoquot Regional District's 50th Anniversary on April 21, 2016 the ACRD Board of Directors:

- a. Rebrand the Regional District logo as presented on all Regional District corporate documents for 2016.
- b. Consider the required budget through General Government Services in 2016 for the celebration activities the Board desires to undertake.

Desired Outcome:

To recognize the Alberni-Clayoquot Regional District's 50th Anniversary.

Background:

The ACRD's 50th Anniversary is coming up on April 21, 2016. In recognition of the anniversary, staff recommends the Regional District re-brand the Regional District's logo on all corporate documents including letterhead, advertisements and website for 2016. The following logo is presented for consideration by the ACRD Board of Directors:



In addition, it's recommended the Regional District Board allocate funds through General Government Services for celebration activities. Staff will come back to the Board with recommendations on possible activities that fall within the allocated budget.

Several Regional District are celebrating their 50th Anniversary this year. The following are some of their planned celebration activities:

- Hosting a reception on the Anniversary Date inviting former and current directors, staff public, volunteers, media etc.
- Regional District Brochure/Leaflet - “then and now” with a detachable portion the public can submit back to the Regional District with comments on “future vision for the Regional District”
- Website – “Then and Now” Information, opportunity for public feedback regarding the future, include names of all Regional District Board of Directors from 1966 to 2016
- Several Regional Districts have rebranded all corporate documents to acknowledge the 50th anniversary
- Working with local media to get the word out about the Regional District and their functions
- Developing a “history” flyer of the Regional District
- One Regional District has a time capsule that has been buried for 25 years, in recognition of their 50th they are digging it up and replacing the items and reburying. Public will be invited to participate in the re-burial.

Time Requirements – Staff & Elected Officials:


Minimal staff time required for the logo re-branding. There are minimal resources to support other activities but options and costs can be reviewed.

Financial:

Funds allocated through General Government Services.

Policy or Legislation:

n/a

Submitted by: 

Wendy Thomson, Manager of Administrative Services

Approved by: 

Russell Dyson, Chief Administrative Officer



REQUEST FOR DECISION

To: Board of Directors

From: Luc Stefani, Building Inspector/Property Maintenance Coordinator

Meeting Date: January 27th, 2016

Subject: Third Avenue Recycling Depot Leased Lot

Recommendation:

That the Alberni-Clayoquot Regional District Board of Directors approve the installation of 32 MPa, 4" thick concrete surface and associated drainage works by Bowerman Excavating Ltd., for the Third Avenue Recycling Depot in the amount of \$36, 200.00 with funds provided from the AV/Bamfield waste management service budget.

Background:

Board approval was received for the lease of a lot adjacent the recycling depot. The lot provides 5092 SF of additional yard space for the use of the depot. No buildings or structures are proposed for this area. The original surface was to be graveled. Gravel was subsequently deemed less than ideal for facilitating work that takes place at this facility and the lease agreement was updated to provide for a more durable surface. Requests for Quotes regarding the surface were sent to five local contractors on November 27th, 2015. Submissions were to be received by January 8th, 2016.

Three types of hard surface materials are considered in the quotations and include compacted asphalt shavings, standard asphalt and concrete. Concrete allows bins, vehicles and machinery to effectively use the area for the intended purpose of collecting, sorting, storing materials and housing collection vehicles and equipment. It also provides for improved drainage of the existing concrete slab as well the expanded area. With a hard, non-permeable surface the addition of interceptors for sediment and oil control is possible. This protects the site from contamination and prevents contaminants from entering Dry Creek. Standard asphalt is also an alternative; however, the cost associated with this exceeds budget expectations. Lastly, compacted asphalt shavings were considered and subsequently disregarded due to maintenance costs and upkeep presenting a constant issue. Current and future expectations for the area are best served by a properly drained concrete surface.

Storm drainage for the lot must conform to City of Port Alberni specifications. Connection to the City's storm drain system isn't feasible as the pipes are located on the opposite side of Third Avenue from the lot, therefore requiring storm drainage to be directed into Dry Creek. Oil and sediment control is required and has been accounted for in the quotes.

The ACRD follows a purchasing policy and allows for expenditures up to \$35, 000.00 to be approved by the CAO. Beyond this threshold, ACRD Board approval is required as well as a Request for Proposal process. Detailed Requests for Quotations were sent to five local contractors on November 27th, 2015 as costs were expected to be just below the \$35 000.00 threshold. Two quotations were received and the

Request for Decision – Site Preparation, Drainage and Surfacing

proposed cost is only slightly over the \$35 000.00 threshold. We ask that you provide your approval for this expense without having ACRD staff implement a Request for Proposal process.

Two quotes have been received regarding the site preparation, drainage and surfacing for the leased lot. Both provide for the same provisions that are detailed in the Requests for Quote. Bowerman Excavating Ltd. and J Robbins Construction Ltd. have provided the following quotes for a concrete surface and drainage works:

J Robbins Construction Ltd: \$ 41, 800

Bowerman Excavating Ltd: \$ 36, 200

The project is scheduled to be completed near the end of February, 2016.

Time Requirements – Staff & Elected Officials:

Some staff time required for administrative duties and contract supervision.

Financial:

If approved, this must be included in the 2016-20 financial plan capital expenditures for the Third Avenue Recycling Depot, in the Alberni Valley and Bamfield Waste Management Service.

Policy or Legislation:

The expenditure must be approved by the Board of Director in accordance with the ACRD purchasing policy.



Submitted by: _____

Luc Stefani, Building and Plumbing Inspector/Property Maintenance Coordinator



Approved by: _____

Russell Dyson, Chief Administrative Officer

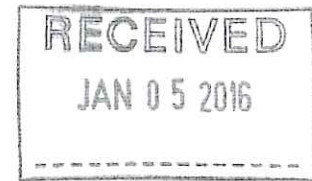
BOWERMAN EXCAVATING LTD.

PHONE (250) 723-8775

FAX (250) 723-8785

Jan. 05, 2016

Luc Stefani
Alberni-Clayoquot Regional District
3008 – 5th Avenue
Port Alberni BC V9Y 2E3



Re: Recycling Depot Site Expansion Request for Quotation

Dear Mr. Stefani,

Bowerman Excavating Ltd. is pleased to submit the following quotations for the works described in the "Third Ave Recycling Depot Leased Lot – Site Preparation, Drainage and Surfacing" Request for Quotation:

- Option 1: 32mPa or greater concrete, 4" thick surface = **\$36 200.00**
- Option 2: 2 ½" new asphalt surface = **\$40 200.00**
- Option 3: 4" thick surface of compacted asphalt shavings = **\$24 200.00**

We also acknowledge the issuance of addendum #1.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Bowerman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Craig Bowerman
President



REQUEST FOR QUOTATION
Site Preparation, Drainage and Surfacing
Third Avenue Recycling Depot Leased Lot
Alberni-Clayoquot Regional District

BACKGROUND:

The Alberni–Clayoquot Regional District will expand parking and operations area for the Recycling Depot. We are seeking submissions for site preparation, associated drainage and surfacing. Adjacent to 3630 Third Avenue, the lot is approximately 473m² (5092 SF) and is currently used to park collection vehicles.

SCOPE:

Do not disturb property markers. Remove all overburden and brush/foilage. Ensure Dry Creek is not impacted by run-off or particulates/fines during excavation and construction. Remove existing concrete catch basin and associated piping. Install approximately 40' trench drain into existing concrete surface (3630 Third Ave.) at lowest elevation. Cutting/chipping of existing concrete will be required for installation of 6", H-20 loading trench drain with iron grates. Install concrete oil interceptor/catch basin as per attached detail. Run trench drain to inlet of interceptor and discharge piping to dry creek. Provide headwall as per City of Port Alberni specifications at outlet termination. Provide backwater valve at this location. Run-off for new hard surface will be directed to catch basin grate. Grade and provide a 6" layer of 3" minus aggregate, compacted to appropriate proctor density then top with 5" of ¾" minus compacted aggregate. Complete hard surface installation. Use one of the following three surface materials and provide estimates for all three:

- 32 mpa or greater concrete, 4" thick
- 2½" new asphalt
- Other material such as compacted asphalt shavings

Health and Safety Requirements:

- Protect the public at all times in accordance with Worksafe BC regulations. Delineate or provide construction hoarding as required.
- Protect the workers at all times in accordance with Worksafe BC regulations. Provide a site safety plan and ensure all required personal protective gear is available.
- Ensure appropriate pre-excavation procedures are completed. Contact Fortis BC, BC Hydro and complete any exploratory work associated with the project.
- Provide traffic control as required.
- Ensure timeline accounts for some evening and Sunday work. Hours of operation when the public is admitted must be taken into consideration.

SPECIFICATIONS:

Oil Interceptor:

Dual, 30" diameter, precast concrete catch basins with H-20 loading capacity as per attached detail. One man-hole cover and one catch basin grate required. Minimum depth required must accommodate dimensions noted on detail (approximately 36" to 48" from finished surface to underside of basin)

Piping:

Schedule 40 PVC piping, 6" diameter with schedule 80 fittings for connecting pipe and outlet piping. 4" for inlet from trench drain.

Trench Drain:

Watts D-DI Dead Level commercial trench drain (ductile iron grate) with H-20 loading – 40' length

APPLICATION SCHEDULE:

The project is proposed to be completed between February 8th to February 19th, 2016.

FINAL CLEANUP:

Upon completion of work, remove all materials and equipment from the site. Disposal of all materials must be in strict accordance with local bylaws and provincial statutes.

RFQ SUBMISSION PROCEDURE:

All quotes are to be marked Recycling Depot Site Expansion and be received at the ACRD administrative building, 3008 Fifth Ave. by 3:00 pm on or before January 8th, 2016.

For budgeting purposes please break the quote into three subsections as follows:

1. 32 mpa or greater concrete, 4" thick surface
2. 2½" new asphalt surface
3. Other material such as compacted asphalt shavings

Mailing address:

Alberni Clayoquot Regional District
3008 5th Ave
Port Alberni BC
V9Y 2E3
Phone 250 720-2700
Fax 250 723-1327

ENQUIRIES:

Luc Stefani – Building Maintenance Coordinator

Alberni-Clayoquot Regional District

3008 – 5th Avenue

Port Alberni, BC, V9Y 2E3

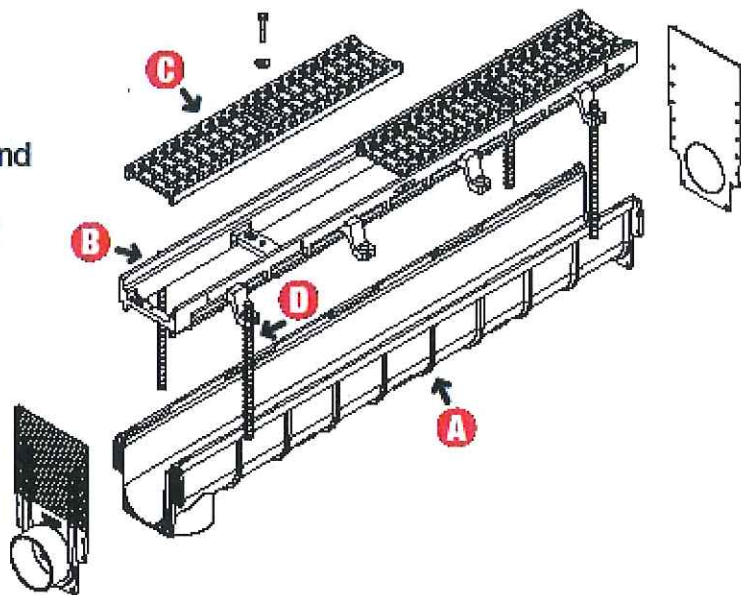
If you have any questions regarding this Request for Quotation or would like to arrange a site visit, please do not hesitate to call, I can be reached at (250) 720-2716 or via e-mail at

luc.stefani@acrd.bc.ca



The DEAD LEVEL Design

Uniquely engineered,
Dead Level™ installs and
performs like no other
trench drain system.



Features

- Chemical resistant UV stabilized injection molded polypropylene channels with radiused bottom and .7% standard slope **A**
- Ductile iron frames for heavy traffic **B**
- Durable polypropylene frames for light & moderate traffic **B**
- Ductile iron, galvanized, stainless steel, and polypropylene gratings to meet DIN 19580 Load Classifications A through F **C**
- 4' standard channel sections, 1' straight & corner/tee sections
- Systems ship complete with all required hardware, end caps, lockdowns, and extruded construction covers
- Optional Frame Guards & Catch Basins
- Available in 6' and 12' widths

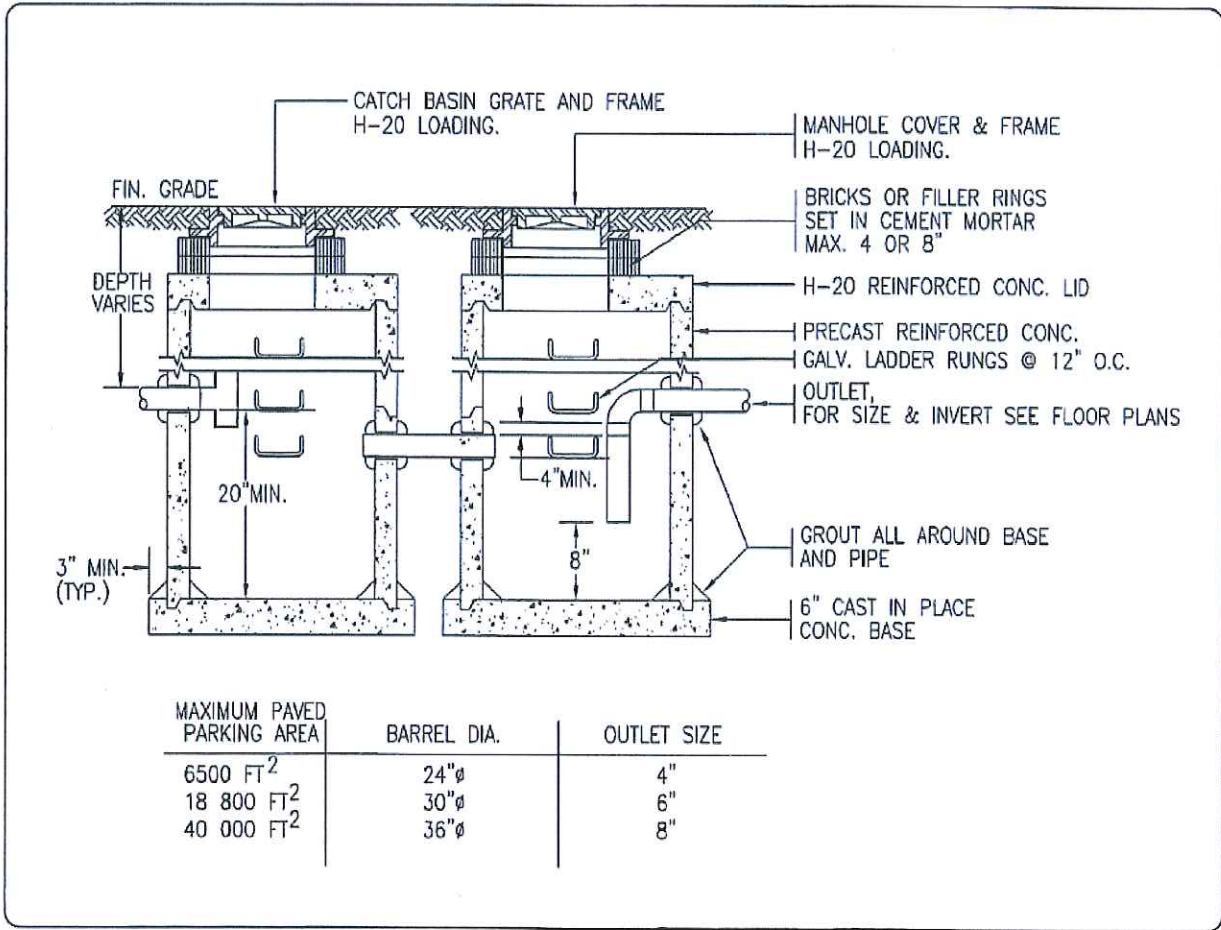
Benefits

- Channels lock longitudinally outside the structural frame, and cannot pinch or fold in with the concrete pour.
- Concentrated and dynamic loads transfer directly from the frame to the slab, protecting channels from stress and loading failure
- Rebar attaches to the solid structural frame, cutting installation labor by more than 50% vs. other trench drain systems, and greatly reducing the risk of channel floating **D**
- 1' channel sections eliminate costly field cutting and ragged ends
- Solid flanged connections and frame locks ensure proper alignment, and create straight, Dead Level runs

PF-WD-DL-F88

watts.com

WATTS



OIL INTERCEPTOR DETAIL



ADDENDUM #1

REQUEST FOR QUOTATION Site Preparation, Drainage and Surfacing Third Avenue Recycling Depot Leased Lot Alberni-Clayoquot Regional District

Please replace original Scope description with the Scope as shown below:

SCOPE:

Do not disturb property markers. Remove all overburden and brush/foilage. Ensure Dry Creek is not impacted by run-off or particulates/fines during excavation and construction. Remove existing concrete catch basin and associated piping. Install approximately 40' trench drain into existing concrete surface (3630 Third Ave.) at lowest elevation. Cutting/chipping of existing concrete will be required for installation of 6", H-20 loading trench drain with iron grates. Install concrete oil interceptor/catch basin as per attached detail. Run trench drain to inlet of interceptor and discharge piping to dry creek. Provide backwater valve at outlet termination. Run-off for new hard surface will be directed to catch basin grate. Grade and provide a 6" layer of 3" minus aggregate, compacted to appropriate proctor density then top with 5" of ¾" minus compacted aggregate. Complete hard surface installation. Use one of the following three surface materials and provide estimates for all three:

- 32 mpa or greater concrete, 4" thick
- 2½" new asphalt
- Other material such as compacted asphalt shavings

Mailing address:

Alberni Clayoquot Regional District
3008 5th Ave
Port Alberni BC V9Y 2E3
Phone 250 720-2700
Fax 250 723-1327

ENQUIRIES:

Luc Stefani – Building Maintenance Coordinator
Alberni-Clayoquot Regional District
3008 – 5th Avenue
Port Alberni, BC, V9Y 2E3

If you have any questions regarding this Request for Quotation or would like to arrange a site visit, please do not hesitate to call, I can be reached at (250) 720-2716 or via e-mail at luc.stefani@acrd.bc.ca

Luc Stefani

From: Luc Stefani
Sent: January-15-16 1:17 PM
To: Andrew McGifford; Janice Hill; Mike Irg
Subject: For AVC Consideration on Jan. 25th, 2016

The ACRD recycling depot is expanding into an adjacent lot. It will add another 5092 SF which is desperately needed for the already busy and crammed public area. The Recycling Depot serves the entire Alberni Valley and is open seven days a week. Originally, gravel was intended to be spread over exposed soil that covers the additional lot.

Gravel does not allow vehicles to easily traverse the area. Public vehicles would disrupt the gravel and constant filling, levelling and supplying of gravel would be required on a continuous basis, adding to the responsibilities of the employees and incurring an additional and continuous cost for the depot; this is not operationally sensible. Forklifts, collection trucks and collection bins that are used by the employees at the depot cannot gain traction or steer in gravel and this would make the additional area inadequate for the intended use. Increased wear on malleable rubber tires as the gravel spills onto the existing concrete surface creates further work for the employees. Debris that mixes into the gravel is difficult to remove, creating potential safety risks and liability issues. Moreover, oil and other petroleum/hydrocarbon fluids pass through the permeable gravel into the soil and contaminate it. This should be prevented as environmental concerns are paramount given the proximity of the lot to Dry Creek, for which the City has recently spent millions revitalizing.

Requests were made regarding the price of supplying and installing a hard concrete surface instead of gravel. Concrete allows bins, vehicles and machinery to effectively use the area for the intended purpose of collecting, sorting, storing materials and housing collection vehicles and equipment. It also provides for improved drainage of the existing concrete slab as well the expanded area. With a hard, non-permeable surface the addition of interceptors for sediment and oil control is possible. Not only would this protect the site from contamination, it would also protect these contaminants from entering Dry Creek. Concrete is the surface this site requires. For a price of \$36 200.00 all concrete and associated works can be installed. The ACRD follows a purchasing policy and allows for expenditures up to \$35 000.00 to be approved in house. Beyond this threshold, ACRD Board approval is required as well as a Request for Proposal process. Detailed Requests for Quotations were sent to five local contractors on November 27th, 2015 as costs were expected to be just below the \$35 000.00 threshold. Two quotations were received and the proposed cost is only slightly over the \$35 000.00 threshold. We ask that you provide your approval for this expense without having ACRD staff implement a Request for Proposal process. ACRD Board approval is still required.

Thank you for your consideration.

Luc Stefani



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

Luc Stefani

Building Inspector/Property Maintenance Coordinator



REQUEST FOR DECISION

To: Board of Directors

From: Heather Adair, Bylaw Officer

Meeting Date: January 21, 2016

Subject: **Contravention of Unsightly Premises Bylaw.
1147 Front Street, Salmon Beach**

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors proceed with notice to the property owner of 1147 Front Street, Salmon Beach that cleanup will proceed after February 10, 2016 if the property owner does not cleanup the property by that date.

Desired Outcome:

To resolve complaints related to an unsightly property located at 1147 Front Street, Salmon Beach.

Background:

In November, 2015 staff received multiple complaints regarding unsightly property at 1147 Front Street in Salmon Beach. The property has been inspected on four separate occasions by ACRD staff and it has been confirmed that the property is littered with garbage, bottles, rotting food, firework remnants, cans, and tarps which contravenes ACRD Unsightly Premises Bylaw No. 16.

Following ACRD bylaw procedures, staff sent a Bylaw Enforcement Letter via regular mail on November 5, 2015 to the property owner at the address that was acquired from the Title search for the Salmon Beach property. The letter identified that unsightly premises complaints had been received and requested that the property be cleaned up by November 15, 2015. An email was also sent to the property owner on November 5, 2015 with the first bylaw letter attached.

A second bylaw enforcement letter was sent on November 16, 2015 via registered mail to the property owner requesting that the property owner clean up the property in a timely manner. The property owner was also notified that the Regional District may take further enforcement action. The letter was accepted with a signature from a person with the same last name as the property owner. An email was sent to the property owner on November 20, 2015 with the first two bylaw enforcement letters attached.

A third bylaw enforcement letter was sent on December 22, 2015 via registered mail to the property owner that the clean-up must be completed by January 3, 2016. The letter also identified that under the *Local Government Act* the Board of Directors is authorized to carry out the work on behalf of the owner and charge them for the cost. An email was also sent to the property owner on December 22, 2015 with the third bylaw letter attached. The registered letter was unclaimed by the property owner and was returned to the ACRD office.

A fourth bylaw enforcement letter was prepared on January 19, 2016 that notified the property owner that a hearing date had been set for Wednesday, January 27, 2016 at the ACRD board meeting to hear representations by the property owner. The ACRD employed the services of a Process Server to deliver the letter. The Process Server attended the property that is listed on title and the occupant indicated that he didn't know the person to whom the letter was addressed to. An email to the property owner was sent on January 21, 2016 that indicated the ACRD Board of Directors would hear representations by the owner on Wednesday, January 27, 2016 at the ACRD board meeting.

Staff also called a phone number that was believed to be tied to the property owner. The person that spoke to staff indicated that they would let the property owner know that the ACRD staff would like to be contacted.


The property owner has not responded to ACRD staff in any way and has not addressed the unsightly premises. Staff feel that a reasonable and document effort has been made to contact the property owner.


Financial

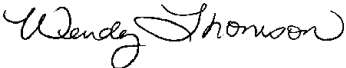
Should the ACRD proceed with the clean up, the cost of this will be at the owners expense. The charges for doing so, if unpaid on December 31st in the year in which the work is completed, shall be added to and form part of the taxes payable in respect of the property in question, as taxes in arrears.

Comments

Staff recommend that the property owner be notified that the ACRD will commence the cleanup of the property after February 10, 2016 if the property does not complete the cleanup themselves by February 10, 2016.

Submitted by: 
Heather Adair, Bylaw Officer

Approved by: 
Mike Irg, Manager of Planning and Development


Russell Dyson, Chief Administrative Officer





REQUEST FOR DECISION

To: Board of Directors

From: Wendy Thomson, Manager of Administrative Services

Meeting Date: January 27, 2016

Subject: Service Contract with Island Health for the AC Health Network

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors enters into the 3 year service contract as presented with Island Health on behalf of the Alberni-Clayoquot Health Network in the amount of \$80,000 per year for a total of \$240,000.00.

Desired Outcome:

To secure funding from Island Health in order to provide funding for a Contractor position to support the continued operation and development of the Health Network in the Alberni-Clayoquot Region.

Background:

The ACHN has been operating in the Alberni-Clayoquot region since 2011 through funding from Island Health (formerly VIHA). The Alberni-Clayoquot Health Network (ACHN) works to take action to improve the social determinants of health within the Alberni-Clayoquot region. For further information on the Alberni-Clayoquot Health Network visit the Regional District's website at <http://www.acrd.bc.ca/achn>.

To support the work of the ACHN, the Alberni-Clayoquot Regional District (ACRD) administers funds on received by Island Health on behalf of the ACHN. The ACRD subcontracts with a coordinator to support the operation and continued development of the ACHN. The ACRD currently has a contract with Marcie DeWitt, AC Health Network Coordinator. The ACRD also provides approximately 1 day per week clerical support to the ACHN.

The ACHN has been successful in receiving additional funding from Island Health for three years to support the Contractor position and ACHN Table of Partners and action groups meeting expenses. In order to receive the funding, a service contract is required between Island Health and the ACRD.

Regional District staff recommends the ACRD Board of Directors enter into the 3 year service contract (attached) with Island Health.

Time Requirements – Staff & Elected Officials:


Some staff time required to enter into and oversee the service contract with Island Health and the sub-contract with the AC Health Network Coordinator.

Financial:

The ACHN has been funded through grant funding from Island Health since the inception of the Network. The budget for 2015-17 has been attached for your review. The ACRD charges the ACHN for administrative services and clerical support.

Policy or Legislation:

n/a

Submitted by: 

Wendy Thomson, Manager of Administrative Services

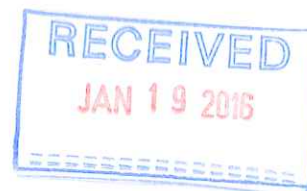
Approved by: 

Russell Dyson, Chief Administrative Officer

Excellent care, for everyone,
everywhere, every time.



December 14, 2015



Alberni-Clayoquot Regional District
3008 – 5th Avenue
Port Alberni BC V9Y 2E3

Dear Sir or Madam,

Re: Service Contract 1005.07-PRO-24372
Alberni-Clayoquot Health Network

Please find attached three copies of the above referenced service contract between Vancouver Island Health Authority (VIHA) and the Alberni-Clayoquot Regional District for funding to support the Alberni-Clayoquot Health Network.

Please sign the three copies of the amendment, keep one copy for your files and return the other two to me in the enclosed envelope. Once the signed copy is returned to Island Health, we will be able forward the first payment of \$80,000.00.

Thank you.

Sincerely,

Allison Cutler
Executive Director
Population and Community Health

Attachments



Contract Number: 1005.07-PRO-24372
Term: Dec 1/15 to Nov 30/18
Max Amt To Be Paid (Incl Taxes): \$240,000.00
Cost Centre & Expense Code: 82.71.350102000

SERVICE CONTRACT

BETWEEN

Vancouver Island Health Authority
(the "VIHA")

AND Alberni-Clayoquot Regional District
(the "Contractor/Service Provider")

At the following address:

1952 Bay Street
Victoria, BC V8R 1J8

At the following address:

3008 5th Avenue
Port Alberni, BC V9Y2E3

Fax: (250) 740-2663

Tel: (250) 723-1327

The Vancouver Island Health Authority and the contractor agree to all Terms and Conditions contained in this agreement and to the following schedules.

SCHEDULE A – SERVICES

The following services and/or deliverables ("Services") will be provided for the Term from December 1st, 2015 to November 30, 2018.

The purpose of this Agreement is to support the Alberni Clayoquot (Health Network) as the group works to take action to improve the social determinants of health in the region served by the Alberni Clayoquot Regional District (ACRD). This area is also known as Local Health Area 70, and School District 70.

To support this work, the ACRD will administer funds for the Health Network. The ACRD will subcontract with a coordinator who will support the continued development of the Health Network and the Health Network's ability to take action on the determinants of health.

Services provided by the ACRD will include:

- Consulting with the Health Network on all aspects of the coordinator's contract, and ensuring that the Health Network supports the expectations laid out for the coordinator's contract.
- Administering the contract with the subcontractor, while day to day supervision of the contractor rests with the Co-Chairs of the Health Network.
- Ensuring that the Health Network Co-Chairs have approved invoices for the subcontracted coordinator
- Providing in kind accounts payable services.
- Providing monthly statements to the Health Network

The costs permitted under this Agreement include:

- Subcontractor fees and expenses;
- The Health Network's Table of Partners and action groups meeting expenses

SCHEDULE B – FEES AND EXPENSES

\$240,000.00 is the maximum amount of fees paid to the ACRD for providing the Services. Payments will be made by payment schedule in lump sum amounts as follows on or about the following dates:

- December 1st, 2015 payment of \$80,000.00;
- December 1st, 2016 payment of \$80,000.00; and
- December 1st, 2017 payment of \$80,000.00.

Should there be any break in the service due to the unavailability of the subcontractor; VIHA may recover unspent funds within the year of payment.

SCHEDULE C – REPORTING ACCOUNTABILITIES

Full and detailed records are to be kept dealing with all aspects of the Services performed including time records, invoices, and receipts.

On a quarterly basis, the ACRD will ensure that VIHA receives a summary report from the Health Network outlining:

- The amount of funds that have been spent to date;
- Key accomplishments made possible through funding the coordinator role;
- The anticipated expenditures to the end of the funding period (July 31st); and
- Advise VIHA on any change to the subcontractor status or unplanned break in service.

SCHEDULE D – APPROVED SUB-CONTRACTOR(S)

The approved sub-contractor(s) to whom the Contractor may sub-contract under this Agreement will be decided jointly by the Health Network, the ACRD, and an Island Health representative.

SCHEDULE E – INSURANCE ^(S)

The Contractor shall provide, maintain, and pay for any insurance which the Contractor is required to carry by law or which the Contractor considers necessary to cover any risk the Contractor may assume as a result of entering into this Agreement.

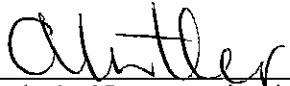
SCHEDULE F – PRIVACY ^(H)

Please review Schedule F - Terms and Conditions Not Applicable

SCHEDULE G – WCB INSURANCE ^(M)

The ACRD will comply with the *Workers' Compensation Act* of the Province of British Columbia and in particular that the Health Network's Coordinator holds Personal Optional Protection.

Signed, sealed and delivered this 16 day of Jan, 2016

SIGNED AND DELIVERED on behalf of the VIHA by an authorized representative of the VIHA:	SIGNED AND DELIVERED by or on behalf of the Contractor (or by an authorized signatory if a corporation):
	
Authorized Representative: (signature)	Contractor or Authorized Signatory: (signature)
ALLISON CUTLER	
Authorized Representative: (print name)	Contractor or Authorized Signatory: (print name)
EXECUTIVE DIRECTOR	
Authorized Representative: (print title)	Contractor or Authorized Signatory: (print title)
Department: POPULATION AND COMMUNITY HEALTH	

TERMS AND CONDITIONS OF THE AGREEMENT

CONTRACTOR'S OBLIGATIONS

1. You must provide the services described in Schedule A (the "Services") in accordance with this agreement. You must provide the Services during the term described in Schedule A regardless of the date of execution or delivery of this agreement.
2. You must supply and pay for all labour, materials, and approvals necessary or advisable to provide the Services.
3. You must perform the Services to a standard of care, skill, and diligence maintained by persons providing, on a commercial basis, services similar to the Services.
4. You must ensure that all persons you employ or retain to perform the Services are competent to perform them and are properly trained, instructed and supervised.
5. You must comply with our instructions in performing the Services, but not as to the manner in which those instructions are carried out except as specified in this agreement.
6. You must upon our request, fully inform us of all work you do in connection with providing the Services.
7. You must maintain time records and books of account, invoices, receipts and vouchers of all expenses incurred, in form and content satisfactory to us.
8. You must permit us at all reasonable times to inspect and copy all material that has been produced or received by you or any subcontractor as a result of this agreement (collectively the "Material"), including without limitation, accounting records, findings, software, data, specifications, drawings, reports and documents, whether complete or not.
9. You must treat as confidential all Material and not permit its disclosure without our prior written consent except as required by applicable law, before or after the termination of this Agreement, any Confidential Information (as defined below) nor will you use or exploit, directly or indirectly, any Confidential Information for any purpose other than for the fulfillment your obligations under this Agreement, including the *Freedom of Information and Protection of Privacy Act*. You agree compliance with the *Act* and this Agreement in respect of Data shall supersede and have paramountcy over any compliance with privacy laws of general application in the private sector having application to you.

 "Confidential Information" means any and all information supplied to, obtained by or which comes to your knowledge as a result of this Agreement with respect to the Vancouver Island Health Authority including, without limitation, all patient and client information (including patient names, addresses, telephone numbers and medical history), and all operational procedures except that Confidential Information does not include information which the Contractor can prove is information which is in the public domain.
10. The Material and any property we provide to you or a subcontractor is our exclusive property. You must deliver it to us immediately upon our request.
11. The copyright in the Material belongs exclusively to us. Upon our request, you must deliver to us documents satisfactory to us waiving in our favour any moral rights which you or your employees or subcontractors may have in the Material and confirming the vesting of the copyright in us.
12. You must maintain and pay for insurance on the terms, including form, amounts, and deductibles, outlined in Schedule E, if any, as modified from time to time in accordance with our directions.
13. You must apply for and immediately upon receipt, remit to us any refund or remission of federal or provincial tax or duty available with respect to any items used in connection with this agreement.
14. The Contractor will perform the Services in accordance with: (a) all applicable laws; (b) any instructions or directions that may be given by the VIHA to the Contractor from time to time with respect to the provision of the Services; (c) all policies, guidelines and directives established from time to time by the VIHA (including in particular, any policies of VIHA regarding confidentiality); and (d) all required permits and licenses.
15. The Contractor will indemnify and save harmless the VIHA, its governors, directors, officers, employees and agents, from and against any and all losses, claims, damages, actions, causes of action, costs and expenses the VIHA may sustain or incur, at any time, either before or after the expiration or termination of this Agreement, which are based upon, arise out of or occur, directly or indirectly, by reason of, any act or omission by you or by any of your agents, employees, officers, directors or subcontractors in providing the service except, with respect to the extent any such claim arises solely from the negligence of the VIHA.
16. You must not assign your rights under this agreement without our prior written consent. You agree to bear all legal and administrative costs associated with providing consent.
17. You must not subcontract any obligation under this agreement other than to persons listed in Schedule D without our prior written consent. No subcontract, whether consented to or not, relieves you from any obligations under this agreement. You must ensure that any subcontractor fully complies with this agreement in performing the subcontracted Services.
18. You must not provide any services to any person in circumstances, which, in our reasonable opinion, could give rise to a conflict of interest between your duties to that person and your duties to us under this agreement.

PAYMENT

19. You must not do anything that would result in personnel you hire being considered our employees.
20. You must not commit or purport to commit us to pay any money except as authorized by this agreement.
21. We must pay you the fees described in Schedule B. We must pay you for expenses in accordance with Schedule B if they are supported, where applicable, by proper receipts and, in our opinion, are necessarily incurred by you in providing the Services. We are not obliged to pay you more than the "Maximum Amount" specified in Schedule B on account of fees and expenses.
22. You must submit written statements of account to us, but only for the portion of the Services that has been completed to our satisfaction.
23. We may withhold from any payment due to you an amount sufficient to indemnify us against any lien claim that could arise in connection with the provision of the Services.
24. Our obligation to pay money to you is subject to the *Financial Administration Act*, which makes that obligation subject to an appropriation being available in the fiscal year of the Vancouver Island Health Authority, during which payment becomes due.
25. Unless otherwise specified in this agreement, all references to money are to Canadian dollars.

TERMINATION

26. We may terminate this agreement for any reason on giving 10 days' written notice of termination to you. If we do so for any reason other than your failure to comply with this agreement, we must pay you that portion of the fees and expenses described in Schedule B which equals the portion of the Services that was completed to our satisfaction before termination. That payment discharges us from all liability to you under this agreement.
27. If you fail to comply with this agreement, we may terminate it and pursue other remedies as well.

GENERAL

28. You are an independent contractor and not our employee, agent, or partner. Neither you nor any person employed by or associated with you in the performance of the Services or otherwise is an employee of, or has an employment relationship of any kind with, the VIHA.
29. If you are a corporation, you represent and warrant to us that you have authorized your signatory to enter into and execute this agreement on your behalf without affixing your common seal.
30. We must make available to you all information in our possession, which we consider pertinent to your performance of the Services.
31. This agreement is governed by and is to be construed in accordance with the laws of British Columbia.
32. Time is of the essence in this agreement.
33. Any notice contemplated by this agreement, to be effective, must be in writing and either
 - a) sent by fax to the addressee's fax number specified in this agreement,
 - b) delivered by hand to the addressee's address specified in this agreement, or
 - c) mailed by prepaid registered mail to the addressee's address specified in this agreement.

Any notice mailed in accordance with subsection (c) is deemed to be received 96 hours after mailing. Either of the parties may give notice to the other of a substitute address or fax number from time to time.

34. A waiver of any term of this agreement or of any breach by you of this agreement is effective only if it is in writing and signed by us and is not a waiver of any other term or any other breach.
35. No modification of this agreement is effective unless it is in writing and signed by the parties.
36. This agreement and any modification of it constitute the entire agreement between the parties as to performance of the Services.
37. All disputes arising out of or in connection with this agreement or in respect of any defined legal relationship associated with it or derived from it must, unless the parties otherwise agree, be referred to and finally resolved by arbitration administered by the British Columbia International Commercial Arbitration Centre under its rules.
38. Sections 8 to 11, 14, 15 and 44 continue in force indefinitely, even after this agreement ends.
39. The schedules to this agreement are part of this agreement.
40. If there is a conflict between a provision in a schedule to this agreement and any other provision of this agreement, the provision in the schedule is inoperative to the extent of the conflict unless it states that it operates despite a conflicting provision of this agreement.
41. You will comply with the *Workers' Compensation Act* of the Province of British Columbia and in particular will obtain and maintain during the Term the necessary coverage as specified in Schedule G

42. In this agreement, "we", "us", and "our" refer to the Vancouver Island Health Authority, Vancouver Island Area alone and never refer to the combination of the Contractor and the Vancouver Island, Vancouver Island Area; that combination is referred to as "the parties".
43. Upon the request of the VIHA, the Contractor shall conduct a criminal records check against the Contractor, its employees and sub-contractors (as the VIHA may direct) under the *Criminal Records Review Act* (British Columbia). If the VIHA does not receive an acceptable criminal records check against the Contractor, its employees and sub-contractors (as the VIHA may direct) prior to the commencement of the Term, this Agreement shall be of no force or effect without further obligation of either party to the other.
44. The aggregate liability of the VIHA to the Contractor for any matters or claims of whatsoever nature and kind under or in connection with this Agreement will be limited to the "Maximum Amount" specified in Schedule B.
45. Senior Manager means a senior manager or leader employed with VIHA in the position of director or above. The Service Provider shall refrain for a 1 year period from offering work to a Senior Manager who in the course of their employment with Vancouver Island Health Authority has a direct business relationship with a Service Provider. The one year period shall be defined as at least 365 days following the Senior Manager's last day of employment with VIHA.

SCHEDULE F
HEALTH ORGANIZATION PRIVACY SCHEDULE
CUSTODY, CONTROL AND ADMINISTRATION OF PERSONAL INFORMATION

1. Background

The Vancouver Island Health Authority ("HO") is a public body that is subject to the provisions of FIPPA relating to the collection, use, disclosure and security of Personal Information. HO and the Service Provider have entered, or will enter, into an agreement (the "Agreement") that may involve the sharing, management or administration of Personal Information with or by the Service Provider. The purpose of this schedule ("Schedule") is both to ensure that the Service Provider maintains adequate care of and security controls over the Personal Information and that the Service Provider is aware of and complies with the privacy protection provisions of FIPPA.

2. Definitions

In this Schedule:

"Access Agreement" means an agreement between the Service Provider and its Personnel requiring that Personnel comply with the requirements of this Schedule, FIPPA, and other Applicable Law;

"Access Conditions" means, in respect to access to Personal Information for a Permitted Purpose: (a) the Service Provider must ensure that access is limited to temporary access and storage for the minimum time necessary for the Permitted Purpose; (b) if such access is for the Permitted Purpose of data recovery, the Service Provider must ensure such access is limited to access and storage only after the system failure has occurred; and (c) such other conditions as may be imposed on access and disclosure for a Permitted Purpose pursuant to FIPPA;

"Applicable Law" means all present and future laws, statutes, ordinances, regulations, judgements, orders, rules, directions of any court or governmental authority that are enforceable in British Columbia or Canada, and includes FIPPA;

"Authorized Site" means the Service Provider's head office in Canada or such other premises of the Service Provider as may be approved in writing by HO;

"Commissioner" means the Information and Privacy Commissioner for British Columbia;

"Conflicting Foreign Order" means any order, subpoena, directive, ruling, judgment, injunction, award or decree, decision, request or other requirement issued from a foreign court, agency of a foreign state or other authority outside Canada or any foreign legislation the compliance with which would or could potentially breach FIPPA;

"Contact Information" means information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual;

"Excluded Information" or "Excluded Records" means information, documents or recorded information that (a) relate solely to the Service Provider's internal administration, finances, management, or labour and employment matters, unless they contain Personal Information about an individual other than Personnel or other third parties with whom the Service Provider has dealings unrelated to the subject matter of the Agreement, or (b) HO confirms in writing are excluded from the application of this Schedule;

"FIPPA" means the Freedom of Information and Protection of Privacy Act (British Columbia), and regulations enacted thereto, as amended from time to time;

"Material Breach" includes, without limitation, (i) non-compliance by the Service Provider with any provision of this Schedule relating to or resulting from the collection, use, disclosure, storage, disposal or destruction of any Personal Information or Records in contravention of FIPPA and/or this Schedule, and (ii) non-compliance by the Service Provider with any other provision of this Schedule that is not cured to the satisfaction of HO, acting reasonably, within 20 days after written notice is given to the Service Provider describing the breach in reasonable detail or otherwise within 20 days of the Service Provider becoming aware the breach;

"Permitted Purpose" means access to Records or Personal Information that is necessary for: (a) installing, implementing, maintaining, repairing, trouble-shooting or upgrading an electronic system or equipment used by HO or by the Service Provider to provide services to HO pursuant to the Agreement; or (b) recovery of data (including Personal Information) undertaken following the failure of an electronic system used by HO or by the Service Provider to provide services to HO; or (c) performance of the duties of Personnel while temporarily travelling outside of Canada;

"Personal Information" means recorded information about an identifiable individual, excluding Contact Information and Excluded Information, that is collected or created by the Service Provider or otherwise obtained or held by or accessible to the Service Provider as a result of the Agreement or any previous agreement between HO and the Service Provider dealing with the same subject matter as the Agreement;

"Personnel" means any employees, officers, directors, contractors, subcontractors, associates (as defined in FIPPA), representatives or other persons engaged by the Service Provider for the purposes of fulfilling the Service Provider's obligations under the Agreement;

"Privacy Representative" means the designate of the Service Provider or HO with responsibility for compliance with FIPPA and this Schedule; and

"Record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which Personal Information is recorded or stored by graphic, electronic, mechanical or other means which are collected or produced by the Service Provider in the course of delivering services or otherwise performing its obligations under the Agreement, but does not include: (a) a computer program or any other mechanism that produces records or (b) Excluded Records.

3. Service Provider Subject to FIPPA

The Service Provider agrees that, in relation to the collection, use, disclosure, storage, security and destruction of Personal Information and Records, it is subject to and will comply with the requirements of FIPPA and this Schedule, including any applicable order or security requirements prescribed by the Commissioner or a court and any written direction issued by HO under this Schedule. The Service Provider will ensure that it and its Personnel are familiar and remain current with respect to its and their obligations under FIPPA.

4. Control of and Rights in the Record(s)

As between HO and the Service Provider, all right, title and interest and control in and to all Records shall remain with the HO. No proprietary right or other interest respecting the Records, other than as expressly set out herein, is granted to the Service Provider under this Schedule, by implication or otherwise. The Service Provider is granted temporary access to the Personal Information on the terms and conditions of this Schedule, for the sole and express purpose of fulfilling its obligations under the Agreement and for no other use or purpose. Where the Service Provider provides services under contract with one or more other public bodies in which such other public bodies also assert control over the same or overlapping Records, the HO will work with such other public bodies to resolve each other's rights and obligations with respect to such Records and the Service Provider will not be considered to be in breach of this Schedule by reason of its inability to provide unfettered control over the Records to the HO.

5. Collection of Personal Information

The Service Provider will only collect, acquire or hold Personal Information on behalf of HO as necessary for the performance of the Service Provider's obligations under the Agreement or as otherwise authorized by HO in writing. If the Service Provider is required by the Agreement to collect Personal Information on behalf of HO, the Service Provider will do so only in the manner prescribed by FIPPA. Specifically, the Service Provider will: (i) collect Personal Information directly from the individual to whom the information pertains; (ii) tell such individual the purpose and the legal authority for collecting it; and (iii) provide the individual with the title, business address and business telephone number of the person designated by HO to answer questions about the Service Provider's collection of Personal Information. The Service Provider may only collect Personal Information indirectly (i.e. other than directly from the individual that the information is about) as authorized in writing by the HO or as otherwise permitted by FIPPA.

6. Referral of Requests for Access or Correction

If the Service Provider receives a request under FIPPA for access to or correction of Personal Information from a person other than HO, the Service Provider will promptly advise the person to make the request to HO, unless the Agreement expressly requires the Service Provider to provide such access or process such correction or HO provides a written direction to the Service Provider to do so. The Service Provider will provide such person with the name and contact information for the HO Privacy Representative.

7. Cooperation in Responding to Requests for Access

Where HO communicates to the Service Provider that it has received a request for access to Personal Information, the Service Provider will, at its own expense, locate and supply to HO any and all Records in its custody that, in the opinion of HO, fall within the scope of the request. The Service Provider will comply with this obligation within a reasonable time frame that allows HO to comply with its obligations under FIPPA.

8. Accuracy and Correction of Personal Information

- a) If the Service Provider engages in the collection, maintenance or updating of Personal Information or the creation of Records on behalf of HO under the Agreement, the Service Provider will make every reasonable effort to ensure the accuracy and completeness of such Personal Information generally and as required by FIPPA.
- b) If HO directs the Service Provider to do so, the Service Provider will, in the manner specified by HO, correct or annotate any Records that are created, maintained or held by the Service Provider under the Agreement. If so directed, the Service Provider will also be responsible for providing notice of the corrected or annotated information to any person(s) specified by HO or who are entitled to receive such notice under FIPPA.

9. Protection of Personal Information

The Service Provider must protect Personal Information by making reasonable security arrangements against such risks as theft, loss or unauthorized access, collection, use, disclosure or disposal. Where appropriate, such as when the Service Provider's Personnel are working within HO's facilities, using its information systems or other technology (collectively, "HO Technology"), or otherwise accessing or using Records of HO, the Service Provider and all its Personnel will comply with:

- a) HO's privacy, security & confidentiality policies;
- b) terms of use, agreements, policies and guidelines applicable to the usage of HO Technology;
- c) any directions that may be issued from time to time by the HO's system administrators or privacy/security officers regarding access to and use of HO Technology and information contained therein; and
- d) other applicable policies of HO.

Without limiting the generality of the foregoing, the Service Provider will ensure that its security arrangements include the following:

- e) ensuring that access to electronic Records:
 - i. requires unique individual user identification;
 - ii. includes appropriate controls for the issuance of changes to and cancellation of user identifications and authentication mechanisms;
 - iii. requires that authentication codes and passwords are confidential, complex and are changed regularly (at least semi-annually);
- iv. is monitored by an automated, always-on auditing system which can be accessed by HO to review access to and use of Personal Information, which system creates an audit trail containing the date and time of access, identity of the user and the type and scope of

information accessed, or at the sole discretion of the HO, work in cooperation with the HO to implement an appropriate system to audit access to Personal Information by the Service Provider and its Personnel in connection with the delivery of services under the Agreement,

- v. requires multi-factor authentication for remote access to Personal Information, unless otherwise authorized by HO in writing;
- f) maintaining and implementing systems to reasonably ensure that any Personal Information that is accessed or transmitted electronically (i.e. facsimile, email, internet) is secure against unauthorized access;
- g) using encryption and password protection to secure Personal Information on mobile devices, removable media, and mobile backup media,
- h) maintaining and implementing formal procedures to immediately terminate access to Personal Information by Personnel who have left the organization or a position that requires the access;
- i) maintaining a process to track, audit and restrict access to Records by Personnel;
- j) maintaining a process, to regularly assess and/or upgrade the security arrangements of the Service Provider to ensure consistency with evolving industry standards and the guidelines and policies of HO; and
- k) such other specific data protection protocols and requirements as may be set out in Appendix A to this Schedule.

10. Segregation of Data

The Service Provider shall take reasonable steps to ensure that all Personal Information and Records are securely segregated from any information owned by the Service Provider or third parties, including physical segregation of Records or data on different hardware/systems and/or logical separation using separate database tables, access controls and password authorization to prevent unintended mixing of data or access by unauthorized parties and to enable Personal Information and Records under the control of HO under this Agreement to be identified and separated from those of the Service Provider or third parties.

11. Access, Use and Disclosure

The Service Provider will ensure that neither it nor its Personnel collects, creates, copies, reproduces, uses, stores, discloses or provides access to any Personal Information or otherwise removes Records from HO premises except in compliance with this Schedule and FIPPA and for purposes directly related to or necessary for the performance of the Service Provider's obligations under the Agreement, as authorized in writing by HO or as otherwise required by Applicable Law. The Service Provider will promptly take corrective action in response to any non-compliance of its Personnel with this Schedule and/or FIPPA.

12. Access by Personnel

The Service Provider will ensure that its Personnel are granted access to the Personal Information only where such access is necessary for the performance of the Service Provider's obligations or the exercise of its rights under the Agreement, and subject to the following terms:

- a) Personnel will enter into an Access Agreement prior to being granted access to the Personal Information, and, upon HO request, such Access Agreement is subject to review and approval by the HO;
- b) no access to Personal Information will be permitted while Personnel are physically located outside of Canada, except where access is for a Permitted Purpose and is compliant with the Access Conditions, or unless HO agrees in writing to permit such access;
- c) the Service Provider will revoke the access rights of any person who engages in the unauthorized collection, use or disclosure of Personal Information or otherwise breaches the Access Agreement or FIPPA;
- d) Access Agreements will be renewed or updated from time to time upon the amendment of this Schedule, changes in FIPPA or other Applicable Law, or otherwise at the reasonable request of HO;
- e) the Service Provider will ensure all Personnel are familiar and comply with the obligations of the Service Provider under this Schedule and FIPPA; and
- f) if requested by HO, the Service Provider will provide and conduct specific ongoing training for its Personnel regarding compliance with FIPPA and this Schedule.

13. Subcontractors

The Service Provider may not subcontract any of its obligations under this Schedule without the prior written consent of HO. The Service Provider acknowledges that any such consent will be conditional on the subcontractor's agreement to be bound by this Schedule and FIPPA, on the same basis that the Service Provider is bound.

14. Liability of the Service Provider for Personnel

The Service Provider specifically assumes all responsibility for the Personnel and for the breach by any one or more of them of any provision of FIPPA or this Schedule. The Service Provider hereby agrees to defend, indemnify and hold harmless the HO, and the members of its board, officers, employees and representatives of, from and against any and all loss, cost, liability, damage, fee, penalty or other expense, including legal fees (on a solicitor and own client basis) suffered or incurred by the HO, and its board members, officers, employees or representatives, or any of them, with respect to any breach or alleged breach by the Service Provider of any of its covenants or obligations under this Schedule or any non-compliance with the provisions of FIPPA or other Applicable Law.

15. Foreign Access and Storage

The Service Provider will not permit the Records or any Personal Information to be transported or transmitted to, stored in or accessed from any jurisdiction other than Canada, except where such transport, transmission, storage or access is:

- a) for a Permitted Purpose, and (i) the Permitted Purpose is at all material times authorized by FIPPA, and (ii) the Service Provider strictly observes the Access Conditions and such other conditions as may be imposed by HO; and
- b) for a purpose other than a Permitted Purpose that is permitted by FIPPA, and (i) the Service Provider has received the prior written approval of HO, and (ii) the Service Provider strictly observes any other conditions as may be imposed by HO.

16. Notice of Demands for Disclosure

- a) The Service Provider will ensure that HO receives prompt written notice of any Conflicting Foreign Order or any other demand, order, subpoena, directive, decision, direction or other communication threatening or purporting to compel the disclosure or production of any Record, whether such demand is received by the Service Provider or its Personnel or any other person to whom the Service Provider has disclosed or provided access to Personal Information.
- b) At the direction of HO, the Service Provider will pursue or will cooperate with HO in pursuing legal proceedings to challenge any Conflicting Foreign Order or other any other demand, order, subpoena, directive, decision or other instrument purporting to require or compel disclosure or production of any Record or access to any Personal Information. To the extent possible or permitted under Applicable Law, the Service Provider will delay compliance with any such requirement until notice has been given to HO in accordance with Subsection (a) and any legal proceedings commenced pursuant to this Section have concluded.
- c) The Service Provider is responsible to ensure that it obtains such contractual rights or makes other such arrangements with its Personnel or such other third parties to whom it may grant access to Personal Information as may be necessary to enable it to comply with the provisions of this Section 16.

17. Storage of Records

- a) The Service Provider must maintain and store the Records at an Authorized Site in Canada and will ensure that there are reasonable physical and electronic security measures in place at such site to protect against any unauthorized access to, theft, loss or disclosure of the Records.
- b) Notwithstanding the foregoing, the Service Provider may, by written request, seek HO's approval to store or maintain Records at a facility other than an Authorized Site. The use of any such off-site facility by the Service Provider for the storage and maintenance of the Records will be subject to the Service Provider's strict compliance with any conditions imposed by HO from time to time. The Service Provider is responsible for ensuring that the conditions at off-site storage facilities are the same as or better than the conditions at the Authorized Site.

18. Privacy Representative

Upon execution of the Agreement, the Service Provider will appoint a Privacy Representative and such person will have sufficient authority to make decisions and execute documents on behalf of the Service Provider as may be required from time to time for the administration of this Schedule. The Service Provider shall promptly provide the HO of the name of its Privacy Representative and shall notify the HO of any change of its Privacy Representative.

19. Notice of Breach and Corrective Action

- a) The Service Provider will provide HO with prompt written notice of any actual or anticipated Material Breach, including full particulars of such breach.
- b) The Service Provider will co-operate fully with HO in preventing the occurrence or recurrence of any breach of this Schedule, including, if requested to do so: (i) by preparing a written proposal to address or prevent further occurrences, (ii) complying with the reasonable directions of HO; and (iii) taking all reasonable steps to recover or obtain any Records that have come into the custody or control of third parties contrary to FIPPA or this Schedule.

20. Audit, Inspection, Investigation & Cooperation

- a) The Service Provider will permit HO and/or its representatives and agents to conduct periodic audits of Records related to performance by the Service Provider and the Personnel of the Service Provider's obligations under this Schedule. HO may, at any reasonable time and on reasonable notice to the Service Provider, enter on the Service Provider's premises to inspect any Records in the possession of the Service Provider or any of the Service Provider's information management policies or practices relevant to its management of Personal Information or its compliance with this Schedule, and the Service Provider must permit, and provide reasonable assistance to, any such inspection.
- b) Upon request by HO, the Service Provider will, at its own cost, promptly provide any Records in its possession, custody or control to HO or its designate.
- c) The Service Provider will, at its own cost, fully cooperate (including by providing access to Records and related documentation and information) with HO in the event of any audit, investigation, inquiry, complaint, suit or other legal proceeding regarding any actual or alleged breach of FIPPA or this Schedule, including but not limited to a Material Breach.

21. Default & Termination

- a) Notwithstanding anything in the Agreement to the contrary, the Service Provider and the HO hereby agree that a Material Breach by the Service Provider will give rise to a right on the part of the HO to terminate the Agreement immediately upon written notice.
- b) Without limiting the generality of the foregoing, the Service Provider agrees that in addition to any other rights or remedies the HO may have for a breach of this Schedule, HO has the right to an injunction or other equitable relief in any court of competent jurisdiction enjoining a threatened, anticipated or actual breach of this Schedule or FIPPA by the Service Provider.

22. Change of Law & Amendment

- a) In the event of any change in FIPPA or other Applicable Law that would necessitate a change to this Schedule in order to ensure compliance, HO, by written notice to the Service Provider, may amend this Schedule in such manner as the HO reasonably determines necessary to comply with such Applicable Law to the extent it is directly applicable and enforceable against the Service Provider. This provision is additional to any rights of the HO to terminate pursuant to this Section 22.
- b) The Service Provider shall promptly notify HO in writing of any fact or circumstance, including a change in law, which has, or may reasonably be expected to have, a material adverse impact on the Service Provider's ability to fully comply with this Schedule. Upon receiving such notice, HO may, at its option, exercise its rights under Subsection 22(c) below or immediately terminate the Agreement by notice in writing.
- c) In the event of any change in the circumstances of either party, Applicable Law, including FIPPA, or any foreign laws applicable to the Service Provider or HO that would affect, in the reasonable opinion of HO, (i) either party's ability to perform its obligations under this Schedule, or (ii) the effectiveness or sufficiency of this Schedule in ensuring best practices and legal compliance, the parties will, at HO's option, enter into good faith negotiations in an effort to address any such issues by amendment to the Schedule or otherwise. If the parties are unable to reach agreement or the issues cannot reasonably be addressed by such agreement, then HO may terminate the Agreement upon the provision of reasonable written notice to the Service Provider.

23. No Withholding

The Service Provider shall not be entitled to, and hereby waives any and all right to, withhold any Records from HO to enforce any alleged payment obligation or in connection with any dispute relating to the terms of the Agreement or any other matter between HO and the Service Provider.

24. Return or Destruction of the Record Upon Request

- a) Except as otherwise specified in the Agreement, the Service Provider will retain the Personal Information and Records until it is provided with a written direction from HO regarding its return or destruction.
- b) Upon the expiry or earlier termination of the Agreement or, at any time upon the written request of HO, the Service Provider will promptly and at its own cost, (i) return or deliver all Records, including any copies thereof, to HO; or (ii) destroy, according to HO's instructions, all documents or other Records, including any copies thereof, in any form or format whatsoever in the Service Provider's possession constituting or based upon Personal Information and, upon HO request, will provide a completed Certificate of Destruction in a form satisfactory to the HO. After a request is made under this Section, the Service Provider will not retain any Records for any purpose without the prior written consent of HO. If, for any reason, the Service Provider fails to return or destroy any Record in accordance with this Section 24, the Service Provider's obligations pursuant to this Schedule will continue in full force and effect.
- c) Unless otherwise directed by HO, if the Service Provider is directed to destroy Records, the Service Provider will ensure that the destruction occurs as follows:
 - i. Personal Information erasure will be accomplished by software erasure or by physical destruction of the media;
 - ii. Software erasure and physical destruction will be at a minimum to NIST 800-88 standard, as updated, amended or replaced from time to time; and
 - iii. Physical destruction of paper media will occur by burning, cross-cut shredding, or pulping.

25. General

- a) If a provision of this Schedule or the Agreement (including any direction given by the HO under this Schedule) conflicts with a requirement of FIPPA, the conflicting provision of the Agreement (or direction) will be inoperative to the extent of the conflict.
- b) Unless otherwise expressly provided in the Agreement, if a provision of this Schedule is inconsistent or conflicts with a provision of the Agreement, the conflicting or inconsistent provision in the Agreement will be inoperative to the extent of the conflict.
- c) The Service Provider expressly acknowledges and agrees that this Schedule is binding on the Service Provider notwithstanding any Conflicting Foreign Order or the laws of any jurisdiction outside of Canada purporting to compel disclosure or production of the Records or otherwise conflicting with this Schedule. It is the responsibility of the Service Provider to ensure that its obligations under this Schedule will not come into conflict with any Conflicting Foreign Order or any foreign laws.
- d) The Service Provider's obligations under this Schedule will continue despite the expiry or earlier termination of the Agreement.
- e) Except as otherwise provided in this Schedule, no amendments to this Schedule will be effective unless made in writing and agreed to by the parties.

ACHN Budget 2015-2017

ACHN Fiscal Year : Calendar Year

REVENUE		2015	Actual	2016	2017	3 Year Budget
1	Reserve Opening Balance	280,000	254,702	236,778	146,000	354,000
2	Funds Requested from Island Health	80,000	80,000	80,000	80,000	240,000
3	Other Grants	8,000	500	10,000	12,000	30,000
	Return Grants	-	8,500			
4	Total Revenue & Reserve	368,000	343,702	298,000	238,000	904,000
BUDGET EXPENSES		2,015	Actual	2,016	2,017	3 Year Budget
Operation & Administration						
5	ACHN Communications Strategy Includes: outreach, engagement protocol, one pagers, ACHN stand alone web site development, newsletter, logo development.	10,000	-	5,000	5,000	20,000
6	Coordination Contract	80,000	64,150	80,000	80,000	240,000
7	Administrative Support	10,000	10,000	10,000	10,000	30,000
8	Operating Expenses Includes: A/V rental, printing, office supplies etc.	2,000	4,320	2,000	2,000	6,000
9	Advertising Includes: newspaper ads for RFP process and posts to websites.	4,000	455	2,000	2,000	8,000
10	ACRD Financial Administration Fee	8,000	8,000	8,000	8,000	24,000
Capacity Building						
11	West Coast Capacity Building	20,000	20,000	20,000	20,000	60,000
12	Barclay Sound Capacity Building	3,000	-	3,000	3,000	9,000
Action Tables & Community Learning Resources						
13	Affordable and Accessible Transportation	6,000	-	5,000	5,000	16,000
14	Action Table TBD	5,000	-	5,000	5,000	15,000
15	Action Table TBD	5,000	-	5,000	5,000	15,000
16	ACHN Community Learning Events & Planning	7,000	-	7,000	7,000	21,000
Total Expenditures		160,000	106,925	152,000	152,000	464,000
Surplus for December 31, 2015			236,778			
Reserve for Carryforward as of December 31, 2017						86,000



REQUEST FOR DECISION

To: Russell Dyson, Chief Administrative Officer and
Regional Board of Directors

Date: January 12, 2016

From: Mike Irg, Manager of Planning and Development

Application: SA14004 – Parkland Dedication

Owner: 0924605 BC LTD (Helen Sims – agent)

Legal

Description: LOT 1, SECTION 18, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 38260, EXCEPT
PART IN PLAN 45043, 46428, AND 47590. (200 South Bamfield Road)

Address and

Location: 200 South Bamfield Road

Electoral Area: "A" Bamfield

Applicants

Intention: The applicant intends to subdivide the 17.2 hectare (42.5 ac) property into 16
lots as shown on the subdivision layout attached to this report.

Recommendation:

THAT the Board of Directors recommend that parkland be dedicated by the owner of LOT 1, SECTION 18, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 38260, EXCEPT PART IN PLAN 45043, 46428, AND 47590 as shown on the proposed plan of subdivision to meet the requirements of Section 510 of the Local Government Act.

Desired Outcome:

To dedicate parkland that is accessible and useable by the community of Bamfield.

Summary:

Section 510 of the *Local Government Act* requires that an owner of land being subdivided provide park land dedication or cash in lieu where the subdivision will create at least 3 additional lots and where the smallest parcel is greater than 2 hectares (5 acres) in size. Where an Official Community Plan contains policies respecting location and type of future parks, the local government may

determine whether the owner must provide park land or cash in lieu. As the Bamfield OCP contains policies regarding parks and future parks, the Regional District has the option to determine which is provided.

Background:

The property owners are applying to subdivide the property located at 200 South Bamfield Road into two (16) lots with a large remainder. The property currently is zoned Acreage Residential (RA2) District and the proposed subdivision complies with the existing zoning.

Staff has reviewed the parkland options with the applicant and the 0.68 hectare (1.68 acres) area between proposed lots 7 and 8 is recommended for parkland dedication. The applicant has also offered to include the 0.42 hectare (1 acre) portion of the property, located on the northwest side of the Bamfield Inlet, in the parkland dedication.

Time Requirements – Staff & Elected Officials:

Minimal time requirements.

Financial:

There is no cost to the ACRD to acquire this parkland.

Policy or Legislation:

Section 510 of the *Local Government Act* allows for the local government to request cash in lieu of parkland or parkland dedication where an Official Community Plan is in place with policies pertaining to parks and future parks. In this instance staff recommends that parkland be dedicated.

The proposed parkland is within the Bamfield Parks Commission service area and can be administered through that service.

Options Considered:

Cash in lieu of parkland or five percent (5%) of the land area dedicated as parkland. In this case, staff is of the opinion that the preferred option is parkland dedication.



Submitted by: _____
Mike Irg MCIP RPP, Manager of Planning and Development



Reviewed by: _____
Russell Dyson, Chief Administrative Officer

SW 1/4
SEC 19
TP 1

LOT A
PLAN 2915

NW 1/4
SEC 18
TP 1

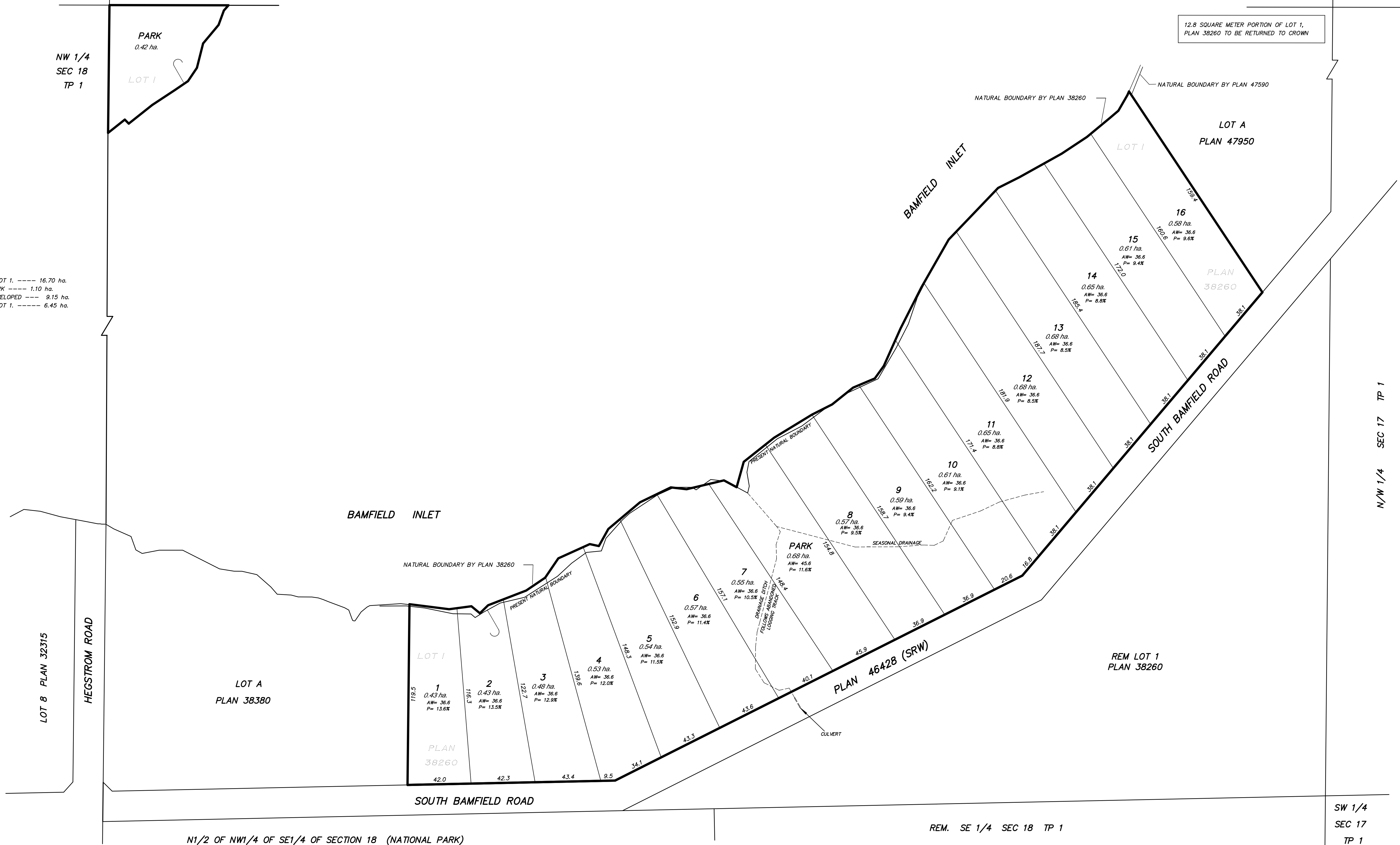
PARK
0.42 ha.

LOT 1

12.8 SQUARE METER PORTION OF LOT 1,
PLAN 38260 TO BE RETURNED TO CROWN

LOT A
PLAN 47950

AREAS
AREA OF REM. LOT 1. ---- 16.70 ha.
AREA TO BE PARK ---- 1.10 ha.
AREA TO BE DEVELOPED --- 9.15 ha.
AREA OF REM. LOT 1. ----- 6.45 ha.



LOT 8
PLAN 32315

HEGSTROM ROAD

LOT A
PLAN 38380

LOT 1

PLAN
38260

SOUTH BAMFIELD ROAD

N1/2 OF NW1/4 OF SE1/4 OF SECTION 18 (NATIONAL PARK)

REM. SE 1/4 SEC 18 TP 1

PLAN 46428 (SRW)

REM LOT 1
PLAN 38260

N/W 1/4 SEC 17 TP 1

SW 1/4
SEC 17
TP 1

**PROPOSED SUBDIVISION PLAN OF PART OF LOT 1,
SECTION 18, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 38260,
EXCEPT PART IN PLANS 45043, 46428 AND 47950.**

Scale 1:1250



LEGEND

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
ALL DIMENSIONS AND AREAS ARE SUBJECT TO FINAL SURVEY.
AW - DENOTES AVERAGE PARCEL WIDTH.
P - DENOTES PERCENTAGE OF ROAD FRONTAGE TO TOTAL PERIMETER.

No.	DATE	REVISION
P1	2014/05/22	INITIAL LOT LAYOUT
P2	2014/05/29	AMEND PARK ABUTTING WATER COURSE TO 0.4 ha. - ADJUST LOTS TO SUIT.
P3	2014/09/08	AMEND PARK LOCATION - ADJUST LOTS
P4	2015/12/07	ADD PNB AND CREEK
P5	2016/01/02	RECONFIGURE LOT BOUNDARIES AND PARK LOCATION

SIMS ASSOCIATES
LAND SURVEYING LTD.
223 FERN ROAD W.
QUALICUM BEACH, B.C. V9K 1S4
PHONE: 250-752-9121
FAX: 250-752-9241
FILE NUMBER: 14-137-S
DRAWING NUMBER: 14-137 P5.DWG
DATE: 2016/01/02



MEMORANDUM

To: Russell Dyson, Chief Administrative Officer; and
Regional Board of Directors

From: Mike Irg, Manager of Planning and Development

Date: January 11, 2016

Subject: Subdivision Application SA14004 – 0924605 BC LTD (Helen Sims – agent)
Parcel Frontage Waiver for Proposed Subdivision of LOT 1, SECTION 18,
TOWNSHIP 1, BARCLAY DISTRICT, PLAN 38260, EXCEPT PART IN PLAN 45043,
46428, AND 47590. (200 South Bamfield Road)

Background

The property owners are applying to subdivide the property located at 200 South Bamfield Road into two (16) lots with a large remainder. The property is currently zoned Acreage Residential (RA2) District and the proposed subdivision complies with the existing zoning.

Through discussions with the owners, a larger area for parkland is recommended between lots 7 and 8 (as shown on the attached subdivision plan). In order to provide this area as parkland, a 10 percent frontage waiver is required for proposed lots 8 through 16 before the subdivision can be approved by the Provincial Subdivision Approving Officer.


All of the proposed lots on the attached subdivision plan comply with the minimum lot width and area requirements in the Acreage Residential (RA2) District zone.

Staff recommends the Board issue the 10 percent frontage waiver which will allow for an increased park area that is accessed off South Bamfield Road.

Recommendation

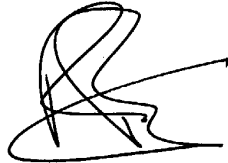
THAT the Board of Directors waive the 10 percent road frontage requirement for Lots 8 to 16 of the proposed subdivision.

SA14004



Prepared by:

Mike Irg, M.C.I.P.
Manager of Planning and Development



Reviewed by:

Russell Dyson, Chief Administrative Officer

SA14004

SW 1/4
SEC 19
TP 1

NW 1/4
SEC 18
TP 1

LOT A
PLAN 2915

PARK
0.42 ha.

LOT 1

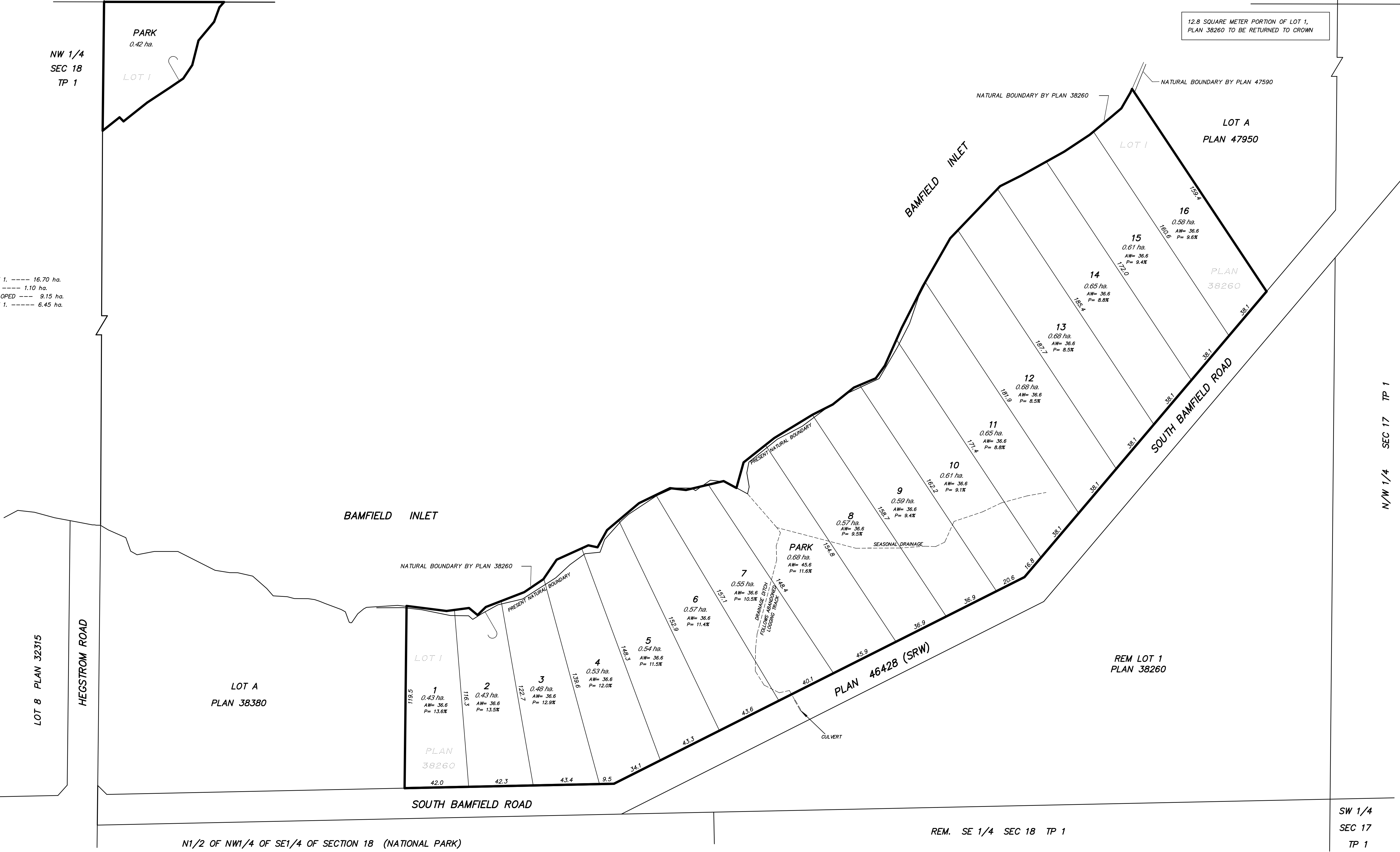
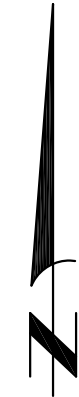
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LOT 1

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PLAN 38380

LOT 1

PLAN
38260

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N1/2 OF NW1/4 OF SE1/4 OF SECTION 18 (NATIONAL PARK)

REM. SE 1/4 SEC 18 TP 1

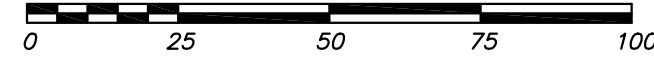
REM LOT 1
PLAN 38260

N/W 1/4 SEC 17 TP 1

SW 1/4
SEC 17
TP 1

**PROPOSED SUBDIVISION PLAN OF PART OF LOT 1,
SECTION 18, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 38260,
EXCEPT PART IN PLANS 45043, 46428 AND 47950.**

Scale 1:1250



LEGEND

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ALL DIMENSIONS AND AREAS ARE SUBJECT TO FINAL SURVEY.
AW - DENOTES AVERAGE PARCEL WIDTH.
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SIMS ASSOCIATES
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PHONE: 250-752-9121
FAX: 250-752-9241
FILE NUMBER: 14-137-S
DRAWING NUMBER: 14-137 P5.DWG
DATE: 2016/01/02

Fern Road Consulting Ltd.

Our File: 14-137-S
MOTI File: 2014-02663
ACRD File: SA 14004

2016-01-13

Alberni-Clayoquot Regional District
3008 – 5th Avenue
Port Alberni, B.C.
V9Y 2E3

Attention: Mike Irg

Dear Mike,

Re: Proposed Subdivision Plan of Part of Lot 1, Section 18, Township 1, Barclay District, Plan 38260, Except Part in Plans 45043, 46428 and 47950

As discussed, we have revised the proposal plan to increase the size of the park between proposed lots 7 and 8. We have maintained the average width requirements for all lots and Lots 1 to 7 also comply with the 10% frontage requirement. However, as we go east, South Bamfield Road and the shoreline diverge, thus the lots get longer. This results in Road frontages that are less than 10%. In all cases there is adequate frontage for access and the frontages range from 8.5% to 9.6% of the perimeter of the lots.

Calculations are as follows:

LOT	PERIMETER	FRONTAGE (m)	%
8	387	36.9	9.5
9	395	36.9	9.4
10	409	37.4	9.1
11	433	38.1	8.8
12	448	38.1	8.5
13	449	38.1	8.5
14	432	38.1	8.8
15	408	38.1	9.4
16	396	38.1	9.6

Please note that these calculations are based on registered plans, not on survey field work and are subject to final survey.

P.O. Box 405, Qualicum Beach, BC, V9K 1S9
Tel: (250) 752-9121 Fax: (250) 752-9241
e-mail: hsims@simssurvey.ca

In support of this application, enclosed please find:

- Client's cheque for \$250.00 (coming from client under separate cover)
- Application Form
- Photo reduced copy of revised plan
- 2 paper prints of revised plan

Thank you for your assistance

Yours truly



Helen MacPhail Sims
enclosures



Development Variance Application

DATE: January 14, 2016

ACRD FILE NO.: DVB15015

APPLICANTS: Bill Scott

LEGAL

DESCRIPTION: LOT A, LOOP FARMS, ALBERNI DISTRICT, PLAN 34692 EXCEPT PART IN PLAN VIP64196

LOCATION: 6980 Debeaux Road

ELECTORAL AREA: "B" Beaufort

APPLICANT'S INTENTION: The applicant intends to remove the existing smaller attached garage from the house and rebuild it as an 800 ft² attached garage. The new construction is located 78 feet from the natural boundary of a watercourse that dissects the property.

Recommendation:

THAT the Board of Directors pass a resolution to consider issuing development variance DVB15015.

Development Variance DVB15015:

- i. Development variance of Section 6.2(4)(a) ACRD Zoning Bylaw No. 15 to reduce the required watercourse setback from 30.48 metres (100 feet) to 23.7 metres (78 feet) to allow for the construction of the addition to the single family dwelling as shown on attached Appendix A.

Procedure: Prior to the issuance of a development variance permit, the Board must first pass a resolution to consider issuing the permit. Staff then notifies neighbouring property owners and tenants to afford them the opportunity to make written or verbal submissions to the Board. At the subsequent meeting, the Board issues or denies the development variance permit.

Observations:

- i. **Status of Property:** The subject property is 1.94 hectares (4.79 acres) in size accessed off Debeaux Road. There is an existing house built in 1981 (Building Permit BC447) and a 28ft x 36ft two bay garage built in 1993 (Building Permit CC799). There is a creek that

DVB15015

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułuʔiłʔatḥ Government, Huu-ay-aht First Nations, Uchucklesaht Tribe
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)

dissects the property which ultimately drains into Plested Creek. The creek is well defined in a natural ravine that dissects the property from the north east corner to the south west corner of the lot. The lot generally slopes down away from the road from east to west. The front yard and area with the house and shop are relatively level with the rear of the property low lying.

ii. **Services**

- a. **Sewage Disposal:** On-site sewage disposal. There is an existing septic system in place to service the single family dwelling. The building permit to rebuild the garage does not require an update to the septic system as the use is not changing.
- b. **Water Supply:** Cherry Creek Waterworks District.
- c. **Fire Protection:** Cherry Creek Volunteer Fire Department.
- d. **Access:** The property is accessed by driveway from Debeaux Road.

iii. **Existing Planning Policies Affecting the Site**

- a. **Agricultural Land Reserve:** The property lies within the Agricultural Land Reserve but the Agricultural Land Commission regulations do not impact the issuance of the development variance.
- b. **Official Community Plan:** The Beaufort Official Community Plan designates the property as Rural Use. The objectives of the Rural Use designation are to maintain the predominantly rural character of the area and allow for a range of housing options.

Development Permit Area I – Riparian Areas Protection

The Beaufort OCP designates “DPA I – Riparian Areas Protection” which includes all lands within 30 metres of a river or major stream and within 15 metres of minor streams and watercourses. This designation is used to ensure that the ecological values of sensitive riparian and wetland habitats have been considered prior to development, and that measures will be taken to limit or avoid damage to these ecosystems.

The site plan provided by the applicant demonstrates that the new garage addition is situated 78 feet (23.7 metres) from the creek at its closest point. The creek is defined as a minor watercourse in the OCP and the new construction is sited outside of the 15 metre DPA riparian area. The applicant has done some minor leveling and maintenance of the existing driveway within the 15 metre DPA but this type of maintenance is exempt from the development permit area requirements as per Section 14.3 of the OCP. Staff have advised that any alteration of land within the 15 metre riparian area will require a development permit.

DVB15015

The proposal complies with the policies and objectives of the Beaufort Official Community Plan.

- c. **Zoning:** The property is zoned Rural (A2) District.

Zoning Bulk and Site Regulations	
	A2 District
Minimum Lot Area:	5 acres
Minimum Lot Width:	330 feet
Lot Coverage:	-
Maximum Building Height	2.5 storeys and 35 feet
Minimum Building Setbacks	
Front:	50 feet
Rear:	30 feet
Side:	15 feet

Section 6.2(4)(a) of the Zoning Bylaw requires that no building shall be constructed within 30.48 metres (100 feet) of the natural boundary of any natural water course. The new garage will replace the existing garage however the footprint of construction will be +/- 8 feet closer to the creek. Any new construction must comply with the setbacks required by the Zoning Bylaw. The proposed construction complies with all other setbacks required in the Rural (A2) District.

The property owner has applied to vary the watercourse setback from 30.48 metres (100 feet) to 23.7 metres (78 feet) to allow for the proposed construction as shown on Appendix A.

Comments:

The watercourse is a well defined creek that drains marshy areas on the east side of Debeaux Road into the Plested Creek system. The creek appears to be largely undisturbed in this area with the riparian area completely treed on the north bank and mostly treed along the south bank apart from the area directly adjacent to the house and shop which consists primarily of low lying shrubs. The creek is up 3 feet wide in places and dissects the property through a ravine that drops down +/- 30 feet from the surrounding property.

The new attached garage will replace an old attached garage that was poorly built and recently torn down. The development variance application was required as the new construction has an expanded footprint that extends closer to the creek than the original construction. Although the building permit has not yet been issued, the property owner has started construction and the Building Inspectors are aware of the work that has been completed to date. The issuance of the building permit is conditional on the variance being issued by the Board.

DVB15015

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułuʔiłʔatḥ Government, Huu-ay-aht First Nations, Uchucklesaht Tribe
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)


The new construction will not have any immediate impact on any neighbouring property and will in fact improve a situation where the former structure was poorly constructed. The variance does not create any flooding issues due to a large elevation difference above the creek and the proposed construction will not impact the 15 metre riparian area surrounding the creek.

Submitted by: 

Alex Dyer, Planner

Reviewed by: 

Mike Irg MCIP RPP, Manager of Planning and Development

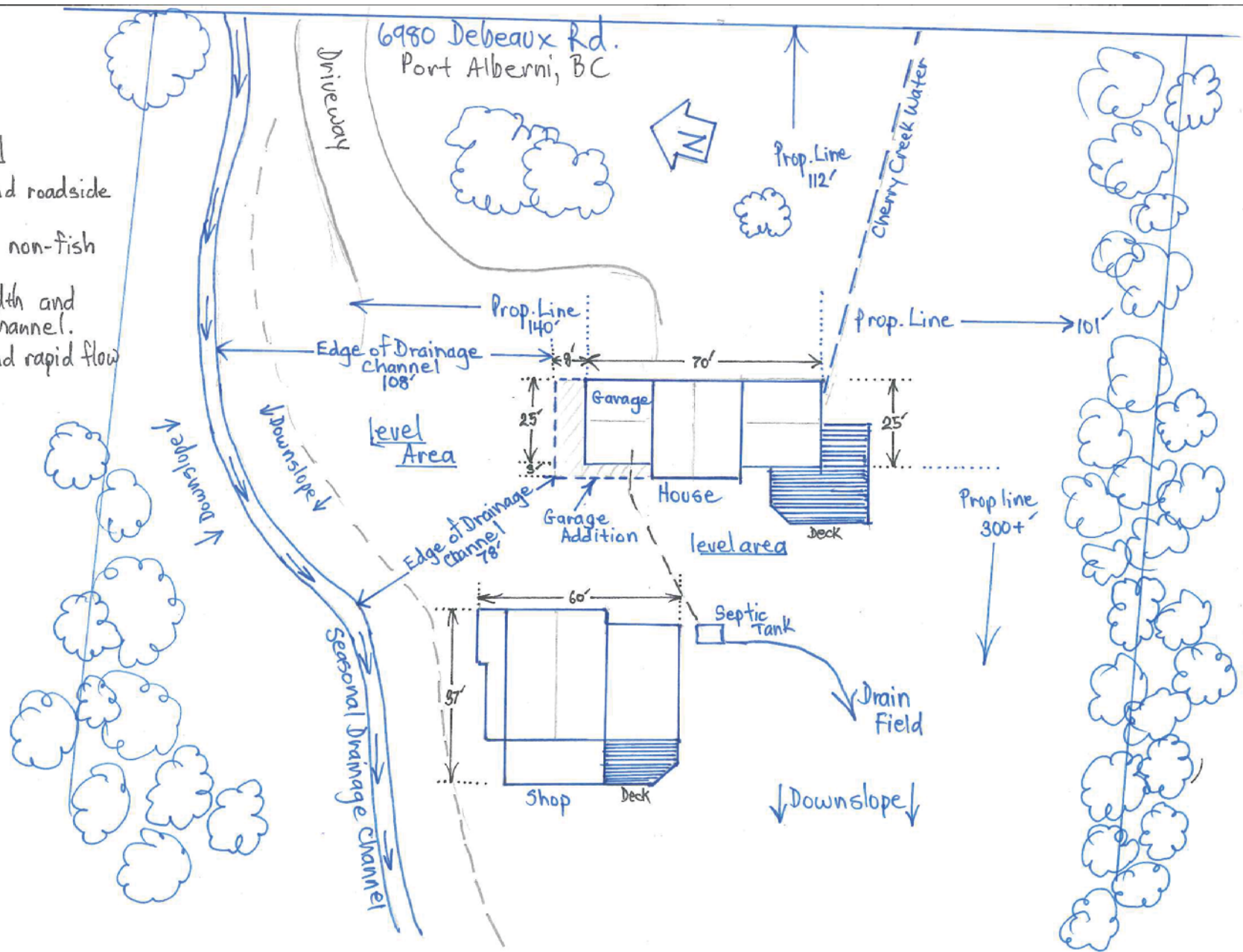


Russell Dyson, Chief Administrative Officer

DVB15015

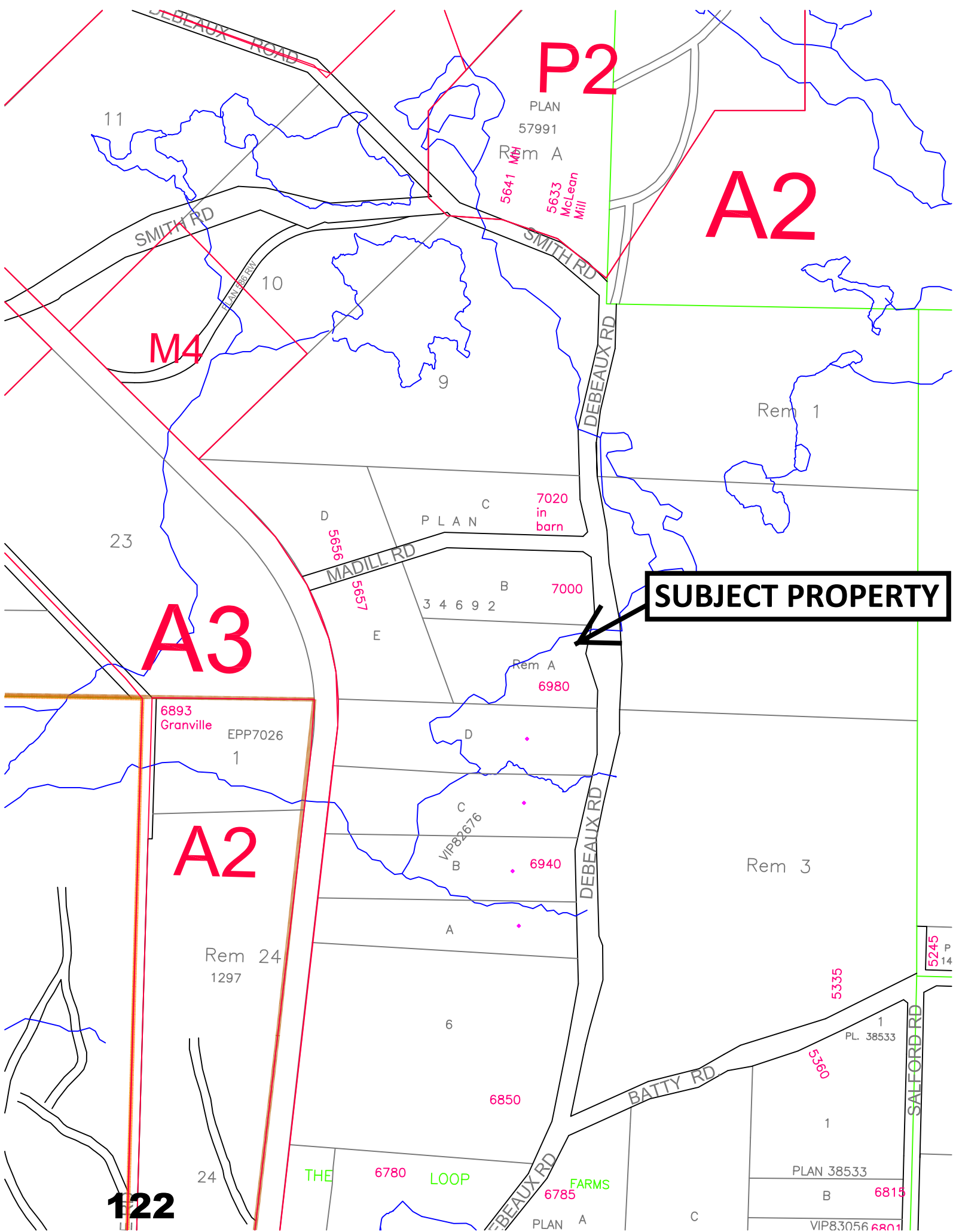
Drainage Channel

- Drains swamp area and roadside ditch.
- Seasonal only and non-fish bearing.
- Generally 0.5m width and never overflows channel.
- Relatively steep and rapid flow



Dec 14, 2015





P2

A2

M4

A3

A2

SUBJECT PROPERTY

122

11

10

9

23

Rem 24
1297

24

PLAN 57991

Rem A

5641 M²

5633 McLean Mill

Rem 1

PLAN C 7020 in barn

7000

3 4 6 9 2

Rem A 6980

6893 Granville EPP7026 1

VIP82676

6940

Rem 3

A

6

6850

5335

5360

1 PL. 38533

1

PLAN 38533

B 6813

VIP83056 6801

THE 6780 LOOP

FARMS 6785

PLAN A

C

5245 P 14

SALFORD RD

DEBEAUX ROAD

SMITH RD

MADILL RD

SMITH RD

DEBEAUX RD

DEBEAUX RD

BATTY RD

DEBEAUX RD



MEMORANDUM

To: Russell Dyson, CAO and the Board of Directors
From: Mike Irg, Manager of Planning and Development
Date: January 20, 2016
Subject: RD15006 – Adoption of Bylaws P1331 & P1332

Bylaws P1331 and P1332 were given second and third readings at the January 13th Board of Directors meeting. Recently, the *Local Government Act* has been through a major revision and has been restructured. This has resulted in changes to section numbers as referred to in many of our documents.

The following bylaws for adoption have been revised to reflect the applicable section number changes. Otherwise, no changes have been made to the bylaws.

Recommendation:

THAT Bylaw P1331, Regional District of Alberni-Clayoquot Sproat Lake Official Community Plan Amendment be adopted.

THAT Bylaw P1332, Regional District of Alberni-Clayoquot Zoning Text and Atlas Amendment be adopted.

Prepared by:

Mike Irg, Manager of Planning and Development

RD15006

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1331

**A BYLAW TO AMEND BYLAW NO. P1310
SPROAT LAKE OFFICIAL COMMUNITY PLAN**

WHEREAS by Section 478(2) of the *Local Government Act*, all bylaws enacted by the Regional Board must be consistent with an existing official community plan;

AND WHEREAS the Regional Board may amend an existing official community plan;

NOW THEREFORE the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. TITLE
This bylaw may be cited as the Sproat Lake Official Community Plan Amendment Bylaw No. P1331.
2. Schedule B, the plan map, is hereby amended by redesignating LOT 364, CLAYOQUOT DISTRICT from "Resource Use" to "Comprehensive Development Area" as shown on Schedule 'A' which is attached to and forms part of this bylaw.
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this 14th day of October, 2015
Public hearing held this 17th day of December, 2015
Read a second time this 13th day of January, 2016
Read a third time this 13th day of January, 2016

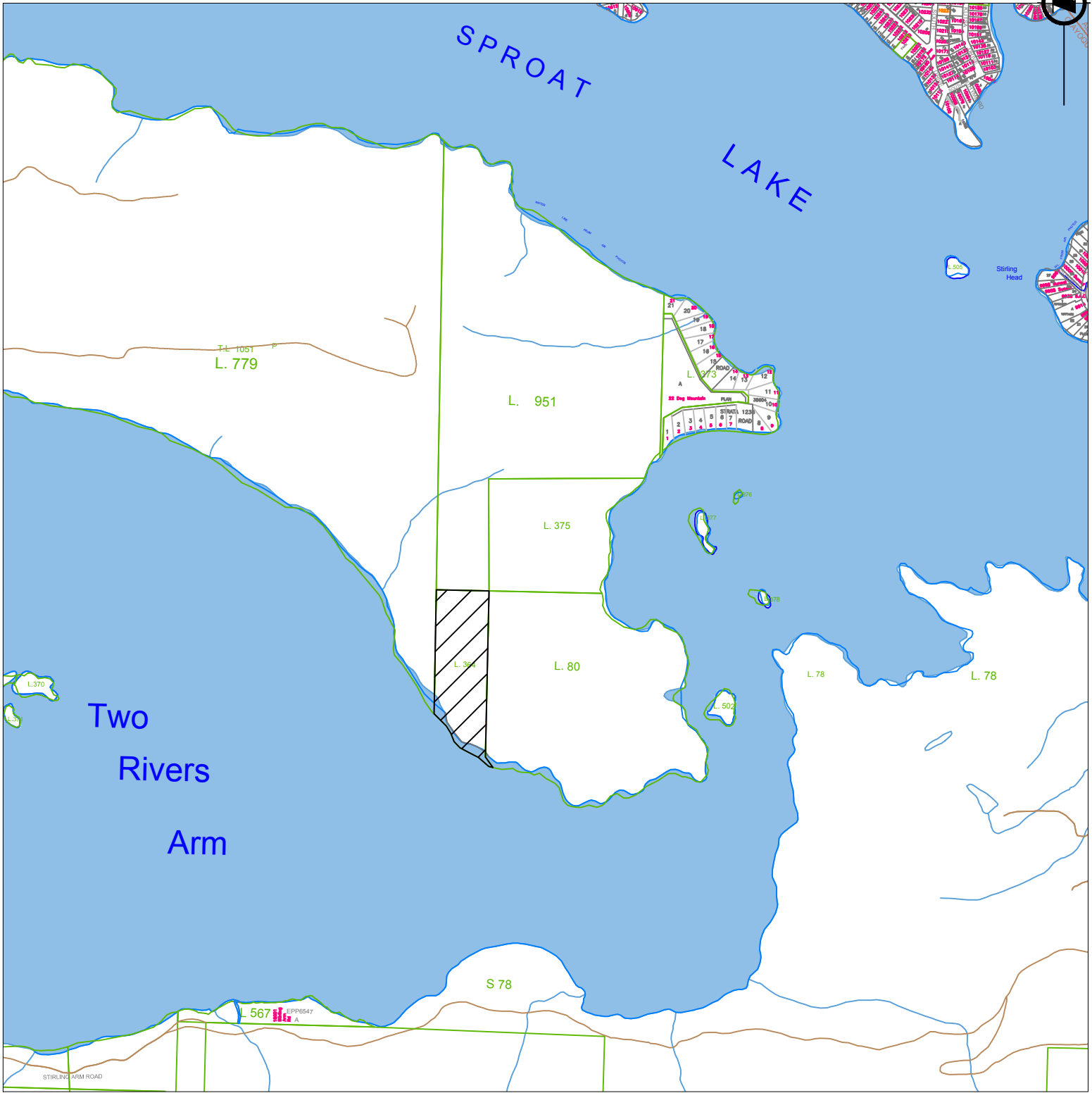
Adopted this day of , 2016

Russell Dyson, CAO

Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw P1331



Legal Description: LOT 364, CLAYOQUOT DISTRICT.



To be redesignated from "Resource Use" to "Comprehensive Development Area".



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1332

**OFFICIAL ZONING TEXT AMENDMENT AND
OFFICIAL ZONING ATLAS AMENDMENT NO. 681**

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS an application has been made to rezone a property;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendments to the Official Zoning Text and the Official Zoning Atlas of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Text and Atlas Amendment Bylaw No. P1332.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot text is hereby amended by:

- a. Adding a new section “164 Comprehensive Development Lot 364 (CD L364) District” to read as follows:

“ 164 Comprehensive Development Lot 364 (CD L364) District

This District provides for low-density development of large parcels intended for residential and/or recreational use without the provision of water, sewer, sewage disposal, drainage or fire protection services by the Regional District. The natural setting and environmental features will be protected and preserved through large lot sizes and low density.

164.1 Permitted Uses

- (1) One Single Family Dwelling per lot which is constructed on the site on which it will be occupied, which is not to be occupied as the permanent home or residence of any family, but rather as a vacation or seasonal residence for a family maintaining a permanent residence elsewhere;
- (2) One Accessory building;

164.2 Density

- (1) One (1) Single Family Dwelling per lot;
- (2) the minimum lot size shall be one (1) hectare (2.47 acres);
- (3) the maximum number of lots shall not exceed four (4) lots;
- (4) the maximum floor area of a Single Family Dwelling unit shall not exceed 150 square meters (1,614 square feet) in floor area;
- (5) the maximum floor area for an accessory building shall not exceed 40 square meters (430 square feet) and the height shall not exceed 3.66 meters (12 feet). ”

b. Including the following line item to Section 200, Schedule II – Bulk and Site Regulations:

Zoning District or Use	Minimum Lot Width (feet)	Minimum Lot Area	Maximum Lot Coverage	Minimum Setbacks (feet)			Maximum Height (feet)
				Front	Rear	Side	
CD L364	150	2.5 acres	5%	50	30	15	30

c. Including “CD L364” on the line that references “R” Districts in Section 4.3, Interpretation.

d. Including “164 Comprehensive Development Lot 364 (CD L364) District” in Section 5.1, Designation of Districts, under Comprehensive Development Use.

- 3. Bylaw No. 15 of the Regional District of Alberni-Clayoquot atlas is hereby amended by rezoning LOT 364, CLAYOQUOT DISTRICT from Forest Reserve (A4) District to Comprehensive Development Lot 364 (CD L364) District as shown on Schedule A which is attached to and forms part of this bylaw.
- 4. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this 14th day of October, 2015
 Public Hearing held this 17th day of December, 2015
 Read a second time this 13th day of January, 2016
 Read a third time this 13th day of January, 2016

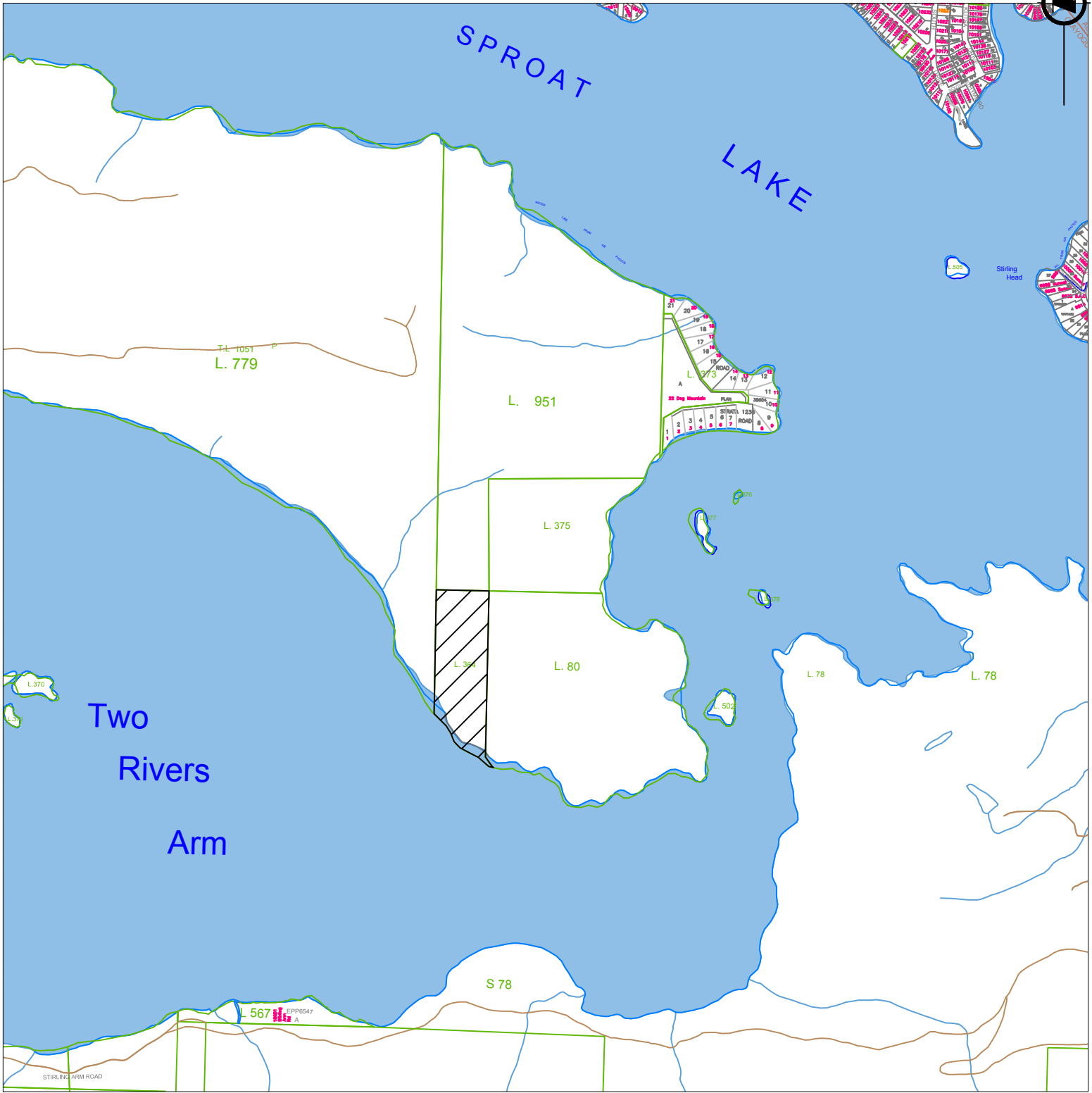
Adopted this day of , 2016

 Russell Dyson, CAO

 Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw P1332



Legal Description: LOT 364, CLAYOQUOT DISTRICT.



To be rezoned from Forest Reserve (A4) District to Comprehensive Development Lot 364 (CD L364) District.



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

128





Rezoning Application

TO: Russell Dyson, Chief Administrative Officer and
ACRD Board of Directors

DATE: January 11, 2016

FROM: Alex Dyer, Planner

ACRD FILE NO: RD15008

APPLICANTS: Kelvin & Gail Sheeler, agents (Don & Leslie Anderson, property owners)

LEGAL DESCRIPTION: LOT A, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN VIP83219

LOCATION: Pacific Rim Highway, located between Stuart Avenue and the Harold Bishop Fire Hall

ELECTORAL AREA: "D" Sproat Lake

Recommendation: The following are recommendations of the staff report:

- 1) THAT Bylaw P1336, Regional District of Alberni-Clayoquot Sproat Lake Official Community Plan Amendment be read a first time.
- 2) THAT Bylaw P1337, Regional District of Alberni-Clayoquot Zoning Text Amendment be read a first time.
- 3) THAT Bylaw P1338, Regional District of Alberni-Clayoquot Zoning Atlas Amendment be read a first time.
- 4) THAT the public hearing for Bylaws P1336, P1337 and P1338 be delegated to the Director for Electoral Area 'D', the Alternate Director, or the Chairperson of the Regional District.
- 5) THAT the Board of Directors confirm that adoption of Bylaws P1336, P1337 and P1338 is subject to:
 - a. Meeting all technical referral agency requirements.

RD15008

Applicant's Intention: The applicant intends to rezone the property to allow for the development of a mixed covered and open recreational vehicle and boat storage facility including mini storage warehousing and a caretaker dwelling on the 1.14 hectare (2.8 acre) subject property.

Observations:

i) **Status of Property:** The 2.8 acre property was created by subdivision from the adjacent parcel to the west in 2007. It is vacant and entirely treed with second growth conifers. There are two drilled wells on the property. The property rises in slope from south to north, rising gradually in elevation away from the highway. The slope rises gradually and should not impede access to any part of the property but will require some work to create level storage areas and structures.

There are BC Hydro transmission lines that dissect the east side of the property. There is a 27 metre wide BC Hydro right-of-way that prohibits erecting any structures or planting any trees that would interfere with the infrastructure but allows the property owner to otherwise utilize the right-of-way area. At this time, the right-of-way area is primarily grass, shrubs and Scotch Broom. A portion of this area appears to be used by the neighbouring property owner to access one of their farm pastures.

ii) **Services**

- a. **Sewage Disposal:** On-site sewage disposal. The development plans for the property include a caretaker residence which will require a sewage disposal system designed and installed by a Registered On-Site Wastewater Practitioner.
- b. **Water Supply:** Potable water provided by well. There are two wells located on the property.
- c. **Fire Protection:** Sproat Lake Volunteer Fire Department.
- d. **Access:** The property is accessed from the Pacific Rim Highway. The applicants have received a "Permit to Construct, Use and Maintain Access to a Controlled Access Highway" from the Ministry of Transportation and Infrastructure. The permit, issued on December 4, 2015, allows for the construction of a 27 metre wide driveway to access the property. The driveway will extend a minimum of 9 metres into the property at a ninety degree angle from the highway to provide suitable access/egress for boats and trailers. The property fronts onto a straight stretch of the highway that provides good visibility in both directions and is sign posted with a maximum speed of 60 kmh.

iii) **Existing Planning Policies Affecting the Site**

- A. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.

RD15008

- B. **Official Community Plan:** The property is designated as a mix of “Commercial Use” and “Rural Use” in the Sproat Lake OCP. The Commercial Use designation supports a number of commercial uses including local, service, highway, tourist, recreational and campground commercial, as specified in the Zoning Bylaw. Policy 8.2.4 of the OCP supports the “expansion and location of highway and tourist commercial uses in the vicinity of Highway 4 and Stuart Avenue.” The Rural Use designation covers the portion of the property encompassed by the BC Hydro right-of-way. The intention of the applicants is to redesignate this portion of the property as Commercial Use although no structures can be built in this area and access must remain unimpeded for BC Hydro.

The minimum lot size for all land use designations in the Sproat Lake OCP is 1 ha (2.47 ac) where the lot is serviced by on-site well and septic.

The proposed mixed open and closed RV and boat storage facility complies with the Commercial Use policies and objectives of the Sproat Lake OCP. The OCP amendment bylaw is included to redesignate the Rural Use portion of the property as Commercial Use.

Development Permit Area III – Objectives for Form and Character

The Sproat Lake OCP designates “DPA III – Objectives for Form and Character” which establishes objectives for form and character of commercial, industrial and multi-family residential development. The primary objective of this development permit designation is to ensure that any development of this nature forms a positive impression on the community to the greatest extent possible, particularly along the Highway 4 corridor.

The DPA III guidelines direct development in a number of ways including, but not limited to, the form and character of any proposed structures, screening, landscaping, parking, setbacks, view planes, access/egress, signage and lighting.

A development permit application with detailed building and site plans will be required prior to any development of the commercial operation at this site. The development permit is not required as a condition of approval for the rezoning and OCP amendment application but will be required prior to issuing any future building permits for the site. The OCP amendment bylaw to redesignate a portion of the property from Rural Use to Commercial Use will also extend the DPA III designation into that same portion of the property to ensure that the entire parcel is included in DPA III.

- A. **Zoning:** The property is currently zoned Small Holdings (A1) District. The proponents have applied to rezone the entire property to Mixed Storage (SW-2A) District in order to facilitate a business of mixed warehousing/closed storage and open storage for RVs and boats. The SW-2A District was drafted to provide

RD15008

consistency with the Sproat Lake Official Community Plan with respect to minimum lot size.

Table 1: Bulk and Site Regulations for the A1 and SW-2A Districts

Small Holdings (A1) District		Mixed Storage (SW-2A) District	
Minimum Lot Area:	2 acres	Minimum Lot Area:	2.47 acres
Minimum Lot Width:	165 feet	Minimum Lot Width:	100 feet
Lot Coverage:	-	Lot Coverage:	60%
Minimum Setbacks		Minimum Setbacks	
Front:	25 feet	Front:	25 feet
Rear:	30 feet	Rear:	15 feet
Side:	5 feet	Side:	15 feet

The Mixed Storage (SW-2A) District allows the following permitted uses:

- i. Warehousing and closed storage.
- ii. Open storage for boats, trucks, trailers, campers and similar items, but excluding works yards and the storage of industrial products and industrial materials such as those permitted under the Industrial Open Storage (M-4) District.
- iii. One dwelling for a caretaker or watchman.
- iv. Accessory buildings and uses including an office facility ancillary to the main use of the parking and loading facilities.

The conditions of use for the SW-2A District requires that any area used for open storage be screened to a minimum height of 2 metres (6.5 feet) along any portion of the property that fronts onto a public roadway or any portion of the property that lies adjacent to a lot in the A1 or A2 District. This would apply to any open storage along the north and east lot lines which are adjacent to A1 and A2 zoning as well as the south west property line which is adjacent to the highway. The specific requirements for screening will be established in the development permit prior to any development of the site.

The applicants have proposed a mixed RV and boat storage operation on this property with the proposed full build out including 5 buildings: 3 – 36 ft x 120 ft open bays, 1 – 40 ft x 120 ft closed bays and 1 – 20 ft x 110 ft closed mini storage warehouse. The facility would include approximately 60 parking stalls for recreational vehicles and boats and 24 enclosed mini storage units. There are also plans to build a caretaker residence on the property as well. A site plan was provided with the application that demonstrates that the five storage structures and caretaker dwelling would be constructed to comply with the required building setbacks and would be constructed outside of the BC Hydro right-of-way that dissects the eastern portion of the lot.

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The proposal complies with the permitted uses and minimum lot size in the proposed Mixed Storage (SW-2A) District zoning.

Comments:

1. Prior to submitting the rezoning application, planning staff had advised that the applicants discuss access to the property with the Ministry of Transportation and Infrastructure. After some discussion with the Ministry, the applicants received a Permit to Construct, Use and Maintain Access to a Controlled Access Highway. The permit allows for an 27 metre wide access to the highway which tapers to 9 metres and requires specific standards on ditching, culvert, brushing and overall maintenance of the access driveway. The rezoning and OCP amendment bylaws will be referred to the Ministry of Transportation for their consideration prior to the public hearing. As the property is located within 800 metres of a Controlled Access Highway the proposed bylaws must also be approved by the Ministry prior to adoption by the Regional Board.
2. When the Sproat Lake OCP was adopted in 2014 the portion of the property that encompasses the BC Hydro right-of-way was designated as Rural Use whereas the bulk of the property was designated as Commercial Use. In order to rezone the entire property to Mixed Storage (SW-2A) District, an OCP amendment is required to redesignate the Rural Use portion of the property as Commercial Use. The site plan provided by the applicants demonstrates that the storage structures will not encroach into the right-of-way.

The SW-2A District is a new zone that was drafted to be consistent with the minimum lot size set in the OCP. The new zone would have the same permitted uses and conditions of use as the SW-2 but the SW-2A zone will require a minimum lot size of 1 hectare (2.47 acres) rather than the minimum lot size in the existing SW-2 District which is 0.186 hectares (0.46 acres). This discrepancy in reconciling minimum lot sizes in the OCPs with different zones will be cleaned up and simplified with the Zoning Bylaw rewrite that is underway. The new SW-2A District zone will allow this rezoning application to comply with the OCP in the meantime.

3. The Sproat Lake OCP is supportive of additional commercial development along the highway corridor in the vicinity of Stuart Avenue. The area is a node of commercial activity in the community with the Three Dogs Snack & Surf business 300 metres to the west and the Tseshaht Market and Bank of Montreal 250 metres to the east. The property directly adjacent to the west is commercially zoned but with no commercial activity at this time. The farm to the south, across the highway from the subject property, also includes a farm gate market which is active in the summer. Planning staff is supportive of this rezoning recognizing that the commercial storage development will fit the character of the neighbourhood and is supported by the Official Community Plan.

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Submitted by: 
Alex Dyer, Planner

Reviewed by: 
Mike Irg MCIP, Manager of Planning and Development


Russell Dyson, Chief Administrative officer

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Reasons and comments in support of the application.

- 1) To support and supply the local and surrounding community with larger storage bays for covered RV and boat storage and also supply mini storage.
- 2) Develop the property as an attractive asset to the community.
- 3) Supply a home on the property for an onsite family or manager which in turn will support the community with general shopping needs in the area.
- 4) Supply local jobs and local sales to the community during the construction phase.

Alberni-Clayoquot Regional District Application For Development

Proposal Description:

Civic Address: Lot A Pacific Rim Highway, Port Alberni, BC

Legal Address: Lot A Plan VIP83219 D/L 104 Alberni District

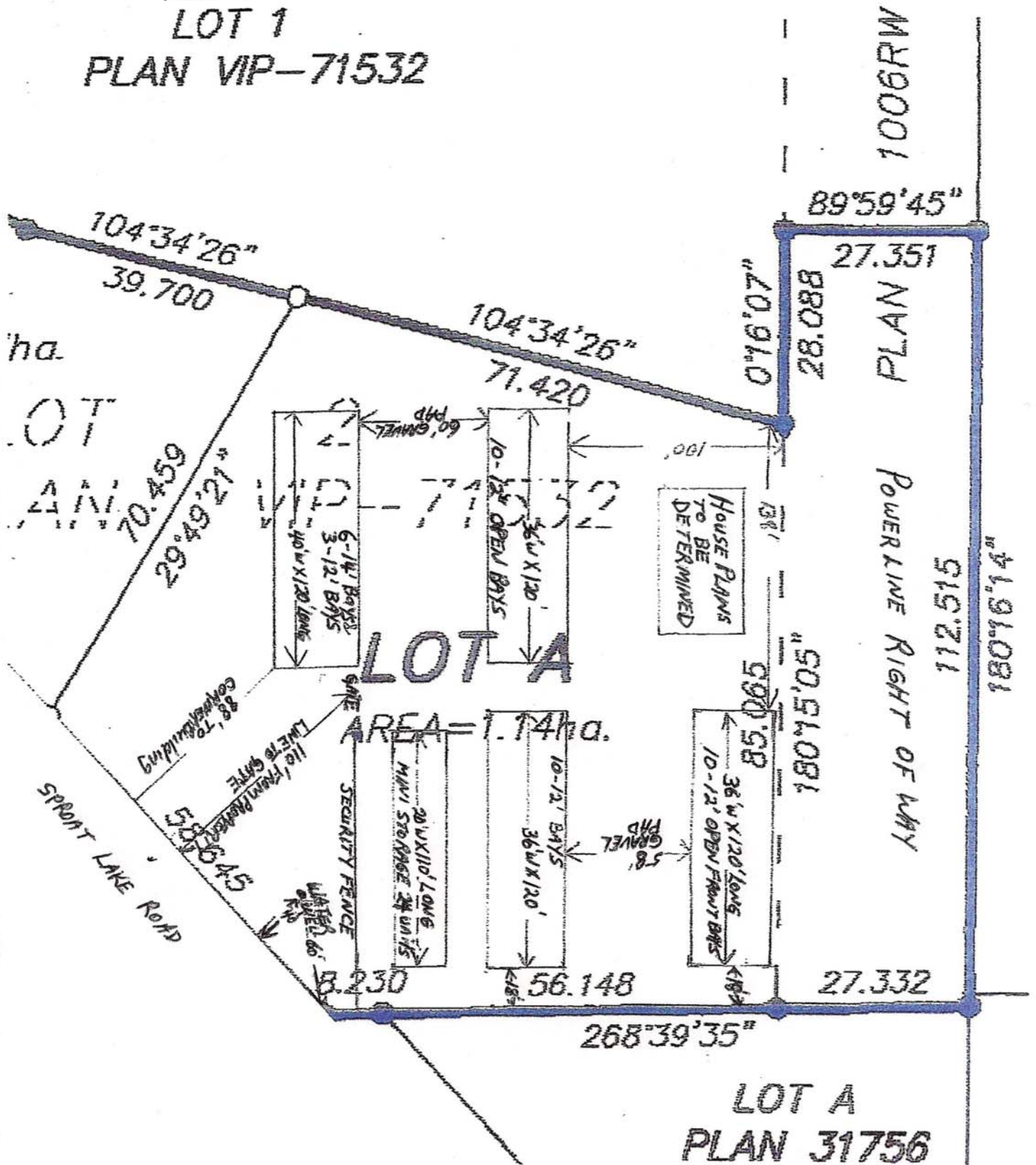
Property for proposal is location directly next to the Sproat Lake Fire department on the North side with the gas station, store and BMO bank directly to the south side of the fire department.

Proposal to use property for mixed RV and boat storage consisting of approximately 60 parking stalls consisting of 39 covered storage bays and 21 open storage stalls for RV and boat storage consisting of 4 buildings (approx. sizes)(3 – 36' deep x 120' Long and 1 – 40' deep x 120' long). (Note: Building sizes may vary slightly depending on lot leveling and landscaping) The open and covered storage will vary from covered and open stalls until the final phase is completed with the final completion of buildings. Also planned to install a 20' x 110' mini storage building with approx. 24 storage units. Also planned to build a house for a residence on the property.

The access construction involved proposed consists of installing a 600mm x 2.0 mm thickness x 18 meter culvert for an 18 meter access driveway into the property which should create easy access into and out of the property along . The front property line is 58.6m long along the Pacific Rim Highway consisting of a power pole situated approx. 24m from the NW property pin and 34.6m from the SE property pin. The proposed access driveway is to start approx. 1.5m from the power pole on the SE side of the power pole and extend for 18 meters to allow for an 18 meter access driveway allowing for easy access and exit. Speed limit in this area is presently 60 km/hr and the access driveway will have good site lines in both directions from this location for entering and exiting the property.

- 1) THE OUTSIDE WALLS OF COVERED STORAGE BUILDING WILL START 18 FEET FROM PROPERTY (SIDES) LINE AND GET FURTHER AS PROPERTY ANGLES ON NORTH SIDE.
- 2) SOUTHSIDE OF BUILDING WALLS WILL BE A MINIMUM OF 18 FEET FROM PROPERTY LINE ON SOUTH PROPERTY LINE.
- 3) NORTHWEST CORNER BUILDING WILL BE A MINIMUM OF 18 FEET FROM PROPERTY LINE A CORNER OF BUILDING AND BE FURTHER AS LOT LINE ANGLES

**LOT 1
PLAN VIP-71532**





PERMIT TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A CONTROLLED ACCESS HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Vancouver Island District
Third Flr
2100 Labieux Road
Nanaimo, BC V9T 6E9
Canada

("The Minister")

AND:

Don Anderson
9624 Stirling Arm Crescent
Port Alberni, British Columbia V9Y 9C8
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. **The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:**
The installation, operation, and maintenance of access on to Pacific Rim Highway to serve Lot A, Plan VIP 83219, DL 104, Alberni District as per application and drawing submitted .
- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

- 1. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent in the administration of this permit in the manner hereinafter set out.
- 2. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
- 3. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation and Infrastructure, and the employees, servants, and agents of the Minister from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.
- 4. The Permittee shall make diligent attempts to determine if there are other users of the right of way in the vicinity of the Permittee's location whose use may be affected. It shall be the responsibility of the Permittee to contact any such users before exercising any of the rights granted hereunder and to attempt to reach an accommodation.



5. The Minister shall take reasonable care to do as little damage or interference, as possible, to any Use authorized by this permit in the carrying out of the construction, extension, alteration improvement, repair, maintenance or operation of any work adjacent thereto, but the Minister shall not be responsible for any damage regardless.
6. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.
7. Placing of speed arresters on the access (or accesses) or in the Permittee's property without the prior consent in writing of the Designated Ministry Official shall render the permit void.
8. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
9. The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be done at any time the material unduly inconveniences traffic and, in any event, daily.
10. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
11. At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall, if so requested by the Minister, remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Designated Ministry Official. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.
12. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
13. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.
14. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in co-ordinating site safety: overhead hazards, particularly electrical or telecommunications lines; buried utilities, particularly electrical, telecommunication, and gas lines; traffic, danger trees, falling rocks, and sharp or infectious litter.
15. Any works within the Ministry right-of-way that fall within the scope of "engineering" under the Engineers and Geoscientists Act will be performed by a Professional Engineer, and shall comply with this Ministry's "Engineer of Record and Field Review Guidelines". The Guidelines can be viewed on the Ministry's website at http://www.th.gov.bc.ca/publications/Circulars/All/T_Circ/2009/t06-09.pdf
16. The permittee is responsible for preventing the introduction and spread of noxious weeds on the highway right-of-way as defined by the British Columbia Weed Control Act and Weed Control Regulation.
17. **The Use shall be carried out according to the submitted drawings and specifications.**
18. **The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation, and the employees, servants, and agents of the Minister from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.**
19. **All grubbing and debris from clearing to be disposed of to the satisfaction of the District Highways Manager.**
20. **Any cutting, decking, and disposal of merchantable timber on subject right-of-way is to be done pursuant to provisions of the Forestry Act and authorization from the District Forestry Office must be obtained prior to the commencement of the permitted works. Right-of-way boundaries must be clearly marked by a qualified professional surveyor prior to inspection of the site by the Ministry of Forest personnel.**
21. **The permittee shall sufficiently excavate the profile of the ditch along the road below and above the access point for proper installation of the access and culverts as required by the pertinent conditions of this permit.**
22. **This permit in no way relieves the owner or occupier of the responsibility from adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.**



- 23. Brushing of the right-of-way is required, in order to ensure maximum sight distance.
24. Access to be constructed in such a manner so as not to interfere with drainage from existing cross-culverts
25. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void.
26. The Permittee shall take all reasonable precautions to attempt to ensure the safety of the public in connection with the Use. In particular, but not so as to limit this obligation, the Permittee shall, if so required by the Designated Ministry Official on reasonable grounds, prepare and implement a traffic control plan. The contents of the plan and the manner in which it is implemented must meet the reasonable satisfaction of the Designated Ministry Official.
27. The access shall be graveled to an extent satisfactory to the Designated Ministry Official to prevent the tracking of mud and soil onto the highway surface. The shoulder of the highway constructed as part of this access is to be paved to ensure a smooth surface for the travelling public.
28. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
29. The Permittee will ensure that the works do not, impair, impede or otherwise interfere with; I. public passage on the Highways; II. the provision of highway maintenance services by the Province, or by its servants, contractors, agents or authorized representatives of the Province in connection with the Highways; or III. the operation of the Highways;
30. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
31. If any BCLS survey posts are removed, moved or damaged during the construction of the said Works they must be replaced by a registered BC Land Surveyor at the expense of the Permittee.
32. Access shall be constructed at 90 degrees to the highway for a distance of 9 metres from the highway shoulder.
33. The permittee is responsible for any damage to the Highway Right of Way resulting from the permitted work.
34. No gates are to be placed within Ministry of Transportation and Infrastructure Right of Way.
35. Machines with steel tracks or flat steel pads shall not be allowed within the road right of way at any time.
36. Change in ownership of Lot A, Plan VIP83219, District Lot 104, Alberni District will render this permit void.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

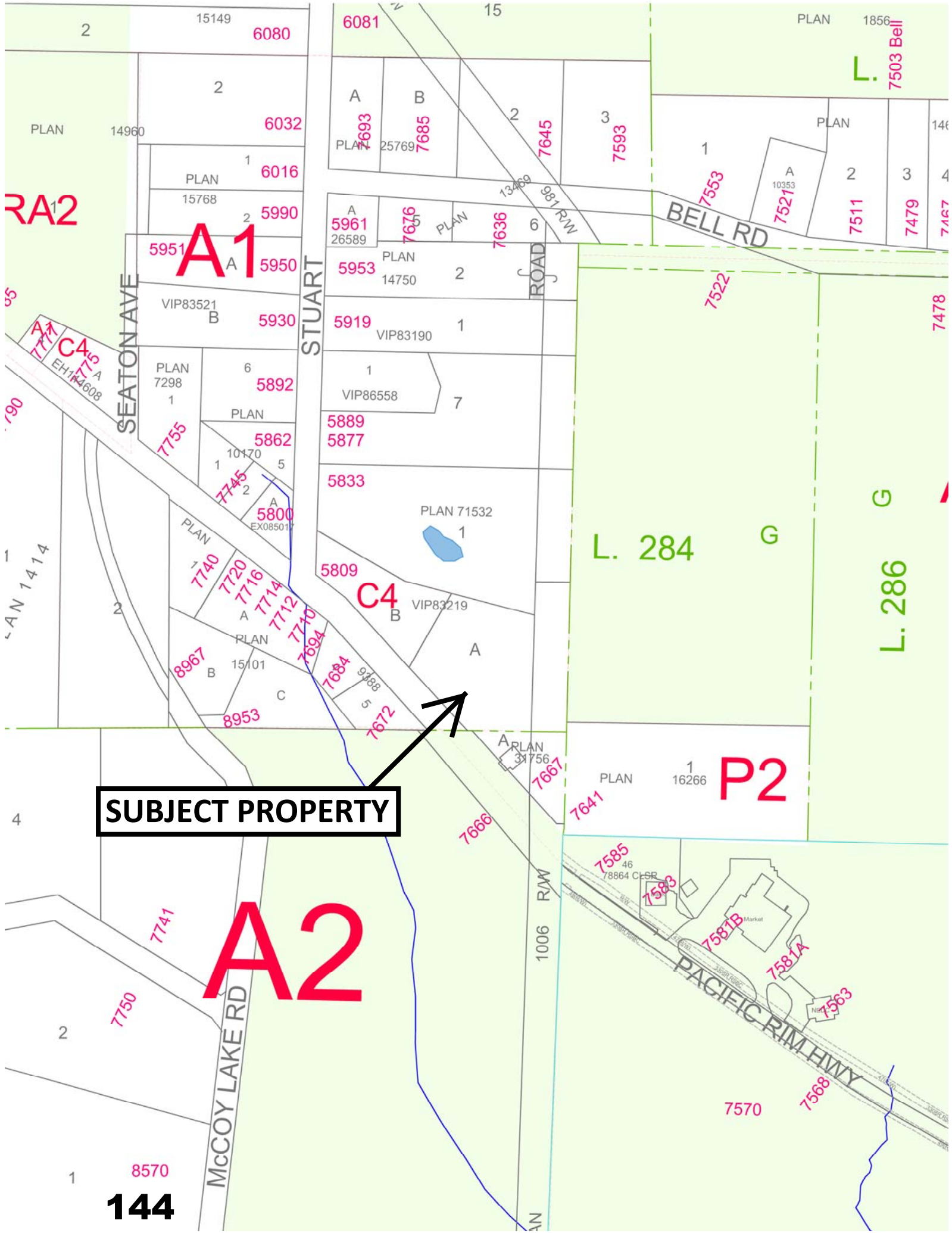
Dated at Nanaimo, British Columbia, this 4 day of December, 2015

Anika Johal
District Development Technician
On Behalf of the Minister



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A1

C4

A2

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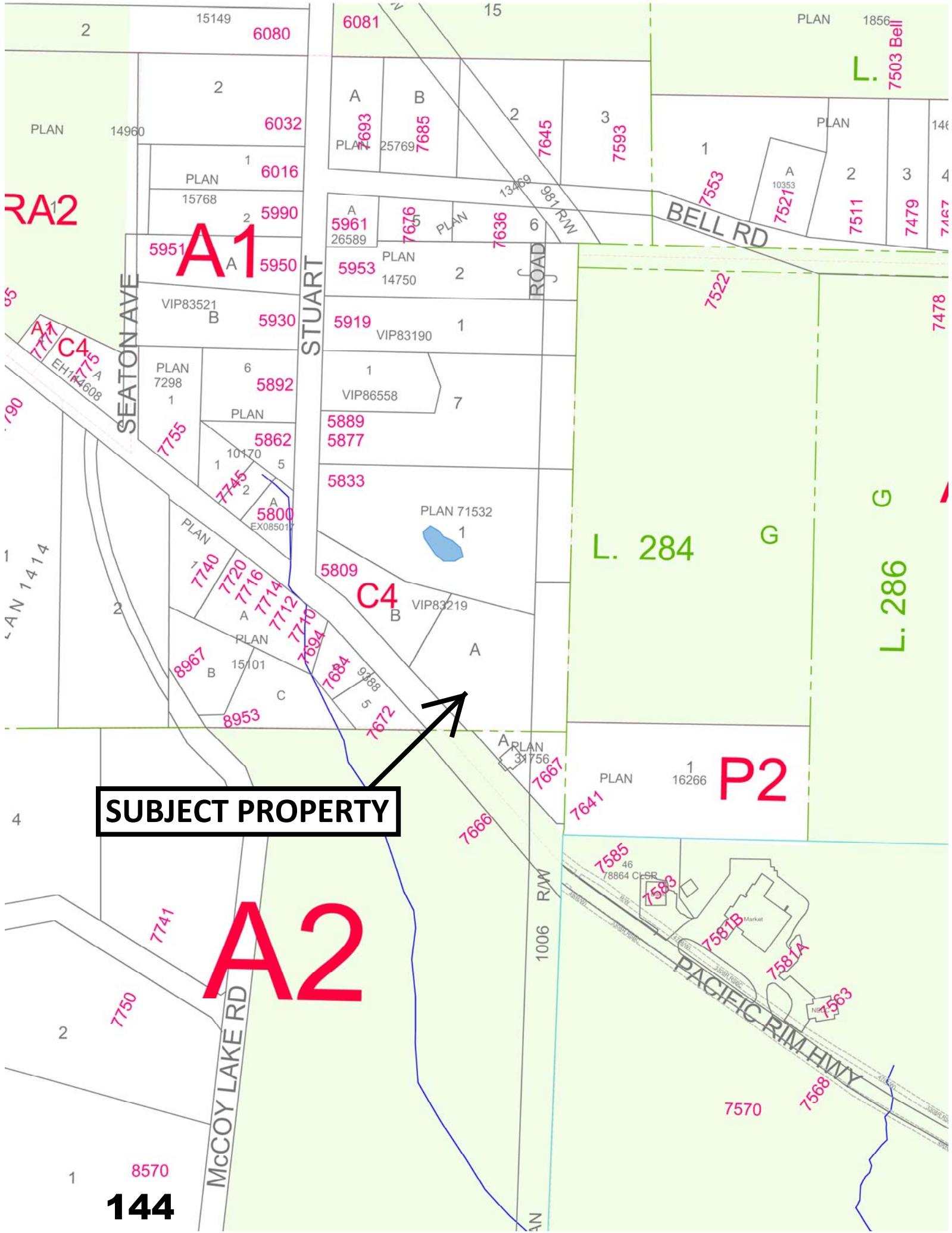
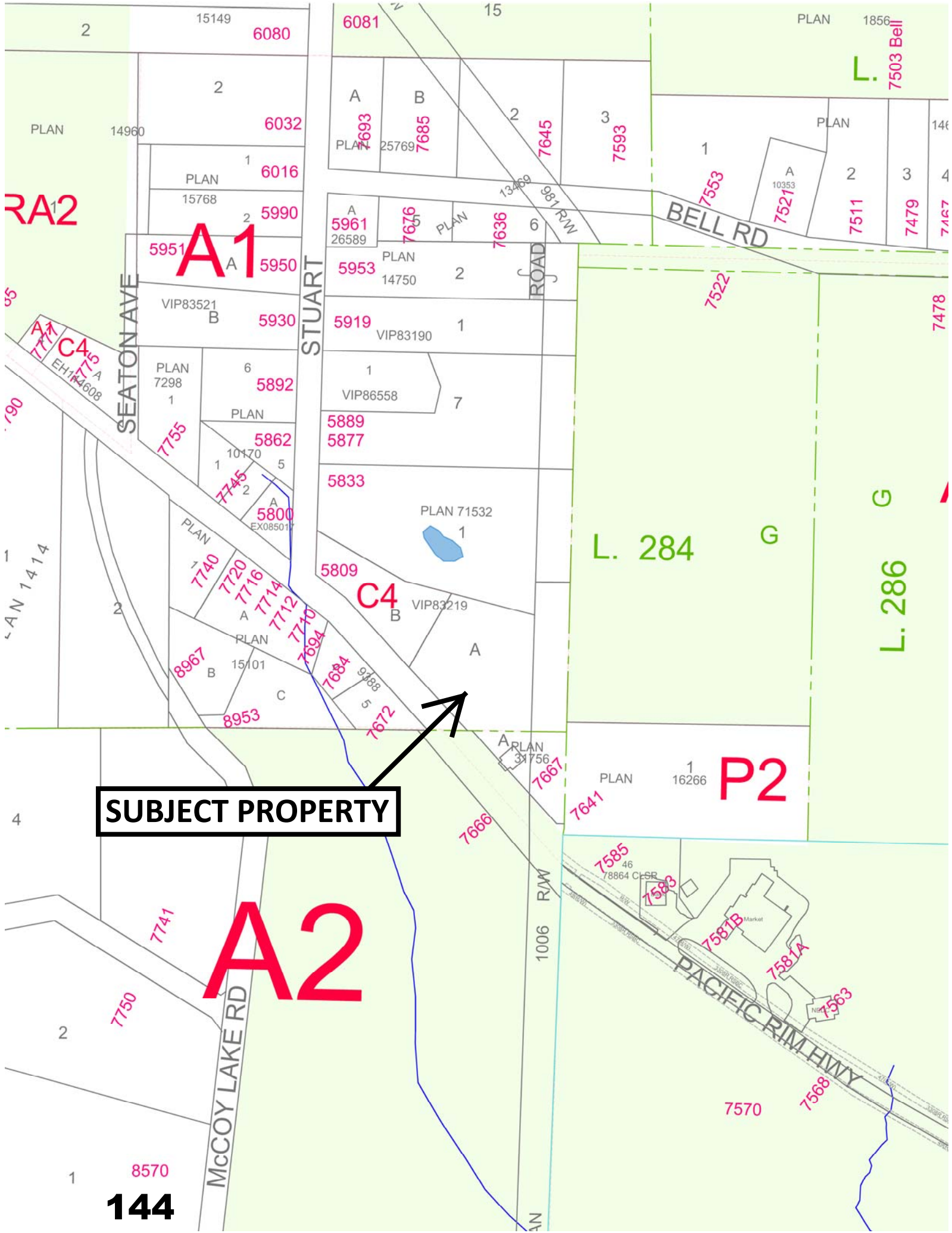
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SUBJECT PROPERTY

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REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1336

**A BYLAW TO AMEND BYLAW NO. P1310
SPROAT LAKE OFFICIAL COMMUNITY PLAN**

WHEREAS by Section 478(2) of the *Local Government Act*, all bylaws enacted by the Regional Board must be consistent with an existing official community plan;

AND WHEREAS the Regional Board may amend an existing official community plan;

NOW THEREFORE the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. TITLE
This bylaw may be cited as the Sproat Lake Official Community Plan Amendment Bylaw No. P1336.
2. Schedule A, Map No. 2 Land Use Designations, is hereby amended by redesignating a portion of LOT A, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN VIP83219 from “Rural Use” to “Commercial Use” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
3. Schedule A, Map No. 3 Development Permit Areas and Development Approval Information Area is hereby amended by including a portion of LOT A, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN VIP83219 within “DPA-III Form and Character” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
4. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of , 2016
Public hearing held this day of , 2016
Read a second time this day of , 2016
Read a third time this day of , 2016

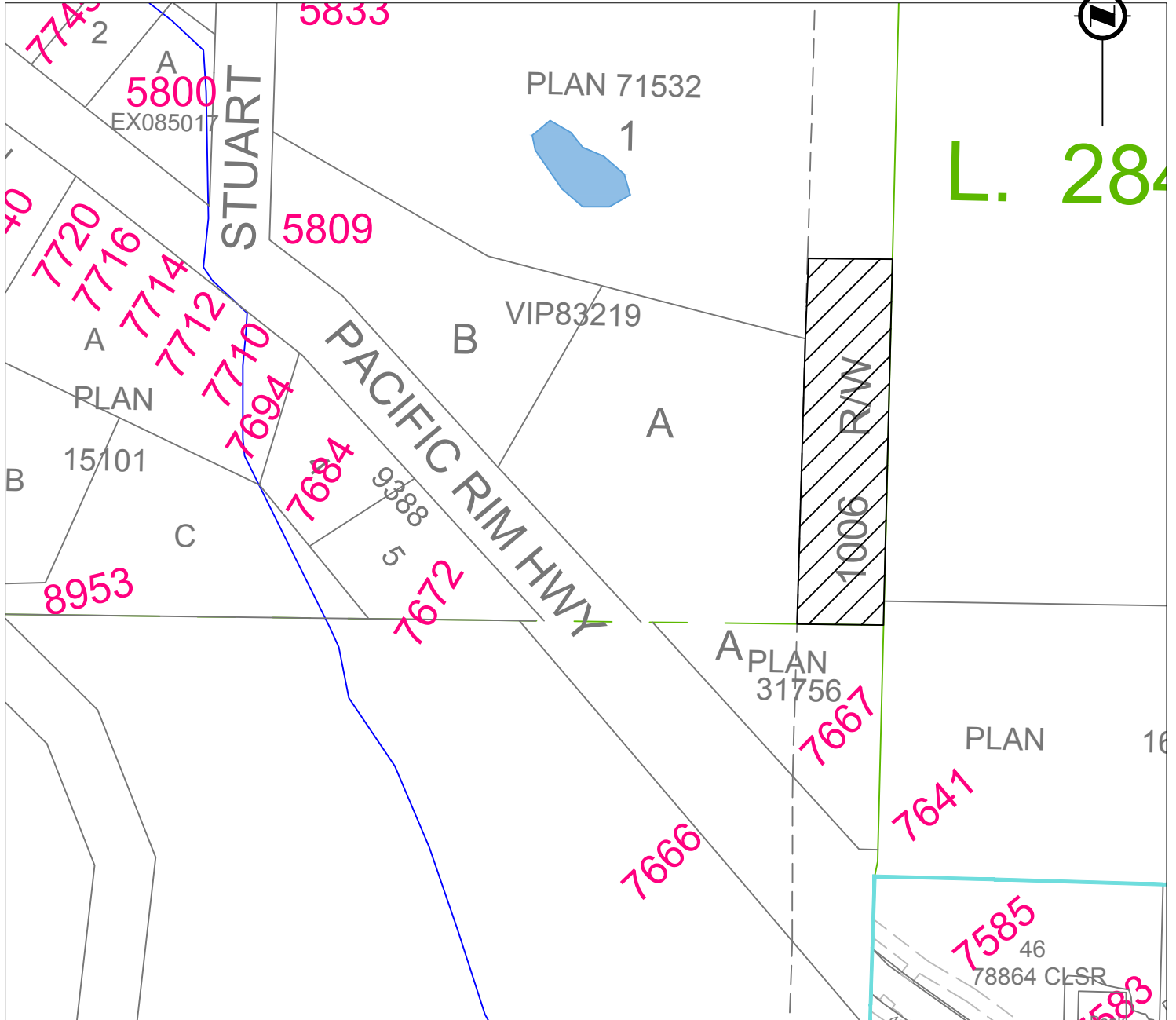
Adopted this day of , 2016

Russell Dyson, CAO

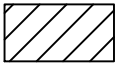
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw P1336



Legal Description: a portion of LOT A, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN VIP83219.



To be redesignated from Rural Use to Commercial Use and to be included within "DPA-III Form and Character"



ALBERNI-CLAYOQUOT REGIONAL DISTRICT



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1337

OFFICIAL ZONING TEXT AMENDMENT

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the text of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Text Amendment Bylaw No. P1337.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by:

- a. Adding section “135B Mixed Storage (SW-2A) District” and subsections to read as follows:

135B Mixed Storage (SW-2A) District

This district provides for warehousing and for both open and closed storage for non-industrial purposes.

135B.1 Uses Permitted

- (1) Warehousing and closed storage.
- (2) Open storage for boats, trucks, trailers, campers and similar items, but excluding works yards and the storage of industrial products and industrial materials such as those permitted under the Industrial Open Storage (M-4) District.
- (3) One dwelling for a caretaker or watchman.
- (4) Accessory buildings and uses including an office facility ancillary to the main use and parking and loading facilities.

135B.2 Conditions of Use

- (1) Where any lot or part thereof is used or intended to be used as open storage area, that portion of such storage area which fronts upon or adjoins a public

street, a lot in an R, RM, A1 or A2 district or is separated by a lane therefrom, shall be screened to a minimum height of 2 metres (6.56 feet) and no items stored within 15.24 metres (50 feet) of the screen shall extend above such screening.

135B.3 Density

(1) The minimum lot size shall be 1 hectare (2.47 acres) where the lot is serviced by an on-site well and septic system. The minimum lot size shall be reduced to 0.24 hectare (0.6 acre) where the lot is serviced by a community or communal water or sewer system.

b. By amending Section 200, Schedule II – Bulk and Site Regulations, to include the following line item:

Zoning District or Use	Minimum Lot Width (feet)	Minimum Lot Area	Maximum Lot Coverage	Minimum Setbacks (Feet)			Maximum Height (feet)
				Front	Rear	Side	
SW-2A	100	See Section 135B.3	60%	25	15	15	35

c. By amending Section 4.3, Interpretation, to include “SW-2A” on the line that references “SW districts”.

d. By amending Section 5.1, Designation of Districts, to include “135B Mixed Storage (SW-2A) District” in the Industrial Section.

3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of , 2016
 Public Hearing held this day of , 2016
 Read a second time this day of , 2016
 Read a third time this day of , 2016

Adopted this day of , 2016

Russell Dyson, CAO

Chair of the Regional Board

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1338

OFFICIAL ZONING ATLAS AMENDMENT NO. 683

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS an application has been made to rezone a property;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the Official Zoning Atlas of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE
This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw No. P1338.
2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning LOT A, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN VIP83219 from Small Holdings (A1) District to Mixed Storage (SW-2A) District as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of , 2016
Public Hearing held this day of , 2016
Read a second time this day of , 2016
Read a third time this day of , 2016

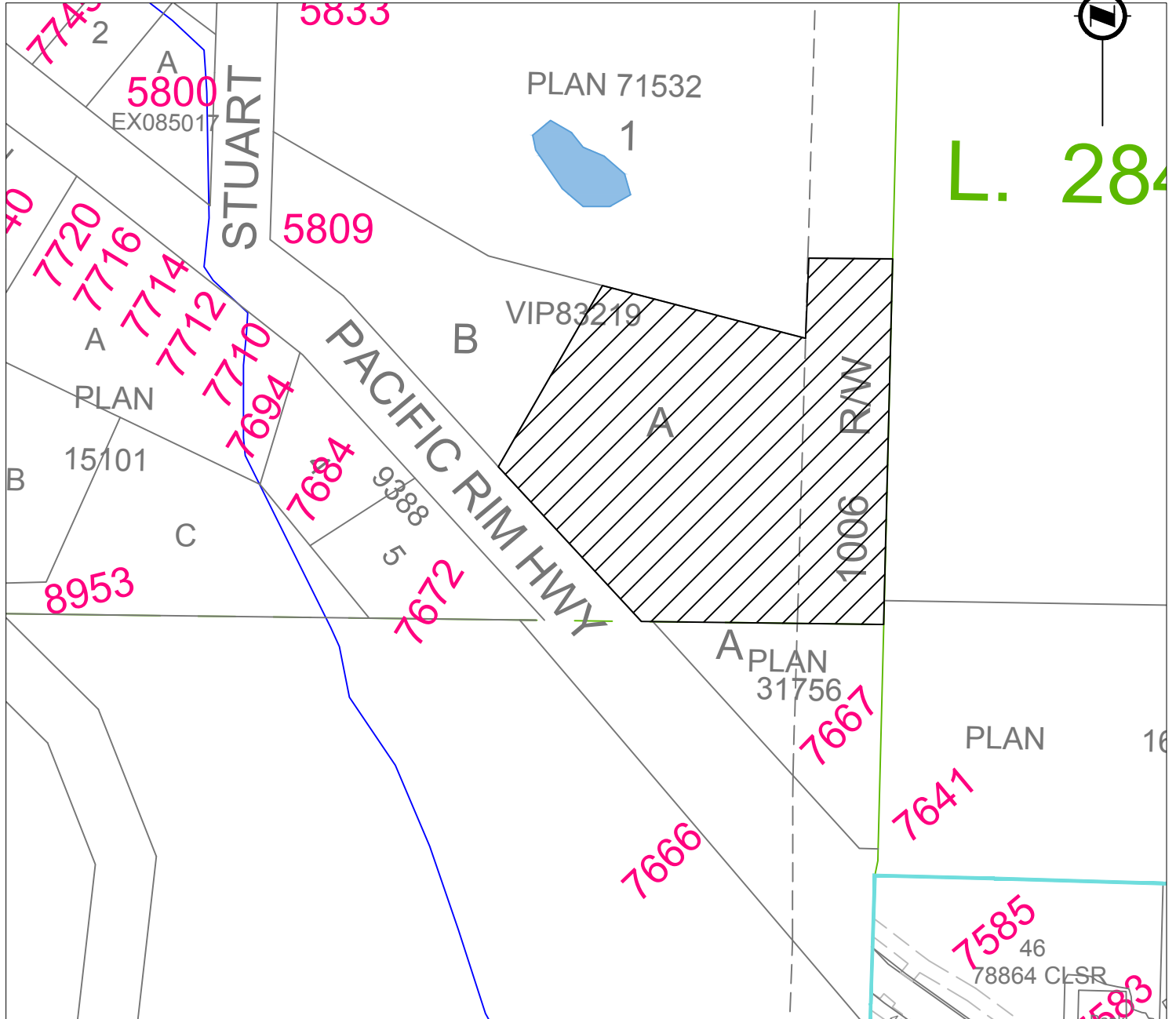
Adopted this day of , 2016

Russell Dyson, CAO

Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw P1338



Legal Description: LOT A, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN VIP83219.



To be rezoned from Small Holdings (A1) District to Mixed Storage (SW-2A) District.



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

1:2000





Rezoning Application

TO: Russell Dyson, CAO
and
Board of Directors, Alberni-Clayoquot Regional District

DATE: January 14, 2016

FROM: Mike Irg, Manager of Planning and Development

**Rezoning
Application:** RE15007

Owner: Craig Bowerman

**Legal
Description:** LOT A, DISTRICT LOT 162, ALBERNI DISTRICT, PLAN 19496, EXCEPT PART
IN PLAN VIP68127

**6546 Smith Road
Address and
Location:** 6546 Smith Road

Electoral Areas: "E" Beaver Creek

Recommendation:

The following are recommendations of the staff report:

- THAT Regional District of Alberni-Clayoquot Beaver Creek Official Community Plan Amendment Bylaw P1334 be read a first time.
- THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1335 be read a first time
- THAT the public hearing for Bylaws P1334 and P1335 be delegated to the Director for Electoral Area 'E', the Alternate Director or the Chairperson of the Regional District.
- THAT the Board of Directors confirm that adoption of Bylaw P1334 and P1335 is subject to:
 - i. Confirmation from a Registered On-Site Wastewater Practitioner or Professional Engineer that the proposed lot is capable of accommodating on-site sewage

RE15007

disposal to a minimum 0.6 acre density;

- ii. Meeting technical referral agency requirements.

Applicant’s Intention: The applicant is applying to rezone the subject property from Small Holdings (A1) District to Acreage Residential (RA2) District in order to facilitate a two lot subdivision.

Observations:

i) **Status of Property:** The subject property is 0.878 hectares (2.17 acres), with one single family dwelling and several out buildings. The property is mostly cleared and there is a small creek just south of the property.

ii) **Services**

- a) **Sewage Disposal:** One on-site sewage disposal.
- b) **Water Supply:** Within the Beaver Creek Water Service area.
- c) **Fire Protection:** The property is within the Beaver Creek Fire Protection area.
- d) **Access:** The original dwelling is accessed from Smith Road and the second lot would be accessed from Lothian Road.

iii) **Existing Planning Policies Affecting the Site**

Agricultural Land Reserve: Not in ALR.

Official Community Plan: The Beaver Creek Official Community Plan designates this property “Rural Use”. This application is to amend the OCP designation to “Residential Use” with a permitted minimum parcel size of 0.24 hectares.

This property is within Development Permit Area I (Riparian Areas Protection) and would require a development permit prior to subdivision approval.

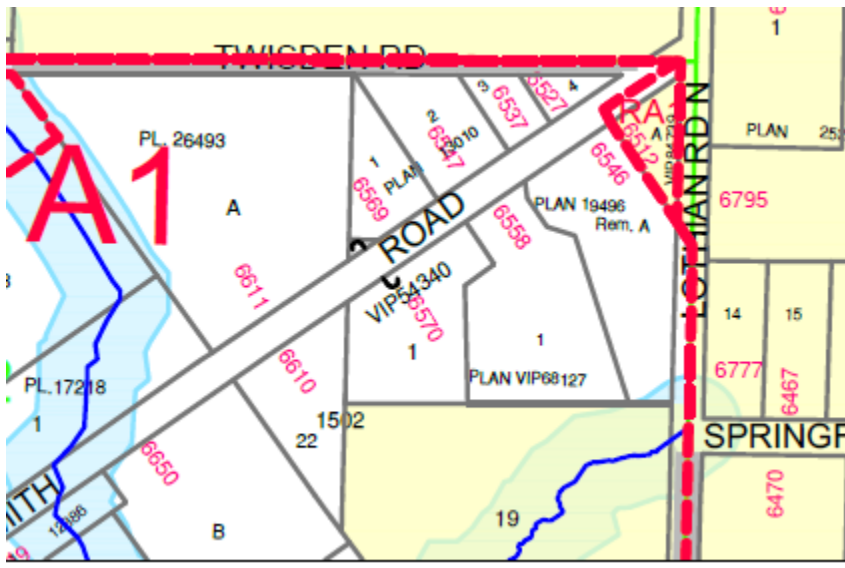
Zoning:

Zoning Bulk and Site Regulations		
	A1 District	RA2 District
Minimum Lot Area:	2 acres	1 acre
Minimum Lot Width:	165 feet	120 feet
Lot Coverage:	-	25%
Minimum Setbacks		
Front:	25 feet	40 feet
Rear:	30 feet	30 feet
Side:	5 feet	15 feet

RE15007

The applicant intends to rezone the property to allow for a two lot subdivision. Rezoning the property to Acreage Residential (RA2) District will allow the flexibility of creating a new lot with a 1 acre minimum lot size.

The existing home complies with the side yard setback requirements of the current A1 zone. Approval of a development variance permit will be required at the zoning bylaw adoption stage to ensure compliance with the proposed RA2 zone.



Comments:

The property is located in a neighbourhood that is a mix of small and medium acreages. The current Beaver Creek OCP designation is “Rural Use” with a minimum parcel size of two (2) hectares. There have been similar applications to amend, non-ALR lots to “Residential Use” to facilitate similar subdivisions. Staff supports this specific application as it provides infill development, is within the Beaver Creek Water System service area, and has two road frontages. In addition, the use would be limited to residential with an ADU (accessory dwelling unit).

The property was part of a subdivision in 1998. Lot 1 Plan VIP68127 was subdivided from Part of Lot A, Plan 19496. The house on the subject property is 1.52 meters (5 feet) from the west property boundary. A development variance permit application for the side yard setback will be required to ensure the existing home is in compliance with RA2 setbacks. This application must be made in conjunction with the rezoning so that issuance of the permit can immediately follow adoption of the rezoning bylaw. The side yard setback under the current A1 zoning is 5 feet. The side yard setback under the proposed RA 2 zoning is 15 feet.

Planning staff is supportive of this application subject to meeting all technical referral agency requirements and approval of the required development variance.

RE15007

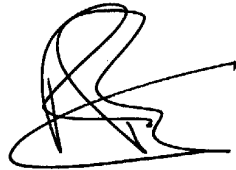
Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułu?íł?ath Government, Huu-ay-aht First Nations, Uchucklesaht Tribe
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)

Submitted by:



Mike Irg, M.C.I.P.
Manager of Planning and Development

Reviewed by:



Russell Dyson, CAO

RE15007

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułu?iŋ?atŋ Government, Huu-ay-aht First Nations, Uchucklesaht Tribe
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)



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LOTHIAN RD N

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S

PLAN OF SUBDIVISION OF LOT 2, PLAN VIP54340, AND PART OF LOT A, PLAN 19496, ALL IN D.L. 162, ALBERNI DISTRICT

PLAN N° VIP 68127

BCGS 92F.036

EM115629
A.C.

Deposited in the Land Title Office of Victoria, B.C.

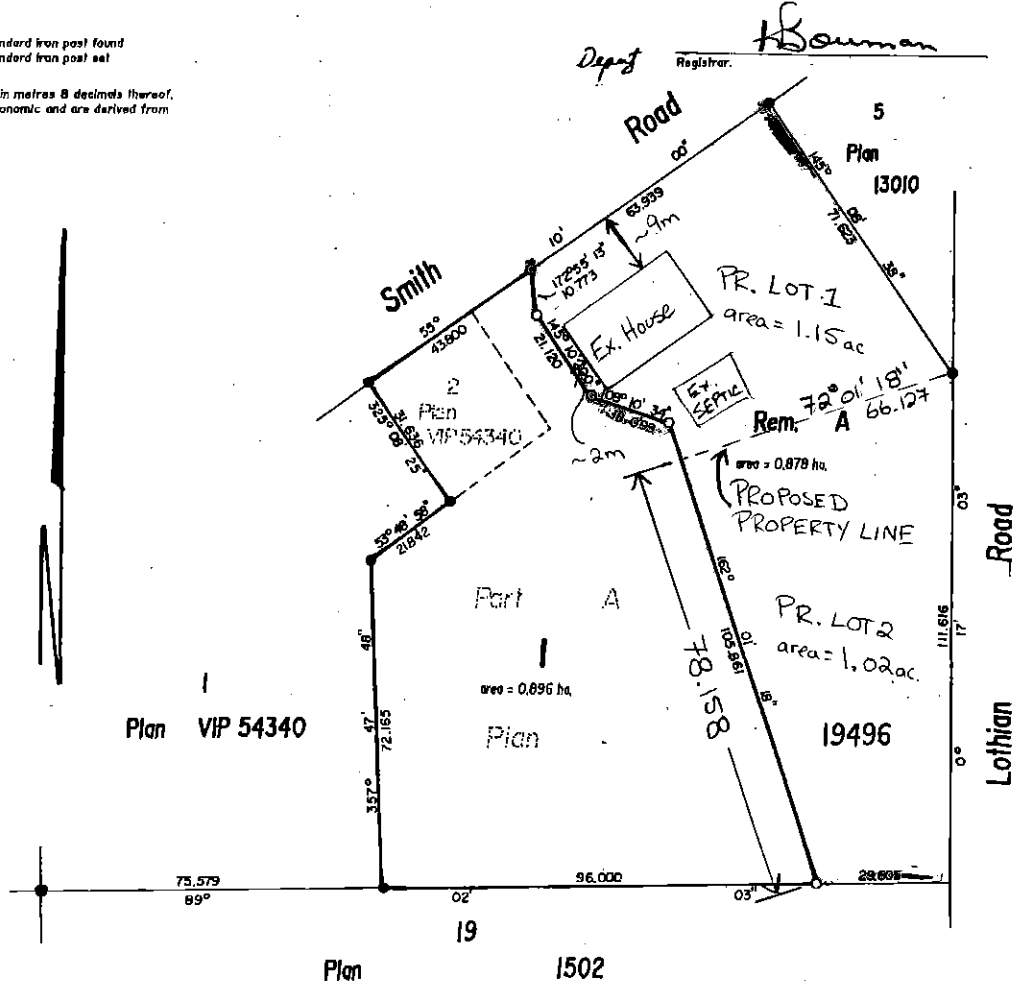
this 2 day of Dec, 1998.



Legend

- denotes standard iron post found
- denotes standard iron post set

All distances are in metres & decimals thereof. Bearings are astronomic and are derived from Plan 19496.



CIBC MORTGAGES INC.
formerly known as
CIBC MORTGAGE CORPORATION

mortgagee
Sean O'Donohue
authorized signatory

authorized signatory
Marvin Lango MARVIN LANGOSA
witness
1800 - 1066 W. HASTINGS ST.
VANCOUVER, B.C. V6E 4M1
witness address

BANKER
witness occupation

William Scott Pedersen
WILLIAM SCOTT PEDERSEN
owner

[Signature]
witness

4710 Roger St. Pt. Alberni
witness address

B.C.L.S.
witness occupation

Allan Larry Thomas
ALLAN LARRY THOMAS
owner

[Signature]
witness

4710 Roger St. Pt. Alberni
witness address

B.C.L.S.
witness occupation

THE TORONTO-DOMINION BANK

Heleen Whitty
HELEN WHITTY
MANAGER
CREDIT SERVICES
authorized signatory

[Signature]
authorized signatory

J. Rae Miller
witness

5 Massey Square #410, Toronto, ON
witness address

ID Bank - Account Manager
witness occupation

Re-inspected this 30th day of November, 1998

[Signature]
B.C.L.S.

I, Richard Norman Acres, a British Columbia Land Surveyor, of Port Alberni, in British Columbia, certify that I was present at and personally supervised the survey represented by this plan, and that the survey and plan are correct.

The survey was completed on the 10th day of September, 1998.

[Signature]
B.C.L.S.

Approved under the Land Title Act,
this 27 day of Dec, 1998.

[Signature]

Applying Officer,
Ministry of Transportation and Highways.

This plan lies within the Alberni-Clayoquot Regional District.

ACRES & POLLOCK
B.C. LAND SURVEYORS
PORT ALBERNI
PHONE - (250) 723 9412
FILE - 12992

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1334

**A BYLAW TO AMEND BYLAW NO. P1291
BEAVER CREEK OFFICIAL COMMUNITY PLAN**

WHEREAS by Section 478(2) of the *Local Government Act*, all bylaws enacted by the Regional Board must be consistent with an existing official community plan;

AND WHEREAS the Regional Board may amend an existing official community plan;

NOW THEREFORE the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. TITLE
This bylaw may be cited as the Beaver Creek Official Community Plan Amendment Bylaw No. P1334.
2. Schedule B, the plan map, is hereby amended by redesignating LOT A DISTRICT LOT 162 ALBERNI DISTRICT PLAN 19496 EXCEPT PART IN PLAN VIP68127 from "Rural Use" to "Residential Use" as shown on Schedule 'A' which is attached to and forms part of this bylaw.
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of , 2016

Public Hearing held this day of ,2016

Read a second time this day of , 2016

Read a third time this day of , 2016

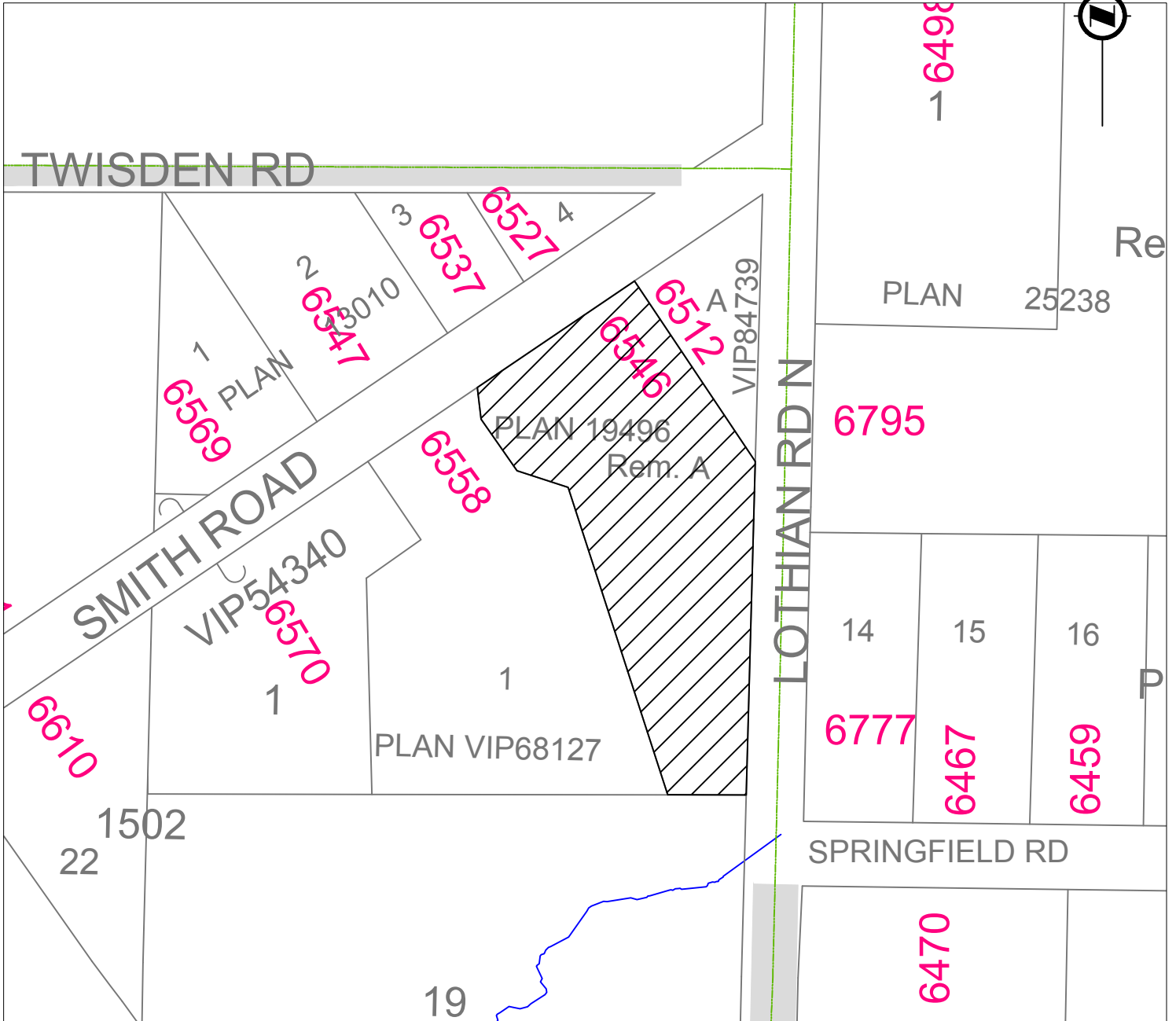
Adopted this day of , 2016

Russell Dyson, CAO

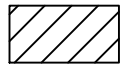
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw P1334



Legal Description: LOT A DISTRICT LOT 162 ALBERNI DISTRICT PLAN 19496 EXCEPT PART IN PLAN VIP68127



To be redesignated from "Rural Use" to "Residential Use".



ALBERNI-CLAYOQUOT REGIONAL DISTRICT



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1335

OFFICIAL ZONING ATLAS AMENDMENT NO. 682

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS an application has been made to rezone a property;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the Official Zoning Atlas of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE
This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw No. P1335.
2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT A DISTRICT LOT 162 ALBERNI DISTRICT PLAN 19496 EXCEPT PART IN PLAN VIP68127 from Small Holdings (A1) District to Acreage Residential (RA2) District as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of , 2016

Public Hearing held this day of , 2016

Read a second time this day of , 2016

Read a third time this day of , 2016

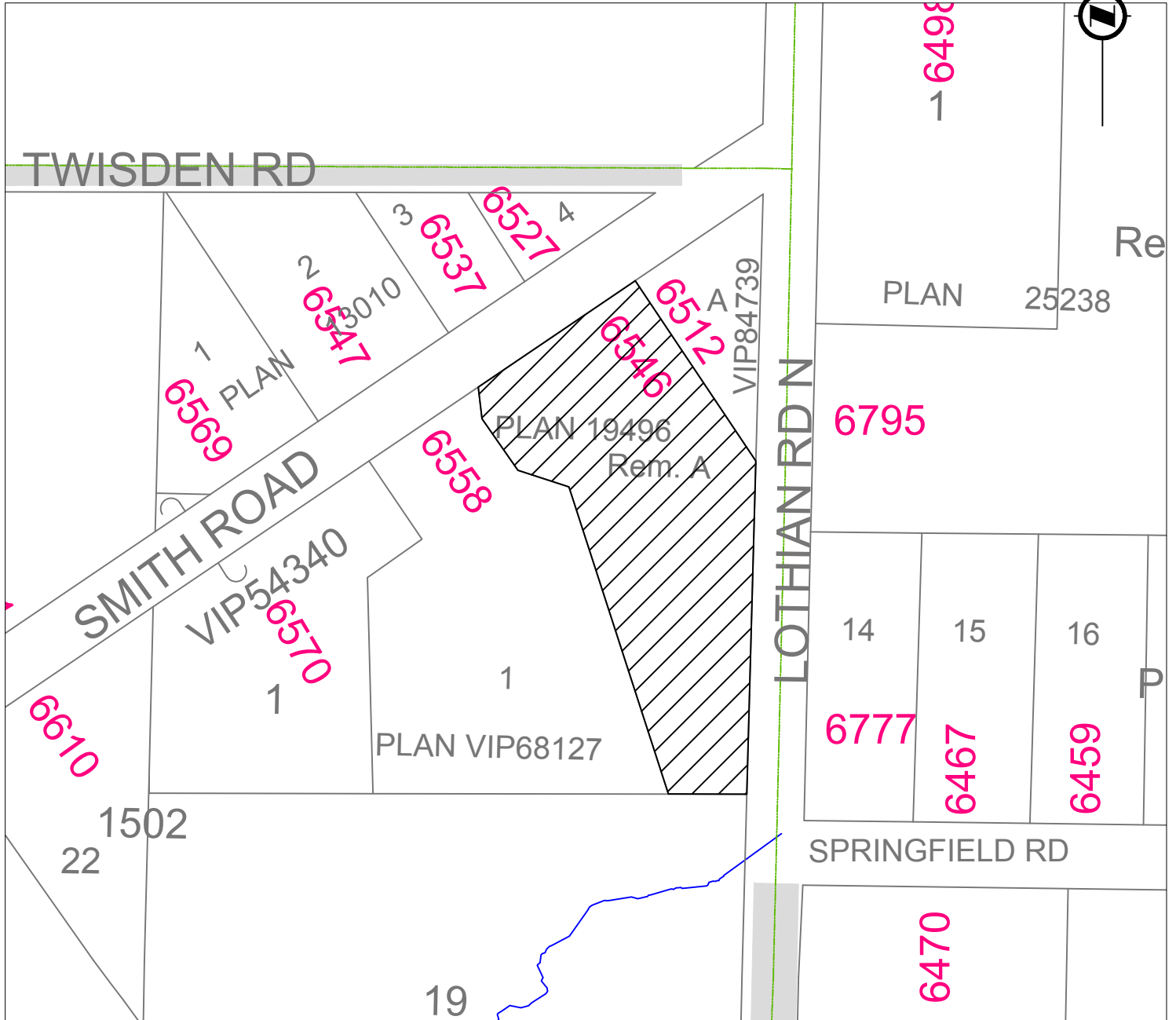
Adopted this day of , 2016

Russell Dyson, CAO


Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw P1335



Legal Description: LOT A DISTRICT LOT 162 ALBERNI DISTRICT PLAN 19496 EXCEPT PART IN PLAN VIP68127

 To be rezoned from Small Holdings (A1) District to Acreage Residential (RA2) District.





Rezoning Application

TO: Russell Dyson, Chief Administrative Officer and
ACRD Board of Directors

DATE: January 15, 2016

FROM: Heather Adair, Planner

ACRD FILE NO: RF15010

APPLICANTS: Richard and Cheri Newberry

LEGAL

DESCRIPTION: THAT PART OF BLOCK 9, DISTRICT LOT 57, ALBERNI DISTRICT, PLAN 1901 LYING TO THE EAST OF CHERRY CREEK ROAD, AS SAID ROAD IS DEDICATED BY SAID PLAN.

LOCATION: 6585 Cherry Creek Rd

ELECTORAL AREA: "F" Cherry Creek

Recommendation:

The following are recommendations of the staff report:

- THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1340 be read a first time.
- THAT the public hearing for Bylaw P1340 be delegated to the Director for Electoral Area 'F', the Alternate Director or the Chairperson of the Regional District.
- THAT the Board of Directors confirm that adoption of Bylaw P1340 is subject to:
 - i. Confirmation from a Registered On-Site Wastewater Practitioner or Professional Engineer that the proposed lot is capable of accommodating on-site sewage disposal to a minimum 0.6 acre density; and
 - ii. Meeting technical referral agency requirements.

Applicant's Intention: The property owner has applied to rezone the property in order to facilitate a two lot subdivision. A conceptual subdivision plan was submitted which demonstrates a +/- 0.6 acre lot at the north end of the property with the existing house

RF15010

accessed via Cherry Creek Road. A second lot +/- 0.78 acre lot fronting onto Cherry Creek Road is proposed.

Observations:

i) **Status of Property:** The 1.4 acre property is mostly cleared and flat with a drainage ditch that dissects through the middle of the property from Cherry Creek Road to the Cherry Creek Golf Course. There is a single family dwelling built in 1976 at the north end of the property with renovations completed in 2015. There is a small storage garage near the house and an accessory building towards the rear of the property. The accessory building towards the rear of the property may be encroaching on the adjacent property and the owner has indicated that it will be removed.

ii) Services

- a. **Sewage Disposal:** On-site sewage disposal. A permitted septic system was installed in the summer of 2015 when the existing house was renovated. As a condition of rezoning, the property owner will need to seek confirmation from a Registered On-Site Wastewater Practitioner or Professional Engineer that the proposed lot can accommodate a septic system to serve a minimum 0.6 acre lot subdivision.
- b. **Water Supply:** Cherry Creek Waterworks District.
- c. **Fire Protection:** Cherry Creek Volunteer Fire Department.
- d. **Access:** The property is accessed via Cherry Creek Road. The proposed second lot would require a driveway accessed from Cherry Creek Road.

iii) Existing Planning Policies Affecting the Site

- A. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- B. **Official Community Plan:** The Cherry Creek Official Community Plan designates the property as "Residential Use". Policy 3.2.13 allows a minimum lot size of 0.24 hectares (0.6 acres) in all designations for a lot serviced by a community water system. As this property is serviced by the Cherry Creek Waterworks District, the 0.24 hectare minimum would apply. There are no Development Permit Areas designated in the OCP that affect this property.

The proposal complies with the policies and objectives of the Cherry Creek Official Community Plan.

RF15010

A. **Zoning:** The property is currently zoned Small Holdings (A1) District. The owner has applied to rezone the entire property to Acreage Residential (RA3) District.

Zoning Bulk and Site Regulations		
	A1 District	RA3 District
Minimum Lot Area:	2 acres	0.6 acres
Minimum Lot Width:	165 feet	98.4 feet
Lot Coverage:	-	15%
Minimum Setbacks		
Front:	25 feet	49.2 feet
Rear:	30 feet	32.8 feet
Side:	5 feet	16.4 feet

The applicant intends to rezone the property to allow for a two lot subdivision. Rezoning the property to Acreage Residential (RA3) District would allow the flexibility of creating a new lot with a 0.6 acre minimum lot size while complying with the Cherry Creek OCP.

Comments:

1. Confirmation from a Registered On-Site Wastewater Practitioner or Professional Engineer that the proposed lot is capable of accommodating on-site sewage disposal to a minimum 0.6 acre density will be required prior to proceeding to public hearing.
2. Planning staff have sent a preliminary referral to the Cherry Creek Waterworks District. If the application is furthered to a public hearing, the bylaw would be referred to affected agencies, including the Cherry Creek Waterworks District, and they would be given an opportunity to provide comments/concerns that would be presented at the public hearing.
3. The proposal complies with the requirements of the Cherry Creek OCP and would not be out of character in this area. The property lies in close proximity to the services provided in the city and provides a good opportunity for in-fill development. Planning staff feels that this application is reasonable provided that the applicant can confirm the soil capability for on-site sewage disposal for a minimum 0.6 acre density.

RF15010

Submitted by:



Heather Adair, Planner

Reviewed by:



Mike Irg, Manager of Planning and Development



Russell Dyson, Chief Administrative officer

RF15010

B.C. LAND SURVEYORS BUILDING LOCATION CERTIFICATE
THAT PART OF BLOCK 9, DL 57, ALBERNI DISTRICT,
PLAN 1901 LYING TO THE EAST OF CHERRY CREEK ROAD, AS SAID
ROAD IS DEDICATED BY SAID PLAN

SCALE 1:750

All distances are metric and derived from Plan 1901 and EPP9793

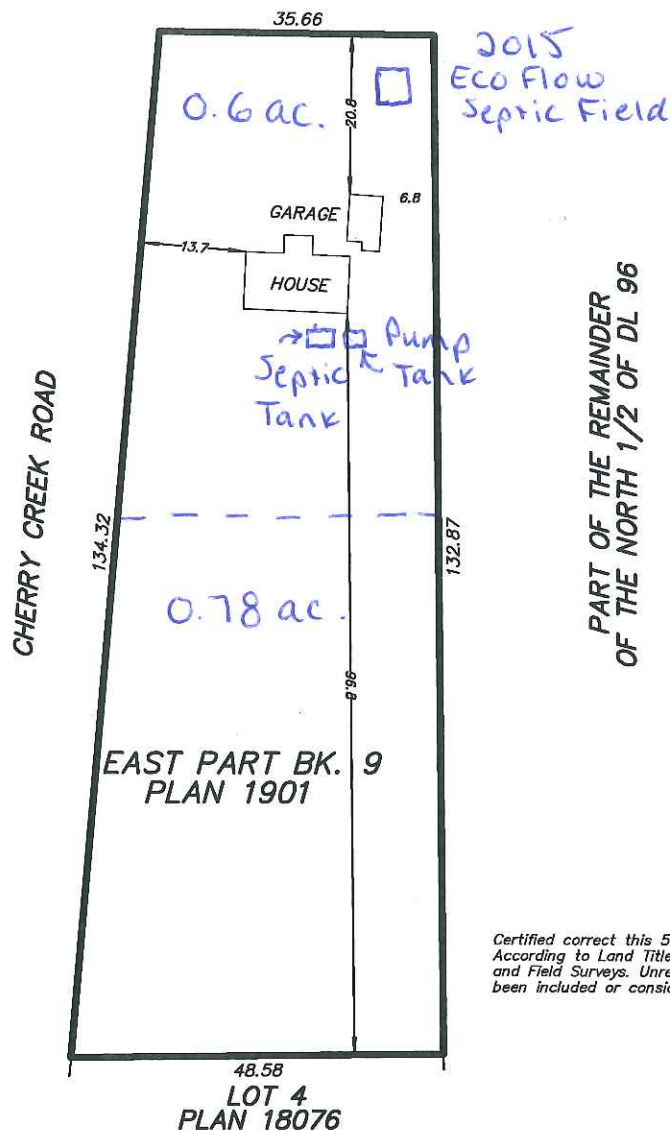
Jurisdiction: Alberni Clayoquot Regional District

PID No. 006-653-103

This Lot is subject to L.T.O. charge numbers:
M76300



CHERRY CREEK ROAD



Certified correct this 5th day of February, 2015
According to Land Title & Survey Authority Records
and Field Surveys. Unregistered interests have not
been included or considered.

NOTE:

1. This Survey purports to show only the existing improvements on the above described parcel(s) and their relative location thereon.
2. This Plan provides no warranty or representation whatsoever with respect to any other building, patio, retaining wall, parking facility, fence, underground, aboveground, or overhead utility or any other improvements and their relative location to any internal or external boundaries of the above described parcel(s) and is not to be used to re-establish property lines.
3. Sims Associates Land Surveying Ltd. and (Surveyor's Name) accept no responsibility for and hereby disclaim all obligations and liabilities for damages including, but not limited to, direct, indirect, special, and consequential damages arising out of or in connection with any direct or indirect use or reliance upon the Plan beyond its intended use.

This Survey is not valid unless digitally signed
This survey is protected by copyright and
may not be reproduced.

MICHAEL
SIMS
XXJIDU

Digitally signed by MICHAEL
SIMS XXJIDU
DN: c=CA, ou=MICHAEL SIMS
XXJIDU, o=BC Land Surveyor,
ou=Verify ID at
www.juricert.com/LKUP.cfm?
id=XXJIDU
Date: 2015.02.11 09:11:07 -0800

SIMS ASSOCIATES
LAND SURVEYING LTD.
 223 FERN ROAD W.
 QUALICUM BEACH, B.C. V9K 1S4
 PHONE: 250-752-9121
 FAX: 250-752-9241
 FILE NUMBER: 14-327-BL
 DRAWING FILE: 14-327 sp1.dwg



L.97

COTTONWOOD RD

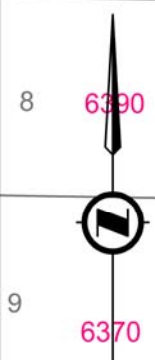
ROSEWOOD RD

TREVOR AVE

CHERRYCREEK ROAD

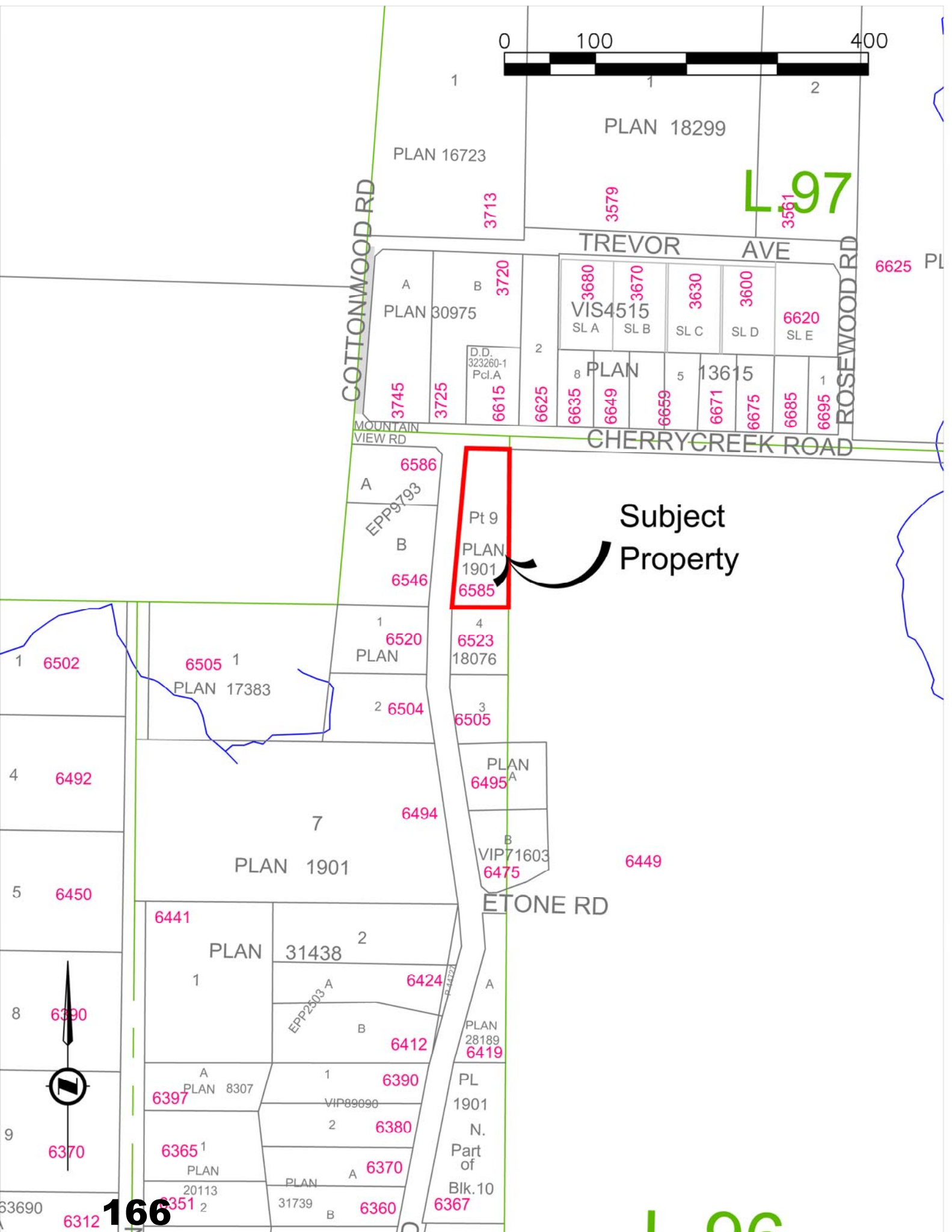
Pt 9
PLAN
1901
6585

Subject
Property



166

L.06



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1340

OFFICIAL ZONING ATLAS AMENDMENT NO. 685

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470, and 479 of the *Local Government Act*;

AND WHEREAS an application has been made to rezone a property;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the Official Zoning Atlas of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw No. P1340.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning THAT PART OF BLOCK 9, DISTRICT LOT 57, ALBERNI DISTRICT, PLAN 1901 LYING TO THE EAST OF CHERRY CREEK ROAD, AS SAID ROAD IS DEDICATED BY SAID PLAN from Small Holdings (A1) District to Acreage Residential (RA3) District as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.

3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of
Public Hearing held this day of
Read a second time this day of
Read a third time this day of

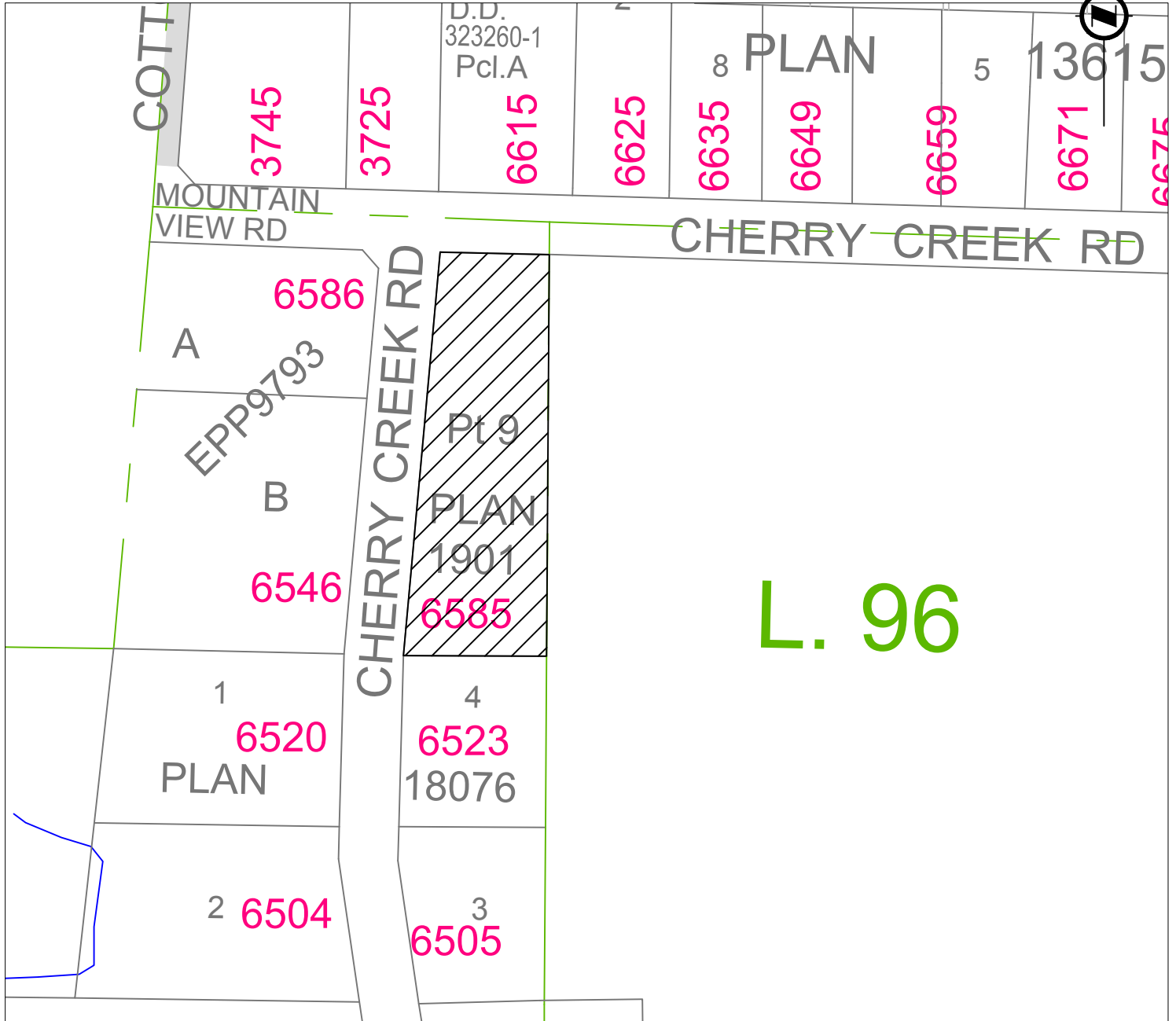
Adopted this day of , 2016

Russell Dyson, CAO

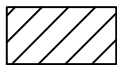
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw P1340



Legal Description: THAT PART OF BLOCK 9, DISTRICT LOT 57, ALBERNI DISTRICT, PLAN 1901 LYING TO THE EAST OF CHERRY CREEK ROAD, AS SAID ROAD IS DEDICATED BY SAID PLAN



To rezoned from Small Holdings (A1) District to Acreage Residential (RA3) District.



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

1:2000



Alberni-Clayoquot Regional District
Staff Action Items by Department and Date
Update to the Board of Directors as of January 21, 2016

#	Date	Action Item	Assigned to	Target Date/Update
Administration Department				
1.	Jan. 23/13 WC Comm	Explore with the Yuułuʔiłʔatḥ Government possible participation in the South Long Beach Multi Purpose Bike Path in the future.	Russell	Yuułuʔiłʔatḥ to respond
2.	July 10 th Board	Contact and work with the Nuuchahnulth Tribal Council and the Port Alberni Friendship Centre to develop a long term plan for reconciliation.	Reconcil. Committee	Committee met with Friendship Centre – Oct. 20
3.	April 9th Board	C2C recommend contacting the President NTC Deb Foxcroft and request an observer from the ACRD at the NTC meetings.	Reconcil. Committee	Committee to review status
4.	Feb. 11 th Board	Consult with affected interests of the AVRA expansion including Greenmax, SD#70, Ministry of Forests Lands and Natural Resource Operations, Coulson Group of Companies, AV Drag Racing Assoc. and Hupacasath First Nation and Tseshaht First Nation	Russell	Ongoing - TFN support received
5.	May 27 th Board	Assessment of Tseshaht First Nation water system expansion to Bell & Stuart roads waiting further information from the Tseshaht First Nation.	Russell	Assessing water system
6.	Sept. 16 th Special Board	Coastal Response Local Planning Committee to prepare a report outlining a local plan to participate in the June 2016 Coastal Response Exercise	Russell	Awaiting feedback EMBC
7.	Sept. 16 th AV & Bamfield Services Comm.	A 3 person committee made up of the CAO, Chairperson Osborne and Director McNabb was established to continue to meet with the Tseshaht First Nation to discuss tenure at the AV Landfill - arrange next meeting	Russell	Next steps requested of Tseshaht FN
8.	Oct. 14 th Board	The Board directed staff to investigate the possibility of assisting Alberni Valley Transition Towns Society with office space for their part time coordinator	Russell	Investigating
9.	December 11 th Board	The Request for Decision on the purchase of a Genset was deferred	Mike	Quotes secured
10.	December 11 th Board	Contact the former Board Remuneration Review Committee to seek further clarification on recommendation of item e. of their report to the Board dated October 8, 2014 and report back to the ACRD Board – Remuneration for more than one meeting on same day as board meeting day	Wendy	Chair meeting with former committee January 27 @ noon
11.	January 13 th Board	The Board approved the ACRD and ACRHD Regional Meeting Schedule for 2016 – post on bulletin board and website	Wendy	Done

#	Date	Action Item	Assigned to	Target Date/Update
12.	January 13 th Board	The Board authorized entering into a one year agreement with the City of Port Alberni in the amount of \$20,000 for the City to develop and maintain a Comprehensive Reception Centre Management Plan for the Alberni Valley – Advise City and prepare agreement for signatures	Russell	Meeting with the City on Monday, Jan. 18 th
13.	January 13 th Board	Advise Derek and Cam Appleton that the ACRDB Board declined their request to proclaim MyAlberni App as the Official Community App of the Alberni Valley	Russell	Done
14.	January 13 th Board	The Board approved the 2016 Alberni-Clayoquot Regional District Committee Appointments and Appointments to Outside Boards, Agencies, Commissions as presented with an amendment to add Director St. Jacques to the Coastal Community Network – update and post on website, advise external organizations of appointments	Wendy	Done
15.	January 13 th Board	The Board identified the following as possible resolutions for consideration at AVICC: <ul style="list-style-type: none"> • Rainwater Harvesting System Rebate Program for Agricultural Users • Marine Oil Spill Emergency Response • Physician recruitment Work with the Chairperson on developing resolutions for consideration at the January 27 th Board of Directors meeting	Russell/ Josie	Being drafted for consideration January 27 Board meeting
16.	January 13 th Hospital Board	The Regional Hospital District Board approved the 2016 Committee Appointments as presented – update website and advise external organizations	Wendy	Done
17.	January 13 th Hospital Board	Forward a letter to the Alberni-Clayoquot Continuing Care Society congratulating them on the 35 th Anniversary of Fir Park Village	Wendy	Done
Finance Department				
18.	July 22 Board	The Board approved staff re-applying for an Infrastructure Planning Grant on behalf of the Cherry Creek Waterworks District (CCWW) to develop an infrastructure improvement plan – submit application.	Andrew/ Janice with Engineer In Progress	Awarded - Contacted CCWW to advise & start process
19.	Oct. 7 th WC Comm.	Include a review of lease rates at the LB Airport for consideration during 2016 Budget deliberations	Andrew	In progress – Investigating options

#	Date	Action Item	Assigned to	Target Date/Update
20.	October 28 th Board	The Board of Directors approved applying for a UBCM 2016 Asset Management Planning Grant in the amount of \$10,000 to assist in the funding the ACRD's Asset Management plan initiative process – Apply for the grant	Andrew/ Teri	Successful grant – plan to start in April 2016
21.	January 13 th Board	The Board adopted bylaw cited as “Revenue Anticipation Borrowing Bylaw No. F1124, 2016” – prepare for signatures	Andrew	Done
22.	January 13 th Board	Investigate why the ACRD is paying for the radio clubs insurance and why such a high rate	Andrew	In Progress
Environmental Services Department				
23.	May 11/11 th AV Comm.	Investigate with the Tseshaht First Nation possible resource recovery at the AV Landfill	Russell	In progress
24.	June 13/12 th BD	Develop a plan for appropriate use of the funds on the Log Train Trail from the Arrowsmith Radical Runners.	Luc	Design in progress – GPS Complete
25.	Oct. 10/12 th Board	Work with the Air Quality Council to develop a draft valley wide woodstove bylaw based on the City of Port Alberni's bylaw following receipt by the Board of Directors a joint APC meeting will be called to review the proposal.	Russell	Drafting a bylaw for board review
26.	Nov. 13 th Board	The ACRD Board adopted the ACRD Contractor Safety and Coordination Policy as presented – Implement the Policy & provide copies to all ACRD Contractors.	Russell	In progress
27.	June 10 th Board	The Board of Directors adopt the following implementation policy for penalties at the Alberni Valley Landfill: <ul style="list-style-type: none"> • Commencing January 1, 2016, a surcharge of 50% of the current tipping fee for loads containing more than 10% of corrugated cardboard; • Commencing July 1, 2016 a surcharge of 100% of the current tipping fee for loads containing more than 5% of corrugated cardboard • Update ACRD policy book etc. 	Janice/ Andrew	In progress – Reviewing with contractors to see buy in – Discuss with Rose and onsite
28.	Aug. 12 th Board	Prepare a report for the next West Coast Committee regarding review of lease rates at the Long Beach Airport.	Andrew/ Janice/Mark	In Progress
29.	Sept. 9 th Board	Refer the correspondence from the District of Tofino regarding working with Eco West on green infrastructure to staff for consideration and report back to the West Coast Committee	Andrew	In Progress

#	Date	Action Item	Assigned to	Target Date/Update
		and then the Board of Directors – Prepare a report for consideration at the October 7 West Coast Committee Meeting		
30.	November 25 th Board	The Board of Directors referred the report on the Alberni Valley Organics Diversion Strategy to the Alberni Valley & Bamfield Services Committee for further discussion	Andrew/ Janice	Referred to January AV & Bamfield Svs. Comm. meeting
31.	January 13 th Board	The Board authorized the renewal of Tofino Air's hangar lease at Long Beach Airport for a one year term commencing September 1, 2015 and expiring August 31, 2016 with an annual rent of \$4000.00 plus applicable taxes – prepare lease for signatures	Janice	Done
32.	January 13 th Board	The Board of Directors awarded the Long Beach Airport Runway Lighting Project contract to Raylec Power LP for a total tender price of \$1,479,870.60 (incl. GST) – Prepare contract for signatures and proceed with project	Janice/ Mark	Done Project expected to start late March
Planning Department				
33.	May 13/10 WC	Planning Staff proceed with subdivision process on the Long Beach Airport lands for the WC Multiplex Society and Long Beach Golf Course following Airport rezoning.	Mike	Including in new zoning bylaw
34.	Nov. 14/12 Board	The Board referred the Bamfield Community Hall Society's request to approve & support their proposal to build a new hall to staff to review the request and provide a recommendation, following consultation with the Society, on the role of the ACRD.	Mike	Contacted Hall Society – Society working on options
35.	May 27 th EA Directors	Zoning Bylaw Text Amendment for Riparian Setbacks within all Electoral Area Official Community Plan Areas - The EA Directors passed a resolution instructing planning staff to re-designate major and minor streams within all electoral area official community plan areas.	Mike	Planning staff to review
36.	May 27 th EA Directors	Electoral Area Directors Committee instructed staff to bring a report to the Board on options for dealing with vacation rentals.	Mike	Planning staff to review
37.	May 27 th Board	The Board approved the plan for a communal meeting place for Salmon Beach owners to be located on ACRD owned 10, Block 63, Section 49, Clayoquot District, Plan VIP510. This will be in accordance with: 1. All structures to meet BC Building Code 2. "Use at own risk" signage is provided	Luc	In progress

#	Date	Action Item	Assigned to	Target Date/Update
		<p>3. Material and construction costs are not from public funds</p> <p>4. Future Maintenance and Inspection to be performed by ACRD</p> <p>As outlined in the staff report dated November 20, 2014 – Proceed with the project.</p>		
38.	May 27 th Board	Work with West Coast Aquatic and bring back a recommendation to the Board on partnering with West Coast Aquatic in habitat restoration, protection and enhancement projects.	Mike	Planning staff to review
39.	June 24 th Board	Staff investigate Transport Canada's Ports Asset Transfer Program relating to the West Bamfield dock & report back to the Board.	Mike	On going
40.	Oct. 9 th WC Comm.	Investigate the request from Rod's Power and Marine Ltd. to lease boat storage, indoor and outdoor at the LB Airport and report back to the Committee	Mike/ Alex	Investigating potential sites
41.	Nov. 4 th EA Directors	The Electoral Area Directors Committee directed staff to prepare a Development Approval Procedures Bylaw that includes a section that delegates the power to issue Development Permits, under sections 919.1 (1) (a) protection of the natural environment and (b) protection of development from hazardous conditions only, to the CAO – Present the draft bylaw for consideration by the EA Directors Committee prior to taking to the Board of Director for adoption	Mike	Spring 2016
42.	Nov. 4 th EA Directors	Refer the following for consideration during 2016 budget discussions: funding for fish habitat assessments and restorations in electoral areas	Mike	2016 Budget
43.	January 13 th Board	Rezoning Application RD15006, Daneliuk, Two Rivers Arm, Sproat Lake – The Board approved the public hearing report and minutes and gave second and third reading to Bylaws P1331 and P1332	Mike	Done
44.	January 13 th Board	Rezoning Application RE15001, Simister, 5825 Saunders Road N – the Board adopted Bylaw P1326, Regional District of Alberni-Clayoquot Zoning Atlas Amendment	Mike	Done
45.	January 13 th Board	Rezoning Application RF15002, Kiss, 5819 Strathcona Street – The Board adopted Bylaw P1329, Regional District of Alberni-Clayoquot Zoning Atlas Amendment	Mike	Done
46.	January 13 th Board	The Board has requested that a Planning Staff member attend the Oceans Networks Canada Information Session to discuss the new proposed community	Mike	Alex Dyer attending

#	Date	Action Item	Assigned to	Target Date/Update
		observatory in the Alberni Inlet – January 22 nd		
47.	January 13 th Board	The Board has requested that a Planning Staff member attend the Northern Goshawk and Marbled Murrelet Implementation Plan Engagement Session on February 15 th	Mike	Mike Irg Heather Adair attending
48.	January 13 th Board	Planning staff assist with preparing background on AVICC resolution regarding Rainwater Harvesting System Rebate Program for Agricultural Users	Mike	On going

Issued: January 21, 2016



Alberni-Clayoquot Regional District

**Board of Directors Meeting Schedule
February 2016**

DATE	MEETING	TIME & LOCATION	ATTENDEES
Thursday, February 4th	AV & Bamfield Services Committee - Financial Planning Meeting	10:00 am – Regional District Board Room	Committee, Staff
	Electoral Area Directors Committee - Financial Planning Meeting	1:30 pm - Regional District Board Room	Committee, Staff
Wednesday, February 10th	Committee-of-the- Whole - Grant-in-Aids Meeting	9:00 am – Regional District Board Room	Directors, Staff
	Board of Directors Meeting	1:30 pm - Regional District Board Room	Directors, Staff
	Regional Hospital District Meeting	Immediately following above	Directors, Staff
Monday, February 15th	Bamfield Community Affairs Meeting - Presentation of 5 Year Financial Plan	7:30 pm – Bamfield Community School	Bamfield Director, Staff
Thursday, February 18th	Long Beach Airport Advisory Committee Meeting	10:00 am - Tofino Council Chambers	Committee, Staff
	West Coast Committee - Financial Planning Meeting	1:00 pm – Tofino Council Chambers	Committee, Staff
Wednesday, February 24th	Board of Directors Meeting	1:30 pm – Regional District Board Room	Directors, Staff
Monday, February 29th	Sproat Lake Community Meeting - Presentation	7:00 pm - Sproat Lake Community Hall	Sproat Lake Director, Staff

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT BUILDING INSPECTOR'S REPORT
DECEMBER, 2015**

BUILDING TYPE	BAMFIELD		BEAUFORT		LONG BEACH		SPROAT LAKE		BEAVER CREEK		CHERRY CREEK		TOTALS	
	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE
Single Family							1	216,062					1	216,062
Mobile Homes													0	0
Multi-Family													0	0
Adds&Rens			1	6,200									1	6,200
Commercial													0	0
Institutional													0	0
Industrial													0	0
Miscellenaous					2	52,246							2	52,246
Totals	0	0	1	6,200	2	52,246	1	216,062	0	0	0	0	4	274,508

	BAMFIELD	BEAUFORT/ BEAVER CREEK	LONG BEACH	SPROAT LAKE	CHERRY CREEK	TOTAL	YTD TOTAL
WOODSTOVE INSPECTIONS		5	1	2	1	9	74

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT BUILDING INSPECTOR'S REPORT
DECEMBER, 2015 TO DATE**

BUILDING TYPE	BAMFIELD		BEAUFORT		LONG BEACH		SPROAT LAKE		BEAVER CREEK		CHERRY CREEK		TOTALS	
	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE
Single Family	1	267,558	1	420,784	9	1,438,307	6	1,291,303	6	1,799,640	4	727,615	27	5,945,208
Mobile Homes	0	0	0	0	0	0	1	105,000	0	0	2	52,602	3	157,602
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Adds&Rens	0	0	1	6,200	1	4,500	4	225,253	2	34,023	1	3,000	9	272,976
Commercial	0	0	0	0	0	0	1	18,500	0	0	1	10,000	2	28,500
Institutional	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial	0	0	0	0	1	1,000,000	0	0	0	0	1	35,000	2	1,035,000
Miscellenaous	0	0	0	0	5	128,808	17	404,926	16	463,821	8	140,330	46	1,137,885
Totals	1	267,558	2	426,984	16	2,571,615	29	2,044,982	24	2,297,484	17	968,547	89	8,577,170

	YEAR TO DATE		TOTAL YEAR			YEAR TO DATE		TOTAL YEAR	
2014	73	7,121,200	73	7,121,200					
2013	81	8,208,948	81	8,208,948					
2012	92	9,011,700	92	9,011,700					
2011	120	9,221,498	120	9,221,498					
2010	149	21,524,170	149	21,524,170					
2009	123	11,302,380	123	11,302,380	1999	80	3,348,092	80	3,348,092
2008	147	22,682,130	147	22,682,130	1998	75	3,320,890	75	3,320,890
2007	163	15,007,877	163	15,007,877	1997	104	10,025,166	104	10,025,166
2006	161	15,909,705	161	15,909,705	1996	128	9,050,554	128	9,050,554
2005	138	12,962,379	138	12,962,379	1995	116	9,641,300	116	9,641,300
2004	133	11,036,854	133	11,036,854	1994	151	7,915,500	151	7,915,500
2003	97	6,925,356	97	6,925,356	1993	167	10,864,000	167	10,864,000
2002	76	2,986,134	76	2,986,134	1992	173	11,192,500	173	11,192,500
2001	89	5,790,126	89	5,790,126	1991	126	7,155,120	126	7,155,120
2000	88	4,095,339	88	4,095,339	1990	118	6,323,900	118	6,323,900