



Alberni-Clayoquot Regional District

BOARD OF DIRECTORS MEETING

WEDNESDAY, APRIL 26, 2017, 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 – April 12, 2017	6-16
<i>THAT the minutes of the Board of Directors meeting held on April 12, 2017 be adopted.</i>	
5. <u>PETITIONS, DELEGATIONS & PRESENTATIONS (10 minute maximum)</u>	
a. Inspector Brian Hunter, Officer In Charge, Port Alberni Detachment, RCMP regarding the Port Alberni RCMP Report for January – March, 2017.	17-19
b. Ms. Sherry Durnford, Friends of Rails to Trails Vancouver Island regarding conversion of the E&N Railbed to a contiguous multipurpose trail.	
c. Ross & Kelly Styles, regarding Development Variance Application DVC16014.	
6. <u>CORRESPONDENCE FOR ACTION</u>	
a. REQUEST FOR SUPPORT	20-22
Royal Canadian Legion, April 2017 regarding request for support for the Remembrance project by sponsoring an advertisement.	

Possible Motion:

THAT the Board of Directors approve the request for support for the Remembrance project by sponsoring an advertisement space in the “Military Service Recognition Book” for a ¼ page (full colour) for the amount of \$ 565.00 including GST.

7. CORRESPONDENCE FOR INFORMATION

- | | | |
|----|--|--------------|
| a. | COLDSTREAM | 23 |
| | Request to Farm Industry Review Board to Conduct a Study | |
| b. | MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT | 24-29 |
| | Congratulations on Signing BC Climate Action Charter | |
| c. | LOCAL GOVERNMENT INFRASTRUCTURE & FINANCE BRANCH –
MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT | 30 |
| | New Building Canada Fund – Small Communities Fund – Alberni Valley
Landfill Waste Diversion Facility Project not selected for funding | |
| d. | MINISTER OF TRANSPORT | 31 |
| | Thank you for offered assistance in providing information regarding oil
spill response on the West Coast | |
| e. | VANCOUVER ISLAND NORTH INFILM | 32 |
| | Grant-In-Aid Thank you | |

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

8. REQUEST FOR DECISIONS & BYLAWS

- | | | |
|----|---|--------------|
| a. | REQUEST FOR DECISION | 33-64 |
| | 2017-2018 BC Transit Annual Operating Agreement – Additional
Information
(Deferred from April 12, 2017 Board Meeting) | |

THAT the Alberni-Clayoquot Regional District (ACRD) Board of Directors approve the Transit Service Agreement between BC Transit and the ACRD effective April 1, 2017 and authorize the Chairperson and Chief Administrative Officer to enter into the Agreement on behalf of the ACRD.

THAT the ACRD Board of Directors approve the Annual Operating Agreement between BC Transit and the ACRD for the 2017/18 fiscal year and authorize the Chairperson and Chief Administrative Officer to enter into the Agreement on behalf of the ACRD.

- | | | |
|----|---|---------------|
| b. | REQUEST FOR DECISION | 65-100 |
| | Island Corridor Foundation – Business Plan Update | |

THAT the Board of Directors direct staff to submit the attached ACRD referral response to the Island Corridor Foundation.

- c. **REQUEST FOR DECISION**
Strategic Priorities Fund (SPF) – Grant Applications

101-121

THAT the Alberni-Clayoquot Regional District submit three grant applications to the Gas Tax Strategic Priorities Fund Capital Infrastructure Projects Stream for the following projects:

1. *Implementation of the Consolidated Strategic Landfill Diversion Program*
2. *Pacific Traverse Trail connection to the existing District of Tofino trail and Ucluelet / Long Beach Multi-Use Path*
3. *Asset Management (capacity building).*

- d. **REQUEST FOR DECISION**
Bamfield Volunteer Fire Department Truck Purchase

122-123

THAT the Board of Directors approve an amendment to the Bamfield Volunteer Fire Department service in the 2017-2021 Financial Plan to include a capital expenditure of \$20,000 for the purchase of a used fire truck.

- e. **REQUEST FOR DECISION**
Bamfield Volunteer Fire Department Fire/Rescue Boat RFP

124

THAT the Alberni-Clayoquot Regional District Board of Directors award the contract to construct an Aluminum Hull Fire/Rescue Boat to Canadian Alberni Engineering Ltd.(CAE) in the amount of \$74,840.00 (plus GST).

- f. **REQUEST FOR DECISION**
Design & Costing – Phase 1 “The Arena” West Coast Multiplex Project

125-126

THAT the Alberni-Clayoquot Regional District Board of Directors engage the services of VDA Architecture Ltd. to undertake the detailed design and costing of Phase 1 – the Arena of the West Coast Multiplex project in the amount of \$75,000.00.

9. PLANNING MATTERS

9.1 ELECTORAL AREA DIRECTORS ONLY

- a. **DVC16014, STYLES, 1146 SIXTH AVENUE (LONG BEACH)**
Development Variance Permit Application – Memorandum and Permit

127-158

THAT the Board of Directors deny development variance DVC16014.

- b. **DVC17001, DONALDSON, 1360 SMITH-DALE ROAD (LONG BEACH)**
Development Variance Permit Application – Report

159-169

THAT the Board of Directors consider issuing development variance permit DVC17001.

- c. **DVD17004, BRAIDEN, 8467 BOTHWELL ROAD (SPROAT LAKE)** **170-178**
 Development Variance Permit Application – Report

THAT the Board of Directors consider issuing development variance permit DVD17004.

- d. **DVE17002, SABISTON, LOT A MCEACHERN (BEAVER CREEK)** **179-183**
 Development Variance Permit Application – Report

THAT the Board of Directors consider issuing development variance permit DVE17002.

- e. **DVE17003, HETHERINGTON, 6036 KIRKPATRICK ROAD (BEAVER CREEK)** **184-188**
 Development Variance Permit Application – Report

THAT the Board of Directors consider issuing development variance permit DVE17003.

- f. **DVE17005, STRUC HOLDINGS LTD, PARCEL G ARVAY ROAD (BEAVER CREEK)** **189-195**
 Development Variance Permit Application – Report

THAT the Board of Directors consider issuing development variance permit DVE17005.

- g. **TUP17010, POWELL, 3133 ALBERNI HIGHWAY (CHERRY CREEK)** **196-206**
 Temporary Use Permit Application – Report

THAT the Board of Directors Board consider issuing Temporary Use Permit TUP17010 subject to approval from the Ministry of Transportation and Infrastructure as required under Section 505 of the Local Government Act and Section 52 of the Transportation Act.

10. REPORTS

10.1 STAFF REPORTS

- a. Staff Action Items Report – April 20, 2017 **207-213**
- b. Meeting Schedule – May 2017 **214**
- c. Financial Statements – March 31, 2017 **215-216**

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

10.2 COMMITTEE REPORTS

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. Alberni Valley Chamber of Commerce – Jack McLeman
- e. Coastal Community Network – T. Bennett/D. St. Jacques
- f. West Island Woodlands Advisory Group –M. Kokura
- g. Island Coastal Economic Trust – J. Jack
- h. Air Quality Council, Port Alberni – K. Wyton
 - Air Quality Council Minutes – March 16, 2017
- i. West Coast Aquatic Board – T. Bennett/K. Wyton
- j. Association of Vancouver Island & Coastal Communities – P. Cote
- k. Beaver Creek Water Advisory Committee – J. McNabb
- m. Other Reports

217-246

THAT the Board of Directors receives the Member Reports.

11. UNFINISHED BUSINESS

12. LATE BUSINESS

13. QUESTION PERIOD

14. ADJOURN

**Next Board of Directors Meeting: Wednesday, May 10, 2017, 1:30 PM
Regional District Board Room**



Alberni-Clayoquot Regional District

MINUTES OF THE BOARD OF DIRECTORS MEETING HELD ON WEDNESDAY, APRIL 12, 2017, 1:30 PM

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

DIRECTORS

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

PRESENT:

Josie Osborne, Vice-Chair, Mayor, District of Tofino
Bob Baden, Alternate Director, Electoral Area "A" (Bamfield)
Mike Kokura, Director, Electoral Area "B" (Beaufort)
Tony Bennett, Director, Electoral Area "C" (Long Beach)
Penny Cote, Director, Electoral Area "D" (Sproat Lake)
Pam Craig, Alternate Director, Electoral Area "E" (Beaver Creek)
Lucas Banton, Director, Electoral Area "F" (Cherry Creek)
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, YuułuꞀiꞀath Government
Wilfred Cootes, Councillor, Uchucklesaht Tribe Government
Kirsten Johnsen, Member of Council, Toquaht Nation

REGRETS:

Keith Wyton, Director, Electoral Area "A" (Bamfield)
John McNabb, Director, Electoral Area "E" (Beaver Creek)

STAFF PRESENT:

Wendy Thomson, Acting Chief Administrative Officer
Teri Fong, Manager of Finance
Mike Irg, Manager of Planning and Development
Janice Hill, Acting 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.

2. APPROVAL OF AGENDA

MOVED: Director Kokura

SECONDED: Director Banton

THAT the agenda be approved as circulated with the addition of the following late items:

8j. *Request for Decision, Air Quality Society Grant Application – Vancouver Foundation.*

12a. *Block Watch invitation and information.*

16a. *CAO Recruitment update (In-Camera).*

CARRIED

3. DECLARATIONS

4. ADOPTION OF MINUTES

a. Board of Directors Meeting – March 22, 2017

MOVED: Director Bennett

SECONDED: Director Ruttan

THAT the minutes of the Board of Directors meeting held on March 22, 2017 be adopted.

CARRIED

**b. Committee-of-the-Whole Meeting – March 22, 2017
March 23, 2017**

MOVED: Director Banton

SECONDED: Director Cote

THAT the minutes of the Committee-of-the-Whole meeting held on March 22, 2017 be adopted.

CARRIED

c. Appointment of Fire Chiefs Committee – March 16, 2017

MOVED: Director Cote

SECONDED: Director Ruttan

THAT the minutes of the Appointment of Fire Chiefs Committee meeting held on March 16, 2017, be adopted.

CARRIED

d. Alberni Valley Emergency Planning Liaison Group Meeting – March 23, 2017

MOVED: Director Ruttan

SECONDED: Director Cote

THAT the minutes of the Alberni Valley Emergency Planning Liaison Group meeting held on March 23, 2017 be adopted.

CARRIED

e. Committee-of-the-Whole Meeting – April 4, 2017

*MOVED: Director Banton
SECONDED: Director Bennett*

THAT the minutes of the Committee-of-the-Whole meeting held on April 4, 2017 be adopted.

CARRIED

f. West Coast Committee Meeting – April 5, 2017

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

THAT the minutes of the West Coast Committee meeting held on April 5, 2017 be adopted.

CARRIED

5. PETITIONS, DELEGATIONS & PRESENTATIONS

6. CORRESPONDENCE FOR ACTION

**a. Federation of Canadian Municipalities (FCM), March 17, 2017
requesting Financial Support for FCM's Legal Defense Fund.**

*MOVED: Director Ruttan
SECONDED: Director Cote*

THAT the Alberni-Clayoquot Regional District Board of Directors support FCM's legal defense fund in the amount of \$750.12 and request further details on what the donation supports.

CARRIED

**b. Ministry of Transportation & Infrastructure, March 24, 2017, Proposed
Flood Assessment Review.**

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

THAT staff be instructed to investigate funding to conduct a flood assessment review for the Somass River Watershed through the National Disaster Mitigation Program and report back to the Board of Directors.

CARRIED

*MOVED: Director Ruttan
SECONDED: Director Cootes*

THAT Director Cote and other interested Directors be authorized to attend the West Coast Aquatic - Integrated Fisheries & Flood Management Meeting on April 20, 2017 and report back to the Board of Directors.

CARRIED

7. CORRESPONDENCE FOR INFORMATION

- a. **WESTERN CANADA MARINE RESPONSE CORPORATION**
Marine Spill Response Base Proposal for Port Alberni & Ucluelet
- b. **SIBAC/BC RURAL CENTRE**
Keeping It Rural 2017 Conference
- c. **ISLAND COASTAL ECONOMIC TRUST**
Venture Connect Upgrades will Help Keep Businesses Operating Locally
- d. **MINISTRY OF FORESTS, LANDS & NATURAL RESOURCE OPERATIONS TO DISTRICT OF COLDSTREAM**
Provincial Private Moorage Program
- e. **CITY OF VERNON**
Petition to remove GST being charged on Carbon Tax
- f. **MINISTRY OF ABORIGINAL RELATIONS**
Maa-nulth Government to Government Agreement

*MOVED: Director Kokura
SECONDED: Director McLeman*

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

CARRIED

*MOVED: Director Bennett
SECONDED: Director McLeman*

THAT the Board of Directors invite the Western Canada Marine Response Corporation to present at a future meeting regarding the Marine Spill Response Base proposal for Port Alberni and Ucluelet.

CARRIED

8. REQUEST FOR DECISIONS & BYLAWS

a. Request for Decision regarding Finance Warrant No. 575.

MOVED: Director Kokura
SECONDED: Director Banton

THAT the Board of Directors approve Finance Warrant Number 575 in the amount of \$963,646.96 dated March 31, 2017.

CARRIED

b. Request for Decision regarding Sproat Lake Lakebed Licence Renewal, Dickson Park.

MOVED: Director Cote
SECONDED: Director Bennett

THAT the Alberni-Clayoquot Regional District Board of Directors amend the Sproat Lake Lakebed Licence agreement with TimberWest Forestry Company and delete section 2.1 – “March 30, 2017” and replace with “March 30, 2020” and pay a term fee of \$10.00 and authorize the acting CAO to enter into the agreement.

CARRIED

MOVED: Director Cote
SECONDED: Director Bennett

THAT the ACRD Board of Directors instruct staff to investigate acquiring the foreshore lease area.

CARRIED

c. Request for Decision regarding Traverse Trail Proposed Southern Extension.

MOVED: Director Bennett
SECONDED: Director Cote

THAT the Alberni Clayoquot Regional District Board of Directors engage the services of McElhanney Engineering to undertake preliminary design and costing for the south side of the Traverse Trail proposed extension for a cost of \$6,420.00 with the funding to come from Regional Parks.

CARRIED

d. Request for Decision regarding Special Operating Facilitation Agreement (SOFA).

MOVED: Director Bennett
SECONDED: Director S. Jacques

THAT the Alberni-Clayoquot Regional District Board of Directors approve and enter into the Special Operations Facilitation Agreement (SOFA) between Nav Canada Nanaimo FSS, the Tofino-Long Beach Airport, and Point Break Skydiving to allow Point Break Skydiving to operate at the airport.

CARRIED

e. Request for Decision regarding Alberni-Clayoquot Regional District Vehicle Maintenance.

MOVED: Director Cootes
SECONDED: Director Banton

THAT the Alberni-Clayoquot Regional District Board of Directors award Nexcar Sales Ltd. the ACRD vehicle maintenance contract for 12 months commencing May 1, 2017.

CARRIED

f. Request for Decision regarding 2017-2018 Annual Operating Agreement.

MOVED: Director Bennett
SECONDED: Director McLeman

THAT the Alberni-Clayoquot Regional District (ACRD) Board of Directors defer the following:

- *Transit Service Agreement between BC Transit and the ACRD*
- *Annual Operating Agreement between BC Transit and the ACRD.*

CARRIED

MOVED: Director
SECONDED: Director

g. Request for Decision regarding Kiosk # 9 – Long Beach Airport Terminal Building.

MOVED: Director Osborne
SECONDED: Director St. Jacques

THAT the Alberni-Clayoquot Regional District Board of Directors enter into a five year lease agreement with Orca Air for kiosk #9 at the Long Beach Airport

terminal building, commencing May 1, 2017 to April 30, 2022 for \$6,720 per year plus GST plus applicable CPI increases.

CARRIED

h. Request for Decision regarding Kiosks #6 & 7 – Long Beach Airport Terminal Building.

*MOVED: Director Bennett
SECONDED: Director McCarthy*

THAT the Alberni-Clayoquot Regional District Board of Directors enter one year lease agreement with an additional one year renewal option with Devon Transportation Ltd. for kiosk #6 at the Long Beach Airport terminal building, commencing May 1, 2017 to April 30, 2018 for \$6,000 per year plus GST plus applicable taxes plus CPI increase at renewal.

CARRIED

i. Request for Decision regarding Automated External Defibrillator Supply Agreement

*MOVED: Director Cote
SECONDED: Director Banton*

THAT the Alberni-Clayoquot Regional District Board of Directors enter into a three (3) year Automated External Defibrillator (AED) Supply agreement with the Heart and Stroke Foundation of Canada to place an AED in the Alberni-Clayoquot Regional District office, and authorize the Chairperson and Chief Administrative Officer to enter into the Agreement on behalf of the ACRD.

CARRIED

*MOVED: Director Banton
SECONDED: Director Cootes*

THAT the ACRD Board of Directors send a letter of appreciation to the BC Heart and Stroke Foundation for it's donation.

CARRIED

j. LATE ITEM: Request for Decision regarding Air Quality Society Grant Application – Vancouver Foundation

*MOVED: Director Osborne
SECONDED: Director Cote*

THAT the Alberni-Clayoquot Regional District apply for a grant up to \$15,000 to create an Alberni Valley Air Shed Management Plan through the Vancouver

Foundation and assign the Alberni Air Quality Society as the 'Intermediary Organization' to complete plan.

CARRIED

9. PLANNING MATTERS

- a. DVC16014, STYLES, 1146 SIXTH AVENUE (LONG BEACH)**
Development Variance Application – Memorandum

MOVED: Director Bennett

SECONDED: Director Kokura

THAT the Board of Directors defer the application until the next board meeting.

CARRIED

- b. TUP17009, 0742479 BC LTD, LOT A, DISTRICT LOT 567, CLAYOQUOT DISTRICT, PLAN EPP6547 (SPROAT LAKE)**
Temporary Use Permit Application Renewal – Memorandum & Permit

MOVED: Director Cote

SECONDED: Director Bennett

THAT the Board of Directors issue Temporary Use Permit TUP17009.

CARRIED

- c. DVF16015, DODS, 370 FRANKLIN RIVER ROAD (CHERRY CREEK)**
Development Variance Application – Memorandum & Permit

MOVED: Director Banton

SECONDED: Director Kokura

THAT the Board of Directors issue development variance permit DVF16015.

CARRIED

- d. AGRICULTURE PLAN IMPLEMENTATION CONTRACT**
Request for Decision

MOVED: Director Ruttan

SECONDED: Director Cote

THAT the Board of Directors award a contract to Eden Tree Farm and Gardening to provide agricultural support services until December 31, 2017 with the cost of the contract not to exceed \$30,000.

CARRIED

e. SLAUGHTER LICENSING IN THE ACRD
Request for Decision and Background Plan

MOVED: Director Kokura
SECONDED: Director McLeman

THAT the Board of Directors provide a letter of support and endorse the Alberni Farmers' Institute's request to include the Alberni-Clayoquot Regional District as a designated region for Class D and E slaughter licensing under the Meat Inspection Regulation of the Food Safety Act.

CARRIED

10. REPORTS

10.1 STAFF REPORTS

- a. Administration Department Monthly Staff Report – April 7, 2017**
- b. Planning and Development Report – April 12, 2017**
- c. Financial Department Report – April 6, 2017**
- d. Environmental Services Manager Report – April 6, 2017**
- e. Staff Action Items Report- April 6, 2017**
- f. Bamfield Water System-Clean Water and Wastewater Funding Announcement – April 12, 2017**

MOVED: Director Kokura
SECONDED: Director Bennett

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

CARRIED

10.2 COMMITTEE REPORTS

10.3 OTHER REPORTS

- a. Vancouver Island Regional Library**
From the Board Table – March 18, 2017
- b. Central Westcoast Forest Society**
Update – March 15, 2017
- c. Municipal Insurance Association of British Columbia**
 - 2016 Annual Report
- d. Municipal Finance Authority of British Columbia**
 - 2017 Annual General Meeting – M. Kokura (Verbal)

Director Kokura provided an overview of the 2017 AGM held March 29 and 30th.

MOVED: Director Bennett
SECONDED: Director McLeman

THAT reports a-d be received.

CARRIED

11. UNFINISHED BUSINESS

12. LATE BUSINESS

a. Late Business – Block Watch Brochure and invitation

MOVED: Director Cote
SECONDED: Director Kokura

THAT the invitation from Block Watch be received.

CARRIED

13. QUESTION PERIOD

14. RECESS

MOVED: Director Osborne
SECONDED: Director Cote

THAT the Regular Board of Directors meeting be recessed in order to conduct the Regional Hospital District meeting.

CARRIED

The meeting was recessed at 2:27 pm

15. RECOVENE

The meeting was reconvened at 2:37 pm

16. IN-CAMERA

MOVED: Director Cote
SECONDED: Director Kokura

THAT the meeting be closed to the public to discuss matters relating to Section 90 (1) (c) of the Community Charter:

i. *Labour relations or other employee relations.*

CARRIED

17. **RE-OPEN**

The meeting was re-opened to the public at 2:52 pm.

17. **ADJOURN**

MOVED: Director Osborne

SECONDED: Director Kokura

THAT this meeting be adjourned at 2:52 pm.

CARRIED

Certified Correct:

John Jack,
Chairperson

Wendy Thomson,
Acting Chief Administrative Officer



PORT ALBERNI RCMP DETACHMENT QUARTERLY REPORT



This report represents the policing activities undertaken by the Port Alberni RCMP Detachment during the first quarter of 2017 (January to March). Included in this report is a comparator to the same time frame during the previous four years.

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

- Officers received and responded to a total of 2,182 calls for service, 343 of these were in the Alberni-Clayoquot Regional District.
- The detachment has implemented a new General Duty Staffing Assessment model and a new Crime Reduction model.

Port Alberni RCMP's 2017/18 Annual Performance Plan Priorities:

- **Traffic- Road Safety:** Increased enforcement, both tickets and warnings. Reduction of Impaired drivers on the roads through criminal code charges and Immediate Roadside Prohibitions. Joint operations with Island District Traffic Units and Speedwatch.
- **Family Violence:** Focus on education, awareness and community support to foster a “wrap around” approach of harm reduction. Creating a supportive environment for victims of family violence to come forward.
- **Crime Reduction (Property Crimes and Drugs):** Identifying and managing prolific offenders through enhanced enforcement and partnerships with community agencies. The focus will be on drug and property crime offenders.
- **Aboriginal Policing:** This includes traffic safety and enforcement on the First Nations, greater visibility at community events and meetings and a focus on First Nation Youth through prevention programs and involvement in schools and at youth events.
- **Youth:** Positive interactions with youth through school and sporting events. Increased, proactive engagement with the youth in our community.

Respectfully submitted,

Inspector Brian Hunter
Officer in Charge
Port Alberni RCMP



Alberni - Clayoquot Regional District Report

Port Alberni Rural	Q1 2017 (January – March)				
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<i>Calls for Service</i>	Q1 2013	Q1 2014	Q1 2015	Q1 2016	Q1 2017
Total Calls for Service	304	360	299	329	343

<i>Occurrences by Crime Type</i>	Q1 2013	Q1 2014	Q1 2015	Q1 2016	Q1 2017
Violent Crime	12	10	6	12	15
Property Crime	28	34	19	31	31
Other Criminal Code	11	9	11	13	12
Drug Offences	5	2	4	2	4
Total Criminal Code	56	55	40	58	62
Criminal Traffic	4	7	7	4	10

<i>Violent Crime</i>	Q1 2013	Q1 2014	Q1 2015	Q1 2016	Q1 2017
Assaults	4	4	2	5	8
Assault weapon/bod harm	0	3	1	1	1
Harassment	4	2	1	3	4
Robbery	0	0	0	0	0
Sex Offences	0	0	0	0	0
Uttering Threats	1	1	1	3	2
Domestic Violence	3	4	2	3	5



<i>Property Crime</i>	Q1 2013	Q1 2014	Q1 2015	Q1 2016	Q1 2017
Auto Theft	1	0	1	1	2
Bike Theft	1	0	0	1	0
Break and Enter - Business	0	1	2	2	3
Break and Enter - Residence	2	3	1	1	1
Break and Enter - Other	0	0	0	3	3
Mischief to Property	7	9	8	17	11
Theft	7	5	4	3	6
Possess Stolen Property	0	2	2	1	2
Shoplifting	5	10	1	0	0
Theft From Vehicle	2	2	0	0	3

<i>Other Criminal Code</i>	Q1 2013	Q1 2014	Q1 2015	Q1 2016	Q1 2017
Cause Disturbance	2	4	3	4	2
Breach of Probation	0	0	2	3	4
Breach of Bail	3	1	4	1	2

<i>Provincial Statutes</i>	Q1 2013	Q1 2014	Q1 2015	Q1 2016	Q1 2017
Intoxicated in Public	0	3	5	2	1

<i>Collisions (Incl. Pedestrian)</i>	Q1 2013	Q1 2014	Q1 2015	Q1 2016	Q1 2017
Collision - Fatal	1	0	0	0	0
Collision - Injury	3	9	3	2	8
Collision - Damage	11	17	12	10	14



Legion

www.legionbcyukon.ca

British Columbia / Yukon Command The Royal Canadian Legion

“Military Service Recognition Book”

Dear Sir/Madam:

Thank you for your interest in the **BC/Yukon Command / The Royal Canadian Legion**, representing **British Columbia** and the **Yukon’s Veterans**. Please accept this written request for your support, as per our recent telephone conversation.

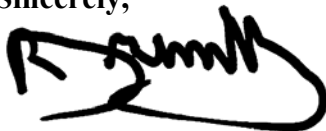
Our **BC/Yukon Command Legion** is very proud to be printing **9,000 copies** of our Annual “**Military Service Recognition Book**”, scheduled for release by Remembrance Day 2017, to help identify and recognize many of the brave **Veterans** of British Columbia and the Yukon who served our Country so well during times of great conflict. This annual publication goes a long way to help the Legion in our job as the “**Keepers of Remembrance**”, so that none of us forget the selfless contributions made by our **Veterans**.

We would like to have your organization’s support for this Remembrance project by sponsoring an advertisement space in our “**Military Service Recognition Book**.” Proceeds raised from this important project will allow us to fund the printing of this unique publication and will also help our Command to improve our services to **Veterans** and the more than 150 communities that we serve throughout British Columbia and the Yukon. The Legion is recognized as one of Canada’s largest “Community Service” organizations, and we are an integral part of the communities we serve. This project ensures the Legion’s continued success in providing these very worthwhile services.

Please find enclosed a rate sheet for your review, along with a detailed list of some of the many community activities in our **149 Branches and 80 Ladies Auxiliaries** in the **BC/Yukon Command**. Whatever you are able to contribute to this worthwhile endeavor would be greatly appreciated. For further information please contact **BC/Yukon Command Office** toll free at **1-866-354-6277**.

Thank you for your consideration and/or support.

Sincerely,



**Marc Tremblay
President**



www.legionbcyukon.ca

British Columbia / Yukon Command The Royal Canadian Legion

“Military Service Recognition Book”

Advertising Prices

<u>Ad Size</u>	<u>Cost</u>	<u>GST</u>	<u>Total</u>
Full Colour Outside Back Cover	\$1,795.24	+	\$89.76 = \$1,885.00
Inside Front/Back Cover (Full Colour)	\$1,595.24	+	\$79.76 = \$1,675.00
Full Colour 2-Page Spread	\$2,990.48	+	\$149.52 = \$3,140.00
Full Page (Full Colour) 7" X 9.735"	\$1,495.24	+	\$74.76 = \$1,570.00
Full Page 7" X 9.735"	\$1,000.00	+	\$50.00 = \$1,050.00
½ Page (Full Colour) 7" X 4.735"	\$866.67	+	\$43.33 = \$910.00
½ Page 7" X 4.735"	\$595.24	+	\$29.76 = \$625.00
¼ Page (Full Colour) 3.375" X 4.735"	\$538.10	+	\$26.90 = \$565.00
¼ Page 3.375" X 4.735"	\$423.81	+	\$21.19 = \$445.00
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ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

**The Alberni-Clayoquot
Regional District wishes
to recognize and show
appreciation for our
veterans. The freedoms
we enjoy are attributable
to their sacrifices.**



Lest we forget

From: Keri-Ann Austin [<mailto:kaustin@coldstream.ca>]
Sent: Tuesday, April 11, 2017 2:14 PM
Subject: Request to Farm Industry Review Board to Conduct a Study

Good Morning,

The District of Coldstream Council, at their meeting held April 10, 2017, passed the following resolution:

“THAT staff be directed to forward Resolution No. 2017-77 to UBCM member municipalities.”

Council passed Resolution No. 2017-77 at their meeting held on March 27, 2017 and it is provided below for your information.

“WHEREAS a healthy agriculture sector is important to everyone and where conflicts created by changes in scale and new farm practices create local problems, resistance and obstacles to agriculture;

AND WHEREAS the Ministry of Agriculture does not have a clear, documented process for determining new or change of scale practices becoming normal farm practices, as defined in the *Farm Practices Protection (Right to Farm) Act*;

BE IT RESOLVED THAT, as suggested by the Ministry of Agriculture, the Farm Industry Review Board of British Columbia be requested to undertake a study pursuant to Section 11 of the *Farm Practices Protection (Right to Farm) Act*, to identify the current rationale for making new or change of scale practices “normal” and develop a rationale that includes “best established practices” and best available technology” in determining what is considered a normal farm practice as defined in the *Farm Practices Protection (Right to Farm) Act*.”

Sincerely,

Keri-Ann Austin, MMC | Director of Corporate Administration

9901 Kalamalka Road | Coldstream BC V1B 1L6

P. 250.545.5304 | F. 250.545.4733

www.coldstream.ca



please consider the environment before printing this e-mail



APR 10 2017



Ref: 205162

John Jack
Chair
Alberni-Clayoquot Regional District
3008 Fifth Avenue
Port Alberni BC V9Y 2E3

Dear Chair Jack:

I would like to congratulate you on signing the *British Columbia Climate Action Charter*. By signing the Charter, you have demonstrated your and your community's commitment to work with the Province of British Columbia and the Union of British Columbia Municipalities to take action on climate change, to reduce greenhouse gas emissions, and adapt to the effects of climate change. This also qualifies you to participate in the Climate Action Revenue Incentive Program. Please see the Ministry of Community, Sport and Cultural Development's website for more information:
<http://www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm>.

Climate change is a global challenge. The work of local governments to reduce both their corporate and community-wide emissions demonstrates significant climate leadership and sets the stage for broader climate action in communities. The Province's Climate Leadership Plan builds on the work we have accomplished and aims to move us closer to achieving our collective climate action goals while continuing to grow the economy and create jobs.

For your records, we are pleased to provide you with a copy of the Charter signed by all parties. Thank you for showing your climate action leadership by signing the Charter.

Sincerely,

Peter Fassbender
Minister of Community, Sport
and Cultural Development

Mary Polak
Minister of Environment

Enclosure

pc: Linda Reimer, Parliamentary Secretary

**THE BRITISH COLUMBIA CLIMATE ACTION CHARTER
BETWEEN
THE PROVINCE OF BRITISH COLUMBIA (THE PROVINCE)
AND
THE UNION OF BRITISH COLUMBIA MUNICIPALITIES (UBCM)
AND
SIGNATORY LOCAL GOVERNMENTS
(THE PARTIES)**

- (1) The Parties share the common understanding that:**
- (a) Scientific consensus has developed that increasing emissions of human caused greenhouse gases (GHG), including carbon dioxide, methane and other GHG emissions, that are released into the atmosphere are affecting the Earth's climate;
 - (b) the evidence of global warming is unequivocal and the effects of climate change are evident across British Columbia;
 - (c) reducing GHG emissions will generate environmental and health benefits for individuals, families, and communities;
 - (d) climate change and reducing GHG emissions are issues of importance to British Columbians;
 - (e) governments urgently need to implement effective measures to reduce GHG emissions and anticipate and prepare for climate change impacts;
 - (f) protecting the environment can be done in ways that promote economic prosperity; and
 - (g) it is important to take action and to work together to share best practices, to reduce GHG emissions and address the impacts of climate change.
- (2) The Parties acknowledge that each has an important role in addressing climate change and that:**
- (a) The Province has taken action on climate change, including commitments made in the 2007 Speech from the Throne, the BC Energy Plan, and the Western Climate Initiative on climate change;
 - (b) Local Governments have taken action on climate change, including planning livable, sustainable communities, encouraging green developments and transit oriented developments, and implementing innovative infrastructure technologies including landfill gas recapture and production of clean energy; and
 - (c) these actions create the foundation for the Parties to be leaders in affecting climate change.
- (3) This Charter acknowledges that:**
- (a) The interrelationship between each Order of Government's respective jurisdictions and accountabilities with respect to communities, and activities related to and within communities, creates both a need and an opportunity to work collaboratively on climate change initiatives;

(b) both Orders of Government have recognized a need for action, both see that the circumstances represent a Climate for Change in British Columbia, and both are responding; and

(c) the actions of each of the Parties towards climate change will be more successful if undertaken jointly with other Parties.

(4) The Parties share the common goals of:

(a) Fostering co-operative inter-governmental relations;

(b) aiming to reduce GHG emissions, including both their own and those created by others;

(c) removing legislative, regulatory, policy, or other barriers to taking action on climate change;

(d) implementing programs, policies, or legislative actions, within their respective jurisdictions, that facilitate reduced GHG emissions, where appropriate;

(e) encouraging communities that are complete and compact and socially responsive; and

(f) encouraging infrastructure and a built environment that supports the economic and social needs of the community while minimizing its environmental impact.

(5) In order to contribute to reducing GHG emissions:

(a) Signatory Local Governments agree to develop strategies and take actions to achieve the following goals:

(i) being carbon neutral in respect of their operations by 2012, recognizing that solid waste facilities regulated under *the Environmental Management Act* are not included in operations for the purposes of this Charter.

(ii) measuring and reporting on their community's GHG emissions profile; and

(iii) creating complete, compact, more energy efficient rural and urban communities (e.g. foster a built environment that supports a reduction in car dependency and energy use, establish policies and processes that support fast tracking of green development projects, adopt zoning practices that encourage land use patterns that increase density and reduce sprawl.)

(b) The Province and the UBCM will support local governments in pursuing these goals, including developing options and actions for local governments to be carbon neutral in respect of their operations by 2012.

(6) The Parties agree that this commitment to working together towards reducing GHG emissions will be implemented through establishing a Joint Provincial-UBCM Green Communities Committee and Green Communities Working Groups that support that Committee, with the following purposes:

(a) To develop a range of actions that can affect climate change, including initiatives such as: assessment, taxation, zoning or other regulatory reforms or incentives to encourage land use patterns that promote increased density, smaller lot sizes, encourage mixed uses and reduced GHG emissions; development of GHG reduction targets and strategies, alternative transportation opportunities, policies and processes that support fast-tracking of green development projects, community gardens and urban forestry; and integrated transportation and land use planning;

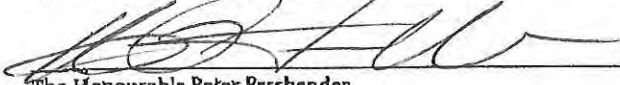
(b) to build local government capacity to plan and implement climate change initiatives;

(c) to support local government in taking actions on becoming carbon neutral in respect of their operations by 2012, including developing a common approach to determine carbon neutrality for the purposes of this Charter, identifying carbon neutral strategies and actions appropriate for the range of communities in British Columbia and becoming reporting entities under the Climate Registry; and,

(d) to share information and explore additional opportunities to support climate change activities, through enhanced collaboration amongst the Parties, and through encouraging and promoting climate change initiatives of individuals and businesses within communities.

- (7) Once a common approach to carbon neutrality is developed under section (6)(c), Signatory Local Governments will implement their commitment in 5 (a) (f).
- (8) To recognize and support the GHG emission reduction initiatives and the climate change goals outlined in this Charter, Signatory Local Governments are invited by the other Parties to include a statement of their initiatives and commitments as an appendix to this Charter.
- (9) This Charter is not intended to be legally binding or impose legal obligations on any Party and will have no legal effect.

SIGNED on behalf of the PROVINCE OF BRITISH COLUMBIA by:



The Honourable Peter Passbender
Ministry of Community, Sport and Cultural Development

April 6/17
Date


SIGNED on behalf of the PROVINCE OF BRITISH COLUMBIA by:



The Honourable Mary Polak
Ministry of Environment

04.06.17
Date

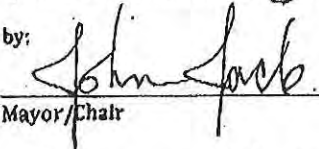
SIGNED on behalf of the UNION OF BRITISH COLUMBIA MUNICIPALITIES by:



Councillor Murry Krause
President of the Union of British Columbia Municipalities

SIGNED on behalf of the SIGNATORY LOCAL GOVERNMENT:

Alberni-Clayoquot Regional District
(NAME OF LOCAL GOVERNMENT)

by: 
Mayor/Chair

January 25, 2017
Date

Appendix
GHG reduction initiatives or commitments of Signatory Local Government

Note: Local Governments that choose to become Signatories may also choose to provide a statement of their individual commitments in a customized addendum to the main body of the Charter. Below is a sample version of the proposed addendum

SAMPLE

Addendum to
The British Columbia Climate Change Action Charter
For
[Name of Local Government]
is committed to

1. Implementing existing plans

Local Governments could list here plans they have developed and are in the process of implementing; for example:

- Community energy plan
- Greenhouse gas emissions inventory
- Official Community Plan – Smart Growth
- Community Action on Energy Efficiency Initiative (CAEE)
- Partners for Climate Protection, Federation of Canadian Municipalities
- District Energy System
- Eco-Industrial Project
- Transit Oriented Development Plan
- Landfill Gas Utilization

2. Continue to pursue activities

Local Governments could list here recent projects they have implemented; for example:

- Bio-diesel fleet vehicle conversion
- E3 Fleet Program
- Greenhouse Gas Reduction Strategy
- Carbon Neutral Municipal Operations
- Organics Recovery
- Recycling and waste management plan
- Greenhouse gas local action plan
- Energy Efficient Municipal Operations
- Employee car-pooling
- Air quality planning

3. Preparing new plans, bylaws, policies, etc.

Local Governments could list here plans, bylaws, policies they are committed to develop; for example:

- Plan for being carbon neutral in respect of their operations by 2012
- Anti-idling bylaw
- Green Buildings BC for Local Governments
- Smart Growth Development Checklist
- Green Building Program – Built Green and LEED standards
- Micro-generation projects (hydro, wind power, etc)
- Sustainable Community Servicing Plan
- Green Roof Policy
- Greywater recycling policy and standards
- Pedestrian and transit friendly community design
- Local Purchasing Policy
- Streamlined Green Building Application Process

New Building Canada Fund – Small Communities Fund

800 Johnson Street, 4th Floor, Victoria, BC V8W 1N3

April 6, 2017



Cliff# 264595

Russell Dyson
Chief Administrative Officer
Regional District of Alberni-Clayoquot
3008 Fifth Avenue
Port Alberni, BC V9Y 2E3

Dear Russell Dyson:

**Re: New Building Canada Fund - Small Communities Fund (NBCF-SCF)
Project #N20261 - Alberni Valley Landfill Waste Diversion Facility**

Thank you for your application for funding under the New Building Canada Fund - Small Communities Fund (NBCF-SCF). After careful consideration, the above noted project was not selected for funding.

The program received significantly more applications than could be funded. This decision does not reflect on the importance of this project, but rather the degree by which the program has been oversubscribed. All applications were equitably reviewed and given consideration for funding.

If you have any questions, please do not hesitate to contact me at: 250 387-4060. I wish you every success with your community project.

Yours truly,

A handwritten signature in black ink, appearing to be "Liam Edwards".

Liam Edwards
Executive Director
Local Government Infrastructure and Finance Branch
Ministry of Community, Sport and Cultural Development

pc: Janice Hill, Environmental Services Coordinator
Regional District of Alberni-Clayoquot



Minister of Transport



Ministre des Transports

Ottawa, Canada K1A 0N5

AVR 5 2017
APR 5 2017



Mr. John Jack
Chairperson
Alberni-Clayoquot Regional District
3008 Fifth Avenue
Port Alberni BC V9Y 2E3

Dear Mr. Jack:

Thank you for your correspondence of February 8, 2017, in which you offered your assistance in providing information about the resources available in the Alberni-Clayoquot Regional District that may be of use with respect to oil spill response on the West Coast.

I appreciate your taking the time to extend your offer of assistance. Transport Canada officials will keep it in mind for future reference.

Thank you again for writing.

Yours sincerely,

The Honourable Marc Garneau, P.C., M.P.
Minister of Transport

c.c. The Honourable Jim Carr, P.C., M.P.
Minister of Natural Resources

The Honourable Dominic LeBlanc, P.C., M.P.
Minister of Fisheries, Oceans and the Canadian Coast Guard

The Honourable Catherine McKenna, P.C., M.P.
Minister of Environment and Climate Change

April 3, 2017



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

Dear Board Members,

I am writing on behalf of the Island North Film Commission to thank you for the recent letter confirming a \$7,500.00 Grant In Aid. This financial recognition and support for the work done by INfilm is greatly appreciated.

INfilm's mandate is to promote our region to the international film industry as a prime location for film, television and commercial productions, to provide information to producers on local crew, equipment and services, attract production companies to our region, and represent the interests of our communities. Without the financial support of local government, we would not be able to continue to offer this vital service.

Sincerely yours,

A handwritten signature in black ink that reads "Stephanie Tipple".

Stephanie Tipple
President, INfilm

cc: Joan Miller, Film Commissioner



MEMORANDUM

To: Board of Directors

From: Teri Fong, CPA, CGA, Manager of Finance

Date: April 19, 2017

Subject: 2017-2018 BC Transit Annual Operating Agreement – Additional Info

At the April 12, 2017 Board of Directors meeting the 2017-2018 Annual Operating Agreement with BC Transit was presented for consideration. At that time, the Board requested further information regarding the budget increases from the previous year.

The Regional District share of costs for the Annual Operating Agreement was as follows:

	2016/17	2017/18	% Increase
ACRD Share	\$177,322	\$183,319	3.3%

Submitted by: _____
Teri Fong, CPA, CGA, Manager of Finance



REQUEST FOR DECISION

To: Board of Directors

From: Teri Fong, CPA, CGA, Manager of Finance

Meeting Date: April 12, 2017

Subject: 2017-2018 Annual Operating Agreement

Recommendation:

That the Alberni-Clayoquot Regional District (ACRD) Board of Directors approve the Transit Service Agreement between BC Transit and the ACRD effective April 1, 2017 and authorize the Chairperson and Chief Administrative Officer to enter into the Agreement on behalf of the ACRD.

That the ACRD Board of Directors approve the Annual Operating Agreement between BC Transit and the ACRD for the 2017/18 fiscal year and authorize the Chairperson and Chief Administrative Officer to enter into the Agreement on behalf of the ACRD.

Desired Outcome:

To enter into a new Transit Service Agreement and the Annual Operating Agreement for custom transit services in the ACRD transit service area.

Background:

The ACRD has had a Master Operating Agreement with BC Transit since 1992 for the provision of a public passenger transportation system and share in the costs of providing the service. The Operating Company, Diversified Transportation Ltd. operates, manages and maintains the service in the ACRD transit service area. The service area is comprised of the City of Port Alberni and Electoral Areas "B" (Beaufort), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

As per the attached letter, BC Transit has changed procedures for 2017 because of an Independent Review Panel. Therefore, the Master Operating Agreement requires replacement by a new Transit Service Agreement. The Annual Operating Agreement also requires approval and sets out, together with the Transit Service Agreement, the specific terms and conditions for the operation of the service for the upcoming term. Copies of both the Transit Service Agreement and the Annual Operating Agreement have been included for your information.

Time Requirements – Staff & Elected Officials:

Minimal staff time is required to enter into the agreement.

Financial:

The total operating costs are nearly \$3,000.00 more than the draft budget that was provided by BC Transit in October 2016. Despite this increase, staff feel confident that the 2017 costs will remain within the Custom Transit Financial Plan budget unless unusually high fuel maintenance costs are incurred during the year.

Policy or Legislation:

The new Transit Service Agreement will replace the current Master Operating Agreement.



Submitted by: _____

Teri Fong, CPA, CGA, Manager of Finance



Approved by: _____

Wendy Thomson, Acting Chief Administrative Officer

March 30, 2017

Wendy Thomson
Acting CAO
Regional District of Alberni-Clayoquot
3008 Fifth Avenue
Port Alberni, BC V9Y 2E3

Dear Wendy,

SUBJECT: 2017-2018 Annual Operating Agreement

Further to the information provided in your budget forecast and subsequent budget discussions, please find enclosed your final 2017-2018 Annual Operating Agreement (AOA) for approval. The attached System Specific Budget Notes outline year-over-year changes along with relevant updates from your budget forecast.

The 2017/18 AOAs incorporate the changes recommended by the provincially-commissioned Independent Review Panel and supported by recent amendments to the BC Transit Regulations. The AOA is now a two-party agreement between the local government and BC Transit reducing the administrative burden and potential for confusion associated with three-party agreements.

To enable this transition, a new Transit Service Agreement (TSA) will serve as the principal overarching agreement, replacing the Master Operating Agreement (MOA). The TSA integrates the relevant language of the previous MOA. Each year, the AOA will confirm the budgeted service levels, revenue projections and cost structure for your transit system. During this transition year, it is important that the TSA and AOA are signed simultaneously and returned to BC Transit in a timely manner. Once signed, copies can be faxed or sent in a .pdf format to BC Transit for execution within thirty days of receipt.

Additionally, based on feedback received from numerous local governments, the budget schedule attached to the AOA has been streamlined to facilitate information sharing and publication. All commercially-confidential information subject to protection by the *Freedom of Information & Protection of Privacy Act* has been removed. This enables the AOA to be more conveniently presented for decision by Council and Regional Boards within the public realm. To support discussions, as well as budgeting and planning decisions, a detailed budget will continue to be provided separately to staff.

.../2

As previously communicated, the new funding model with the Province provides for base operating funding over the three-year period from 2015/16 to 2017/18. The 2017/18 Budget represents year three of this funding agreement and BC Transit continues to work with the Province towards establishing the terms of the subsequent three-year period (2018/19 to 2020/21). Pending approval of the Provincial budget, the new three-year funding agreement will be established. Until this agreement is finalized, we are unable to provide forecasts for 2018/19 and 2019/20. We thank you for your continued patience and understanding.

If you have any questions regarding your AOA, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "M. Moore". The signature is written in a cursive, flowing style.

Myrna Moore
Senior Regional Transit Manager, BC Transit

Attachment: Transit System Specific Budget Notes

ALBERNI-CLAYOQUOT

TRANSIT SERVICE AGREEMENT

between

THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

and

BRITISH COLUMBIA TRANSIT

Effective

April 1, 2017

INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

TRANSIT SERVICE AGREEMENT

BETWEEN:

THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

(the "Municipality")

AND:

BRITISH COLUMBIA TRANSIT

(the "Authority")

WHEREAS the Authority has, at the request of the Municipality, established the Transit Service Area described in this agreement pursuant to the *British Columbia Transit Act*,

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area; and

WHEREAS the Municipality and the Authority wish to define their respective rights and responsibilities with respect to the provision of transit services in the Transit Service Area.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

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SECTION 1: DEFINITIONS

The Definitions that shall apply to this Agreement as approved pursuant to the *BC Transit Act* and Regulations are defined in Schedule "A" and, unless the context clearly indicates to the contrary, any words defined in the singular shall include the plural and vice versa.

SECTION 2: INCORPORATION OF SCHEDULES

The parties agree that the attached schedules form part of this agreement and are binding on the parties.

SECTION 3: ANNUAL OPERATING AGREEMENT

The Municipality and the Authority shall enter into an Annual Operating Agreement prescribed by regulation made pursuant to the British Columbia Transit Act.

SECTION 4: INCORPORATION OF ANNUAL OPERATING AGREEMENT

Upon execution, this Transit Service Agreement shall be deemed integrated into the Annual Operating Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the British Columbia Transit Act, as amended from time to time.

SECTION 5: TRANSIT SERVICE AREA

For the purposes of this agreement, the "Transit Service Area" is defined as the area comprised within the boundaries shown in Schedule "B" to be known as the Alberni-Clayoquot Transit Service Area.

SECTION 6: TERM AND TERMINATION

The parties agree that the effective date of this agreement is to be April 1, 2017, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Annual Operating Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.

Upon commencement of this agreement it shall remain in full force and effect unless and until terminated in accordance with the provisions of this Agreement. Either party may terminate this agreement as follows:

- a) Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 18.
- b) Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 18.

SECTION 7: MUNICIPAL RESPONSIBILITIES

In accordance with the terms and provisions of this Agreement, and the *British Columbia Transit Act*, and regulations made pursuant to the Act, the Municipality shall be responsible for:

- a) Participating in the development of, and where in agreement approving, plans and amendments to the Public Passenger Transportation System including:
 - i. Determining service goals, levels and objectives for the Public Passenger Transportation System;
 - ii. Establishing service performance standards and guidelines for the System;
 - iii. Approving transit service plans and, where feasible, incorporating these plans into Official Community Plans and transportation plans for the Municipality;
 - iv. Approving bus routes;
 - v. Approving the Service Specifications prepared by the Authority consistent with operating and capital budgets set by the Authority; and
 - vi. Approving, after prior consultation with the Authority, requests for Special Transit Services in accordance with the policies and procedures developed by the Authority and the contingency budget provisions or as otherwise agreed to by parties for the payment of the Special Transit Services.
- b) Bus stops, shelters and related amenities including:
 - i. Approving, installing and maintaining bus stops, shelters and related amenities. The purchasing of materials, installation and maintenance of stops and shelters and related costs are the responsibility of the Municipality except in instances where the Authority has, by a separate written agreement entered into with the Municipality, agreed to share the costs according to the terms of that agreement;
 - ii. Identifying bus stops or shelters with signs and decals provided by the Authority and consistent with the Authority's brand standards; and
- c) Notifying the Operating Company and the Authority at least 48 hours in advance of any scheduled or anticipated street closures or traffic disruptions affecting transit service; develop alternate routings in consultation with the Operating Company; and ensure that adequate signage is posted along affected portions of routes.
- d) Establishing necessary traffic control by-laws and transit priority measures on their streets;
- e) With respect to System Revenues:
 - i. In consultation with the Authority, establishing a tariff and Fares and prescribing the terms and conditions applicable to each Fare category and amending this Fare structure in whole or in part from time to time;
 - ii. Depositing system revenues received from the Operating Company.
 - iii. Submitting a completed "Report of Revenue" form, supplied by the Authority, within 10 working days of the end of each month showing all system revenues collected on a monthly basis.
- f) With respect to budgets and payment:
 - i. Approving annual budgets consistent with the Service Specification and the Authority's budgets;
 - ii. Paying the amounts owing to the Authority on a monthly basis as invoiced by BC Transit in accordance with the budget provided in the Annual Operating Agreement;
 - iii. Where requested by BC Transit, the Municipality shall determine its administration costs relative to its responsibilities. Payment for these costs shall not exceed 2% of the Direct Operating Costs provided in the budget provided in the Annual Operating Agreement;
- g) Supporting the sustainability of the Public Passenger Transportation System by:

- i. Taking into consideration the impacts on transit service effectiveness when making local land use decisions;
 - ii. Promoting the use of the Public Passenger Transportation System.
- h) Notifying the Operating Company and the Authority of any customer complaints or concerns received by the Municipality; and,
- i) The Municipality may negotiate and enter into Community Transit Partnership Agreements only with prior written approval from the Authority;
- j) The Municipality agrees that the Authority will be the primary spokesperson for transit operational issues relating to the Public Passenger Transportation System and will cooperate when necessary to ensure accurate and effective public communications.

SECTION 8: AUTHORITY RESPONSIBILITIES

The Authority shall:

- a) Set the annual operating and capital budgets for all transit services in the Transit Service Area;
- b) Provide the personnel required to develop and implement transit service plans, fare tariffs and marketing programs for the Transit Service Area;
- c) Administer and manage the activities of the operating company with respect to the services provided under this agreement, including:
 - i. Conducting financial and service audits of the Public Passenger Transit System; and
 - ii. Monitor the Transit Services provided in the Transit Service Area and report and make recommendations to the Municipality with respect to the standards of service and performance of the public transportation systems
- d) Institute marketing programs for transit service in the Transit Service Area, including:
 - i. In consultation with the Municipality, providing public information, marketing and communications services consistent with the budget established in the Annual Operating Agreement and the Authority's branding standards to promote the Public Passenger Transportation System, and
 - ii. Ensuring that the Municipality's respective corporate graphic standards are met in local promotions and communications.
- e) In accordance with the terms and provisions of this Agreement, and the *British Columbia Transit Act* and relevant *Regulations*, the Authority shall be responsible for providing and directing the Shared Services Resources for managing the Operating Company's overall delivery of Transit Services including:
 - i. Establishing customer service practices and procedures; and
 - ii. Conducting any inspections and audits the Authority deems necessary of the Operating Company, Transit Services, Revenue Service Vehicles, Premises and other Physical Assets.
- f) Develop policies and procedures for the delivery of the Transit Services including:
 - i. Prescribing Registered User eligibility criteria and developing procedures and policies to be used by the Operating Company for the assessment and registration of Eligible Users for Custom Transit Services; and
 - ii. Developing procedures and policies for the delivery of Extra Services.
- g) Plan, prepare and implement the Transit Services including:
 - i. Providing Public Passenger Transportation System marketing in accordance with Section 8(d) of this agreement;
 - ii. Ensuring that the terms and conditions of the transit advertising agreement between the Authority and the advertising contract company are met, and

- that the designated revenues generated by this contract are credited to the Municipality;
- iii. Negotiating the terms of the Provincial BC Bus Pass and ensuring that the designated revenue is credited to the Municipality;
 - iv. Providing to the Municipality on a periodic basis reports which will specify:
 - 1) The actual costs of service compared to the budgeted costs specified in the Annual Operating Agreement;
 - 2) The revenue accrued to date, including farebox and other transit revenue (obtained from the Municipality or credited to the Municipality) compared to the budgeted revenue amount; and
 - 3) The annual performance summary of the service compared to the service standards established by the Municipality as outlined in Schedule "C".
 - h) Determining and providing the Revenue Service Vehicles, Premises and other Physical Assets required by the Operating Company for the provision of the Transit Services pursuant to lease or license agreements with the Authority and monitor the use, maintenance and conditions of such Revenue Service Vehicles, Premises and Physical Assets;
 - i) Provide to the Municipality full contact information for the Operating Company, so that the Municipality may fulfill all obligations under this agreement and/or the Annual Operating Agreement with respect to providing notice to the Operating Company;
 - j) Exercise its authority as primary spokesperson for transit operational issues relating to the Public Passenger Transportation System in a manner which does not interfere with the authority of the Municipality to communicate with the public with respect to local public transportation issues; and,
 - k) The Authority shall receive and review any and all proposals from the Municipality to enter into a Community Transit Partnership Agreement and, if acceptable to the Authority, provide its prior written approval of such Community Transit Partnership Agreement, such approval not to be unreasonable withheld by the Authority.

SECTION 9: FUNDING AGREEMENT

The Municipality and the Authority agree to contribute their respective portion of the annual cost of the Public Passenger Transportation System as prescribed in the Annual Operating Agreement.

SECTION 10: CAPITAL AND OPERATING EXPENDITURES

Nothing in this agreement shall be construed as committing the Authority or the Municipality to incur capital or operating expenditures for equipment, facilities or otherwise, within the Transit Service Area unless the same shall be contained within the approved budget of British Columbia Transit.

SECTION 11: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the Freedom Of Information And Protection Of Privacy Act ("FOIPPA"). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

SECTION 12: AMENDMENT

This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.

SECTION 13: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

SECTION 14: ENUREMENT

This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.

SECTION 15: ASSIGNMENT

This Agreement shall not be assignable without prior written consent of the parties.

SECTION 16: GOVERNING LAW

This Agreement is governed by and shall be construed in accordance with the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the government of Canada.

SECTION 17: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or .pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

SECTION 18: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed or if mailed by prepaid registered mail to the Authority at:

BRITISH COLUMBIA TRANSIT
c/o President & CEO
P.O. Box 610
520 Gorge Road East
Victoria, British Columbia V8W 2P3

and to the Municipality at:

Regional District of Alberni-Clayoquot
c/o Administrator
3008 Fifth Avenue
Port Alberni, BC V9Y 2E3

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF, the parties have hereunto set their hand this ____ day of _____,
20____.

**THE REGIONAL DISTRICT OF ALBERNI-
CLAYOQUOT**

BRITISH COLUMBIA TRANSIT

PRESIDENT & CEO

CORPORATE SECRETARY

SCHEDULE "A": DEFINITIONS

- a) **"Annual Operating Agreement"** means the Annual Operating Agreement and all attached schedules negotiated and entered into on a periodic basis pursuant to the British Columbia Transit Act, between the parties hereto this Transit Service Agreement;
- b) **"Attendant"** means a person whose presence is essential to the Registered User to enable the Registered User to physically use the service and whose origin and destination are the same as the Registered User;
- c) **"Community Transit Partnership Agreement"** means a partnership agreement entered into by the Municipality and a third party pursuant to Section 7(i) and Section 8(k), whereby the third party agrees to pay a fee to the Municipality in order to fund certain services provided under the Service Specifications;
- d) **"Companion" or "Escort"** means a person who accompanies the Registered User but whose presence is not essential to the Registered User to physically use the service and whose origin and destination are the same as the Registered User;
- e) **"Conventional Transit Services"** shall mean services and facilities operated by or for a Public Passenger Transportation System to transport persons on specified fixed routes and schedules using public streets or thoroughfares, but does not include Custom Transit Services or Paratransit Services;
- f) **"Custom Transit Services"** shall mean services and facilities operated or provided by a Public Passenger Transportation System for on demand point to point transportation of any Registered User;
- g) **"Direct Operating Costs"** means the sum of the Fixed Costs and Variable Costs of service, maintenance and other costs of service, where:
 - i. **"Fixed Costs"** means items of cost that may be reasonably and conveniently identified with the overall service but which cannot be directly assigned to a unit of service such as hours or kilometres of service. Items of cost will exclude the cost of items which are normally capitalized but may include appropriate charges for depreciation of capital assets or the leasing of capital assets. The use of the term Fixed Costs does not mean that some items of cost included will not vary depending on service requirements;
 - ii. **"Variable Costs"** means items of cost which may be reasonably and conveniently identified and allocated to a specific unit of service such as hours or kilometres of service;
 - iii. **"Maintenance Costs"** means parts and materials, sublet and labour costs of a qualified licensed mechanic for the maintenance of the Revenue Service Vehicles, but shall not include costs associated with interior and exterior transit advertising signs and non-mechanical servicing of Revenue Service Vehicles such as fuelling, clearing fareboxes, cleaning and painting wheel rims, vehicle washing and other work performed by a serviceman; and,
 - iv. **"Other Costs"** shall include but not be limited to vehicle insurance costs, incurred by the Authority and Operating Company, contingency costs, taxi program costs (if applicable);
- h) **"Eligible User"** means any person who is deemed eligible to use Custom Transit Services as defined in Section 11 of the British Columbia Transit Act Regulations.
- i) **"Extra Service"** means Overloads or Special Transit Service;
- j) **"Fare"** means an entitlement to ride upon the services of the Public Passenger Transportation System;
- k) **"FOIPPA"** means the Freedom of Information and Protection of Privacy Act and Regulations (British Columbia);
- l) **"Operating Company"** means:

- i. the company or person contracted by the Authority to operate and manage the Public Passenger Transportation System within the Transit Service Area, or
 - ii. a person designated by the minister to contract with the Authority with respect to the operation by that person of a Public Passenger Transportation System in the Transit Service Area;
- m) **“Overloads”** means additional Revenue Service Vehicles operating on specified routes to cope with ridership demands which cannot be served by the regularly scheduled service;
- n) **“Paratransit Services”** shall mean services and facilities operated or provided by a Public Passenger Transportation System offering more flexible service than Conventional Transit Services. Paratransit Service is a blend of Conventional Transit Services and Custom Transit Services providing service to able bodied transit passengers as well as Registered Users using the same Revenue Service Vehicles that deviate periodically from their fixed route and fixed schedules to provide on demand point to point service;
- o) **“Physical Assets”** other than revenue service vehicles, means any land, buildings, equipment or other items of a material nature which for accounting purposes are considered to contribute to delivery of Transit Services for a period exceeding one fiscal year;
- p) **“Premises”** means the lands, buildings and equipment owned or leased by the Authority and used in the provision of the Public Passenger Transportation System;
- q) **“Public Passenger Transportation System”** means a public transit system as prescribed by the British Columbia Transit Act;
- r) **“Registered User”** means an Eligible User who has satisfied certification and registration requirements established by the Authority to allow them to use Custom Transit Services;
- s) **“Revenue Hours”**, **“Revenue Kilometres”** means those units of service that are actually offered to the public as reflected in the public timetable and set out in the Service Specification, including lay over time between trips;
- t) **“Service Specifications”** means a detailed description of the Public Passenger Transportation System;
- u) **“Shared Services Resources”** means the management, planning, financial, procurement, fleet and maintenance management, contract and performance management, marketing, environmental, safety, training and other services and resources provided by the Authority to support the Public Passenger Transportation System;
- v) **“Special Transit Service”** means infrequent and temporary service provided within the Transit Service Area for specific events or purposes beyond the Revenue Hours outlined in the Service Specifications. Special Transit Services will not exceed the boundaries of the ICBC coverage unless written permission is given in advance by the Municipality and the Authority;
- w) **“Statutory Holidays”** means New Year’s Day, Family Day, Good Friday, Victoria Day, Canada Day, B.C. Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day and/or any other days that may be gazetted as being a holiday in and for the Province of British Columbia;
- x) **“System Revenues”** means the revenue of the Public Passenger Transportation System and includes revenue from farebox, revenue from sale of passes and tickets, revenue from advertising contracts and any other Fare related revenue accruing from the operation of the Public Passenger Transportation System pursuant to this Agreement;
- y) **“Transit Services”** includes without limitation any activity related to the provision of the Public Passenger Transportation System, whether conducted directly or indirectly by the Operating Company or its agents, affiliates, subsidiaries, contractors or representatives,

to operate, maintain, repair or store vehicles, equipment or infrastructure and conduct any related environmental and waste management measures and includes Conventional, Custom and Paratransit Transit Services;

- z) **“Taxi Supplement”** A portion of Custom Transit Service in which the operating company dispatches taxis in the same shared-ride manner as regular custom transit vehicles in accordance with the Service Specifications; and,
- aa) **“Transit Service Area”** means the boundaries of the Transit Services as defined in Schedule “B” of this Agreement.

SCHEDULE "B": TRANSIT SERVICE AREA

The boundaries of the Municipal Transit Service Area shall be defined as follows:

The boundaries of the Alberni-Clayoquot Transit Service Area shall be the corporate boundaries of the Corporation of the City of Port Alberni and Electoral Areas "B", "D", "E" and "F" of the Regional District of Alberni-Clayoquot.

SCHEDULE “C”: SERVICE STANDARDS

The service standards established for the Alberni-Clayoquot Transit System are to be reviewed, confirmed and incorporated into this schedule at a future date in accordance with Section 12 of this Agreement to satisfy the requirements of Section 8(g)iv(3).

**ALBERNI-CLAYOQUOT
ANNUAL OPERATING AGREEMENT**

between

THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

and

BRITISH COLUMBIA TRANSIT

Effective

April 1, 2017

INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

ANNUAL OPERATING AGREEMENT

BETWEEN:

THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

(the "Municipality")

AND:

BRITISH COLUMBIA TRANSIT

(the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

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SECTION 1: DEFINITIONS

Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

- a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
- b) "Transit Service Agreement" shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;

SECTION 2: INCORPORATION OF SCHEDULES

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

SECTION 4: TERM AND RENEWAL

- a) The parties agree that the effective date of this agreement is to be April 1, 2017, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2018 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
 - a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.
 - b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom Of Information And Protection Of Privacy Act* ("FOIPPA"). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant

to this Agreement, including database information, shall be deemed confidential and subject to the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

SECTION 6: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

SECTION 7: MISCELLANEOUS PROVISIONS

- a) Amendment: This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) Operating Reserve Fund: In accordance with OIC 594, in fiscal year 2015/16, BC Transit established a Reserve Fund to record, for each local government, the contributions that BC Transit has received but has not yet earned.
 - a. BC Transit will invoice and collect on monthly Municipal invoices based on budgeted Eligible Expenses.
 - b. Any expenditure of monies from the Reserve Fund will only be credited towards Eligible Expenses for the location for which it was collected.
 - c. Eligible Expenses are comprised of the following costs of providing Public Passenger Transportation Systems:
 - i. *For Conventional Transit Service:*
 1. the operating costs incurred in providing Conventional Transit Service excluding interest and amortization;
 2. the amount of any operating lease costs incurred by BC Transit for Conventional Transit Services;
 3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
 4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
 - ii. *For Custom Transit Service:*
 1. the operating costs incurred in providing Custom Transit Service excluding interest and amortization, but including the amount paid by BC Transit to redeem taxi saver coupons issued under the Taxi Saver Program after deducting from that amount the amount realized from the sale of those coupons;
 2. the amount of any operating lease costs incurred by BC Transit for Custom Transit Service;

3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and,
 4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
- d. Eligible Expenses exclude the costs of providing third-party 100%-funded services; and,
 - e. BC Transit will provide an annual statement of account of the reserves received and utilized, including any interest earned for each local government.
- e) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: GOVERNING LAW

This Agreement is governed by and shall be construed in accordance with the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the government of Canada.

SECTION 9: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

SECTION 10: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed or if mailed by prepaid registered mail to the Authority at:

BRITISH COLUMBIA TRANSIT
c/o President & CEO
P.O. Box 610
520 Gorge Road East
Victoria, British Columbia V8W 2P3

and to the Municipality at:

Regional District of Alberni-Clayoquot
c/o Administrator
3008 Fifth Avenue
Port Alberni, BC V9Y 2E3

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF, the parties have hereunto set their hand this ____ day of _____,
20____.

**THE REGIONAL DISTRICT OF ALBERNI-
CLAYOQUOT**

BRITISH COLUMBIA TRANSIT

Brian Anderson, Chief Operating Officer
BC TRANSIT

Alan Thomas, Chief Financial Officer
BC TRANSIT

SCHEDULE "A": TARIFF AND FARES

Appendix 1: Tariff Notes

No additional notes required. See Appendix 2 for details.

Appendix 2: Tariff and Fares

Fares:

All fares are for one-way trips.

Effective May 1, 2009

	Within city boundaries & up to 6km radius from city limits	Within 6-13km radius from city limits	Within 13-20km radius from city limits	Beyond 20km from city limits
Passenger	\$2.00	\$2.75	\$3.25	\$4.50
Companion	\$2.00	\$2.75	\$3.25	\$4.50
Attendants	Free	Free	Free	Free

Note: Visitors (elsewhere in B.C. and outside B.C.) are eligible for temporary handyDART service.

SCHEDULE "B": SERVICE SPECIFICATIONS

Alberni Clayoquot Service:

Scheduled Revenue Service

17/18 Full Year (Apr 01, 2017 to Mar 31, 2018)								
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	
Hrs/Day	20.00	20.00	20.00	20.00	20.00		4.00	
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Flexible Hours

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018
	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00

Extra Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

Adjusted Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

2017/2018 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2017 to Apr 30, 2017	3	4	4	4	3	5	5	2	30	Apr 14, 2017 Good Friday 2017 (Fri)
May 01, 2017 to May 31, 2017	4	5	5	4	4	4	4	1	31	Apr 17, 2017 Easter Monday 2017 (Mon)
Jun 01, 2017 to Jun 30, 2017	4	4	4	5	5	4	4	0	30	May 22, 2017 Victoria Day 2017 (Mon)
Jul 01, 2017 to Jul 31, 2017	5	4	4	4	4	4	5	1	31	Jul 01, 2017 Canada Day 2017 (Sat)
Aug 01, 2017 to Aug 31, 2017	3	5	5	5	4	4	4	1	31	Aug 07, 2017 BC Day 2017 (Mon)
Sep 01, 2017 to Sep 30, 2017	3	4	4	4	5	5	4	1	30	Sep 04, 2017 Labour Day 2017 (Mon)
Oct 01, 2017 to Oct 31, 2017	4	5	4	4	4	4	5	1	31	Oct 09, 2017 Thanksgiving Day 2017 (Mon)
Nov 01, 2017 to Nov 30, 2017	4	4	5	5	4	3	4	1	30	Nov 11, 2017 Remembrance Day 2017 (Sat)
Dec 01, 2017 to Dec 31, 2017	3	3	4	4	5	5	5	2	31	Dec 25, 2017 Christmas Day 2017 (Mon)
Jan 01, 2018 to Jan 31, 2018	4	5	5	4	4	4	4	1	31	Dec 26, 2017 Boxing Day 2017 (Tue)
Feb 01, 2018 to Feb 28, 2018	3	4	4	4	4	4	4	1	28	Jan 01, 2018 New Years Day 2018 (Mon)
Mar 01, 2018 to Mar 31, 2018	4	4	4	5	4	5	4	1	31	Feb 12, 2018 Family Day 2018 (Mon) Mar 30, 2018 Good Friday (2018) (Fri)
Total	44	51	52	52	50	51	52	13	365	13 Exceptions

Monthly Summary

Month	Custom Transit									
	Revenue Hours					Revenue Kilometers				
	Scheduled	Extra	Flexible	Adjusted	Total	Scheduled	Extra	Adjusted	Total	
April, 2017	380.00		20.00		400.00	0.00				
May, 2017	456.00		20.00		476.00	0.00				
June, 2017	456.00		20.00		476.00	0.00				
July, 2017	440.00		20.00		460.00	0.00				
August, 2017	456.00		20.00		476.00	0.00				
September, 2017	416.00		20.00		436.00	0.00				
October, 2017	440.00		20.00		460.00	0.00				
November, 2017	456.00		20.00		476.00	0.00				
December, 2017	400.00		20.00		420.00	0.00				
January, 2018	456.00		20.00		476.00	0.00				
February, 2018	396.00		20.00		416.00	0.00				
March, 2018	436.00		20.00		456.00	0.00				
Total	5,188.00	0.00	240.00	0.00	5,428.00	0.00	0.00	0.00		

SCHEDULE "C": BUDGET**Alberni - Clayoquot Custom Transit**

	Base Budget 2017/2018
Total Revenue	\$33,395
Total Direct Operating Costs	\$438,773
Total Operating Costs	\$478,781
Total Costs (including Local Government Share of Lease Fees)	\$548,194
Net Local Government Share of Costs	\$183,319



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

MEMORANDUM

To: Wendy Thomson, Acting Chief Administrative Officer; and
Regional Board of Directors

From: Heather Zenner, Lands and Resources Coordinator

Date: April 18, 2017

Subject: Island Corridor Foundation, Business Plan Update.

Recommendation:

THAT the Board of Directors direct staff to submit the attached ACRD referral response to the Island Corridor Foundation.

Background:

The Island Corridor Foundation (ICF) has prepared a Business Plan Update in draft format for public input. The plan outlines the history of the ICF, the location of the corridor, the purpose of the ICF, and outlines their key focus areas. The four key areas include: Rail (infrastructure & service), Heritage (train stations), Rail-with-Trails, and Corridor Communities.

The plan indicates that a Five Year Budget will be completed once the board of directors has established their goals, priorities and timelines within the four key focus areas. The report also indicates that 2016 audited financial statements will be posted following the Annual General Meeting on April 27, 2017.

Comments:

The ICF has requested public input from the ACRD using their feedback form. Staff has prepared an initial response for review by the Board of Directors.

Staff Recommendation:

Staff recommends to submit the attached feedback form to the Island Corridor Foundation.

Submitted by:

Heather Zenner, Land and Resources Coordinator

Reviewed by:

Mike Irg, Manager of Planning and Development

Wendy Thomson, Acting Chief Administrative Officer

MISC17011

Island Corridor Foundation - Business Plan Update 2017

Feedback Form

Thank you for taking the time to provide feedback to the Island Corridor Foundation for the development of their updated business plan. Your responses will be considered by the Board of Directors when they set goals and priorities later this spring. From there, financial projections will be prepared, and the business plan finalized and posted at www.islandrail.ca.

1. Which general area do you reside in? (Please check the appropriate response)

- Alberni Valley
- Cowichan Valley
- Comox Valley
- Greater Victoria
- Greater Nanaimo
- Parksville/Qualicum Beach
- Other: _____

2. On a scale of 1 to 5, how important is it to you that the island rail corridor is preserved for public use in the long-term future? Please circle the appropriate number.

Not important at all	Somewhat unimportant	Neutral	Somewhat Important	Very Important
1	2	3	4	5

3. On a scale of 1 to 5, how supportive are you of rail service on Vancouver Island?

Not supportive at all	Somewhat unresponsive	Neutral	Somewhat Supportive	Very Supportive
1	2	3	4	5

4. Would your level of support for rail service on Vancouver Island (your answer to question 3) **change** if taking an incremental approach to track infrastructure upgrades meant that not all communities/regions could be served initially? Please check the appropriate answer.

- My level of support would decrease (less supportive)
- My level of support would increase (more supportive)
- My level of support would not change (remain the same)

5. On a scale of 1 to 5, how supportive are you of the continued development of rail-with-trails within the corridor?

Not supportive at all	Somewhat unresponsive	Neutral	Somewhat Supportive	Very Supportive
1	2	3	4	5

6. The draft business plan is formatted around four key focus areas – Rail Infrastructure & Services; Heritage (train stations); Recreation (trail development) and Community Projects.

Imagine you had \$100 to spend on the four focus areas, how would you spend it? Please divide \$100 among the key focus areas listed below according to their importance to you. Please fill all spaces with dollar amounts ranging from \$0 to \$100. Your total should equal = \$100.

Focus Area	\$
Rail Infrastructure & Services	\$40
Heritage (train stations)	\$10
Recreation (trail development)	\$40
Community Projects	\$10
Total	\$100

7. Please list up to three goals you think the Board should prioritize for each focus area:

Focus Area	List up to three (3) goals:
Rail Services & Infrastructure	<ol style="list-style-type: none"> 1. Rail service to the Alberni Valley 2. Passenger Service 3. Commuter Service
Heritage (train stations)	<ol style="list-style-type: none"> 1. Port Alberni Train Station 2. 3.
Recreation (trail development)	<ol style="list-style-type: none"> 1. Alberni Valley Rails & Trails 2. Identify Opportunities 3. Right-of-way agreements with other agencies (ex. MOTI to ACRD)
Community Projects	<ol style="list-style-type: none"> 1. 2. 3.

8. Do you have any other comments or advice for the Board as it pertains to the development of the business plan?

A financially independent organization.

Thank you for taking the time to provide comments!

Please ensure your submissions are received by no later than April 30, 2017. Respondents are encouraged to **complete this feedback form online** at www.islandrail.ca. If you require additional assistance, please call 250-754-7254.



Island Corridor Foundation
Business Plan Update, 2017
DRAFT FOR PUBLIC INPUT – April, 2017

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I. Executive Summary

To be completed once content is finalized.

DRAFT for Public Input

II. History & Background

The Esquimalt and Nanaimo Railway (E&N railway) was incorporated on September 27, 1883 by Sir Robert Dunsmuir, the coal baron. To build the railway, land was granted to Dunsmuir under the Act of Confederation. Completed in 1886, the initial rail operation ran for 115 kilometers from Esquimalt to Nanaimo, hence the original name of the company. By 1888, the line was extended into Victoria.

In 1905, Dunsmuir was Premier of British Columbia and the Canadian Pacific Railway (CPR) wanted permission from the Province to build a line through southeast BC. Dunsmuir agreed to give permission, on condition that CPR take over the railway, which at that time was struggling financially. He transferred the railway and the land grants (the Corridor) to the CPR and by 1925, the E&N Railway was a thriving operation.

Over time, the railway was developed to become an important transportation link stretching from Victoria to Courtenay and across to Port Alberni. Throughout the later 1900s and into the 2000s, a variety of business changes occurred which created financial challenges for the rail operator and triggered considerable uncertainty regarding the sustainability of rail service on Vancouver Island.



Local governments and First Nations responded with significant concern regarding the economic impact of a possible rail closure on their communities. In an unprecedented scale of collaboration, they came together with one goal – to save the railway and to ensure the corridor remained in public hands. The Island Corridor Foundation (ICF) was formed as a non-profit Society in 2003 as a result of this effort. Without such coordinated intervention, it is likely that the rail service would have been abandoned and the property sold off in parcels to private interests, forfeiting the valuable benefits of a continuous public transportation corridor forever.

The ICF subsequently applied to the Canadian Revenue Agency to become a registered charity under the Income Tax Act, which enabled the Foundation to provide official donation receipts. In 2005, the railway owners (CPR and Rail America) donated the railway corridor for tax credit, including the land, gravel rail beds, tracks, ties, culverts, related structures (i.e. bridges, trestles, tunnels), four historic train stations and timber rights along the corridor. At the time, the donation had an appraised value of \$366 million.

In 2006, the ICF entered into an agreement with a new railway operator, Southern Rail Ltd. of Vancouver Island (SVI) – a subsidiary of Southern Railway of British Columbia (SRY), which is widely considered to be one of the most reputable short line operators in North America. In July of the same year, SVI took over the rail operations, including freight service and the daily VIA rail passenger service between Victoria and Courtenay. SVI and the ICF also began work on the development of an overall long-term infrastructure plan for rail upgrades and improvements.

The ICF has worked tirelessly over the past decade to secure federal, provincial and local contributions towards the rail infrastructure program, and to secure a new Train Service Agreement with VIA Rail to reinstate passenger service. Tremendous effort has also been invested in other key focus areas, including Heritage (historic train stations), Rail-with-Trails and Corridor Communities

(charitable / community projects). These are discussed in detail in Section V – ICF Key Focus Areas.

Today, the ICF is a financially self-sustaining charitable Foundation that continues to benefit from strong participation by local governments and First Nations throughout the corridor, as well as the ongoing and generous support of a qualified, experienced and committed rail operator (SVI). The purpose of the Business Plan Update is to outline, with consideration of feedback from stakeholders and the public, the ICF’s current goals and priorities within each of the key focus areas, along with related opportunities and risks. Key achievements to date are also highlighted, and a five-year financial plan is provided in Section VI. While many challenges and opportunities lie ahead, the Foundation remains committed to protecting and improving the corridor for public use and making Vancouver Island Rail a reality.

Have Your Say!

THE ICF HAS OPTED TO USE A PARTICIPATORY PLANNING PROCESS FOR THE DEVELOPMENT OF THE BUSINESS PLAN UPDATE, ONE THAT ACTIVELY SOLICITS PUBLIC INPUT REGARDING THE FOUNDATION’S GOALS AND PRIORITIES. SHARE YOUR THOUGHTS AND IDEAS BY COMPLETING THE **ONLINE FEEDBACK FORM** BY APRIL 30, 2017 AT www.islandrail.ca

“The Island rail corridor is a rare and exceptionally valuable asset, brimming with opportunities for the long-term benefit of Vancouver Island. The ability of the ICF to successfully negotiate the donation of the continuous 290-kilometer corridor in 2005 was a remarkable and historic success. Consider the situation in Vancouver whereby the City recently agreed to pay CP Rail \$55 million to acquire a 9-kilometer section of the former Arbutus Corridor. We, as Island communities, cannot afford to underestimate the value of this incredible asset.” Mary Ashley, ICF Director-at-Large



III. The Corridor

The Corridor consists of the land, gravel rail bed, ties, tracks, culverts and related structures (bridges, trestles, and tunnels) that together form the railway system. It also includes the historic train stations and the land that they sit on.

The Corridor is approximately 30 meters (100 feet) wide through most of its length, and in a few densely-populated areas is somewhat narrower. In total, the Corridor is comprised of approximately 1,620 acres of land. It consists of two tracks: a 225 km section between Victoria and Courtenay (Victoria Subdivision/VIC) and a 64 km link between Parksville and Port Alberni (Alberni Subdivision/ALB). A third subdivision owned by the Island Corridor Foundation runs 26 kms between Duncan and Lake Cowichan. This track subdivision was abandoned in 1984 and the rail infrastructure has been removed. A trail for hikers and bikers runs the complete length of that corridor.

The corridors run through 5 regional districts, 14 First Nation communities, 14 municipalities and 13 unincorporated communities. The north-south line goes through the most populated sections.

DID YOU KNOW?

APPROXIMATELY 80% OF THE POPULATION OF VANCOUVER ISLAND LIVES WITHIN 5 KILOMETERS OF THE RAILWAY (THE MAIN EXCEPTIONS BEING THE NORTH ISLAND AND SAANICH PENINSULA), GIVING IT THE OUTSTANDING POTENTIAL TO BE A GREEN TRANSPORTATION BACKBONE FOR THE ISLAND.



IV. The Foundation

Purpose

The Island Corridor Foundation is a non-profit society and federally registered charity established for the purposes of owning and managing the former E&N Corridor on Vancouver Island. The Foundation recognizes the importance of this corridor as a link that connects communities economically, socially and culturally.

The objectives of the ICF are to:

- acquire, preserve and develop for purposes of the Foundation the island corridor which lies north-south from Victoria to Courtenay and east-west from Nanaimo to Port Alberni on Vancouver Island;
- maintain the continuity of the Island Corridor as a continuous special use connection for all communities, while respecting and supporting First Nations interests and traditional lands and uses;
- contribute to safe and environmentally sound passenger and freight rail services along the Railroad;
- create trails, parks, gardens, greenways and other public areas for use of members of the public along the length of the Island Corridor;
- encourage a flexible infrastructure along the Island Corridor which will encourage a wide range of economic and trade activity for the benefit of all communities lying adjacent to the Island Corridor;
- preserve archaeological resources, historic landmarks, structures, artifacts and historic routes along the Island Corridor for historical purposes and for ongoing and future use by the community;
- conserve the environmental and spiritual features and functions of the Island Corridor in respect of the land, water and natural resources for the general benefit of the public; and
- do all such charitable activities which are incidental to and beneficial to the attainment of the purposes stated above.

Governance

Pursuant to the ICF's articles of incorporation, membership in the Foundation is limited to Regional District and First Nation governments whose territories are wholly or partly within the geographic area of the Corridor. The Foundation is governed by a board of 12 directors. An equal number of directors represent Regional Districts and First Nation governments – currently five each. Together, the members appoint two directors at large. Members do not contribute to ICF operating funds or rail maintenance.

Sub-committees may be appointed by the board to oversee the operational activities of the Foundation. The board may appoint non-directors based on skills and experience, although the Chair of each sub-committee must be a director.

The current board is comprised of:

ICF Board of Directors (2016/2017)	
Chair & Director at Large	Dr. Judith Sayers
Vice Chair & Nanaimo Regional District Director	Mayor Bill McKay
Director at Large	Mary Ashley
Alberni-Clayoquot Regional Director	Ken McRae
Capital Regional District Director	Ben Isitt, Councillor
Comox Valley Regional Director	Mayor Larry Janguia
Cowichan Tribes	Albie Charlie, Councillor
Cowichan Valley Regional Director	Mayor Phil Kent
Halalt First Nation	Lonnie Norris, Business Development Manager
Lake Cowichan First Nation	Georgina Livingstone, Treaty Liaison / Housing, Lands and Resources Support
Stz'uminus First Nation	Ray Gauthier, CEO of Coast Salish Development Corp.
Hupacasath First Nation	Jim Tatoosh, Councillor

The local government liaison sub-committee is open to all member municipalities and regional electoral directors. This committee meets twice per year and provides an opportunity for representatives of corridor regional districts and municipalities to discuss rail and trail issues and ideas with Southern Rail and ICF staff & directors.

Relationships and communications with First Nations communities is undertaken primarily through the First Nations Liaison.

Management & Staff

The ICF management and staff structure has evolved over the years and continues to adapt to changing demands. In 2009, the ICF hired a full time executive director through the contractual services of Granneke Management & Consulting Services, which also provided record & bookkeeping services. At the time the ICF had no office or staff support. In subsequent years, the Executive Director was made the Chief Executive Office and tasked with (among many other things) making the Foundation financially self-sustaining and establishing an office and Office Administrator position. An official office was established at the Nanaimo Wellcox Yard in September of 2012. As of February 2015, the office administrator became a direct employee position of the ICF.



Municipal representatives tour the track with SVI Roadmaster Al Kutaj on the first local government liaison day in July, 2016

The CEO is responsible for overseeing all of the assets of the ICF; dealing with regulatory agencies; five regional districts, 14 First Nations, 14 municipalities, the federal and provincial governments, and the general public. This includes working with the Office Administrator on land management (including management of over 700 crossings and land use agreements), protecting the assets, managing relationships with the rail operator and use of the assets by the general public. The CEO is also responsible for presenting an annual budget for approval and to provide oversight to the budget and finances to the board of directors.



The Financial Officer, a retired CGA, provides financial oversight to the board of directors, and the First Nation Liaison is responsible for communications with First Nations communities within the corridor. Both positions receive an honorarium.

A brief list of key organizational achievements since the ICF's inception include:

- successful application to the Canada Revenue Agency for charitable tax status and subsequent negotiation for donation of the entire rail corridor and related assets in exchange for a tax receipt;
- successful negotiation of detailed service agreements with the rail operator (SVI) and VIA Rail;
- completion of a long-term infrastructure plan, along with several related engineering assessments and transportation studies;
- establishment and ongoing management of hundreds of land use agreements, including a major fibre-optic line;
- full repayment of the CP Rail loan (\$125,000) at the Foundation's inception;
- stabilized the financial position of the Foundation within the first decade of operations (ICF is self-sustaining without any government grants or contributions for operations);
- successful negotiation of contribution (funding) agreements with member regional districts, the Province of BC and Government of Canada towards the rail infrastructure program;
- submission of detailed funding proposals, and ongoing communication with provincial and federal agencies to support the rail infrastructure program;
- finalized permissive tax exemption agreements with municipalities throughout the Corridor;
- ongoing management of numerous stakeholder relationships with a continued and focused effort towards enhanced communications, including development of comprehensive website; and,
- active involvement in several economic studies and assessments to determine the viability of a broad range of rail services and products.

Stakeholders

Major stakeholder groups for the ICF include the rail operator (SVI), VIA Rail, corridor communities (First Nations and non First Nations), rail users (passengers and freight) and trail users.

i. Rail Operator

The ICF is the owner (on behalf of its members) of the rail corridor, but is not in the business of operating the railroad. The Foundation was fortunate to enter an agreement with a new railway operator in 2006 - Southern Rail Ltd. of Vancouver Island (SVI), a subsidiary of Southern Railway of British Columbia (SRY), which is owned by the Washington Companies.

SVI is responsible for the operation and maintenance of the railway, and ensuring compliance with applicable federal and provincial transport regulations. SVI was instrumental in the development of the long-term infrastructure plan in collaboration with the ICF. As rail operator, SVI is also responsible, in collaboration with the ICF, for determining the business case and long-term feasibility of rail service. SVI is currently in the process of building a business plan¹ around four types of rail service, three of which must be successful for the plan to be viable:

1. Intercity Passenger (VIA Rail service)
2. Freight
3. Tourism / Excursion
4. Commuter

Each of these services is discussed in more detail in Section V.

Since signing on in 2006, SVI has supported the work of the ICF beyond expectation, repeatedly demonstrating an understanding and appreciation for the charitable and community development aspect to the ICF. Key contributions have included:

- Commitment to top up the VIA Rail subsidy (see below) if necessary to operate intercity passenger service;
- Confirmed contribution of \$500,000 towards bridge and trestle repair as part of the rail infrastructure program;
- Development of detailed trail guidelines and active participation in corridor trail projects to assist with ICF's recreation goals; and,
- Commitment of 20,000/year for ICF's First Nation conductor / engineer scholarship program (see Section V under "Communities").

ii. VIA Rail

VIA Rail is a crown corporation subsidized by Transport Canada to provide intercity passenger service throughout Canada. Intercity passenger service between Victoria and Courtenay was suspended in 2011 due to concerns regarding the condition of the rail infrastructure. In 2014, the ICF successfully negotiated a new Train Service Agreement with VIA Rail to restore intercity passenger service subject to incremental implementation of the rail infrastructure program.

As is the case with most other transit services (e.g. bus and ferry), passenger rail in Canada is operated with a subsidy that covers the gap between passenger revenues and operational costs. Under the new agreement, VIA will provide upgraded passenger trains, liability insurance and a subsidy of up to \$1.4 million per year for ten years. SVI has committed to cover any additional revenue gap if necessary. Refer to Section V for more information.

¹ Link to SVI Business Plan once released in Spring, 2017

iii. Communities

The ICF was initiated in 2003 by a dedicated coalition of Island communities (First Nations and non First Nations) in response to a possible railway closure. Today, corridor communities continue to play a major role in the Foundation as well as the effort to restore rail service on Vancouver Island. Within the corridor, there are 5 regional districts, 14 First Nations communities and 14 municipalities. As members, Regional Districts and First Nations play a direct role in the governance of the Foundation (refer to the Governance section on page 6).

As per the Foundation’s articles of incorporation, municipalities are not eligible for membership; however, they continue to support and contribute to the ICF through property tax exemptions trail development projects, heritage train station improvements and general support for Foundation objectives. Specific projects and key successes are discussed more in Section V.

Corridor Communities		
Regional Districts	First Nations	Municipalities
Alberni Clayoquot	Cowichan Tribes	Courtenay
Capital Regional District	Esquimalt Nation	Duncan
Cowichan Valley	Halalt First Nation	Esquimalt
Comox Valley	Hupacasath First Nation	Ladysmith
Nanaimo Regional District	Komox First Nation	Lake Cowichan
	Lake Cowichan First Nation	Langford
	Malahat First Nation	Lantzville
	Penelakut First Nation	Nanaimo
	Qualicum First Nation	North Cowichan
	Snaw-Naw-As First Nation	Parksville
	Snuneymuxw First Nation	Port Alberni
	Songhees First Nation	Qualicum Beach
	Stz'uminus First Nation	View Royal
	Tseshaht First Nation	Victoria

iv. Rail Users

There are two types of rail users – passengers and freight.

Passengers

Currently there is no regular passenger service on the north-south line; however, there are three related initiatives underway that would serve intercity travelers, commuters and tourists. Refer to Section V for further discussion. On the east-west line (Alberni Sub), the tourism-focused Port Alberni Steam Train carries passengers approximately 10 kilometers between Port Alberni’s train station and the McLean Mill National Historic Site. The service is operated by the primarily volunteer-based Port Alberni Industrial Heritage Society. This service is also discussed further in Section V.

Freight Users

Freight service is currently active between North Nanaimo and Wellcox Yard in downtown Nanaimo, along with trans-load operations at Wellcox Yard. Current freight users include six medium to large-scale Island based companies, including TimberWest, Northern Pressure Treated Wood, Catalyst Paper, Lafarge, Top Shelf Feeds and Superior Propane. Further details regarding the freight service are included in Section V.



Rail marine ramp at Wellcox Yard in Nanaimo.

v. Trail Users

Trail users include local Island residents and tourists accessing corridor trails for recreational activities, including walking, jogging, cycling, and sightseeing. Trail development has been a key priority for the ICF in partnership with member Regional Districts, First Nations, municipalities and SVI. For more details, please refer to Section V.



V. ICF Key Focus Areas

The business of the ICF is currently focused on four key areas:



In the pages that follow, the ICF defines its vision in each of the four key focus areas describing the current situation, noting key achievements to date, identifying opportunities and risks, and setting out short, medium and long-term goals.

In addition to work within the four key focus areas, daily operations of the ICF include managing hundreds of land use agreements and records, administration related to board, committee and community meetings, member/stakeholder communications, managing encroachments, drainage, graffiti, illegal dumping / solid waste and dangerous tree concerns along the corridor.



Rail – Infrastructure & Service

Overview / Current Situation

The ICF acquired the former E&N railway and all related assets in recognition of the corridor as a vital connection between communities, and with high levels of community support for the continuation of the railway and rail service.

Rail Infrastructure

During its first decade, a key focus area for the ICF was on securing the funding necessary to improve track conditions between Victoria and Courtenay based on an incremental approach to the upgrades.

This approach involves investment in more affordable packages of prioritized infrastructure needs (immediate to long-term), undertaken in viable business segments while the ICF and SVI work to grow both the passenger and freight markets, and raise the capital required for subsequent phases.

A BC Ministry of Transportation review of a proposal for the first phase of upgrades and cost estimates was completed in 2015, and final approval of \$7.5 million in provincial funding was

Key Achievements

- ✓ Acquired, on behalf of ICF members, the Corridor and all related assets from CP and Rail America for tax credit (2005)
- ✓ Agreement finalized with new rail operator Southern Rail of Vancouver Island (2006)
- ✓ Completion of a long-term infrastructure plan (2008)
- ✓ Study completed to identify initial increment of rail repairs and upgrades to restore rail for a minimum of ten years (2009)
- ✓ Preliminary funding commitments from the federal, provincial and regional district governments (2011/2012)
- ✓ Completion of engineering assessment for bridges and trestles (2011)
- ✓ VIA Rail Train Service Agreement finalized (2014)
- ✓ Provincial review of rail upgrades and cost estimates complete; final approval for provincial funding granted (July, 2015) Federal funding application deferred pending resolution of the Snaw-Naw-As legal claim.

confirmed in July.² This approval, at the time, was part of a \$20.9 million project³ that would have restored rail service for a minimum of ten years on the full length of the north-south line.

Federal sign-off of the matching funds (\$7.5 million) was delayed due to the election. With the change in government in October of 2015, materials and presentations had to be resubmitted to the new Minister in charge of Infrastructure Canada.

In December of 2015, the Snaw-Naw-As First Nation (located in Nanoose Bay) filed a lawsuit in the BC Supreme Court asking for the return of approximately one mile of the corridor lands that was originally expropriated in the early part of the 20th century to build the railway. The federal government has indicated it will not release any funds while the matter remains unresolved.

“The ICF has been a strong collaboration between First Nations and Regional Districts from its inception and was driven by First Nations and Local Governments alike in order to preserve the Corridor from being sold and rail being discontinued on Vancouver Island... The ICF recognizes and acknowledges the aboriginal title and rights of First Nations along the corridor in which the ICF holds a fee simple interest and strongly urges the governments of Canada and BC to justly and equitably settle with the affected First Nations with respect to that title.”

~ICF [Declaration on Aboriginal Title](#), May 2010 (excerpt)

The ongoing legal proceedings are complex and will likely require a significant amount of time to resolve. The current Infrastructure Canada funding program expired on March 31, 2017 with a new federal funding program set to be launched later in 2017 or 2018. The ICF and SVI will develop a new plan and funding proposal for submission to the federal government.

The ICF remains optimistic regarding an initial increment that includes upgrades along the full length of the north-south line, however there are other possibilities for phasing the project while efforts continue in good faith towards a negotiated settlement with the Snaw-Naw-As Nation. This may include focusing on smaller sections to expedite the launch of specific products, such as a Langford to Victoria commuter service, a Nanaimo cruise ship excursion train, and/or a modified VIA inter-city schedule all as a first phase of the rail infrastructure program that focuses on upgrades between Victoria and Nanaimo.

Rail Service

While the ICF is the title holder (on behalf of its members) of the railway corridor, the Foundation is not responsible for railway operations, which includes determining the financial viability of services offered. The ICF does, however, have a significant stake in railway operations, and the Foundation therefore works very closely with the rail operator to provide input and support.

SVI has undertaken economic assessments and is in the process of developing a business plan around four “pillars” of rail services, including intercity (VIA Rail) passenger service, freight service, tourism excursion trains and commuter rail. SVI’s business plan depends on the success of at least three of the four pillars, with intercity passenger service being a required core service. The rail

² See: <https://news.gov.bc.ca/releases/2015TRAN0079-001151>

³ For details, refer to the Business Plan submitted to Infrastructure Canada at: http://www.islandrail.ca/wp-content/uploads/2016/08/Business-Case-14-11-07_Infrastructure-Canada.pdf

infrastructure upgrades are critical to the restoration/establishment and growth of all four service pillars.

SVI Rail Service Pillar #1 - Intercity Passenger Service

In 2014, the ICF successfully negotiated a new Train Service Agreement with VIA Rail to restore intercity passenger service subject to incremental implementation of the rail infrastructure program.

As outlined previously, under the new agreement, VIA will provide upgraded passenger trains (including renovated interiors and bicycle storage), liability insurance and a subsidy of up to \$1.4 million per year for ten years. SVI has committed to top up the VIA subsidy if necessary.

The new agreement gives the ICF and SVI full control over scheduling of intercity passenger train service. This will enable significant improvements over the former VIA Rail service, which was limited to one daily train with one or two cars running north from Victoria in the morning and returning from Courtenay in the afternoon, carrying nearly 40,000 passengers per year. This service operated far below the potential capacity of the rail corridor.

DID YOU KNOW?

RIDERSHIP ON THE VICTORIA TO COURTENAY PASSENGER TRAIN GREW AT A STEADY RATE OF 10% BETWEEN 2006-2011, DESPITE OPERATING AGAINST THE PEAK TRAVEL DIRECTION.

It is anticipated that a renewed passenger service would initially seek to serve weekday southbound passengers, likely with two daily return trips from Nanaimo (morning departures) to Victoria (returning late afternoon). Based on scheduling improvements and ridership projections, SVI anticipates an operating ratio of approximately 72% to begin with for intercity passenger service. Incremental growth would be sought through opportunities to serve other markets on the weekends and/or at off-peak travel hours. While these products will be based on market research and demand, possibilities include integration with corridor trail networks for cycling/hiking trips and linkages with other transportation and tour operators (bus/ferry).

SVI Rail Service Pillar #2 - Freight Service

Freight service is currently active between North Nanaimo and Wellcox Yard in downtown Nanaimo, along with trans-load operations at Wellcox Yard. In 2016, SVI handled 518 freight cars at Wellcox Yard, which were then shipped by SVI's sister company, Seaspac Coastal Intermodal, via SRY'S new Annacis Rail Marine Terminal. At its New Westminster interchanges, SRY provides connections to four Class 1 railways – CN, CANADIAN PACIFIC, BNSF and UP – allowing customers to reach North America and export market destinations using whatever route is most competitive. This is unique in the Lower Mainland, no



other rail operator offers access to four Class 1 railways, which is a significant competitive advantage Island freight customers. These connections are of tremendous value to Island-based companies looking to access national and international markets and expand their economic growth potential.

Growth of the freight business depends on completion of rail upgrades to enable transportation of significant volumes of freight around Vancouver Island, along with securing more shipping contracts. The lack of large-scale industry on the Island may limit the growth potential in this type of freight service. However, trans-load operations at Wellcox Yard are growing and have reached a level that sustains that particular service. SVI expects to handle 1,000 rail cars at Wellcox Yard in 2017, and now employs



Annacis Rail Marine Terminal in New Westminster

13 full-time staff within the trans-load operation. In March, 2017 SVI acquired the marine ramp in Nanaimo from Seaspan Ferries. This will allow for unlimited access to the ramp (which was shared with Seaspan Ferries) and daily sailings between the Island and the Mainland. SVI plans to invest approximately \$2 million to upgrade the ramp and grow trans-load operations.

SVI Rail Service Pillar #3 - Tourism Excursion Trains

North-South Line: SVI and the Foundation are exploring opportunities to establish a tourist train service that would offer cruise ship excursions originating at the Nanaimo cruise ship port, along with special event and/or themed train excursions on the north-south line.

A feasibility study was completed in September of 2014, followed by an economic impact study in February of 2016. Both studies were funded jointly by the Nanaimo Port Authority and SVI.



The feasibility study concluded that in order to break even, the service would need to host fifteen excursion events per season, including cruise ship excursions and special events trains. Currently, the Nanaimo Port Authority books an average of five major cruise ships per year, but the facility was built to accommodate many more. The goal for the excursion train would be to stabilize operations at twenty cruise ship excursions per year, and thirty special event or themed excursions.

Regarding cruise ship excursions, industry experts advised that they are popular in other destinations, and that such a unique and accessible product offering would significantly strengthen Nanaimo's appeal as a port of call. They recommended a maximum one-hour trip offering high quality hospitality and a broadly appealing destination.

“...the excursion train is a differentiator for Nanaimo in competition with other local coastal British Columbia ports that do not have such an excellent shore excursion capability right dockside, and thus generates a superior economic impact for the region.” Tourism Excursion Train Economic Impact Study

The economic impact study identified that an investment of approximately \$5 million in construction (incremental to the first phase of rail infrastructure improvements) would be required to establish the service. Assuming 20 cruise ship calls per year and 30 special events or themed excursions, the total economic impact in Years 1 through 5 was estimated at \$22.8 million per year, and \$5.9 million in Year 6 and beyond. The incremental impact per ship was estimated at \$300,000, and permanent job creation was estimated at 9.9 FTE.

A successful demonstration excursion and media event was held in April of 2016 in conjunction with the Annual General Meeting of the Association of Vancouver Island and Coastal Communities. The event utilized a CP Rail streamliner provided by the West Coast Railway Association in Squamish. While SVI remains interested and supportive of developing the service, the ability to do so is largely dependent on completion of the first phase rail infrastructure upgrades, or at least the works required within the tourism excursion service area.

East-West Line: A successful tourism-focused train service is already established on the east-west line – the Port Alberni Steam Train carries passengers approximately 10 kilometers between the City’s historic train station and the McLean Mill National Historic Site – a rare, surviving example of an early 20th-century sawmill and logging operation. While the site is accessible by road and rail, however the steam train ride is aimed at significantly enhancing the visitor experience. The steam train service is operated in partnership by the Western Industrial Heritage Society of Vancouver Island and the McLean Mill Society, under an agreement with the ICF.

The McLean Mill Society is actively positioning itself as the number one visitor attraction on Vancouver Island through the development of a unique “back-in-time” visitor experience and high-quality visitor services, activities and facilities that complement and strengthen the appeal of the McLean Mill National Historic Site as a tourist destination. The Society is also promoting the steam train and mill site for special events, including seasonal/holiday festivities and weddings.

The Port Alberni Steam Train and McLean Mill also stands to benefit from increased cruise ship traffic to Nanaimo in that it offers a distinct, heritage-focused visitor experience much different than the activities contemplated as part of the Nanaimo excursion train. Further, the average number of passengers per cruise ship call is 1,500. The Nanaimo excursion train could accommodate approximately 200 passengers, leaving an estimated 1,300 (per cruise ship call) seeking other Island experiences within a one-hour transportation range, which would include Port Alberni.

SVI Rail Service Pillar #4 - Commuter Rail

Discussions are currently underway within the Capital Region regarding the possibility of an inter-municipal commuter train service from Langford to Victoria. The initiative involves four municipalities (Victoria, Langford, View Royal and Esquimalt) along with the Capital Regional District and the owner of Focus Equities, the developer behind Bayview Place in Victoria and the Westhills development in Langford.

In early March 2017, the Province of BC announced the establishment of a working group to provide input on a feasibility study of the proposed commuter service. The working group involves representatives from the Ministry of Transportation, local government, BC Transit, the Victoria

Regional Transit Commission (VRTC), BC Safety Authority and SVI. The study is scheduled for completion by the summer, 2017. The Songhees and Esquimalt First Nations have been invited to participate in the working group.

The ICF and SVI are actively working to support the ongoing efforts of the local communities. If a service is established, the Foundation would also contribute land for construction of a platform station and park & ride facility in the Westhills community.

Opportunities

- ICF has confirmed provincial and regional funding commitments, along with preliminary federal support (pending resolution of the Snaw-Naw-As case), towards the first phase of the rail infrastructure program. A new Train Service Agreement with VIA Rail to restore and improve intercity passenger service is in place.
- Rail operator SVI is highly committed to the restoration of rail on Vancouver Island, and has made numerous contributions above and beyond the commitments and responsibilities outlined in the operating agreement.
- SVI's flexible business plan is comprised of four "pillars" of rail service, which can be phased or packaged based on market demand and public interest.
- The demand for trans-load freight operations is growing, and SVI offers unique and invaluable connections to the Mainland (and onwards to national and international markets) for Island-based freight customers via their rail marine terminal on Annacis Island and in partnership with sister company Seaspan Marine Corporation.
- Feasibility and economic impact studies related to the development of tourism excursion (cruise ship excursions and special event/themed trains) on the north-south line are positive, and the Port Alberni Stream Train is an integral component of the McLean Mill Society's strategic and operational plans.
- The group working towards the establishment of commuter service between Langford and Victoria is highly motivated, organized and making significant progress. Rail is an environmentally-friendly form of transportation with potential to ease traffic congestion and reduce emissions in the Capital region and beyond.

Risks

- Federal funding being declined or significantly delayed, which could further impact the funding commitments already in place. To that end, the ICF is working very hard on supporting a negotiated settlement with the Snaw-Naw-As First Nation and Government of Canada. There is also the possibility of restoring smaller sections (as opposed to the entire north-south line) to support the launch of specific products while negotiations are ongoing.
- Delays have caused concern amongst ICF communities and membership. While Regional District member contributions towards the bridge and structural repairs were at one time confirmed, that situation has now changed with Nanaimo Regional District opting out in 2015.
- If federal funding is approved and the rail infrastructure project commenced, the long-term sustainability of rail service depends on the ability of the rail operator and the Foundation to

establish and grow at least three of the four service “pillars” (intercity passenger, commuter, tourism and freight). This is mitigated, however, by the fact that SVI’s business plan is flexible and can be implemented using several different combinations of service scenarios, and although intercity passenger service is considered to be a “core” service, even that product could be phased in beginning with service between Nanaimo and Victoria.

Goals

Goals – Rail Service & Infrastructure	Timeline Short Term – 1 to 3 years Medium Term – 3 to 5 years Long term – 5+ years
<i>Goals for each key focus area to be determined by the ICF Board in Spring of 2017, following the public consultation period.</i>	



Have your say! What goals do you think the Board should focus on?
 Complete the online feedback form by April 30, 2017 at www.islandrail.ca.

DRAFT for Public Input

Heritage – train stations

Preserve archeological resources, historic landmarks, structures, artifacts and historic routes along the Island Corridor for historical purposes and for ongoing and future use by the community.



Heritage

Overview / Current Situation

Station revitalization and upgrades is another key focus area for the ICF, recognizing that the buildings provide a unique opportunity to develop a meaningful heritage showcase linking communities up and down the corridor. During the peak of the E&N railroad, there were more than fifty stations along the Corridor, all of which have stood witness to historic events that have shaped Island communities over the past century.

There are six stations located in Duncan, Nanaimo, Parksville, Port Alberni (owned by the City of Port Alberni), Qualicum Beach and Courtenay, and all except for one (Parksville) have been formally designated as heritage sites through federal or provincial legislation. Current uses are as follows:

Station	Current Use	Users
Duncan	Museum	Community / Non-Profit
Nanaimo	Restaurant (2 nd unit currently available for lease)	Commercial
Parksville	Pottery Studio	Community / Non-Profit
Port Alberni	Port Alberni Steam Train to McLean Mill National Historic Site	Municipally owned
Qualicum Beach	Municipal Office Use	Community / Non-Profit
Courtenay	Vacant (intent to blend commercial and non-profit uses pending completion of renovations)	Not Applicable

Where the use is community / non-profit, the premises are typically leased for a nominal annual fee, in exchange for ongoing maintenance and upkeep, or similar terms.

Opportunities

- The heritage train stations throughout the corridor are generally important to communities.
- The successful rebuilding project in Nanaimo has yielded important lessons learned, particularly with respect to restoration of heritage buildings. The ICF is pleased to have worked with a knowledgeable and experienced Island-based contractor (Tectonica Management Inc.) in all three station renovation projects.
- Heritage revitalization projects can often leverage provincial and/or federal grant funding, particularly where they involve partnerships and improve community use of historic buildings.
- Commercial lease revenue from the Nanaimo train station is an important revenue stream for the ICF. Inclusion of commercial lease spaces in future station restoration projects, perhaps blended with community non-profit spaces, is an important opportunity for generating revenue to manage and maintain the assets (stations) in the long-term.
- Potential for a new station may exist at Oyster Bay, a master-planned community on Stz'uminus First Nation land just north of Ladysmith.

Key Achievements to Date

- ✓ Reconstruction of Nanaimo Train Station following a 2007 fire in partnership with Young Professionals of Nanaimo and Downtown Nanaimo Partnership Society, project valued at \$2.4 million (2012)
- ✓ Phase 1 (exterior renovations) of Courtenay Station Renovation project completed in partnership with the local Rotary Club (2016)
- ✓ Phase 2 (interior renovations) of Courtenay Station Renovation project currently underway.
- ✓ Building assessment and design currently underway for Duncan Train Station renovations in partnership with the City of Duncan and Cowichan Historical Society.



Risks

- The capital resources of the Foundation for station renovations and upgrades are limited; projects depend on the ICF's ability to source partnerships with communities and/or the private sector.

- Several stations along the Corridor are in a state of disrepair, and require major upgrades if they are to be restored to a useful condition.
- While there may be room in the market for lease increases, particularly where stations have been improved, the financial resources of community /non-profit tenants are typically limited. Blending of multiple uses (commercial and community /non-profit) within stations may be a way of mitigating this challenge.

Goals

Goals – Rail Service & Infrastructure	Timeline Short Term = 1 to 2 years Medium Term – 3 to 5 years Long term = 5+ years
Goals for each key focus area to be determined by the ICF Board in Spring of 2017, following the public consultation period.	

Have your say! What goals do you think the Board should focus on?
 Complete the online feedback form by April 30, 2017 at www.islandrail.ca.



*“Trail development has never been an ‘either/or’ scenario for the ICF; it’s always been rail **with** trails, and we are truly fortunate to be working with a rail operator that supports us in that.” ~ Andre Sullivan, Nanaimo Region Rail Trail Initiative*

Trails

Overview / Current Situation

Over the past decade, the ICF has worked closely with corridor communities to create a larger system of rail-with-trails, linking communities and rural areas along the 290-kilometre corridor. Corridor communities generally support the development of rail-with-trails, recognizing the tremendous value for recreation opportunities and promotion of active transportation.

Rail-with-trail projects make efficient use of rail rights-of-way, transforming often under-utilized spaces into active, non-motorized, multi-use transportation corridors. If well designed; with appropriate setbacks, separations and crossings; rail-with-trails can provide many benefits to both operators and the communities through which the rights-of-way run. Along with this opportunity comes the task of ensuring consistent design, covering all aspects of trail development with the additional challenge of ensuring safety for both rail and trail users. To that end, the ICF and SVI collaborated on the development [Rail-with-Trail Design Guidelines](#) in 2009. Many projects have been completed or are



Rotary Trail in Courtenay

underway, and the Foundation is actively working with other local governments bordering the corridor to develop similar projects.

Key Achievements

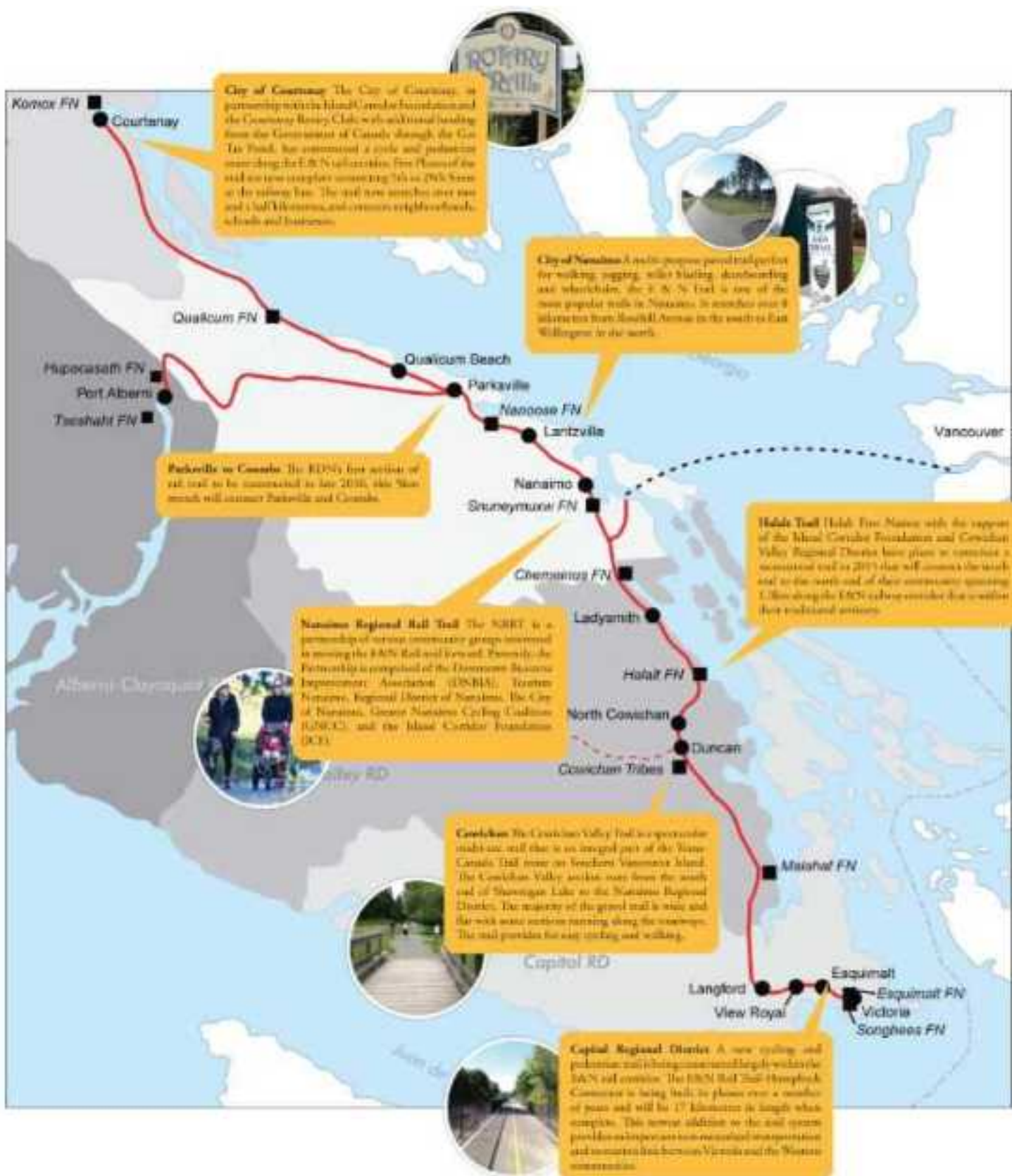
- Development of comprehensive [Rail-With-Trail Design Guidelines](#).
- Over 105 km of rail-with-trails developed over the past decade in collaboration with the Capital Regional District, Cowichan Valley Regional District, the Regional District of Nanaimo, Halalt First Nation and several municipalities including Duncan, North Cowichan, Nanaimo, Lantzville, Qualicum, and Courtenay. Community groups have also been instrumental in trail development. Rotary clubs have assisted with trail developments in Cobble Hill, Nanaimo, Duncan, Chemainus and Courtenay.



The Historic Kinsal Trestle is one of eight trestles along the Cowichan Valley Trail route. At 117 metres in length and standing 44 metres above the Kabinas River, it is one of the tallest free-standing and most spectacular timber rail trestle structures in the world. (Photo Credit / Source: Cowichan Valley Regional District)

Opportunities

- In comparison to rail-trail conversions, rails-with-trails (RWTs) are less well known. While railway companies can be hesitant to share their rights-of-way with multi-use trails, SVI has recognized the value, and is actively involved and supportive of rail-with-trails development.
- Local governments and First Nations, including ICF members, are enthusiastic supporters of Rail-with-Trail projects, within their own communities and throughout the Corridor.
- As one of six founding partners of the Nanaimo Region Rail Trail initiative, the ICF will continue to be directly involved and supportive of E&N trail projects in the Nanaimo region. The NRRT partnership is comprised of the Downtown Business Improvement Association (DNBIA), Tourism Nanaimo, Regional District of Nanaimo, The City of Nanaimo, Greater Nanaimo Cycling Coalition (GNCC), and the ICF.
- The provincial government’s 10-year transportation plan “BC On the Move” and related funding opportunities align well with the Rail-with-Trail projects.
- Active transportation projects are also typically eligible for federal infrastructure funding programs, including Building Canada and Gas Tax.



Risks

- Projects generally require significant capital funding, often requiring grants from senior levels of government.
- To link the entire corridor, existing structures (bridges and trestles) may need to be modified to accommodate trails, regardless of whether rail service is restored. They would require, at a minimum, safety features such as hand rails, guard rails, walkways and flooring. This will likely require significant investment, and should wait until the future of rail service is confirmed.

Goals

The graphic features a yellow header with the text "Goals – Rail-With- Trails" on the left and "Timeline" on the right. The timeline lists: "Short term = 1-2 years", "Medium term = 3-6 years", and "Long term = 7+ years". Below the header is a light-colored box containing the text: "Goals for each key focus area to be determined by the ICF Board of Directors following the public consultation period." A red arrow points downwards from this box to a call to action box at the bottom. The call to action box contains the text: "Have your say! What goals do you think the Board should focus on? Complete the online feedback form by April 30, 2017 at www.islandrail.ca." A large, diagonal watermark reading "DRAFT FOR PUBLIC INPUT" is overlaid on the entire graphic.



Corridor Communities

Overview / Current Situation

The original Business Plan for the Foundation (2005-2009) prioritized two specific charitable activities for implementation – they included trail development and assisting member First Nations with service development enterprises. Trail development has grown to become a major focus area during the past decade, as detailed in the previous section. The ICF has developed two First Nations employment initiatives, which could be implemented in conjunction with the first phase of the rail infrastructure program. Both programs are specifically designed to facilitate permanent, full-time employment opportunities for ICF member First Nations communities. The programs include:

1. A **First Nation trackman training and employment program** - this program is subject to funding being secured for rail infrastructure capital projects. It will consist of several weeks of training, including classroom and onsite. Successful graduates could be employed in the construction project and then with SVI for ongoing rail maintenance. Approximately 10 permanent FTE positions could be filled directly from this training program.
2. A **conductor/engineer scholarship program** specifically for members of Vancouver Island First Nations communities. It is estimated that SVI will hire 6 permanent conductor/engineers directly from this program. SVI has also committed to \$20,000/year over 3 years to support the scholarship program.

The ICF has also made initial inquiries of First Nations aggregate resources in consultation with member First Nations communities. The purpose is to ensure that wherever possible, materials required to complete the rail infrastructure upgrades are sourced locally and to the economic benefit of local First Nations communities. Shipping of First Nations aggregate resources by rail to the Capital Regional District also offers significant potential for long-term, sustained economic benefits.

Highlights of other recent community-focused and/or charitable activities undertaken by the ICF include:

- Ongoing emphasis on strengthening relationships and communications with member First Nations through the ICF's First Nation Liaison, who maintains a close connection with Band Councils on behalf of the ICF, as well as attending important community events and cultural celebrations in First Nations communities throughout the corridor.
- Partnering with community groups to restore the Courtenay and Nanaimo train stations (see Heritage – train stations section).
- Becoming one of six founding partners in the Nanaimo Region Rail Trail Association, a partnership of various community groups interested in moving the E&N Rail trail forward in the Nanaimo region.

- The 'Island Explorer Excursion Train' owned by the West Coast Railway Association was on display at the Historic Nanaimo Train Station for two days in April, 2016 to mark the 130th anniversary of rail on Vancouver Island. The Nanaimo Port Authority, Southern Rail and the ICF hosted the event, with the support of several generous sponsors. Four sold-out rides on the historic F Series train took place Friday, providing fundraising opportunities for four charities – Cystic Fibrosis Canada; Big Brothers Big Sisters Central Vancouver Island; Nanaimo Travellers Lodge and the Young Professionals of Nanaimo.



The Island Explorer Excursion Train – four sold-out rides to mark the 130th Anniversary of rail on the Island benefitted four charities.

- Ongoing work with member First Nations to identify areas requiring safety, sight and sound barriers to reduce the impact of future train service in local communities.
- Support for the Port Alberni Industrial Heritage Society's annual hosting of the Motorcar Operators West, a California-based group of railroad "speeder" car enthusiasts, who complete a round-trip jaunt by rail from Parksville to Port Alberni. Historically, speeder cars were used to transport loggers to work.



Railroad speeder cars in Port Alberni

- Communities throughout the corridor have taken advantage of the opportunity to install public utilities such as water and sewer lines. The ICF does not charge communities for the use of the corridor for public utilities, and where it's feasible to do so, it can offer significant efficiencies and cost-savings over installation that would otherwise disrupt built infrastructure (e.g. roads, buildings, green space, etc.) Other utilities installed within the corridor to support Vancouver Island communities include natural gas, hydro and fibre-optic cables.

- Support for Vancouver Island emergency preparedness and response - SVI stations five tanker cars holding over 350,000 liters of water throughout the corridor during wildfire season, which are available to assist the province with wildfire and interface fire response as needed, particularly in remote areas. To the extent that the rail line compared to highway system, the corridor would also be available following a major earthquake for evacuation and/or transport of critical supplies.

Maintaining a strong connection with corridor communities, and supporting local initiatives and priorities that align with the Foundation’s objectives will continue to be a key focus area for the ICF.

Opportunities

- Implementation of First Nations employment programs can begin immediately with the first phase of the rail infrastructure program.
- The ICF has indicated its intent to contribute land for construction of a rail platform and Park & Ride facility at the Westhills station facility in support of the local effort to establish a commuter service between Langford and Victoria.
- Potential to install more utilities within the corridor, providing important infrastructure for corridor communities; private for-profit utilities can also help to increase/diversify the Foundation’s revenue sources.
- SVI recognizes and is committed to supporting the community and charitable aspects of the publicly-owned ICF, which vary significantly from privately-owned railroads and to the benefit of Island communities.

Risks

- As there is no shortage of ideas for community and charitable projects, the ICF must continue to identify and prioritize specific projects, being mindful of the Foundation’s capacity and priorities, project location (not favouring any region or community), opportunities for leveraged funding and potential for local involvement and contributions (in-kind or financial).

Goals

Goals – Community / Charitable Projects	Timeline Short term – 1 to 2 years Medium term – 3 to 5 years Long term – 5+ years
Goals for each key focus area to be determined by the ICF Board in Spring of 2017, following the public consultation period.	
<p style="text-align: center;">Have your say! What goals do you think the Board should focus on? Complete the online feedback form by April 30, 2017 at www.islandrail.ca.</p>	

VI. Financial Analysis

Current Situation

The ICF is a financially self-sustaining, non-profit charitable Foundation. Audited financial statements are available on the Foundation’s website under “[Financial Reporting](#)”. The 2016 audited financial statements will be posted following the Annual General Meeting on April 27, 2017.

Five Year Budget

To be completed once the board of directors has established (following the public consultation period) their goals, priorities and timelines within the four key focus areas.

Critical Success Factors

With the support of Island communities, Foundation members and a committed rail operator, the Island Corridor Foundation has grown and developed over the past decade into a self-sustaining, registered Canadian charity responsible for over \$330 million worth of rail corridor assets on behalf of the local governments and First Nations that participate in shared ownership. Rail service is active within the corridor, and the ICF's initial focus on establishing contribution and service agreements, and assisting the rail operator with assessments of a broad range of rail opportunities has set the stage for significant growth in the years ahead. The focus has therefore shifted to expanding and improving rail, as opposed to the viability of the Foundation itself, which is stabilized.

As outlined, the ICF has identified four focus areas to improve and sustain rail and related services in the coming years, and the following factors have been identified as critical to those efforts

1. Rail operator - ensuring a long-term commitment (through a long-term operating agreement) with Southern Rail of Vancouver Island to maintain and expand rail service opportunities is critical to the long-term sustainability and growth of rail on Vancouver Island.
2. Rail infrastructure - securing funding towards the first phase of the rail infrastructure program is critical to the restoration of the railway and rail service. Project scope must be balanced with the need to resolve the Snaw-Naw-As Nation legal case in a manner that is consistent with the ICF's Declaration on Aboriginal Title and that respects and maintains positive relationships with ICF members and corridor communities.
3. Rail services – SVI's business plan depends on three of the four rail service “pillars” being successful in the long-term. These include intercity passenger (as the core service), freight, commuter and tourism. Increased and sustained profitability for the rail operator is key to the long-term retention and renewal(s) of ICF's agreement with SVI. This is mitigated in the short-term by the fact that SVI's business plan is flexible and can be implemented using several different combinations of service scenarios. Although intercity passenger service is considered to be a “core” service, it could be phased in beginning with service between Nanaimo and Victoria. The other three “pillars” or products (commuter, tourism excursion, freight) may be phased depending on market demand and public interest.
4. Rail-With-Trails – this has been an area of much success during the Foundation's first decade. Continued development of rail-with-trail projects in collaboration with local communities and the rail operator depends on strong working relationships amongst all parties, and (in most cases) availability of senior government funding opportunities. It is also critical that the ICF continue to communicate the message that rail-with-trail development is not mutually exclusive; that the railway does not need to be decommissioned in order for trail development to continue throughout the corridor; and that corridor communities are very fortunate to be working with a rail operator that supports the development of both.
5. Community support – negotiation of contribution (funding) agreements with all levels of government and related service agreements (SVI and VIA Rail) requires a tremendous amount of time and effort, and lengthy delays are not unusual. The Foundation has successfully negotiated several complex agreements over the past decade in support of the rail infrastructure project and restoration of rail service, but the process has encountered many delays. Due to this, an element of frustration is evident amongst corridor communities and the public. To retain and increase public support, it is critically important that the Foundation retains its First Nations Liaison and continues its efforts to improve

communications (e.g. recent efforts include website enhancement, hosting of Community Roundtables, establishing the Local Government Liaison program and opening of the AGM to the public) and continues its work to secure capital funding as soon as possible.

We Want Your Input!

THE ICF HAS OPTED TO USE A **PARTICIPATORY PLANNING PROCESS** FOR THE DEVELOPMENT OF THE BUSINESS PLAN UPDATE, ONE THAT ACTIVELY SOLICITS PUBLIC INPUT REGARDING THE FOUNDATION'S GOALS AND PRIORITIES. **SHARE YOUR THOUGHTS AND IDEAS BY COMPLETING THE ONLINE FEEDBACK FORM** BY APRIL 30, 2017 AT www.islandrail.ca

DRAFT for Public Input



REQUEST FOR DECISION

To: Board of Directors

From: Andrew McGifford, CPA, CGA, Manager of Environmental Services
Teri Fong, CPA, CGA, Manager of Finance
Mike Irg, Manager of Planning & Development

Meeting Date: April 26, 2017

Subject: Strategic Priorities Fund (SPF) – grant applications

Recommendation:

THAT the Alberni-Clayoquot Regional District submit three grant applications to the Gas Tax Strategic Priorities Fund Capital Infrastructure Projects Stream for the following projects:

- 1. Implementation of the Consolidated Strategic Landfill Diversion Program***
- 2. Pacific Traverse Trail connection to the existing District of Tofino trail and Ucluelet / Long Beach Multi Use Path***
- 3. Asset Management (capacity building).***

Desired Outcome:

That the Alberni-Clayoquot Regional District submit three applications to the Gas Tax Strategic Priorities Fund to undertake key infrastructure projects within the ACRD.

Summary:

The Gas Tax Strategic Priorities Fund is an application-based program available to local governments and other recipients outside of the Greater Vancouver Regional District to support infrastructure and capacity building projects that are either larger in scale, regional in impact or innovative, and align with the program objectives of productivity and economic growth, a clean environment and strong cities and communities.

A Strategic Priorities Fund grant can fund up to 100 per cent of eligible costs of an eligible project, up to \$6 million dollars. Each eligible local government may submit two applications under the Capital Infrastructure Projects Stream and one application under the Capacity Building Stream, for a total of three applications. The application deadline is June 1, 2017.

The range of categories open for funding under the Strategic Priorities Fund is large, with project categories ranging from public transit and recreational tourism, to wastewater, disaster mitigation and local roads, bridges and active transportation (Full project categories outlined in attached Program Guidelines for the Federal Gas Tax Fund Strategic Priorities Fund).

Staff considered other infrastructure items, including the proposed water infrastructure; in terms of shelf-ready projects that were larger in scale, regional in impact, or innovative. In staffs' opinion, these were the only projects that merited serious consideration.

1) Consolidated Strategic Landfill Diversion Program

Diversion of organic materials from the two ACRD landfills will reduce the production of Greenhouse Gases (GHG) and will also support the ACRD's position on climate change as committed through the *Climate Action Charter* (as signed on as of 2017).

The Alberni Valley Landfill is facing a Landfill Gas Management plan that could cost up to \$13.87 million to construct and operate over the remaining life of the landfill. There is also a desire on the West Coast to commit to organic diversion. Finally, the Bamfield Transfer station requires changes in operations in order to meet expectations of the Alberni Valley Landfill and would be required to remove organic materials from its waste stream.

Planning is currently underway to remove clean construction wood materials, wood waste and gyproc materials from the Alberni Valley Landfill (AVLF) and the West Coast Landfill (WCLF) is planning a cardboard ban within the year. Some staged infrastructure plans are being undertaken to divert these materials in 2017. The ultimate goal is to avoid landfill gas management infrastructure costs.

Organics processing systems investigated by Carey McIver & Associates Ltd. in 2015 estimated costs of \$2 million for the AVLF, \$560,000 at the WCLF. These costs will be reviewed and updated before submission of the grant. The solution to Bamfield's organic waste could be similar to the method used in Bella Bella - [Bella Bella composting video](#). Our engineer will provide costing for a similar building as the scale would meet Bamfield's needs. Our engineer is looking at the possibility of installing the compost facility at both landfill sites.

The transfer stations at all three facilities need improvements in order to divert certain materials. Staff have visited other transfer stations for design and layout. The new transfer station layout at all three locations will be included in this grant submission, updated to provide diversion and separation of certain materials. Operation costs will increase at each location as the need to have direct supervision of the materials entering the landfill.

Other transfer station infrastructure items such as the scale shack improvements, additional scales and green infrastructure installs will be explored prior to submission in order to meet the select criteria requirements. The diversion will reduce GHG and the improved process will extend the life of both landfills to benefit future generations. This grant application will be in the range of 5-6 million dollars.

2) Pacific Traverse Trail connection to communities

Parks Canada is in the process of constructing the Traverse Trail through Pacific Rim National Park. There is potential to connect existing trails in Tofino and Ucluelet, through ACRD jurisdiction, to Parks Canada's Traverse Trail. There is 1.2 kilometers of trail to construct in the ACRD to connect to the Traverse Trail with the existing Ucluelet/South Long Beach Multi Use Path and 2.785 kilometers of trail to construct (1.97 km in the District of Tofino and 0.845 Km in the ACRD) to connect the Traverse Trail with the District of Tofino trail. (see attached map)

With the creation of the Traverse Trail in Pacific Rim National Park Reserve, there is an opportunity to connect to existing trail systems that will run the entire length of the Peninsula. Trail development is one

of the most cost effective and appealing park systems. Providing this linkage will benefit both tourism and local users.

McElhanney Engineering is developing order of magnitude cost estimates for the 1.2 km southern connection to the existing Multi Use Path that goes through the South long Beach Area and connects to Ucluelet. Tofino already has order of magnitude cost estimate for the Northern section. The engineering plans are required in order to make this grant application.

3) **Asset Management – capacity building**

The ACRD began implementing asset management practices in 2016. It was quickly realized that the initial project of developing an asset management program is beyond the current time capacity of staff. The Strategic Priorities Fund Capacity Building Stream would provide the funding to accelerate the development of an asset management program including a policy, strategy, plan and integration into a long-term financial plan. The application would be for either a contract employee or contractor to provide the services to the ACRD over a two-year period. Staff would prefer a contract employee as it is important to incorporate the culture of asset management into the organization and it is felt that would be easier to accomplish this aspect if the person works from the ACRD office. Discussion with UBCM will take place prior to submitting the application to ensure they support such a position, otherwise a contractor will be proposed. Once the asset management program has been initially implemented, it is felt that current staff can maintain it.

Financial Implications

The capital cost of infrastructure would be provided through the Gas Tax Strategic Priorities Fund grant, up to 100 per cent of eligible costs of an eligible project. The operational costs, repairs and maintenance and future replacement costs would be the responsibility of the applicable service.

Strategic objectives

The proposed grant applications relate directly to the Boards 2016 strategic objectives.



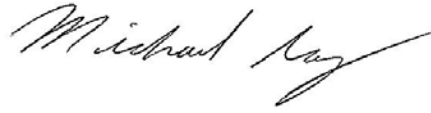
Submitted by: _____

Andrew McGifford, CPA, CGA, Manager of Environmental Services



Submitted by: _____

Teri Fong, CPA, CGA, Manager of Finance



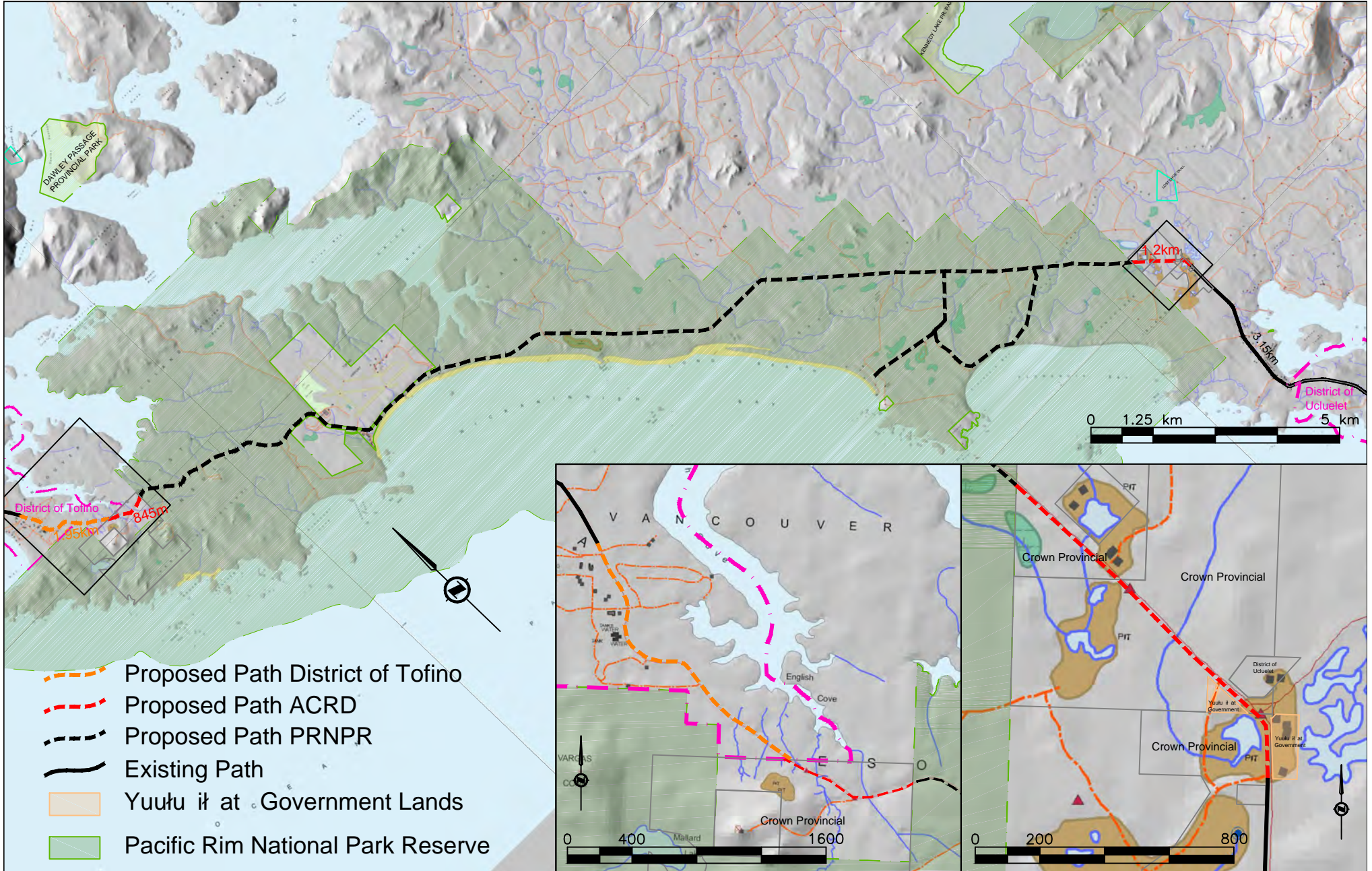
Submitted by:


Mike Irg, Manager of Planning & Development



Approved by:

Wendy Thomson, Acting Chief Administrative Officer





**Program Guidelines for the
Federal Gas Tax Fund
Strategic Priorities Fund**

**Capital Infrastructure Projects Stream
and
Capacity Building Stream**

March 2017

Strategic Priorities Fund	
Program Purpose	Provides funding for strategic investments that are large in scale, regional in impact or innovative.
Eligible Applicants	All local governments outside the Greater Vancouver Regional District.
Eligible Projects Capital Infrastructure Projects Stream	Public Transit; Local Roads and Bridges; Community Energy Systems; Drinking Water; Solid Waste; Wastewater; Highways and Major Roads; Local and Regional Airports; Short-Line Rail; Short-Sea Shipping; Broadband Connectivity; Brownfield Redevelopment; Disaster Mitigation; and Cultural, Tourism, Sport and Recreation Infrastructure.
Eligible Projects Capacity Building Stream	Asset Management, Long-Term Infrastructure Planning, and Integrated Community Sustainability Planning.
Application Limit	Two (2) capital infrastructure projects stream applications. One (1) capacity building stream application.
Available Funding	Up to 100% of net eligible costs of approved projects up to a maximum federal Gas Tax fund contribution of \$6 million. Project applications over \$6 million remain eligible provided that additional costs are confirmed through other funding sources.

Contact UBCM Gas Tax Program Services:

For further questions on Strategic Priorities Fund, please contact UBCM via e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

Gas Tax Program Services
525 Government Street
Victoria, BC V8V 0A8

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1. PROGRAM OVERVIEW

In May 2014, Canada, BC and UBCM signed the renewed Gas Tax Agreement (GTA) which provides a ten-year commitment of federal funding for investments in Local Government infrastructure and capacity building projects in British Columbia.

One of the key funding programs established through the GTA is the Gas Tax Strategic Priorities Fund (SPF). The SPF is an application-based funding program, which pools approximately \$30 million of the \$265 million annual federal Gas Tax Fund for strategic investments that are considered large in scale, regional in impact, or innovative and support the Gas Tax Fund national objectives of productivity and economic growth, a clean environment, and strong cities and communities.

The first SPF intake was launched in 2014, which resulted in the approvals of 66 projects across the province and committing over \$122 million in federal Gas Tax Strategic Priorities Funding.

2. GOALS AND OBJECTIVES

The SPF program provides grant funding specifically targeted for the capital costs of local government infrastructure projects that are larger in scale, regional in impact, or innovative and support the national objectives of productivity and economic growth, a clean environment and strong cities and communities. The SPF program also provides grant funding for Local Government capacity building projects, including asset management, long term infrastructure planning and sustainability planning that support the national objectives and are large, regional or innovative.

3. APPLICATION DEADLINE

The deadline for submitting your SPF application is **June 1, 2017**.

4. ELIGIBLE APPLICANTS

The SPF program is open to all Local Governments in British Columbia outside of the Greater Vancouver Regional District.¹

Local Governments may choose to apply either as an individual applicant, or as a sponsor for another Ultimate Recipient. Ultimate Recipients are defined as: a local government; a non-municipal entity, including for-profit, non-governmental and not-for-profit organizations; and BC Transit.

All Local Governments are encouraged to apply for funding under this 2017 SPF intake.

¹ Islands Trust and Okanagan Basin Water Board are considered eligible applicants under this SPF program

5. APPLICATION LIMITS

Each eligible Local Government may submit two (2) applications under the *SPF-Capital Infrastructure Projects Stream* and one (1) application under the *SPF-Capacity Building Stream* for a total of three (3) applications.

If a Local Government chooses to sponsor an application for an Ultimate Recipient, that will be considered one of that Local Government's allowable applications.

6. PROJECT CATEGORIES

SPF Capital Infrastructure Projects Stream

Public Transit	Brownfield Redevelopment
Local Roads, Bridges and Active Transportation	Local and Regional Airports
Solid Waste	Short-sea Shipping
Community Energy Infrastructure	Short-line Rail
Drinking Water	Highways
Wastewater	Broadband Connectivity
Disaster Mitigation	Culture Infrastructure
Recreational Infrastructure	Sport Infrastructure
Tourism Infrastructure	

SPF Capacity Building Stream

Asset Management Planning	Long-term Infrastructure Planning
Integrated Community Sustainability Planning	

Examples of eligible projects under each category can be found in Annex A of this program guide.

7. ELIGIBLE AND INELIGIBLE COSTS

Eligible Costs for SPF Capital Infrastructure Projects Stream

Eligible Costs are the expenditures associated with acquiring, planning, designing, constructing or renovating a tangible capital asset, as defined by Generally Accepted Accounting Principles (GAAP), and any related debt financing charges specifically identified with that asset.

In addition, eligible costs also include expenditures directly related to the joint communication activities and with federal project signage for GTF funded projects.

The application will ask the applicant to include the class of cost estimate for the project. Below is a definition of cost estimate classification.

Cost Estimate Classification Definitions

(Source: APEGBC/CEBC: Budget Guidelines for Consulting Engineering Services 2009)

Class A estimate ($\pm 10-15\%$): A detailed estimate based on quantity take-off from final drawings and specifications. It is used to evaluate tenders or as a basis of cost control during day-labour construction.

Class B estimate ($\pm 15-25\%$): An estimate prepared after site investigations and studies have been completed and the major systems defined. It is based on a project brief and preliminary design. It is used for obtaining effective project approval and for budgetary control.

Class C estimate ($\pm 25-40\%$): An estimate prepared with limited site information and based on probable conditions affecting the project. It represents the summation of all identifiable project elemental costs and is used for program planning, to establish a more specific definition of client needs and to obtain preliminary project approval.

Class D estimate ($\pm 50\%$): A preliminary estimate which, due to little or no site information, indicates the approximate magnitude of cost of the proposed project, based on the client's broad requirements. This overall cost estimate may be derived from lump sum or unit costs for a similar project. It may be used in developing long term capital plans and for preliminary discussion of proposed capital projects.

Eligible Costs for SPF Capacity Building Stream

Expenditures related to strengthening the ability of Local Governments to improve local and regional planning including capital investment plans, integrated community sustainability plans, life cycle costs assessments, and Asset Management Plans.

Expenditures could include developing and implementing:

- i. Studies, strategies, or systems related to asset management, which may include software acquisition and implementation
- ii. Training directly related to asset management planning
- iii. Long-term infrastructure plans

Ineligible Costs for Capital Infrastructure and Capacity Building Projects

Ineligible Costs include:

- Leasing costs;
- Overhead costs, including salaries and other employment benefits of any employees of the Ultimate Recipient;
- Direct or indirect operating or administrative costs;
- Costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff;
- Purchase of land or any interest therein, and related costs;
- Legal fees; and
- Routine repair and maintenance costs.

Employee and equipment costs are **only** eligible if:

- a) The Ultimate Recipient demonstrates that it is not economically feasible to tender a contract.
- b) The employee or equipment is directly engaged in the work under the parameters of the contract.
- c) And the arrangement has received prior approval in writing by UBCM.

If the use of own force employee or equipment costs is being considered, please provide in addition to the application, a letter addressing the conditions above. Note that while most eligible costs are eligible from the date of the application submission, own force employee and equipment costs are only eligible from date of UBCM approval.

Under the Capital Infrastructure Stream:

- Response and emergency services related infrastructure are not eligible (including fire halls, fire trucks, fire services equipment, emergency service vehicles, buildings and equipment).
- Investments in health infrastructure (hospitals, convalescent and seniors centres) are not eligible.
- Investments in the National Airport System are not eligible.
- Investments in facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League), are not eligible.
- The purchase of vessels, infrastructure that supports passenger-only ferry services, rehabilitation and maintenance of existing facilities such as wharves and docks, and dredging are not eligible under the Short-sea Shipping investment category.

Under Capacity Building Stream:

- Feasibility studies and detailed design for a specific infrastructure project are ineligible.

8. PHASING OF PROJECTS

For large projects that require significant funding support, it is recommended that applicants submit a “phased” approach. Applicants should apply for a component of the phased project or identify how the project could be phased. Each phase should be a stand-alone aspect of the project. It is important to note that successful grant awards for phased projects do not ensure subsequent funding for future phases of the project.

9. INELIGIBLE PROJECTS

Project works, which would otherwise be eligible, become ineligible if the project works have started prior to the date the project is included in a submitted SPF application. The project is deemed to have been started if a tender has been awarded or work has commenced.

Under the Capacity Building stream, projects that have been approved under the UBCM Asset Management Planning (AMP) grant program are deemed ineligible projects under the SPF-Capacity Building Project Stream, unless they are identified as a distinct or phased component of the overall project.

10. HOW TO APPLY

Applications must be received through the **UBCM Program Information Management System (PIMS)** and must include the following:

- ✓ Completed online application form;
- ✓ Attached feasibility study and/or detailed designs/detailed cost estimates and other relevant supplemental documentation; and
- ✓ A Council/Board resolution indicating support for the application.

It is expected that **PIMS** will be open to accept online applications beginning in April 2017. Local Governments will be notified at that time.

For any questions related to PIMS, please contact Gas Tax Program Services via e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

11. FUNDING AMOUNT LIMIT

A SPF grant can fund up to 100% of eligible costs of an eligible project up to a maximum federal Gas Tax Fund amount of \$6 million. Project applications over \$6 million remain eligible provided that additional costs are confirmed through other funding sources.

12. AVAILABLE FUNDING

It is anticipated that there is approximately \$180 million in SPF funding available for this intake. Depending on the quality of applications, it is expected that this amount will be committed. If funds are remaining, a final intake will follow. All eligible Local Governments are encouraged to apply for this 2017 SPF intake.

Approximately 5% of SPF funding will be reserved for projects under the Capacity Building stream.

Funding allocations and decisions are made by the Gas Tax Management Committee.

13. SELECTION PROCESS AND CRITERIA

Applications will first be screened to ensure the applicant and the project meet eligibility requirements. Those meeting eligibility requirements will then be reviewed and scored against the selection criteria noted below. Funding decisions will be made primarily on the basis of the relative ranking of the applications in relation to these criteria. Applicants are responsible for ensuring that applications include full and accurate information to assess eligibility and to score the project on the stated selection criteria.

Screening Criteria

- Applications must be submitted by an eligible Local Government either individually or as a sponsor for another Ultimate Recipient.
- Applications must be for a project that is an Eligible Project, as defined in the GTA and listed in Annex A.
- The project must not have started prior to the submission of the application.

14. SELECTION AND SCORING CRITERIA

SPF Capital Infrastructure Projects Stream

Selection criteria are based on the program purposes and objectives listed below. These selection criteria form the basis of the scoring and ranking of applications. Note the criteria listed below are not listed in order of priority; applicants should provide full information in relation to all of the criteria that are relevant to the project for which funding is requested.

- How much the project is expected to support the Gas Tax Fund National Objectives of productivity and the economic growth; a clean environment; and strong cities and communities;
- The timing of the project and its outcomes;
- The capacity of the community to undertake, evaluate and document the project, and to operate and maintain it;
- The degree to which the project develops or supports strategic infrastructure investment decisions or links to sustainability or capital investment plans;
- The degree to which asset management practices were considered;

- The degree to which the project uses sustainability principles or leads to sustainable outcomes (e.g., demand management; resource management and construction practices);
- The degree the project benefits more than one community or is identified as regional in impact;
- The size or scale of the project in relation to the size of the community;
- The degree to which the project reflects inter-jurisdiction cooperation;
- The degree to which the innovative plan, process, method or technology supports the approach that will be used, and the additional risks associated with using this innovation;
- The relative benefit of the innovative process, method or technology over existing processes, methods and technologies.

SPF Capacity Building Stream

Scoring will be based primarily on:

- How the project is expected to align with the Gas Tax Fund National Objectives of productivity and economic growth, a clean environment or strong cities and communities;
- The degree to which the project is identified as large in scale;
- The degree to which the project is considered regional in impact;
- Contribution to innovation;
- Long term thinking;
- Integration with other plans, planning or sustainability activities;
- Collaborative elements, including engaging community members and other partners;
- Implementation program;
- Monitoring and evaluation component;
- Linkage to capital investment plans; and
- Contribution to efficient use of infrastructure and other resources.

15. APPROVED APPLICATIONS

Successful applicants will be notified after funding decisions have been made.

Content of Funding Agreements

All grant approvals are subject to the execution of a funding agreement between the recipient and UBCM. The agreement will set out the roles and responsibilities of the parties, including a deadline for completion of the project and other recipient obligations.

Applicable Law

Recipients are responsible for ensuring that all projects are implemented in accordance with all laws applicable in British Columbia and for ensuring that any required permits, licenses, or approvals are obtained.

Payments

Payments will be made available to recipients in accordance with the terms and conditions of the funding agreement. Payments are also on condition of the following:

- That UBCM has received sufficient funds from Canada;
- That a holdback of 15% be placed on the project until such time as it is deemed complete; and
- The Ultimate Recipient is in compliance with the terms and conditions of the funding agreement.

ANNEX A: EXAMPLES OF ELIGIBLE SPF PROJECTS

Project Category	Description	Examples
Public Transit	Infrastructure which supports a shared passenger transport system which is available for public use	<ul style="list-style-type: none"> • Transit infrastructure such as rail and bus rapid transit systems, and related facilities • Buses, rail cars, ferries, para-transit vehicles, and other rolling stock and associated infrastructure • Intelligent Transport Systems such as fare collection, fleet management, transit priority signaling, and real time traveler information system at stations and stops • Related capital infrastructure including bus lanes, streetcar and trolley infrastructure, storage and maintenance facilities, security enhancement, and transit passenger terminals
Local Roads, Bridges, and Active Transportation	Roads, bridges and active transportation (active transportation refers to investments that support active methods of travel)	<ul style="list-style-type: none"> • New and rehabilitation of roads • New and rehabilitation of bridges • Cycling lanes, paths, sidewalks and hiking trails • Intelligent Transportation systems • Additional capacity for high occupancy/transit lanes, grade separations, interchange structures, tunnels, intersections and roundabouts
Regional and Local Airports	Airport related infrastructure (excludes National Airport System)	<ul style="list-style-type: none"> • Construction projects that enhance airports and are accessible all year-round, through the development, enhancement or rehabilitation of aeronautical and/or non-aeronautical infrastructure (includes runways, taxiways, aprons, hangars, terminal buildings etc.) • Non-aeronautical infrastructure such as groundside access, inland ports, parking facilities, and commercial and industrial activities
Short-line Rail	Railway related infrastructure for carriage of passengers or freight	<ul style="list-style-type: none"> • Construction of lines to allow a railway to serve an industrial park, an intermodal yard, a port or a marine terminal • Construction, rehabilitation, or upgrading of tracks and structures, excluding regular maintenance, to ensure safe travel • Construction, development or improvement of facilities to improve

Project Category	Description	Examples
		<ul style="list-style-type: none"> interchange of goods between modes • Procurement of technology and equipment used to improve the interchange of goods between modes • Short-line operators must offer year-round service
Short-sea Shipping	<p>Infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean</p>	<ul style="list-style-type: none"> • Specialized marine terminal intermodal facilities or transshipment (marine to marine) facilities • Capitalized equipment for loading/unloading required for expansion of short-sea shipping • Technology and equipment used to improve the interface between the marine mode and the rail/highways modes or to improve integration within the marine mode including Intelligent Transportation Systems (ITS) <p><i>Note: The purchase of vessels, infrastructure that supports passenger-only ferry services, rehabilitation and maintenance of existing facilities such as wharves and docks, and dredging are not eligible for funding</i></p>
Community Energy Systems	<p>Infrastructure that generates or increases efficient use of energy</p>	<ul style="list-style-type: none"> • Renewable electricity generators • Electric vehicle infrastructure/fleet vehicle conversion • Hydrogen infrastructure (generation, distribution, storage) • Wind/solar/thermal/geothermal energy systems • Alternative energy systems that serve local government infrastructure • Retrofit local government buildings and infrastructure
Drinking Water	<p>Infrastructure that supports drinking water conservation, collection, treatment and distribution systems</p>	<ul style="list-style-type: none"> • Drinking water treatment infrastructure • Drinking water distribution system (including metering)
Wastewater	<p>Infrastructure that supports wastewater and storm water collection, treatment and management systems</p>	<ul style="list-style-type: none"> • Wastewater collection systems and or wastewater treatment facilities or systems • Separation of combined sewers and or combined sewer overflow control, including real-time control and system optimization • Separate storm water collection systems

Project Category	Description	Examples
		<ul style="list-style-type: none"> and or storm water treatment facilities or systems Wastewater sludge treatment and management systems
Solid Waste	Infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage	<ul style="list-style-type: none"> Solid waste diversion projects including recycling, composting and anaerobic digestion Solid waste disposal projects including thermal processes, gasification, and landfill gas recovery Solid waste disposal strategies that reduce resource use
Sport Infrastructure	Amateur sport infrastructure (excludes facilities, including arenas, which would be used as a home of professional sports teams or major junior hockey teams)	<ul style="list-style-type: none"> Sport infrastructure for community public use Sport infrastructure in support of major amateur athletic events
Recreation Infrastructure	Recreational facilities or networks	<ul style="list-style-type: none"> Large facilities or complexes which support physical activity such as arenas, gymnasiums, swimming pools, sports fields, tennis, basketball, volleyball or other sport-specific courts, or other facilities that have sport and/or physical activity as a primary rationale Community centers that offer programming to the community at large, including all segments of the population Networks of parks, fitness trails and bike paths
Cultural Infrastructure	Infrastructure that supports arts, humanities, and heritage	<ul style="list-style-type: none"> Museums The preservation of designated heritage sites Local government owned libraries and archives Facilities for the creation, production, and presentation of the arts Infrastructure in support of the creation of a cultural precinct within an urban core
Tourism Infrastructure	Infrastructure that attract travelers for recreation, leisure, business or other purposes	<ul style="list-style-type: none"> Convention centers Exhibition hall-type facilities Visitor centres
Disaster Mitigation	Infrastructure that reduces or eliminates	<ul style="list-style-type: none"> Construction, modification or reinforcement of structures that protect

Project Category	Description	Examples
	long-term impacts and risks associated with natural disasters	<p>from, prevent or mitigate potential physical damage resulting from extreme natural events, and impacts or events related to climate change</p> <ul style="list-style-type: none"> • Modification, reinforcement or relocation of existing public infrastructure to mitigate the effects of and/or improve resiliency to extreme national events and impacts or events related to climate change <p><i>Note: this category is related to disaster prevention (such as dykes, berms, seismic upgrades etc.) and <u>not</u> response (such as fire trucks, fire halls etc.)</i></p>
Broadband Connectivity	Infrastructure that provides internet access to residents, businesses, and/or institutions in British Columbia	<ul style="list-style-type: none"> • High-speed backbone • Point of presence • Local distribution within communities • Satellite capacity
Brownfield Redevelopment	Remediation or decontamination and redevelopment of a brownfield site within municipal boundaries, where the redevelopment includes: the construction of public infrastructure as identified in the context of any other category under the GTF, and/or the construction of municipal use public parks and publicly-owned social housing.	<ul style="list-style-type: none"> • New construction of public infrastructure as per the categories listed under the Federal Gas Tax Agreement • New construction of municipal use public parks and affordable housing
Asset Management	Increase local government capacity to undertake asset management planning practices.	<ul style="list-style-type: none"> • Asset Management Practices Assessment • Current State of Assets Assessment • Asset Management Policy • Asset Management Strategy • Asset Management Plan • Long-Term Financial Plan • Asset Management Practices Implementation Plan • Asset Management Plan Annual Report
Integrated Community	Increase local government capacity to	<ul style="list-style-type: none"> • Integrated community sustainability plans

Project Category	Description	Examples
Sustainability Plans	undertake integrated community sustainability plans	<ul style="list-style-type: none"> • Regional growth strategies • Community development plans • Community plans
Long-term Infrastructure Plans		<ul style="list-style-type: none"> • Transportation plans • Infrastructure development plans • Liquid waste management plans • Solid waste management plans • Long-term cross-modal transportation plans • Water conservation/demand management plans • Drought management contingency plans • Air quality plans • GHG reduction plans • Energy conservation plans



REQUEST FOR DECISION

To: Board of Directors
From: Teri Fong, CPA, CGA, Manager of Finance
Meeting Date: April 26, 2017
Subject: Bamfield Volunteer Fire Department Truck Purchase

Recommendation:

That the Board of Directors approve an amendment to the Bamfield Volunteer Fire Department service in the 2017-2021 Financial Plan to include a capital expenditure of \$20,000 for the purchase of a used fire truck.

Desired Outcome:

To secure a used fire truck to provide service to the West Bamfield.

Summary:

The Bamfield Volunteer Fire Department (BVFD) currently operates a 1976 Anderson Fire Truck in West Bamfield. The BVFD has been looking at options to replace the truck due to operational concerns regarding the existing vehicle. Recently the BVFD has discovered a potential opportunity to purchase a used 1993 Pumper Truck from a fire department on Vancouver Island. The Deputy Fire Chief has been in discussions with the department selling the truck but has not yet seen the vehicle in person. The department wanted to ensure that the Board approved the amendment to the Financial Plan prior to proceeding with consideration of purchasing the vehicle.

Time Requirements – Staff & Elected Officials:

Minimal staff time will be required to amend the financial plan. The Fire Chief and Deputy Fire Chief of the Bamfield Volunteer Fire Department will be in charge of the logistics of examining the potential new truck and the purchase.

Financial:

The Bamfield Volunteer Fire Department capital reserve was budgeted to have \$134,227 remaining at the end of 2017. The Deputy Fire Chief anticipates the cost of the truck to be less than \$20,000.

Policy or Legislation:

If this recommendation is approved then Bylaw F1131, 2017 to 2021 Alberni-Clayoquot Regional District Financial Plan will be amended in the fall to capture any other amendments considered by the Board throughout the year. The ACRD purchasing policy will be followed.

Options Considered:

The original capital replacement plan for this vehicle was to continue to save money to purchase a new truck for East Bamfield and transfer the existing truck to the West side. This plan was partly because the department had been looking for a suitable second hand truck for quite a few years without success.



Submitted by:

Teri Fong, CPA, CGA, Manager of Finance



Approved by:

Wendy Thomson, Acting Chief Administrative Officer



REQUEST FOR DECISION

To: Board of Directors

From: Janice Hill, Acting Manager of Administrative Services

Meeting Date: April 26, 2017

Subject: Bamfield Volunteer Fire Department – Fire/Rescue Boat RFP

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors award the contract to construct an Aluminum Hull Fire/Rescue Boat to Canadian Alberni Engineering Ltd.(CAE) in the amount of \$74,840.00 (plus gst).

Summary:

Staff advertised a Request for Proposals for the construction of a new Aluminum Hull Fire/Rescue Boat for the Bamfield Volunteer Fire Department. Two proposals were received:

Company	Price (plus gst)	Delivery Date
Canadian Alberni Engineering Ltd., Port Alberni, BC	\$74,840.00	90 days after award of contract
Express Custom Trailer Mfg. Inc., Parksville, BC	\$74,568.95	September 30, 2017 if awarded by April 30, 2017

The proposals were reviewed by the Bamfield Volunteer Fire Department (BVFD) representatives, and they were pleased with both proposals. Although the bid prices were very close, within \$300 of each other, the BVFD representatives recommend the contract be awarded to CAE, considering the logistics, local support, delivery date and history of boats constructed.

Time Requirements – Staff & Elected Officials:

Minimal.

Financial:

The 2017 – 2022 Financial Plan budgeted \$70,000 and the Finance department recommends approval despite being over budget.

Policy or Legislation:

As per ACRD purchasing policy.

Submitted by: _____
Janice Hill, Acting Manager of Administrative Services

Approved by: _____
Wendy Thomson, Acting Chief Administrative Officer



REQUEST FOR DECISION

To: ACRD Board of Directors

From: West Coast Multiplex Architect Selection Committee/
Wendy Thomson, Acting Chief Administrative Officer

Meeting Date: April 26, 2017

Subject: Design & Costing – Phase 1 “The Arena” West Coast Multiplex Project

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors engage the services of VDA Architecture Ltd. to undertake the detailed design and costing of Phase 1 – the Arena of the West Coast Multiplex project in the amount of \$75,000.00.

Desired Outcome:

To retain the services of an architectural firm to undertake the design and costing portion of the West Coast Multiplex Project.

Background:

In April of 2016, the Alberni-Clayoquot Regional District (ACRD) and the Tla-o-qui-aht First Nation (TFN) signed a Memorandum of Understanding (MOU) approving the review and completion of a detailed business plan, design and construction cost estimate for Phase 1 of the West Coast Multiplex Project – the Arena. Funding for this initiative in the amount of \$100,000 was secured to support this MOU from Indigenous and Northern Affairs Canada (INAC) through the TFN. The first phase of this agreement, the Feasibility Study was completed by Recreation Excellence in December 2016.

With the completion of the Feasibility Study, the project has now moved onto the selection of a qualified design team to prepare the required design plans and costing. The ACRD put out a call for proposals to undertake the design services in March of 2017. Submissions were received from three architectural firms. At the March 22nd Board of Directors meeting a Selection Committee was developed with representation from the West Coast Committee, TFN and West Coast Multiplex Society to review the submissions and select the preferred candidate for recommendation to the ACRD Board.

The Selection Committee met on April 13th to review the submissions and interview each of the architectural firms. The West Coast Multiplex Selection Committee recommends that the Alberni-Clayoquot Regional District engage the services of VDA Architecture Limited to undertake the design and costing portion of the project. VDA has worked with more than 140 communities across Canada on an array of community and recreation projects, from feasibility studies to constructed facilities. VDA has a long history of assisting smaller communities throughout BC in developing recreation and community facilities.

Time Requirements – Staff & Elected Officials:

Minimal. Scott Kenny continues to provide consulting services to the ACRD to guide this process.

Financial:

\$75,000 was budgeted out of the \$100,000 grant through INAC to undertake the design and costing portion of the project.

Policy or Legislation:

ACRD’s Purchasing Policy applies.

Submitted by: 
_____ Wendy Thomson, Acting Chief Administrative Officer



MEMORANDUM

To: Wendy Thomson, Acting Chief Administrative Officer; and
Regional Board of Directors

From: Alex Dyer, Planner

Date: April 20, 2017

Subject: DVC16014, 1146 Sixth Avenue, Salmon Beach (Styles)

Recommendation

THAT the Board of Directors deny development variance DVC16014.

Background

On April 12, 2017 the Board reviewed an application for a development variance permit for LOT 2, BLOCK 47, SECTION 49, CLAYOQUOT DISTRICT, PLAN 510 located at 1146 Sixth Avenue in Salmon Beach. The Board passed a motion to defer the application until the next Board meeting to allow the applicants to make a delegation to the Board to discuss their proposal.

This package includes the following for the Board's consideration:

- i. A letter from the applicants received April 19, 2017 discussing their application (attached as Appendix 'A');
- ii. The staff report and seventeen (17) letters received from the public that were considered by the Board at the April 12, 2017 meeting (attached as Appendix 'B'); and
- iii. Seven (7) letters from the public that were received after the Board deferred a decision on the application on April 12, 2017 (attached as Appendix 'C').


Any additional responses that are received prior to the April 26, 2017 meeting will be provided to the Board at the meeting.


The development variance permit would increase the permitted maximum height for a cabin in the Marine Recreation (MR) District from 18 feet to 22 feet 7 inches to allow for the construction of a new cabin. The applicants submitted altered building plans that reduce the overall height to 18 feet to allow them to begin groundwork and footings. The building permit was issued on February 24, 2017 with the altered plans that remove the half storey loft area above the main floor and the cabin is now under construction. The applicant's intention is to proceed with the original plans with the proposed 22 foot 7 inch building height and the half


DVC16014

storey loft area if the variance application is successful. If the variance is not issued, the applicants could proceed with construction of the altered cabin under the existing building permit.

At the April 12, 2017 Board meeting, staff recommended that the Board of Directors consider denying this application. When considering denying a development application, the Board's policy is to defer the application and invite the applicant to speak at the next Board meeting. A decision on the application was deferred and the applicants have been invited to make a delegation at the April 26, 2017 meeting.

Prepared by: 
Alex Dyer, Planner

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


Wendy Thomson, Acting Chief Administrative Officer

DVC16014

April 20, 2017

To: Members of the Board

Cc: Alex Dyer, Mike Irg

Re: Variance Application – Styles - #DVC16014

We urge the board to consider this variance application of 4'7" for which we believe is similar in scope of previously granted variances and would not be setting a new precedence.

We have worked for over 8 months with the planning department, making changes, reducing height, increasing excavation depth, revising plans and finally applying for a variance. The amount of time and energy put forward by both ourselves, and the ACRD has been significant. The financial impact is becoming a burden.

There has been a small number of negative responses. It appears to us that this opposition is based on misunderstanding. The letter that went out to the neighbors did not explain fully that the height would reflect the amount of exposed crawlspace towards the low end of the property at the rear. Further, the notification to neighbors did not explain that the building would be lower than 18' on the high side, making it level with the road. In any case, this communication has opened the situation up to confusion and misinterpretation by this few. We have made efforts to communicate with those that initially opposed the variance and have directed them to speak to Alex Dyer for clarification. I can say that after my communication with some of these neighbors, I was met with favorable response and a confirmation that "they too were confused by the wording".

We are fully supported by a large majority of property owners for this variance. Of the 64 letters sent out, 22 responded to date. 7 were opposed and 15, to date, in favor. It should be noted that planning staff were initially supportive of the variance moving forward. I would hope that in light of the overwhelming support, they will continue to be supportive.

We feel a variance is a reasonable request due to the sloping topography of the lot. We feel the proposed building would enhance the surrounding neighborhood and the community.

We are grateful to neighbors, who in spirit of good neighbor practice, took the initiative and approached us for understanding and clarification. Their letters reflect this overwhelming support and will hopefully ensure a positive outcome by the board today.



MEMORANDUM

To: Wendy Thomson, Acting Chief Administrative Officer; and
Regional Board of Directors

From: Alex Dyer, Planner

Date: April 6, 2017

Subject: DVC16014, 1146 Sixth Avenue, Salmon Beach (Styles)

Recommendation

THAT the Board of Directors is, at this time, disposed to deny this application. Prior to doing so, the Board wishes to offer the applicants the opportunity to present their own case as to why this matter should not be denied.

Background

On March 22, 2017 the Board reviewed an application for a development variance permit for LOT 2, BLOCK 47, SECTION 49, CLAYOQUOT DISTRICT, PLAN 510 located at 1146 Sixth Avenue in Salmon Beach.

The development variance permit would increase the permitted maximum height for a cabin in the Marine Recreation (MR) District from 18 feet to 22 feet 7 inches to allow for the construction of a new cabin. The applicants submitted altered building plans that reduce the overall height to 18 feet to allow them to begin groundwork and footings. The building permit was issued on February 24, 2017 with the altered plans that remove the half storey loft area above the main floor and the cabin is now under construction. The applicant's intention is to proceed with the original plans with the proposed 22 foot 7 inch building height and the half storey loft area if the variance application is successful. If the variance is not issued, the applicants could proceed with construction of the altered cabin under the existing building permit.

The Board recommended that this application proceed to the next stage of the variance process. This involved notifying all neighbouring property owners and residents within 100 metres of the property, which has been completed.


Planning staff have received four (4) letters of opposition to the variance (attached to the memo as Appendix A). Three of the letters are from property owners who have adjacent cabins across the road on the west side of Sixth Avenue and upland from the subject property. The

DVC16014


letters detail concerns about impacted viewsapes and setting a precedent for future cabin construction throughout the development. Any additional responses that are received prior to the April 12, 2017 meeting will be provided to the Board at the meeting.

Each development variance application is reviewed on a case-by-case basis. In this instance, staff were initially supportive of the variance process moving forward to neighbour notification. Due to significant neighbourhood opposition received, planning staff does not support the issuance of the development variance.

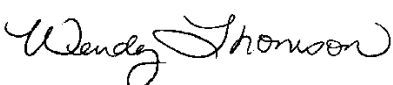
Staff recommends that the Board of Directors consider denying this application. When considering denying a development application, the Board's policy is to defer the application and invite the applicant to speak at the next Board meeting. Staff recommends the following motion: *"THAT the Board of Directors is, at this time, disposed to deny this application. Prior to doing so, the Board wishes to offer the applicants the opportunity to present their own case as to why this matter should not be denied."*

Prepared by: 

Alex Dyer, Planner

Reviewed by: 

Mike Irg MCIP RPP, Manager of Planning and Development



Wendy Thomson, Acting Chief Administrative Officer

Alex Dyer

From: Joy Nylén <joynylen@gmail.com>
Sent: April-05-17 11:58 AM
To: Alex Dyer
Subject: Variance Permit for 1146 Sixth Avenue, Salmon Beach

Dear Alex:

Our property address at Salmon Beach is 1149 Sixth Ave, Lot 20, Block 42, Plan VIP510, Section 49

We are writing you this letter in regards to the Variance Permit that Ross and Kelly Styles at 1146 Sixth Avenue are requesting for their construction of their cabin.

Our cabin is across the road from the Styles and this variance of almost 5 feet would directly affect our views of the Broken Group Islands that we enjoy from our upper loft and upper deck. We have an 'A' type frame construction with windows from floor to top ceiling, affording us the enjoyment of viewing the beautiful Broken Group and is why we constructed the cabin in this way. This not only will affect views but will also affect the value of our property and saleability should we ever decide to sell.

The existing bylaw of 18' in height was put there for a reason, so that all neighbours may enjoy whatever views they have when they built their cabins or build them in the future. Our neighbours directly around us have built their cabins according to existing height restrictions of 18 feet.

We are also concerned of what type of message this will send to future owners when building their cabins if this variance is granted. This could create animosity/tension among Salmon Beach with a lot of unhappy neighbours.

Therefore, we strongly oppose and ask you to please deny this variance permit and keep the 18 ft. height restriction.

Thank-you for your consideration on this matter,

Keith and Joy Nylén

P.S. Could you please email me back once the board has come to a decision. Thank-you Alex.

Alex Dyer

From: alexandrefloucault@gmail.com
Sent: April-05-17 9:19 PM
To: Alex Dyer
Subject: 1146 Sixth Avenue application for development variance #DVC16014

Alex and Shannon Floucault
7333 Walton Mountain Rd.
Duncan, B.C.
V9L 5W8

Attention Alex Dyer,

We received notice of development variance #DVC16014 and would like to share our views on this application. We feel this application should not be accepted based on the following reasons:

- As the owners of 1153 Sixth Avenue, we believe this unprecedented increase in building elevation will directly, and negatively, affect our ocean views as well as other neighbours, who have conformed to the 18 ' restriction in height as we have.
- We believe this precedent would change the future of Salmon Beach building practices and allow for obstruction of currently built cabins, thus reducing property values and resale values.
- Much of the appeal of Salmon Beach, we feel, is the slope of the development toward the ocean, thus allowing many view lots. With such a drastic 4'7" increase in building height we are worried that the variance in established bylaws will negatively change the future of Salmon Beach.

Please consider our views on the aforementioned variance application and please let us know of your decision on the matter.

Sincerely,

Alex and Shannon Floucault
1153 Sixth Avenue
Salmon Beach

Sent from [Mail](#) for Windows 10

250-723-1327 ATTN: MIKE IRG

A.C.R.D..txt

Jens and Jo-Ann B. Madsen
1121 and 1125 6th Ave.
Salmon Beach, B.C.

Mailing address:
36 Sunhurst Place S.E.
Calgary, Ab.
T2X-1W6

Alberni-Clayoquot Regional District
3008 Fifth Ave.
Port Alberni B.C.
V9Y-2E3

Attn: Mike Erg
Re: Variance DVC16014

Dear Mike,

As the owner of 2 lots at Salmon Beach, (1121 & 1125, 6th Ave.) My wife and I are opposed to this application for variance for several reasons.

1. When we built, we paid to have our blueprints re-drawn and Engineered to fit within the requirements of the building codes.

When we requested to build to a height of 18'-6" - 18'-8" to allow for shrinkage of the log structure, we had problems.

2. Allowing this variance will set a precedent for all future construction at Salmon Beach.

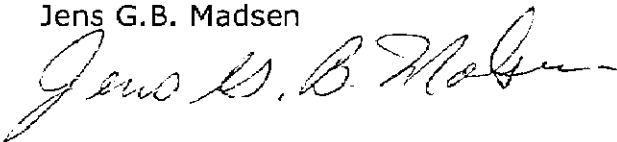
3. Allowing this variance would not be fair to the people at Salmon Beach who have already built within the restrictions of the area.

4. I can only assume that Ross and Kelly Styles were informed and aware of the height restriction at Salmon Beach when they purchased their property.

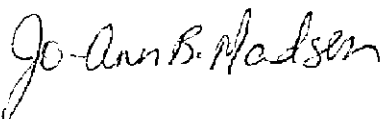
5. Having 2 empty lots across the road from us, I am concerned that what litte view we have could dissappear.

Thank you for Requesting our opinion on this matter,

Jens G.B. Madsen



Jo-Ann B. Madsen



Page 1

Alex Dyer

From: Anita Nichol < >
Sent: April-06-17 2:11 PM
To: Alex Dyer
Subject: Variance permit application #DVC16014

Alberni-Clayoquot
Regional District
3008 Fifth Avenue,
Port Alberni, BC
V9Y2E3

Attention: Mr. A. Dyer

Dear Sir,

I am writing in response to a letter we received regarding a Notice of Application for Development Variance Permit DVC16014, to increase the height of the proposed cabin from 18 feet to 22 feet 7 inches.

We are strongly opposed to this variance as we feel it will directly impact our view from our cabin. Everyone is made aware of the height restriction upon the purchasing of the land. That would have been the time to consider purchasing a different lot as ample lots were available at the time, instead of trying to change the rules already laid out. We feel that as everyone else has built with these restrictions in place they should as well. We are also concerned that you would be setting a precedent that would result in more cabins with higher roofs.

Thank you for allowing us the opportunity to express our views and hope they will be given consideration.

Yours sincerely,
Kim and Anita Nichol
Owners
1157 Sixth Avenue
Salmon Beach
Lot 12, Block 41

Sent from my iPad



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

DEVELOPMENT VARIANCE PERMIT NO. DVC16014

Whereas, pursuant to Section 498 of the *Local Government Act*, a local government may by resolution, on application of a property owner, vary the provisions of a bylaw under Division 5 of Part 14 of the *Local Government Act*;

A Development Variance Permit is hereby issued to:

Name: Ross & Kelly Styles

Address: 1146 Sixth Avenue, Salmon Beach

With respect to:

Legal Description: LOT 2, BLOCK 47, SECTION 49, CLAYOQUOT DISTRICT, PLAN 510

PID: 008-366-039

The provisions of the Regional District of Alberni-Clayoquot Zoning Bylaw No. 15 are hereby varied as follows:

- i. Section 143.3(10) to increase the maximum height of a cabin permitted under the Marine Recreation (MR) District from 18 feet to 22 feet 7 inches;

In accordance with the provision of Section 498 of the *Local Government Act*, approval of this permit was given by resolution of the Board of the Regional District of Alberni-Clayoquot on XXXX, 2017.

This permit was issued under the seal of the Regional District of Alberni-Clayoquot on XXXX, 2017.

Wendy Thomson, Acting Chief Administrative Officer

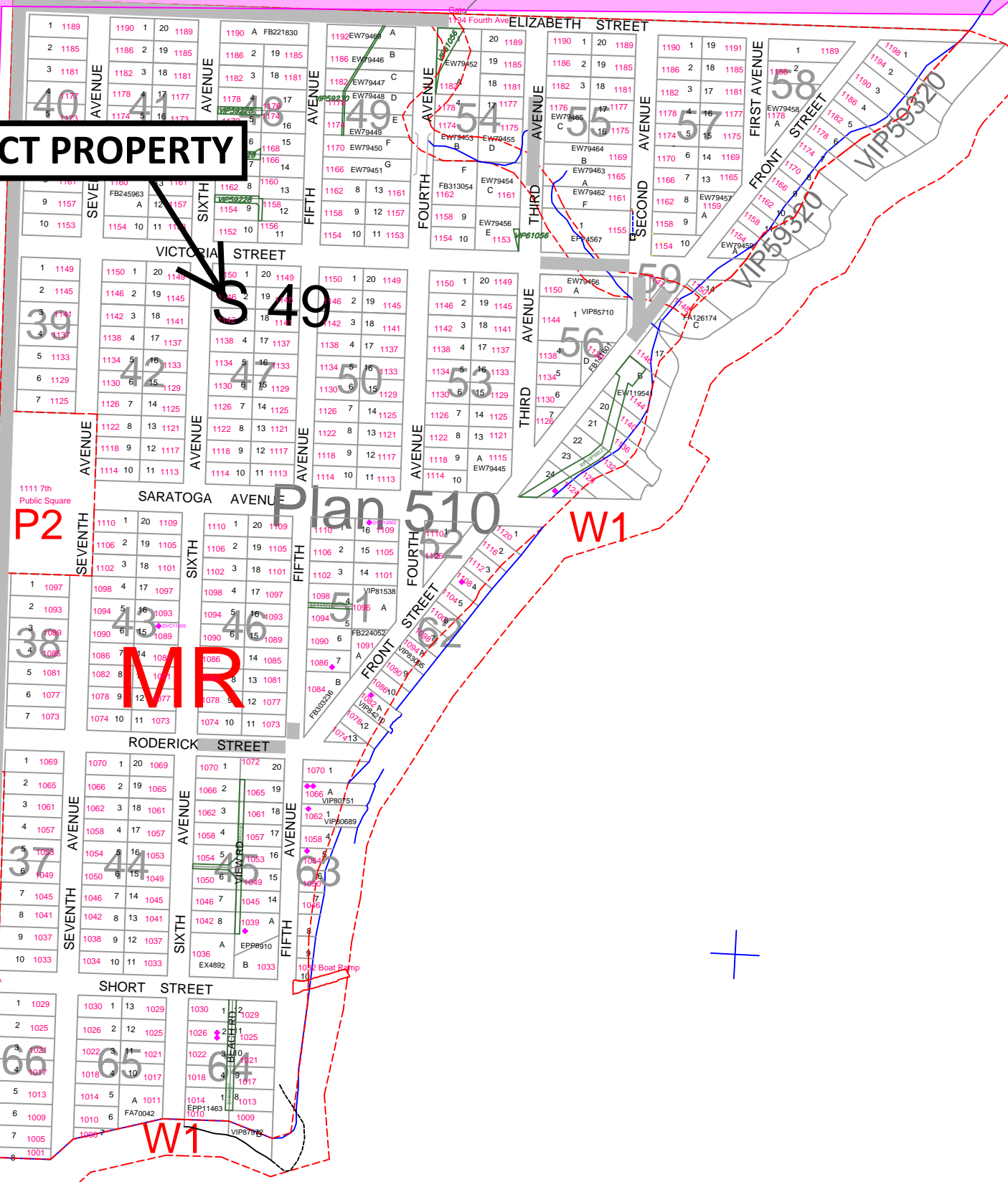
Chair of the Board of Directors

DVC16014

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

SUBJECT PROPERTY

S50



Alex Dyer

From: Serge Chiasson <chais@shaw.ca>
Sent: April-12-17 10:31 AM
To: Alex Dyer
Subject: 1146 Sixth St.

To whom it may concern !

I received a letter regarding the above property and the variance that they are wishing to obtained. My property is 1137 Sixth street, Salmon Beach and we are in agreement to let the proposed building plan go ahead however i do think that the wording of the letter sent was misleading in that it made it sound as though the property owners were hoping to build a cabin that is 4 and one half feet taller than the bulding code currently allows.

Building this particular cabin with this variance considering the steep slop of that land, will not make it look any taller than other existing cabins.

Adjacent property owner
1137 Sixth St
Salmon Beach
B.C

Alex Dyer

From: Kim Duke <dukes2@shaw.ca>
Sent: April-11-17 10:05 AM
To: Alex Dyer
Subject: Variance permit application # DVC16014

Alex Dyer
Planner
Alberni-Clayoquot
Regional District

Dear Mr. Dyer,

My wife and I are writing you at this late date, as we did not receive notification of this application and were just made aware of it. We would like to express our strong opposition to granting this permit.

Firstly, as we understand the reason for the owner's application is for a taller cabin and has nothing to do with exceptional circumstances requiring a variance be granted (circumstances such as a physical characteristic of the lot not allowing the lot owners to meet code). In our opinion the property owners, like every other owner, purchased their property knowing the view potential of the lot and the building restrictions.

To grant this application would be extremely unfair to every single lot owner who has built and followed the current building code.

View corridors have always been one of the most important parts of the Salmon Beach vision as we develop. In fact the ACRD recently lowered the allowable height of out-buildings from 18' to 12', to protect view corridors. If this lot owner's application is granted, the decision will go against the previous decision to protect view corridors.

Also, in the long term, it could have an adverse financial effect on all property owners who having built cabins at the current height of 18'. If this variance is granted, it's a guarantee that others building will request the same. Why would someone buy a cabin at 18' when they could get a similar property at 22'? For this reason alone, all property owners that built at the current 18' could be at a financial loss.

Owners directly affected by loss of a view corridor could have a financial claim as it could cause a loss of enjoyment and devaluation of their property. Is the ACRD going to compensate them?

One of the on going problems with Salmon Beach has been what seems like the constant changing of the building codes. When we bought our property the outbuildings were 18' and then changed to 12'. You could have a deck as big as you wanted and now it's limited. You could not have a covered deck, now there are cabins being built with covered decks. We know people who have hesitated buying property here or building on property, because they're not sure what the code will be next year.

However, it's our understanding, with all of the change two things have remained unchallenged - square footage and the height of the cabin. To maintain the view corridors in the village neither one of these should be changed.

In addition, if all property owners had been notified of this variance application in a timely manner giving them time to respond, we believe the opposition would be overwhelming.

Sincerely,

Tom and Kim Duke
1156 Sixth Ave.
Lot 11, Block 48

Alex Dyer

-----Original Message-----

From: Ken and Christel [mailto:ckfong@telus.net]

Sent: Tuesday, April 11, 2017 10:24 PM

To: Mike Irg <mirg@acrd.bc.ca>

Subject: Notice of Application for Development Variance Permit: Application number DVC 16014

To: Mike Irg

Manager of Planning and Development

ACRD

3008 5th ave

Port Alberni, BC

V9Y 2E3

Via email

We are writing to you to express our opposition to this request for a variance permit for 1146 6th ave. If approved, this variance would allow the height of the building to be increased by 4 feet 7 inches which is an increase of approximately 26% permitted under section 143.3(10) of Bylaw 15. We strongly object to the approval of this variance as it would set a precedent for other property owners to request a height change as they strive to improve their view. Thus blocking the view of those in the neighbourhood.

Regards,

Ken and Christel Fong

1134 6th Avenue,

Salmon Beach

April 5, 2017

Ken Grossman
1225520 Alberta Ltd
1138 Fifth Ave, Lot 4, Section 49
#61 52250 Range Road 213
Sherwood Park, AB T8G 1B8



Alberni-Clayoquot Region District
3008 Fifth Avenue
Port Alberni, B.C.
V9V 2E3

Dear Alberni-Clayoquot Region District:

RE: DEVELOPMENT VARIANCE PERMIT: APPLICATION NO. DVC16014

Although the height of a cabin built on Lot 2, Block 47, Section 49 at Salmon Beach will not impede our view of the ocean; we are concerned that it may affect other property owners. By allowing higher heights for one property we are afraid that this will set precedence for future construction at Salmon Beach. It seems unfair to other property owners that have already built within the current allowable standard of 18 feet. Part of the beauty of Salmon Beach are the building restrictions that allow all properties as much of a view of the bay as possible; by allowing larger or higher construction we feel you are taking part of that appeal away.

Sincerely,

Ken Grossman
1225520 Alberta Ltd
1138 Fifth Ave, Lot 4, Section 49

Alex Dyer

From: Urania Levinson <urania@dalevinson.com>
Sent: April-10-17 7:21 PM
To: Alex Dyer
Subject: FW: Variance Permit Application # DVC16014

Please forward to appropriate area:

Alberni-Clayoquot Regional District
3008 Fifth Avenue
Port Alberni, BC V9Y2E3

Attention Mike Irg, Manager of Planning and Development

Dear Mr Irg,

We are writing in regards to your letter dated March 29, 2017, with respect to the Notice of Application for Development Variance Permit DVC 16014. This application requests that the property owners at 1146 Sixth Avenue, increase the height of the proposed cabin from 18 feet to 22 feet 7 inches.

Please note that we are not in support for such change in height to the proposed cabin noted in the application. As cabin owners, at 1162 Sixth Avenue, we purchased our land and built our cabin following the maximum height permitted. We would think that all owners of the land would be well aware of the restrictions set forth by prior to purchasing their lots. The area is developed as a marine recreational area and as such the views of the ocean are important. The overall height and square footage of each of cabins allow for ample views between and over the other property and cabins depending on the placement of the cabin and the natural surroundings. Allowing for this change would allow others to follow suit and in our opinion is not acceptable to the owners who have already constructed their cabins using the existing maximums.

Any questions, please do not hesitate to contact us.

Owners: Urania and David Levinson
1162 Sixth Avenue
Lot 8 Block 48

Regards,

Urania Levinson

DA Levinson and Associates Inc.

301-3301 Douglas St., Victoria BC, V8T 4M1

T:250.386.1999 F: 1.866.342.0504 | Email: urania@dalevinson.com

www.dalevinson.com

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DYAN LOVER and RON YORK
6161 SWANSON ROAD
PORT ALBERNI, B.C.
V9Y-8X3
250-723-5667
dyanlover@shaw.ca

April 8, 2017

*Attention Mike Irg: ACRD Manager of Planning and
Development*

We are writing in regard to Variance permit application # DVC16014.

We are the owners of 1133 4th Avenue at Salmon Beach and appreciate the opportunity to share our views and opinions.

We have absolutely no opposition to the application. We support it 100%.

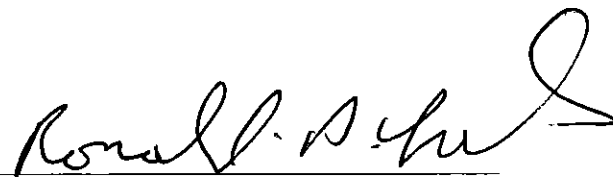
We notice many homes at Salmon Beach that are over the 18 foot maximum height restriction. We believe that denying this homeowner what you have already permitted others would constitute discrimination.

Furthermore we believe restricting roof heights to 18 feet considerably limits building choices. Permitting the height variance now (and perhaps changing it permanently) could promote the building of more aesthetically pleasing homes and we believe would benefit the development as a whole.

Salmon Beach is a growing community and we would like to see the development of more grand cabins with better curb appeal instead of the decrepit shanty town look of areas in Phase 1 and 2 which Salmon Beach is infamous for.

Sincerely,

Ron York



Dyan Lover



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

APR 10 2017

RECEIVED

Alex Dyer

From: Trish Nosworthy <trishy197796@gmail.com>
Sent: April-12-17 10:23 AM
To: Alex Dyer
Subject: Kelly and Ross styles variance application

April 12th/2017

To whom it may concern;

I am writing in support of the Styles variance application.
I am located beside the Styles at 1150 6th ave.

I am in support for the following reasons:

- My view will not change.
- The height will be no greater than the existing building on property, which is in compliance of 18 ft.

I understand the 4 ft 7 in variance is to account for the basement due to the sloping of the property.

All property owners have an opportunity to exercise their right to apply for variances.

The Styles are well within their rights to do so and should not be penalized.

Thanks for your time.

Brad Knowles
1150 6th Ave
(250)714-4943

Date

RECEIVED

APR 10 2017

Dear Sirs:

In Confidence:

In response to

Application for Development
Variance permit.

App. # DVC16014

I believe there is a
reason the bylaws at
Salmon Beach have a height
restriction. That said, why
would there be opportunity
for increase? Bylaws should
be adhered to as written.

If the maximum height is
18 feet then that is the
max. height permitted under the
Marine Recreation (MR) District.

Yvonne Oliver

(587) 585-0802

Lot 3, BL 42, PL VIPSIO sec 49
1142 - Seventh Ave
Salmon Beach, B.C.

Alex Dyer

From: Greg Palmer <gpalm62@telus.net>
Sent: April-12-17 10:33 AM
To: Alex Dyer
Subject: 1146 Sixth Ave Salmon Beach

To whom it may concern : Re Sixth Ave Salmon Beach

We are property owners at 1081 Fifth Ave Salmon Beach and fully support the variance application put forward by Ross and Kelly Styles. It is my understanding that the additional height starts low in the excavation due to a low side of the road sloping lot, therefore the height off the street level would be no higher than 18 feet. I find the variance as sent out to property owners within the area is very misleading and open for misinterpretation.

Greg & Wanda Palmer

Alex Dyer

From: hsouthsmith@gmail.com
Sent: April-12-17 11:03 AM
To: Alex Dyer
Cc: Mike Irg
Subject: Ross & Kelly Styles Variance # DVC16014

Attention: Mr. A Dryer,

Dear Sir

In regard to the variance letter that my husband and i received (being owners at 1142 Sixth Ave) we feel that it was very misleading.

It leads you to believe that the cabin will be built 4 ft. 7 inches above the existing building on the property.

That is not the case, it will be in fact lower than the existing building.

We fully support this application. Salmon Beach is a wonderful growing community and giving homeowners the right to exercise their rights with the application for variance will only improve the beauty of individuality in this community.

Sincerely,

Heather South-Smith

James D Smith

1220 Margaret Place

Duncan

V9L-5R6

Alex Dyer

From: David Stalker <David@stalkerexc.ca>
Sent: April-12-17 11:54 AM
To: Alex Dyer
Cc: kstyles@telus.net
Subject: 1146 Sixth Ave

To Whom it may concern

I am writing this letter In support of a height variance for the above address , I think that given the natural topography of the land the request that is asked for should be given and as an owner at Salmon Beach have no objection to this.

Regards

David Stalker
David Stalker Excavating Ltd
18-1156 Rocky Creek Rd
Ladysmith, BC

(250) 924-2250 ext 2 Office
(250) 924-2251 fax
(250) 616-6675 Cellular

Alex Dyer

From: J Symington <johndsymo@yahoo.com>
Sent: April-12-17 10:12 AM
To: Alex Dyer
Subject: 1146 6th ave

Hi Alex,

I am writing in support of Ross and Kelly Styles located at 1146 6th ave Salmon Beach. I support their right to apply for a variance and understand the building will not effect the view as it is no higher than the existing building on the property.

We are lot owners at 1086 5th ave.

thanks John Symington

Alex Dyer

From: Ron Vanderplas <ron.rockycreekhomes@gmail.com>
Sent: April-12-17 12:48 PM
To: Alex Dyer
Subject: variance application for 1146 6th ave

Hi Alex

I am writing in support of Ross and Kelly Styles variance application.

Variances have been granted by ACRD on other properties .

And as the cabin will not be as high as the existing out building there should be no problem .

And it does not affect any view for other cabins .

So i formally support this application for variance.

Regards Ron and Sandy Vanderplas

1041 sixth ave

salmon beach

Alex Dyer

From: Andrew Daniel <andyalberni@gmail.com>
Sent: April-18-17 1:31 PM
To: Alex Dyer
Cc: Kelly And Ross
Subject: Salmon Beach: Support for Styles Variance Application

Dear Mr. Dyer

Please accept this email as 2 owner votes of support for the Styles variance application at 1146 Sixth Avenue in Salmon Beach.

I understand the new building will be no higher than 17' feet from the driveway, and lower than the 18' auxiliary building already on the property.

In my opinion, the request is within the parameters of variances previously granted by the Board and necessary when building on sloping land.

Sincerely,
Andy Daniel

Alex Dyer

From: Kim Duke <dukes2@shaw.ca>
Sent: April-17-17 11:11 AM
To: Alex Dyer
Subject: Fwd: Styles Variance - 1146 Sixth Ave

Mr. Dyer,

In response to the Styles email below. We are still opposed to the granting of this variance.

Firstly, We don't see how an exposed crawlspace is relevant to the height of the building or that the auxiliary building will be a foot higher than the cabin. These are design features that should have been thought of when purchasing their lot or coming up with the plans for the cabin and auxiliary building.

Secondly, a number owners have had to spend a substantial amounts of money and effort to improve their lots before building. We spent over 24,000.00 dollars on ours. I understand some owners in phase 3 had to spend many times more than that.

Again if this variance is granted, I'm sure in the future, instead of spending more money on a lot with a view or money on improving the lot they have, they will simply ask for a variance. The precedent should not be set.

Finally, we don't feel that it is appropriate to be communicating directly with the Styles. We would prefer all communication remain through the ACRD.

Respectfully

Tom and Kim Duke

Begin forwarded message:

From: Kstyles <kstyles@telus.net>
Subject: **Styles Variance - 1146 Sixth Ave**
Date: April 16, 2017 at 4:16:41 PM MDT
To: Dukes2@shaw.ca

Dear Tom and Kim:

I wanted an opportunity to explain our variance. I see you opposed this but thought worth some clarification.

We currently have an auxiliary building which was built before the codes changed. It is 18'. Our variance reflects an exposed crawlspace at back of our proposed building. This means the height of the new cabin would be lower than the auxillary building by a foot. The natural slope of this property warrants a variance as most lots are not affected by average natural grade due to level lots.

Please email me back your welcomed thoughts or call me at 2507136969.

Sincerely, Kelly Styles.

Alex Dyer

From: Kathleen Holland <salmonbeach.manager@gmail.com>
Sent: April-19-17 2:49 PM
To: Alex Dyer
Cc: kstyles@telus.net
Subject: Variance application 1146-6th Ave. Ross and Kelly Styles lot.

Dear Mr. Dyer,

As an owner and the former Manager at Salmon Beach 2006 to 2014, I am in favour of this variances for 2 reasons.

1. There are already three height variances on lots near the water front. All these owners are all friends who simply support each other for what they needed. 4 are or have been members of the Salmon Beach Committee.
2. Due to the natural slope of the lot this it is necessary. Their cabin will not be any higher than their shed already built. You can't get a view from 18 foot cabin any more than a 26 foot cabin. You would have to live near a mountain to see over most all cottages at Salmon Beach. 18 ft height restrictions cause huge costs to building as all must be custom cottages. It's simply ridiculous.

Stop saying NO to Salmon Beach! We are not going anywhere and we all simply love it here and the life style it offers.

Thanks Kathleen

Alex Dyer

From: John Loehr (Interkraft Contracting) <john-interkraft@shaw.ca>
Sent: April-19-17 8:17 PM
To: Alex Dyer
Cc: 'kstyles'
Subject: 1146 Six Avenue, Salmon Beach

Hello Alex,

I am writing in support of a letter of variance I received regarding 1146 Sixth Avenue in Salmon Beach for Kelly and Ross Styles. My property is across the street and down one lot at 1141 Sixth Avenue and have no problem with this request. The height of their building will be 1 foot less than the height of the existing auxiliary building currently on the property. I understand that there have been other variances granted in Salmon Beach and due to the sloping nature of their lot, this is well within the parameters.

Yours truly
John Loehr

Alex Dyer

From: CHRIS MCGREGOR <chris-muriel@shaw.ca>
Sent: April-19-17 4:45 PM
To: Alex Dyer
Cc: kstyles@telus.net
Subject: Styles Variance- 1146 Sixth Avenue

Dear Mr Dyer

I am Muriel McGregor.

My husband Chris and I asked for and received a variance on our property at 1026 Sixth.

I know how frustrating it is to go after a variance and would like to support the Styles in obtaining their Variance.

It is my understanding that their situation is similar to ours in that in obtaining it, it wouldn't obstruct their neighbors views.

This being said I think you should grant them the Variance they need.

Thank you for your time

Chris and Muriel McGregor

Sent from my iPad

Alex Dyer

From: Anita Nichol <
Sent: April-20-17 7:06 PM
To: Alex Dyer
Subject: Fwd: Styles Variance

Attention Mr. Dyer:

Dear Sir,

I have received this email from the Styles about their variance request. I was not aware they would be given my email when I wrote expressing my views. I am hoping it is not given to anyone else as I consider that information private.

I was under the impression that the issue was going to be resolved on the day of the meeting so I am surprised that it is apparently ongoing.

I would like to reiterate that we are not under any circumstances supporting them in their attempt to obtain this variance, even after reading their email. We feel they should comply to the same rules everyone else has had to abide by. There are other lots with a low front who have not received this variance. We are concerned that this will set a precedent and could result in a financial disadvantage to us in the future.

Thank you for your consideration.

Yours sincerely,

Kim and Anita Nichol

Sent from my iPad

Begin forwarded message:

From: kstyles <kstyles@telus.net>
Date: April 19, 2017 at 6:57:03 PM PDT
To:
Subject: Styles Variance

Hi Anita and Kim:

Just wanted to drop a line and explain this frickin variance. Boy has this been a pain. Please allow me to explain. 4'7" appears staggering. What this actually represents is the amount of exposed crawlspace towards the low end of our sloping lot. This does not mean we are making our building higher than our auxillary building.

Please know we would love your support on this and should you have any questions please call or email me.

Cheers

Kelly and Ross
250-713-6969

Alex Dyer

From: GINA SKIPPEN <skipgina@shaw.ca>
Sent: April-20-17 9:40 AM
To: Alex Dyer
Subject: Styles Variance

Please acknowledge :

We wish to support the application for a 4'7" variance to their building .

Sincerely
Wayne & Gina
Skippen
1011 Sixth Ave
Salmon Beach

Sent from my iPhone



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

Development Variance Application

DATE: April 11, 2017

ACRD FILE NO.: DVC17001

APPLICANT: Peter Donaldson

LEGAL DESCRIPTION: PARCEL "C" (DD 2628N) OF DISTRICT LOT 1012, CLAYOQUOT DISTRICT

LOCATION: 1360 Smith-Dale Road, Port Albion

ELECTORAL AREA: "C" Long Beach

APPLICANT'S INTENTION: The applicant has applied for a development variance permit to allow construction of a single family dwelling 5 feet (1.52 metres) from the northern property line.

Recommendation:

THAT the Board of Directors consider issuing development variance permit DVC17001.

Development Variance DVC17001:

- i. Development variance DVC17001 is to consider issuing a development variance of the following sections of the ACRD zoning bylaw:
 - i. Schedule No. II – Bulk and Site Regulations to vary the required side yard setback from 15 feet (4.57 metres) to 5 feet (1.52 metres) for construction of a single family dwelling.

in the Forest Rural (A3) District.

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.

DVC17001

Observations:

- i. **Status of Property:** The property is 1.63 acres (0.66 hectare) in size with an existing workshop. The land is mostly treed and undeveloped.
- ii. **Services**
 - a. **Sewage Disposal:** On-site sewage disposal.
 - b. **Water Supply:** On-site water.
 - c. **Fire Protection:** Not within a fire protection area.
 - d. **Access:** Smith-Dale Road.
- iii. **Existing Planning Policies Affecting the Site**
 - a. **Agricultural Land Reserve:** Not within the ALR.
 - b. **Official Community Plan:** The South Long Beach Official Community Plan designates this property “Rural Residential”. The property is within DPA I – Sensitive Ecosystems Protection, Ittatsoo Watershed Community Water Supply Area, and DPA II – Freshwater Riparian Areas Protection. A development permit will be required prior to building permit.
 - c. **Zoning:** The property is zoned Forest Rural (A3) District.


Forest Rural (A3) District requires:	Proposed Variance
Minimum Setbacks (single family dwelling)	
Front: 50 feet	-
Rear: 15 feet	-
Side: 15 feet	5 feet
Maximum height: 35 feet/2.5 storeys	-


A reduction of the required side yard setback for a single family dwelling has been requested.


Comments:

Due to topography, lot shape, privacy concerns and desired lake view, a reduction of the required side yard setback from 15 feet to 5 feet has been requested. Currently, there is a workshop on the property.

Planning staff feels this development variance is reasonable and recommends that the Board proceed with the neighbour notification process.

Submitted by: 
Charity Hallberg Dodds, Planning Assistant

Reviewed by: 
Mike Irg MCIP RPP, Manager of Planning & Development

Reviewed by: 
Wendy Thomson, Acting CAO

Reasons for requesting variance to set back to north property line.

Parcel C DL 1012 DD2628n pin 170-284

I consider this proposed location to be the best site on the property to build.

-It is the highest and most well drained area on the property. The ground is composed of hard packed gravel.

-it provides a view of Ittatsoo lake.

-There is a good road access to Smithdale Road in place.

-there is a distance of about 100 meters to the house on the property to the north. The property adjacent to the proposed house site to the north is flat with second growth forest.

- the building site is elevated over the property to the south by about 2-3 meters and slopes steeply closer to the southern lot line. On the east side of the house site the property slopes more gradually to the lake.

As you can see in photo 2, on photo sheet 1 in the RAR report, part of the existing excavation is within the SPEA. As such, the house will be set back closer to the height of where the car is parked in the photo, and the existing excavation returned to a natural slope toward the lake. Photo 2 also shows how the land favours building as close to the north lot line as possible, as it drops off into a shallow gully closer to the south line.

- the neighbour's workshop and storage is adjacent to the building lot to the south. I would install a privacy hedge on the south lot line to obscure the view and suppress noise. I expect that the hedge when mature could be several meters thick.

Building close to the north property line maximizes the privacy between our dwellings and allows for some landscaping on the south facing side of the house.

AG SURVEYS

Site Plan of:

Parcel 'C' (DD. 2628-N)

District Lot 1012, Clayoquot District

Parcel Identifier: 003-170-284

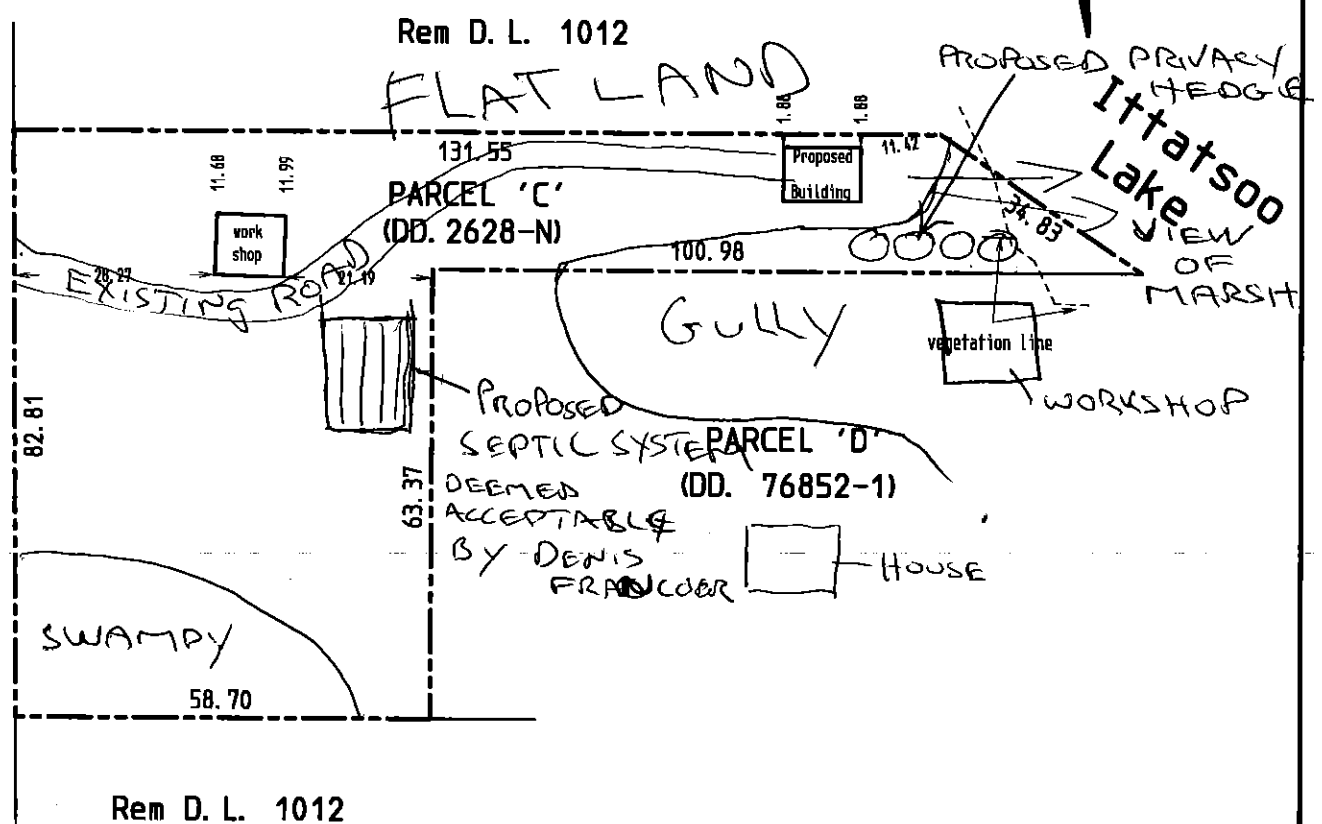
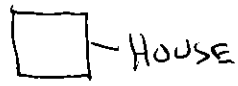
SCALE - 1 : 1000



All distances are in metres & decimals thereof.

(plot on 8.5" x 11" sheet)

110-545 MARINE DRIVE
UCLUELET, B. C.
VOR 3A0
Phone: 726-2755
File: Smith Road
Feb 5/ 2017



1360 SMITHDALE ROAD

PHOTO SHEET 1



Photo 1: Facing Ittatsoo Lake overlooking the cleared location of the proposed cabin.



Photo 2: Facing west from natural boundary of Ittatsoo Lake looking at the cleared and excavated bench location of the proposed cabin.

Photo Sheet 2



Photo 3: Facing Ittatsoo Lake with Biologist standing 15m from the natural boundary of the wetland.



Photo 4: Facing west looking at the existing driveway and work shop.

Photo Sheet 3

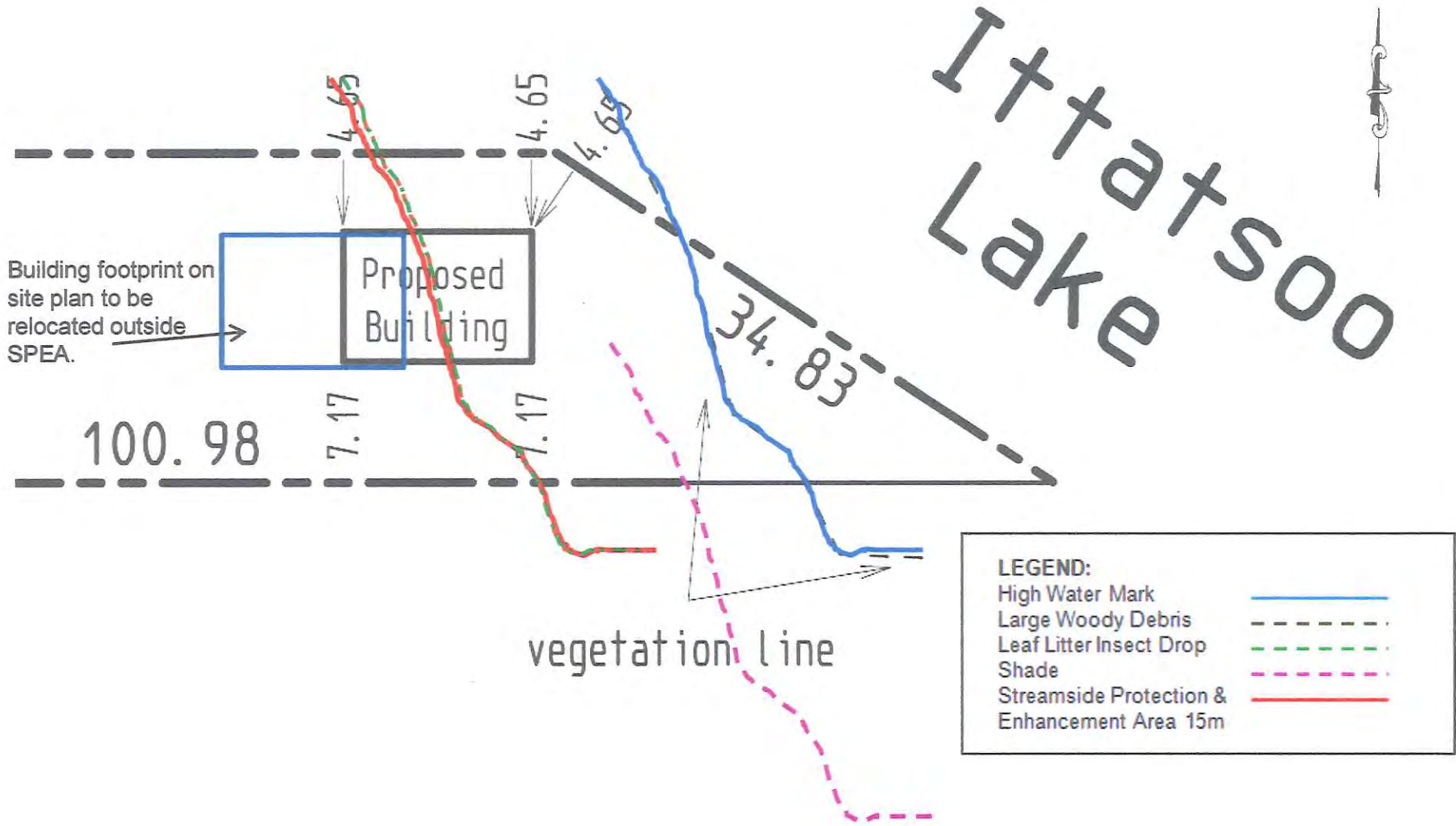


Photo 5: Facing south east looking at Ittatsoo Lake



Photo 6: Facing north looking at Ittatsoo Lake and the wetland fringe dominated by sweet gale.

1360 SMITHDALE ROAD, UCLUELET, BC
SPEA DETERMINATION



1012

5

SMITHDALE

21

20

15

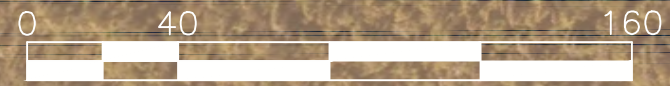
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1320 Smith Dale

1300 Smith Dale

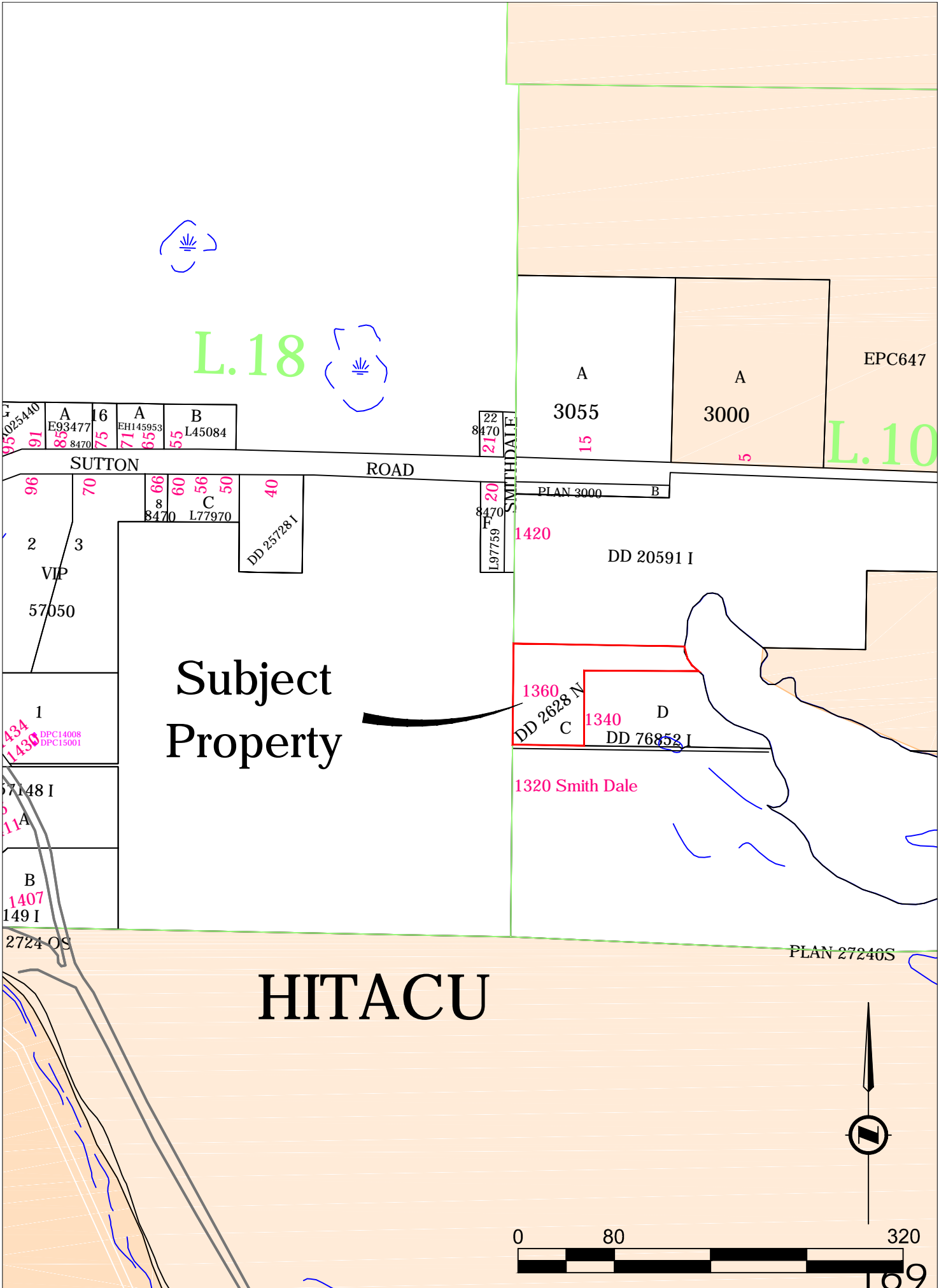


L.18

L.10

Subject Property

HITACU





ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, Telephone (250) 720-2700 Fax (250) 723-1327
CANADA V9Y 2E3

Development Variance Application

DATE: April 20, 2017

ACRD FILE NO.: DVD17004

APPLICANTS: James and Catherine Braiden

LEGAL DESCRIPTION: DISTRICT LOT 41, ALBERNI DISTRICT, EXCEPT PART IN PLANS 1191, 1880, 14018 AND 29251

LOCATION: 8467 Bothwell Road

ELECTORAL AREA: "D" Sproat Lake

APPLICANT'S INTENTION: The applicants are applying to reduce the required setback for a structure containing farm animals in an R District from 30 feet to 15 feet on the west side lot line to allow for the construction of a proposed 1,024 square foot two stall horse barn.

Recommendation:

THAT the Board of Directors consider issuing development variance permit DVD17004.

Development Variance DVD17004:

- i. Development variance of Section 6.18(7) of the ACRD Zoning Bylaw No. 15 to reduce the required setback for a structure containing farm animals in an R District from 9.144 metres (30 feet) to 4.57 metres (15 feet) on the west side lot line to allow for the construction of a barn as shown on the site plan attached as 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 +/- 2.07 hectare (+/- 5.1 acre) lakefront property is located at the

DVD17004

eastern intersection of Bothwell Road and Faber Road. There is a single family dwelling, cabin and outbuildings located on the northern portion of the parcel closer to the lake. A 0.5 acre portion of the property lies on the south west side of Bothwell where the proposed barn would be built. This portion of the property is partially treed with the area around the building site cleared with a driveway access built from Bothwell. This portion of the property generally increases in slope from north east to south west (away from Bothwell). There were outcrops of bedrock visible on the southern portion of lot limiting the available building envelope.

ii. **Services**

- a. **Sewage Disposal:** On-site sewage disposal. The existing septic system is located on the north side of the property with no plans to develop a septic system on the portion where the barn would be located.
- b. **Water Supply:** Water intake from Sproat lake.
- c. **Fire Protection:** Sproat Lake Volunteer Fire Department
- d. **Access:** The property fronts onto Faber Road but there is no built connection to Faber at this time. There are two driveway accesses from Bothwell Road – one driveway on the north side to access the house and accessory building and one driveway on the south side to access the proposed barn.

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

- a. **Agricultural Land Reserve:** Not within the ALR.
- b. **Official Community Plan:** The Sproat Lake OCP designates the property as “Residential Use”. There are no Development Permit Areas that would impact development on the south west portion of the property.

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

- c. **Zoning:** The property is zoned Acreage Residential (RA1) District. Accessory buildings in the RA1 District are required to be 40 feet from the front and 3 feet from the rear and side lot lines. In this case on this portion of the property, both the lot line adjacent to Faber and the lot line adjacent to Bothwell would be considered front yards and the west lot line would be considered the side yard.

Section 6.18 of the Zoning Bylaw regulates the Keeping of Animals in an A and R District. Section 6.18(7) states that “in no case shall buildings, structures, cages, pens or runs be located less than 9.144 metres (30 feet) from lot lines or dwellings on the same lot”. The proposed building is intended to be used as a two stall horse barn with associated tack room and tack and grain storage area.

The applicants are applying to reduce the required setback for a structure

DVD17004

containing farm animals in an R District from 30 feet to 15 feet on the west side lot line to allow for the construction of the horse barn as proposed.

Comments:

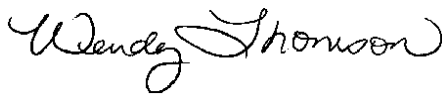
The portion of the property where the applicants intend to build the barn is limited in development potential. It is a 0.5 acre triangular piece dissected on all sides by public road and would not meet the minimum lot size supported in the OCP for subdivision.

The intent of the Keeping of Animals in an A and R District portion of the Zoning Bylaw (Section 6.18) is to regulate the number of animals kept on a property based on lot size and to require increased setbacks for buildings and enclosures where animals would be kept. The increased building setback is intended to reduce the impact on neighbouring properties. In this case, the proposed barn would be located 15 feet from the west lot line but it should be noted that there is a 33 foot wide unbuilt public laneway directly adjacent to the property on the west side. This would mean that the west side of the barn as proposed would effectively be 48 feet from the neighbouring private property to the west. The area surrounding the building site is well treed and the barn would be built in an area excavated into the slope adjacent to an outcrop of bedrock.

The reduced setback would appear to have minimal impact on the neighbouring properties. Planning staff recommends that the Board proceed with the neighbour notification process for this variance application.

Submitted by: 
 Alex Dyer, Planner

Reviewed by: 
 Mike Irg MCIP RPP, Manager of Planning & Development


 Wendy Thomson, Acting Chief Administrative Officer

DVD17004

MAR 13 2017

4.58acre

175.59m

1.58m

78.21m

51.51m

MIN SIDEYARD SETBACK
IS 30' - PROPOSED 15' (4.5M)

6.49m

56.48

63.81m

Bothwell Road

6.59m

12.19m

46.80m

0.53acre

6.38m

S-15
(M.O.T.I.)

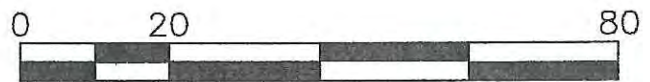
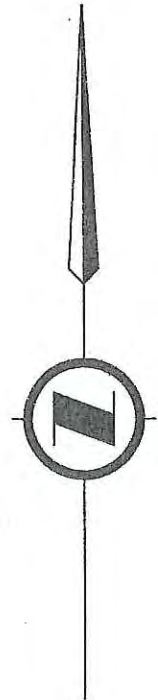
76.40m

Faber Road

63.68m

5.78m

Rem DL 41, Alberni District



1:1000

ASSUMED

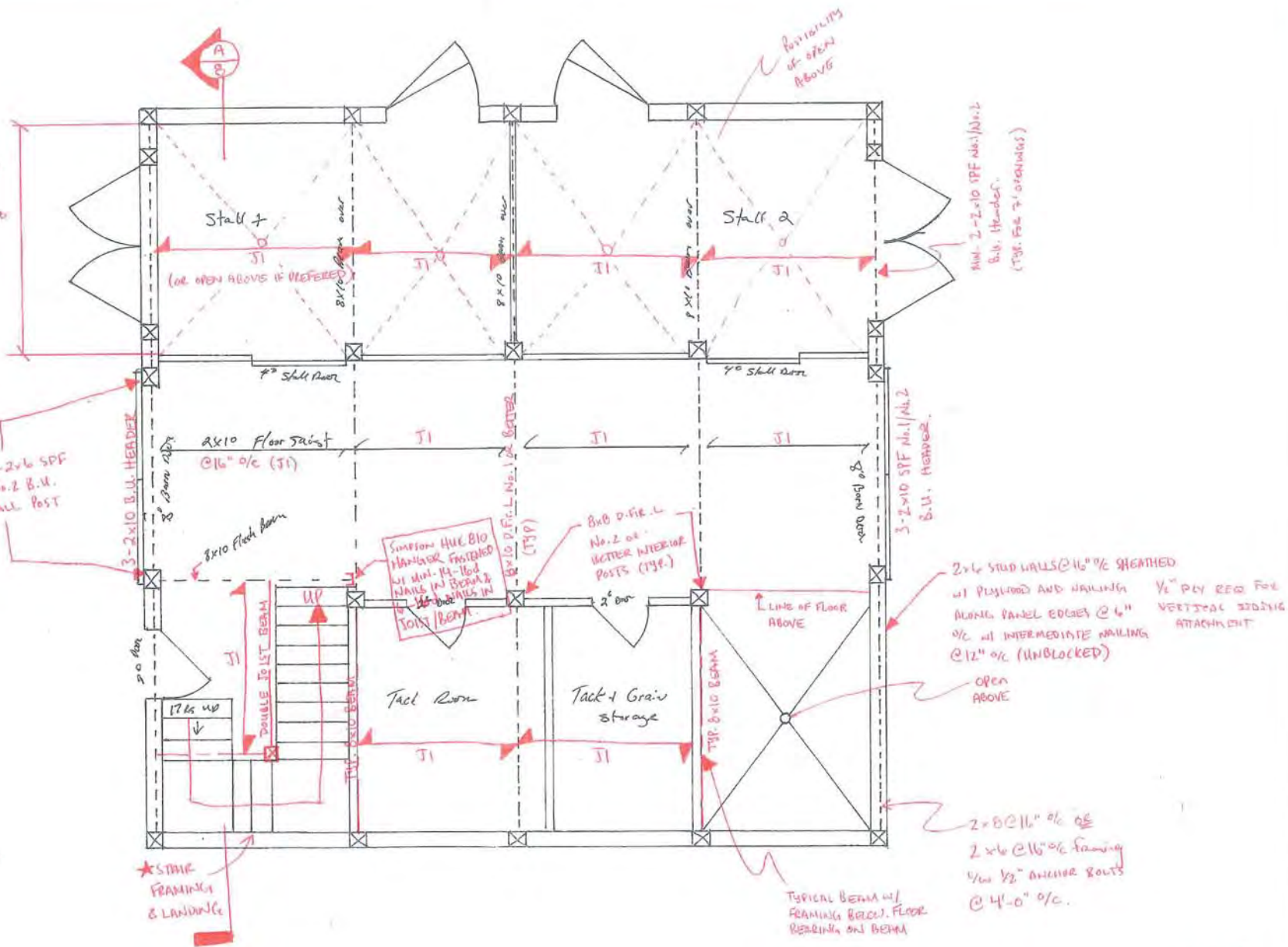
STALL WIDTH
 CAN BE
 INCREASED TO
 12' WIDE
 IF
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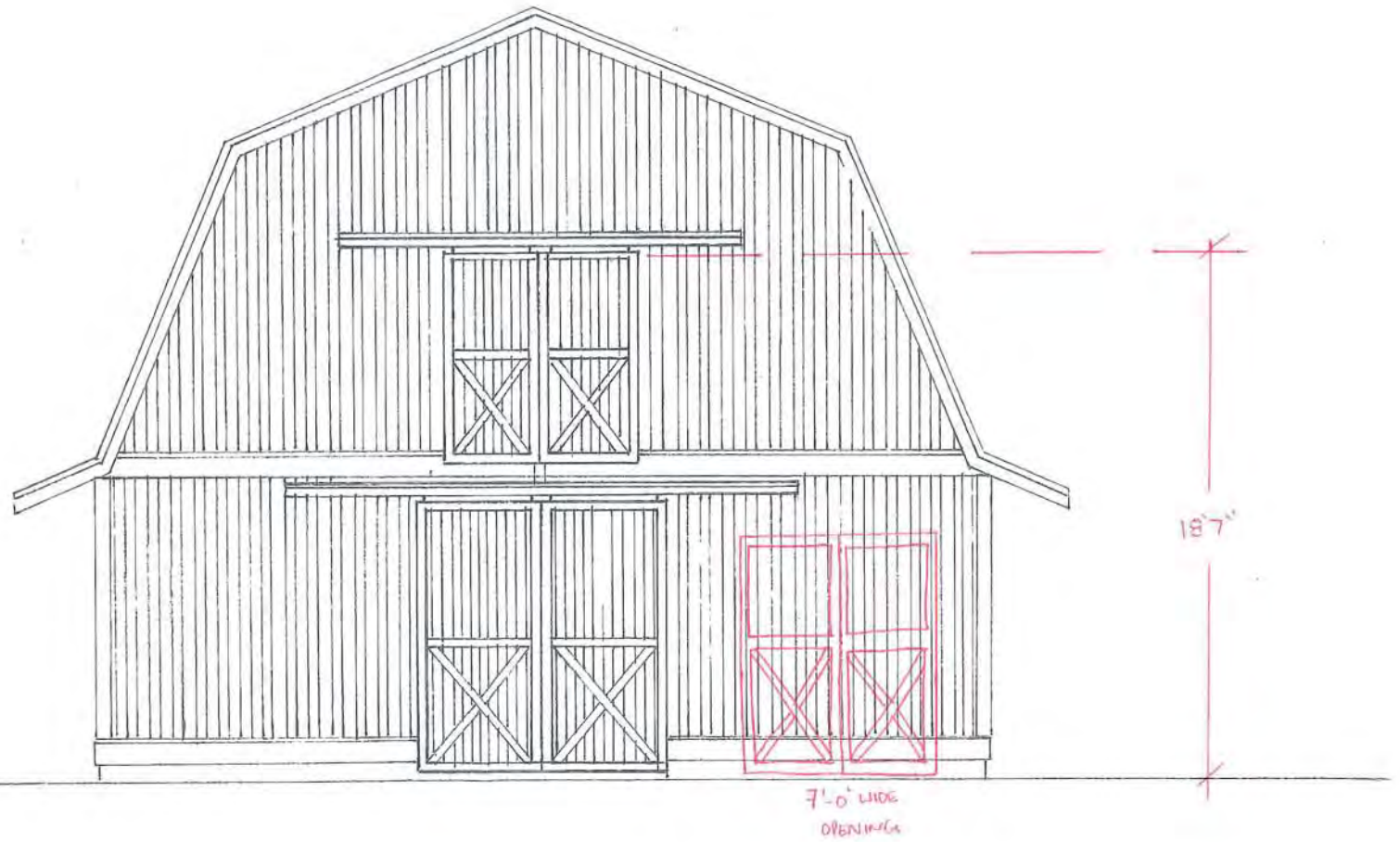
Min. 3-2x6 SPF
 No. 1/No. 2 B.U.
 Ext. Wall Post

NOTE: ALL SUPPORT POSTS TO BE
 3-2x6 SPF No. 1/No. 2 B.U.
 UNLESS OTHERWISE STATED.



MAIN FLOOR PLAN
 1/4" = 1'-0"









Heritage Site

381 R/W

L 308 SPROAT

A1

36

A1

A2

RA1

MAR1

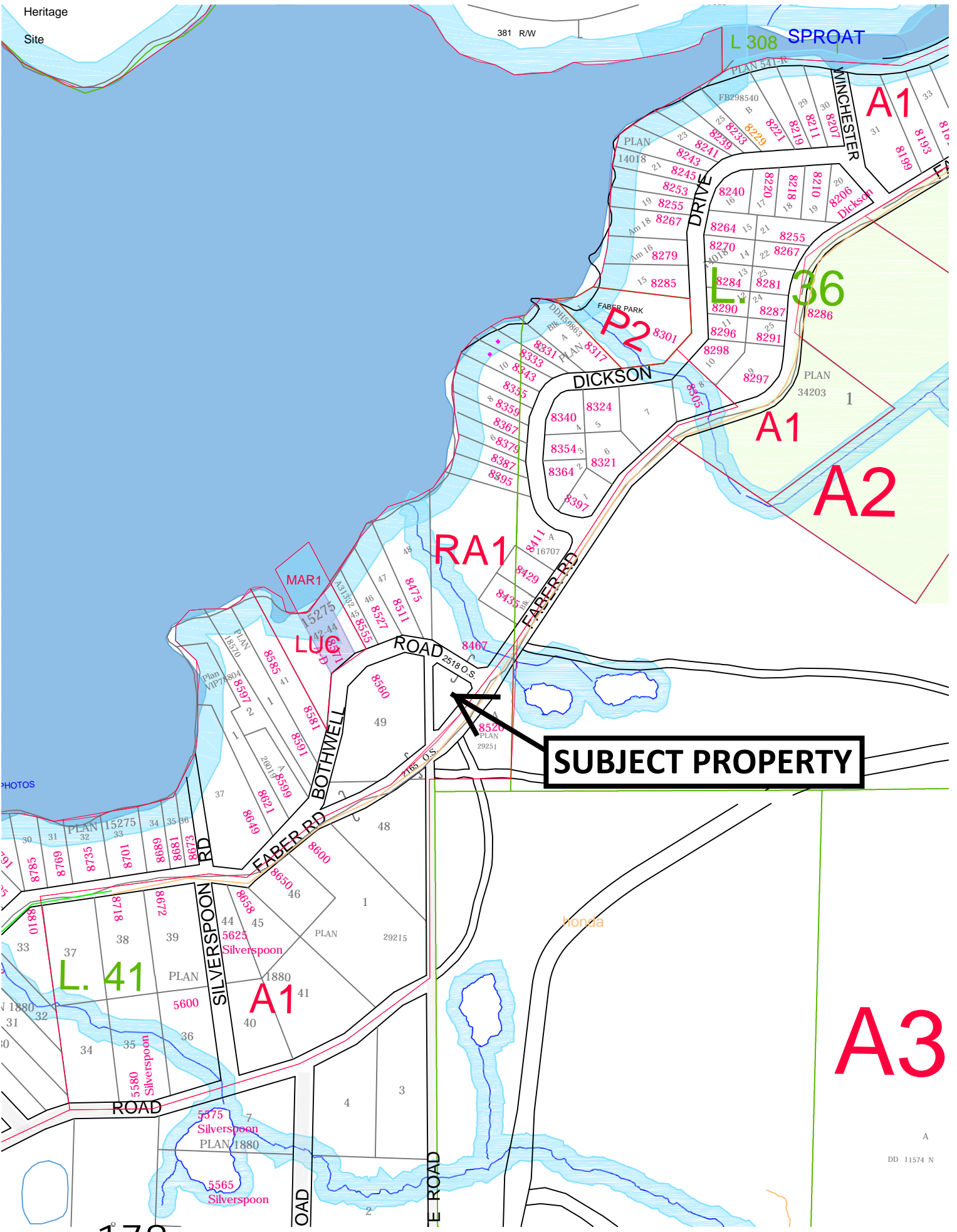
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SUBJECT PROPERTY

A3

A
DD 11574 N

178





ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, Telephone (250) 720-2700 Fax (250) 723-1327
CANADA V9Y 2E3

Development Variance Application

DATE: April 12, 2017

ACRD FILE NO.: DVE17002

APPLICANTS: Wade Sabiston

LEGAL

DESCRIPTION: LOT A (DD EC96014), BLOCK 9, DISTRICT LOT 100, ALBERNI DISTRICT, PLAN 1488

LOCATION: Lot A, McEachern Road

ELECTORAL AREA: "E" Beaver Creek

APPLICANT'S INTENTION: The applicant is applying to reduce the front yard setback from 50 feet to 25 feet and to reduce both side yard setbacks from 15 feet to 5 feet in order to facilitate the construction of a single family dwelling.

Recommendation:

THAT the Board of Directors consider issuing development variance permit DVE17002.

Development Variance DVE17002:

- i. Development variance of Section 200 – Schedule II – Bulk and Site Regulations of the ACRD Zoning Bylaw No. 15 to reduce the front yard setback in the Rural (A2) District from 50 feet to 25 feet and to reduce the side yard setback in the Rural (A2) District from 15 feet to 5 feet to allow for the construction of a single family dwelling.

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 0.09 hectare (0.23 acre) vacant parcel is 80 feet wide by 125 feet deep accessed off McEachern Road north of Compton Road. Lot A is a consolidation of

DVE17002

two smaller lots (Lots 14 & 15, Plan 1488) with each lot originally being 40 feet wide. The property is entirely cleared and level.

ii. **Services**

- a. **Sewage Disposal:** On-site sewage disposal.
- b. **Water Supply:** Beaver Creek Water Service Area.
- c. **Fire Protection:** Beaver Creek Volunteer Fire Department.
- d. **Access:** The property is accessed off the west side of McEachern Road north of Compton Road. McEachern Road is already built adjacent to this portion of the property. There is also a lane way access along the west boundary of the property which is unbuilt but could be constructed to connect with Compton Road.

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

- a. **Agricultural Land Reserve:** Not within the ALR.
- b. **Official Community Plan:** The Beaver Creek Official Community Plan designates the property as "Residential Use". There are no Development Permit Areas that impact development on this property.

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

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

Rural (A2) District requires:

	Existing	Proposed
Minimum Lot Area:	5 acres	5 acres
Minimum Lot Width:	330 feet	330 feet
Lot Coverage:	-	-
Minimum Setbacks <i>(single family dwelling)</i>		
Front:	50 feet	25 feet
Rear:	30 feet	30 feet
Side:	15 feet	5 feet
Minimum Setbacks <i>(accessory building)</i>		
Front:	50 feet	50 feet
Rear:	15 feet	15 feet
Side:	15 feet	15 feet

The property owner is applying to reduce the front yard setback from 50 feet to 25 feet and the side yard setback from 15 feet to 5 feet to facilitate the construction of a single family dwelling.


DVE17002

Comments:

The property owner has applied to reduce the required front and side yard setbacks for a single family dwelling. The front yard setback would be reduced from 50 feet to 25 feet and both side yard setbacks would be reduced from 15 feet to 5 feet. The setbacks in the A2 District are appropriate for larger lots in the range of 5 acres. The two lots that have been amalgamated into the subject parcel were originally created in 1912 and are non-conforming to the current zoning. As a result of restrictive building setbacks and on-site servicing required on these properties, many of the lots in this area have been consolidated to accommodate development. There have also been a number of variances approved within the past twenty years to allow for construction on similar sized properties in the area.

The applicant has not submitted a site plan showing any proposed house plans. The variance would allow for a reasonable building envelope on the property. The proposed reduced setbacks would appear to result in construction that would generally fit with the character of development on similar sized parcels in the area. The reduced setbacks would appear to have minimal impact on the immediate neighbouring properties. Planning staff recommends that the Board proceed with the neighbour notification process for this variance application.

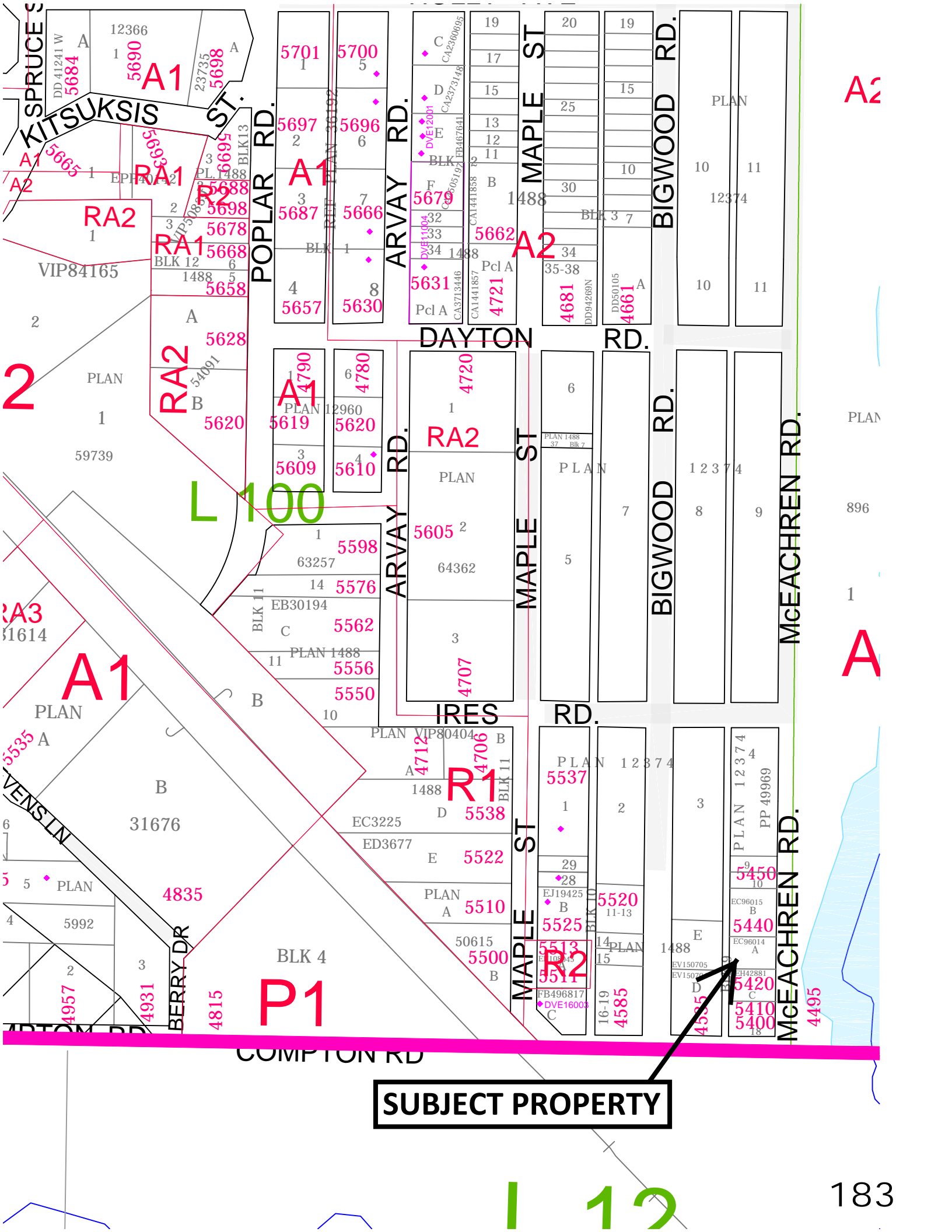
Submitted by: 
 Alex Dyer, Planner

Reviewed by: 
 Mike Irg MCIP RPP, Manager of Planning & Development


 Wendy Thomson, Acting Chief Administrative Officer

DVE17002





SUBJECT PROPERTY



Development Variance Application

DATE: April 26, 2017

ACRD FILE NO.: DVE17003

APPLICANTS: Corbin Hetherington

LEGAL

DESCRIPTION: PARCEL A (DD 362519I) OF LOT 1, DISTRICT LOT 88, ALBERNI DISTRICT, PLAN 6563

LOCATION: 6036 Kirkpatrick Road

ELECTORAL AREA: "E" Beaver Creek

APPLICANT'S INTENTION: To reduce the required setback from a watercourse from 100 feet to 50 feet, and reduce the required side yard setback from 15 feet to 5 feet to allow for the construction of a proposed accessory building.

Recommendation:

THAT the Board of Directors consider issuing development variance permit DVE17003.

Development Variance DVE17003:

Development variance DVE17003 is to consider issuing a development variance of the following sections of the ACRD Zoning Bylaw No. 15:

- i. Section 6.2 (4)(a) to vary the natural watercourse setback from 100 feet to 50 feet; and
- ii. Section 6.5.2 (c)(ii) to vary the side yard setback from 15 feet to 5 feet.

in the Small Holdings (A1) District.

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.

DVE17003

Observations:

i. **Status of Property:** The 0.334 acre parcel (85 wide by 171 feet deep) has an existing house on the property. A tributary of Lugin Creek runs along the east lot line.

ii. **Services**

- a. **Sewage Disposal:** On-site sewage disposal.
- b. **Water Supply:** The property is located within the Beaver Creek Water Service Area.
- c. **Fire Protection:** Beaver Creek Volunteer Fire Department.
- d. **Access:** The property is accessed from Kirkpatrick Road.

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

- a. **Agricultural Land Reserve:** Not within the ALR.
- b. **Official Community Plan:** The Beaver Creek Official Community Plan designates this property “Residential Use”. Development Permit Area 1 – Riparian Areas Protection covers the portion of this property within 50 feet of the stream.

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

- c. **Zoning:** The property is zoned Small Holdings (A1) District

Small Holdings (A1) District requires:		
Minimum Lot Area:		2 acres
Minimum Lot Width:		165 feet
Lot Coverage:		-
Minimum Setbacks (single family dwelling)		
	Front:	25 feet
	Rear:	30 feet
	Side:	5 feet
Minimum Setbacks (accessory building)		
	Front:	25 feet
	Rear:	15 feet
	Side:	15 feet

The property owners are applying to reduce the watercourse setback as well as the side yard setback for an accessory building in order to facilitate the construction of a proposed accessory building.

Comments:

The property owner has applied for a variance to the required watercourse and side yard setbacks for an accessory building. If granted, the variance would reduce the set back from a watercourse from 100 feet to 50 feet and reduce the side yard setback from 15 feet to 5 feet. The required setbacks in the A1 District are appropriate for larger parcels that are 2 acres or more. This lot was created prior to the zoning bylaw.

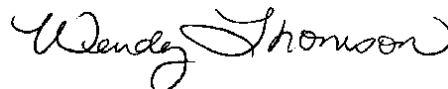
In an A1 district, the total combined floor area of all accessory buildings cannot exceed 5% of the lot area. For this lot, 5% is approximately 700 square feet. The applicant originally applied for a watercourse setback variance, staff has recommended that a side yard variance also be included to give a reasonable building envelope for the accessory building.

The proposed construction fits with the character of development on similar sized parcels in the immediate area. Planning staff recommends that the Board proceed with this variance application.



Submitted by:

Mike Irg MCIP RPP, Manager of Planning & Development



Reviewed by:

Wendy Thomson, Acting CAO



6038

6025

6015

6005

PLAN 14596

PLAN VIP72676

RD

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DD362519

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PLAN A

PLAN 5972

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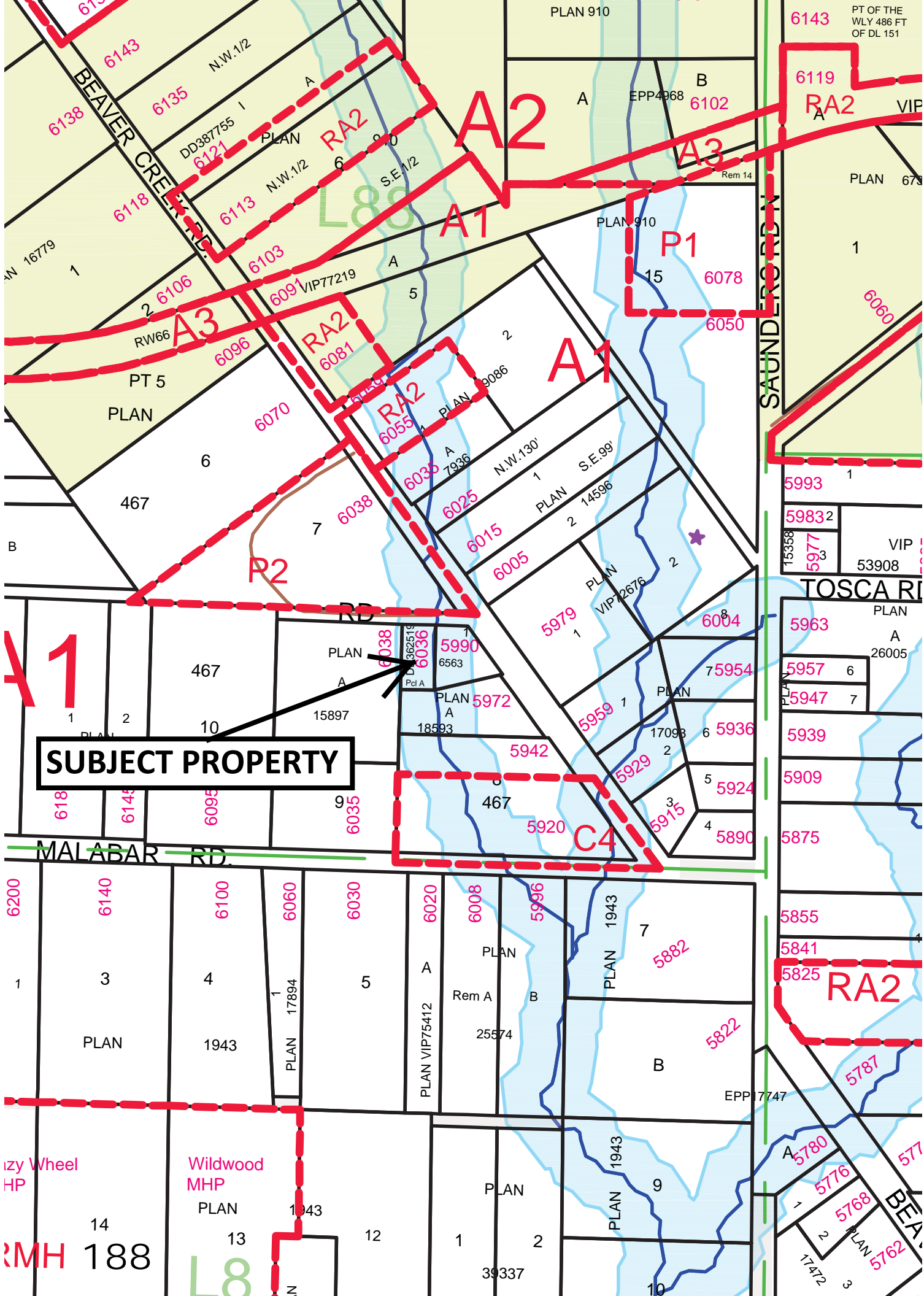
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PT OF THE WLY 486 FT OF DL 151

6143

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RA2

VIP

PLAN 673

1

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VIP

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TOSCA R

PLAN

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RA2

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A

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5768

5762

PLAN

1

2

3

17472

BEA

PLAN 910

A

EPP4968

B

6102

Rem 14

PLAN 910

15

6078

6050

PLAN 910

2

6025

PLAN 9086

1

6015

PLAN 14596

2

6005

PLAN

VIP 2676

2

6004

PLAN

7

5954

PLAN

6

5936

PLAN

2

5929

PLAN

3

5915

PLAN 1943

7

5882

PLAN

B

5822

PLAN 1943

9

5780

PLAN

1

39337

10

A2

A1

P1

A3

RA2

A1

P2

RD

C4

SUBJECT PROPERTY

MALABAR RD

Wily Wheel HP

Wildwood MHP

RMH 188

L8

BEA



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3 Telephone (250) 720-2700 Fax (250) 723-1327

Development Variance Application

DATE: April 13, 2017

ACRD FILE NO.: DVE17005

APPLICANTS: STRUC HOLDINGS LTD (Cody Chretien – agent)

LEGAL

DESCRIPTION: PARCEL G (BEING A CONSOLIDATION OF LOTS 32, 33, AND 34, SEE CA5135877), BLOCK 2, DISTRICT LOT 100, ALBERNI DISTRICT, PLAN 1488

LOCATION: Parcel G, Arvay Road

ELECTORAL AREA: "E" Beaver Creek

APPLICANT'S INTENTION: The applicant is applying to reduce the rear and side yard setback for an accessory building from 15 feet to 5 feet in order to build a 745 square foot detached shop.

Recommendation:

THAT the Board of Directors consider issuing development variance permit DVE17005.

Development Variance DVE17005:

- i. Development variance of Section 6.5.2(c)(ii) of the ACRD Zoning Bylaw to reduce the rear yard setback and the side yard setback on the north lot line in the Rural (A2) District from 15 feet to 5 feet to allow for the construction of an accessory building.

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 0.344 acre vacant parcel (120 feet wide by 125 feet deep) is mostly scrub brush and smaller deciduous trees. The property is level although the adjacent parcels to the north and east have been built up with 4 feet of fill material to raise their elevation. The north east corner is where the shop would be built. Parcel G is a

DVE17005

consolidation of three smaller lots, each lot originally being 40 feet wide. The property is located on the east side of Arvay Road, north of the intersection with Dayton Road. There has been recent new construction on this portion of Arvay Road with three new single family dwellings under construction since 2014 on neighbouring properties to the north and east.

ii. **Services**

- a. **Sewage Disposal:** On-site sewage disposal.
- b. **Water Supply:** Beaver Creek Water Service Area.
- c. **Fire Protection:** Beaver Creek Volunteer Fire Department.
- d. **Access:** Access to the property is from Arvay Road, which is constructed along the full frontage of the subject property. There is an unbuilt laneway access adjacent to the property along the east boundary that could connect with Dayton Road to the south.

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

- a. **Agricultural Land Reserve:** Not within the ALR.
- b. **Official Community Plan:** The Beaver Creek Official Community Plan designates this property "Residential Use". There are no Development Permit Areas that impact development on this property.

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

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

Rural (A2) District requires:

	Existing	Proposed
Minimum Lot Area:	5 acres	5 acres
Minimum Lot Width:	330 feet	330 feet
Lot Coverage:	-	-
Minimum Setbacks <i>(single family dwelling)</i>		
Front:	50 feet	25 feet*
Rear:	30 feet	30 feet
Side:	15 feet	15 feet
Minimum Setbacks <i>(accessory building)</i>		
Front:	50 feet	25 feet*
Rear:	15 feet	5 feet
Side:	15 feet	5 feet

* Development Variance DVE11004 issued on July 27, 2011 to reduce the required front yard setback from 50 feet to 25 feet.

DVE17005

The property owner is applying to reduce both the side yard setback on the north side of the property and the rear yard setback for an accessory building from 15 feet to 5 feet in order to facilitate the construction of a proposed shop/garage.


Comments:

The property owner intends to build a 745 square foot accessory building in the north east corner of the property and has applied to reduce the side yard setback on the north side and the rear yard setback from 15 feet to 5 feet. The applicant's original intent was to apply for a reduction to 3 feet from both the side and the rear but after discussions with the Building Inspector regarding fire separation requirements in the BC Building Code, the applicant has decided that a reduction to 5 feet would be more feasible.

The Board issued Development Variance DVE11004 on July 27, 2011 to reduce the required front yard setback from 50 feet to 25 feet for any building on this property. The applicant submitted a site plan with the application that demonstrates a proposed single family dwelling location that complies with the existing required setbacks. The variance would only reduce the setbacks to allow for the construction of the detached shop. The 5 foot side and rear yard setback for an accessory building would be appropriate for a property of this size. The total combined floor area of all accessory buildings is restricted to 5% of the lot area which in this case would limit the floor area of the shop to a maximum of 750 square feet.

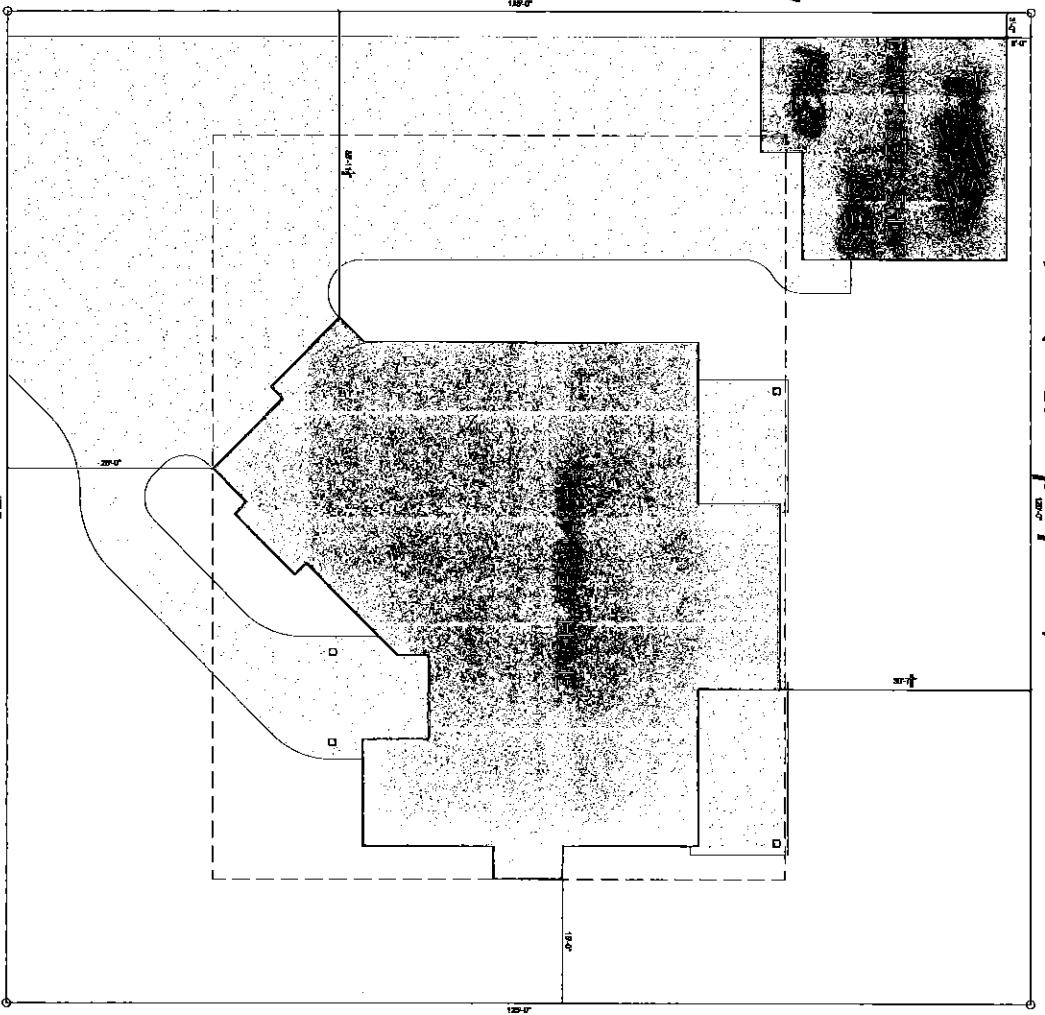
A similar variance to reduce the side yard setback from 15 feet to 5 feet for an accessory building was issued by the Board in June 2016 for a similar sized property further to the north on Arvay Road. The proposed construction fits with the character of development in the area and would provide the applicant with a suitable building envelope for the proposed house and detached shop. Planning staff recommends that the Board proceed with the neighbour notification process for this variance application.

Submitted by: 
 Alex Dyer, Planner

Reviewed by: 
 Mike Irg MCIP RPP, Manager of Planning & Development


 Wendy Thomson, Acting Chief Administrative Officer

DVE17005



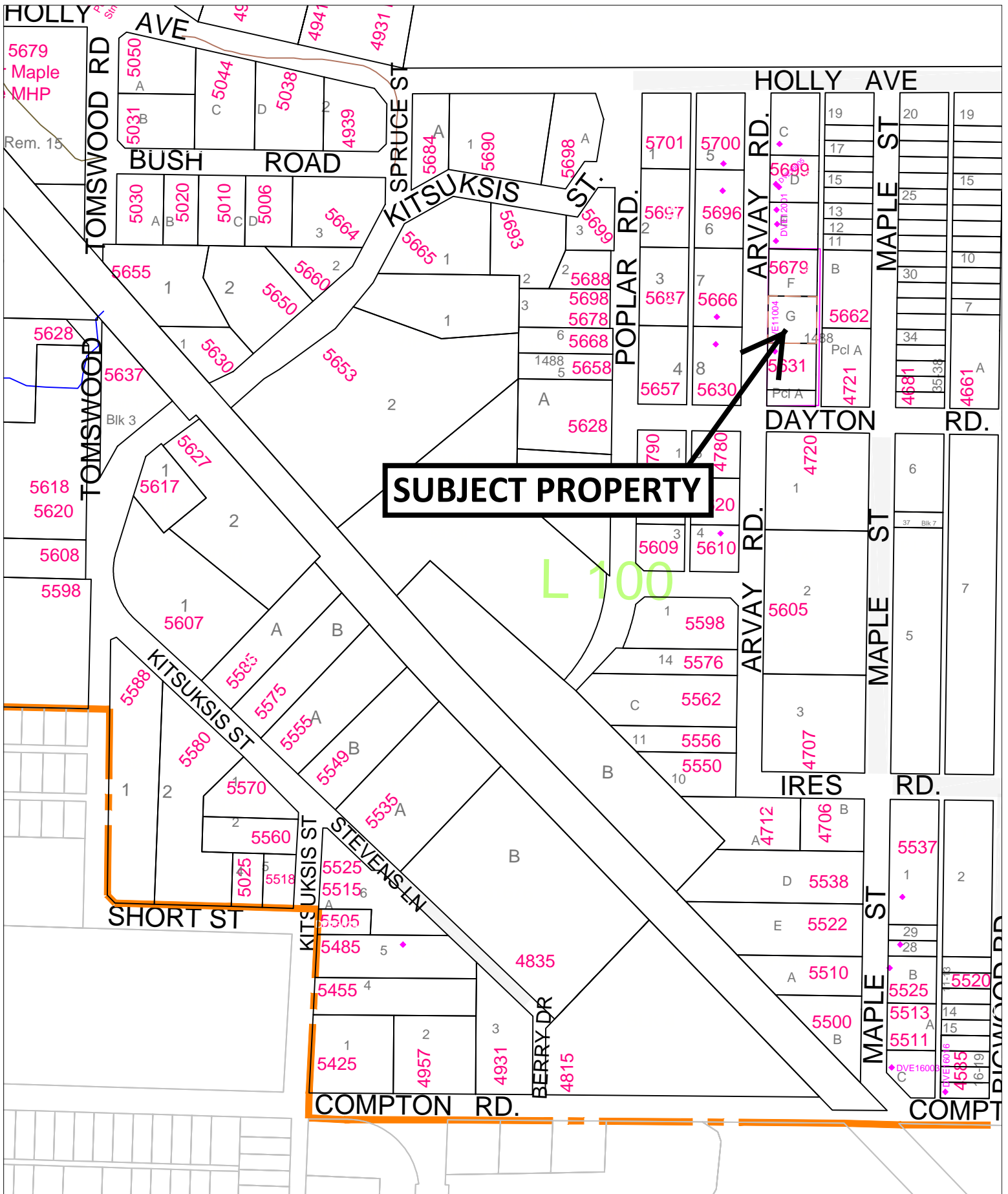
3'0"
From Left
Side property
line

3'0" From rear property line

CONFIRMED PRIOR TO CONSTRUCTION
 ARE TO BE REVIEWED AND TO HAVE SPECIFICATIONS/BUILDING ASSEMBLIES DETERMINED BY ALL NECESSARY BUILDING PROFESSIONALS WHICH MAY INCLUDE, BUT NOT LIMITED TO, MUNICIPAL BUILDING INSPECTOR, STRUCTURAL ENGINEER, ROOF TRUSS MANUFACTURER, LAND SURVEYOR, BUILDING CONTRACTOR AND ANY OTHER NECESSARY E







SUBJECT PROPERTY

L 100



TEMPORARY USE PERMIT APPLICATION

TO: Wendy Thomson, Acting Chief Administrative Officer; and
Regional Board of Directors

DATE: August 26, 2017

FROM: Mike Irg, Manager of Planning and Development

TEMPORARY USE PERMIT

APPLICATION #: TUP17010

APPLICANTS: Heather Powell

LEGAL

DESCRIPTION: LOTS 21 &22, DISTRICT LOT 18, ALBERNI DISTRICT, PLAN 906

LOCATION: 3133 Alberni Highway

ELECTORAL AREA: "F" Cherry Creek

Applicant's Intention: To establish a campground with 22 RV sites on the non-ALR portion of the properties adjacent to the Alberni Highway.

Recommendation:

That the Regional Board consider issuing Temporary Use Permit TUP17010 subject to approval from the Ministry of Transportation and Infrastructure as required under Section 505 of the *Local Government Act* and Section 52 of the *Transportation Act*.

Procedure:

Prior to the issuance of a Temporary Use Permit, the Board must first pass a resolution to consider issuing the permit. Staff then notifies neighbouring property owners and tenants, and publishes a notice in the newspaper to afford the public an opportunity to make written or verbal submissions to the Board. At the subsequent meeting, the Board issues or denies the Temporary Use Permit.

Observations:

- 1. Property Description:** This property is approximately 4 hectares (10 acres), and is a golf course. The golf course would continue. The proposed campground is on the non-ALR portion of the property.

TUP17010

2. Services:

- (a) **Sewage Disposal:** On-site septic
- (b) **Water Supply:** Within the Cherry Creek Improvement District.
- (c) **Fire Protection:** Cherry Creek Fire Department
- (d) **Access:** Highway 4 and Old Nanaimo Highway.

3. Existing Planning Documents Affecting the Site:

- A. **Agricultural Land Reserve:** Partially within ALR. The application is for the non-ALR portion of the property.
- B. **Official Community Plan:** Within the Cherry Creek Official Community Plan area. The property is designated "Recreational Use".

Policy 3.2.12 "Consider issuing temporary use permits in appropriate areas in all land use designations, in accordance with section 921 (now Section 463) of the LGA."

This property is within a Development Permit Area under Section 16.6 DPA III – Form and Character. A development permit is only required for this property if there is commercial building or exterior building alterations. From the plans submitted, it does not appear a development permit would be required.

- C. **Zoning:** The property is zoned a combination of Rural (A2) District, Small Holdings (A1) District and Recreation Commercial (C7) District. Campground are not a permitted use.

Controlled Access Highway approval: Approval from the Ministry of Transportation and Infrastructure will be required under Section 505 of the *Local Government Act* and Section 52 of the *Transportation Act* as the property lies within 800 metres of a controlled access highway.

Under Section 463 of the *Local Government Act*, the Regional District may issue a Temporary Use Permit, by resolution, in areas designated in an Official Community Plan. A Temporary Use Permit may do one or more of the following:

- i. Allow a use not permitted under the Zoning Bylaw;
- ii. Specify conditions under which the temporary use may be carried;
- iii. Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

Where a temporary use permit is designated in an OCP, the Regional District must give notice to the public in accordance with the requirements of the *Act*, which includes notifying the neighbouring property owners and tenants, and publishing a notice in the newspaper.

The Temporary Use Permit is valid for up to 3 years and may be renewed by the

TUP17010

Regional District once. After this time has expired, the property owner must apply to rezone the property to allow for the continued use or discontinue the specified use.

A. Temporary Use Permit:

The Temporary Commercial Use Permit for LOTS 21 &22, DISTRICT LOT 18, ALBERNI DISTRICT, PLAN 906 would be subject to the following conditions:

1. This permit is only applicable to the portion of LOTS 21 &22, DISTRICT LOT 18, ALBERNI DISTRICT, PLAN 906 not in the Agricultural Land Reserve.
2. This permit is issued for a seasonal commercial campground for a maximum of 22 camping sites.
3. Conditions required by the Ministry of Transportation and Infrastructure.
4. This permit is valid until May XXX 2020.
5. At the time this permit expires, the property owner may apply to the Regional District to have it re-issued for a period of up to three (3) years or return the property to the original use permitted under the current Zoning.

Comments:

The applicant recently purchased lots 21, 22, 23, and 24. The majority of the property is in the ALR with 7,833 square meters (1.9 acres) fronting Highway 4 not in the ALR. This application is for a temporary commercial use permit for a 22 sites campground / RV park.

The campground layout is attached and will utilise the existing septic field and building.

If no on-site sewage connections are provided to the RV sites, campers would bring RVs to a sani station or have the tanks pumped. Staff confirmed with the Health Inspector that this is permitted and not considered pump and haul. There will be an on-site washroom and an existing sani stations located in close proximity.

The Ministry of Transportation and Infrastructure must approve the temporary use permit under Section 505 of the *Local Government Act* and Section 52 of the *Transportation Act*. The ACRD cannot issue the permit until this approval is granted.

The temporary use permit would limit the number of campsites to 22. This would be an interim use of a portion of the property that the applicant intends to operate starting this summer and meets a local need for additional RV campgrounds in the area.

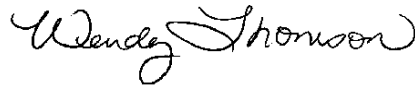
The property has good access from Highway 4 and the Old Nanaimo Highway and the proposed RV campsite would utilise the existing access.

TUP17010



Prepared by:

Mike Irg MCIP, Manager of Planning and Development



Reviewed by:

Wendy Thomson, Acting Chief Administrative Officer

TUP17010

Temporary Commercial Use Permit to locate an RV Park on the front portions of lots 21 and 22 DL 18 Alberni District Plan 906 PID 008289794 PID 008289760

Plan: To build 22 RV sites along the highway corridor of the Alberni Highway.

Use existing building on the East portion of the property for a washroom as per campground regulations, BC plumbing regulations and building regulations.

Use existing septic as per septic regulations and letter from Glen Pady Waste Water practitioner.

Cherry Creek water supply to continue to supply the existing use and the RV park.

Locate a Campground Host site beside the washroom facilities to be used as a check-in / campground office.

Buffering / landscaping along the bank of the Alberni Highway to include existing holly trees dispersed with cedar trees and fencing.

One way traffic to flow off the Alberni highway onto the property and out through the existing driveway to the west onto the Old Alberni Hwy.

Property Maps included in this application

Site plan included in this application

RV site layout provided

This project promotes recreation and tourism in the local area. This project does promote positive social economic growth. Currently there is no recreational vehicle park in the area. The existing access on and off the highway is excellent for this proposal. This project is complementary to the existing recreational use on the property. As this is a temporary commercial use permit there will be no additional buildings built. All infrastructure will be underground and could easily be removed or the use discontinued if in the future the full permanent proposal is not approved.

Below are the OCP objectives and Policies that support the above project.

Objective 7.1.1 Facilitate the establishment and operation of small-scale commercial development that is compatible with Cherry Creek's predominantly rural character.

Objective 7.1.2 Concentrate highway and tourist (non-local) commercial uses in the vicinity of the junction of the Alberni and Port Alberni Highways.

Objective 7.1.3 Encourage tourism and other economic development

Policy 7.2.1 Permit principal uses on lands designated Commercial to include local commercial, service commercial, highway commercial, tourist commercial, recreation commercial, and campground commercial, as specified by the zoning bylaw

Policy 7.2.4 Support the expansion and location of highway and tourist commercial uses in the vicinity of the junction of the Alberni and Port Alberni Highways.

Policy 7.2.6 Work with the Economic Development Office to promote economic development, tourism and recreational opportunities.

Please contact me with any questions or concerns regarding this application.

Thank you,

A handwritten signature in black ink, appearing to read "Heather Powell". The signature is written in a cursive, flowing style.

Heather Powell

1-250-607-7054

Heather.riverbend@shaw.ca

Existing Building / Existing Use
 CLUB HOUSE FOR GOLF COURSE
 OFFICE FOR GOLF COURSE
 LIVING ACCOMMODATIONS
 BATHROOM FACILITIES
 COMMERCIAL KITCHEN
 PRO SHOP

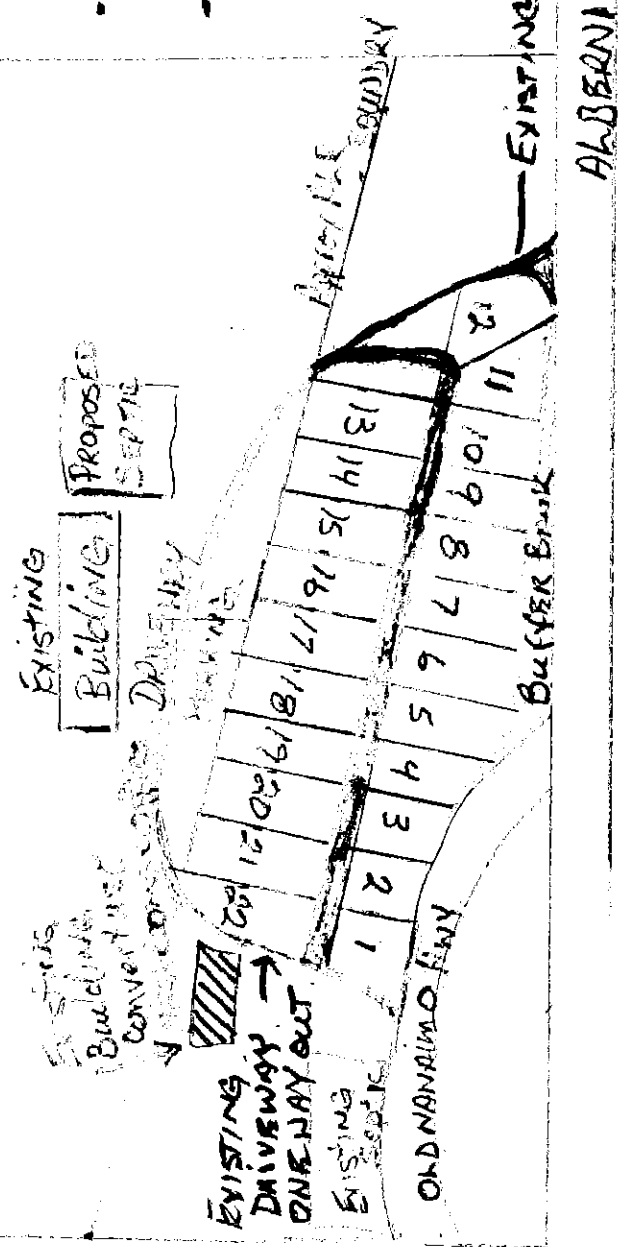
Proposed Use

- NO CHANGE TO THE HOME.
- NO ADDITIONAL BUILDINGS
- USE EXISTING SEPTIC FOR NEW RV PARK
- BUILD NEW SEPTIC FOR EXISTING OFFICE + HOME IN PROPOSED LOCATION
- UNDER GROUND SERVICES ON NON ALR LAND

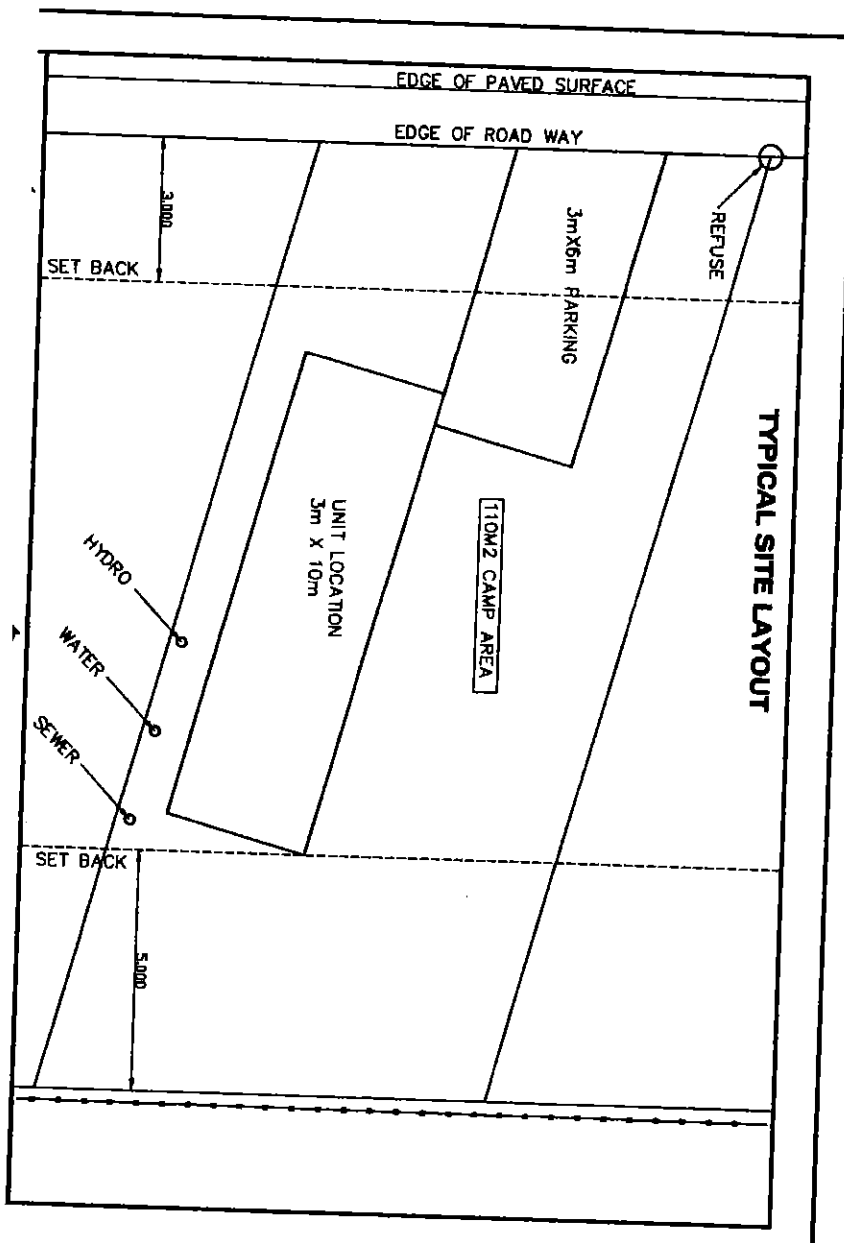
ALR

C7 ZONE

3133 ALBERNI HWY

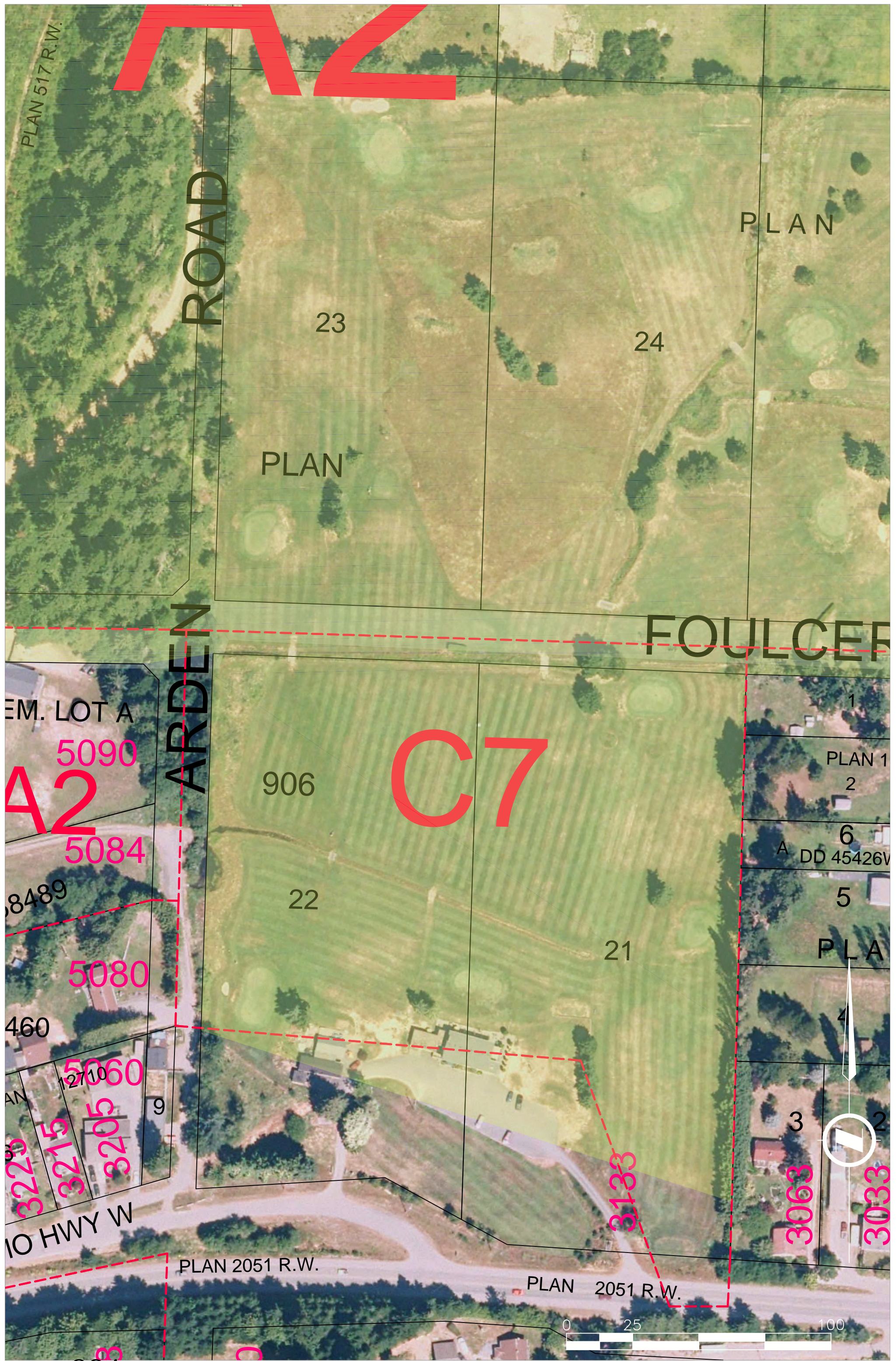


EXISTING DRIVEWAY ONEWAY IN ALBERNI HWY



110W2 CAMP AREA

JOB NUMBER 110W2



A2

C7

ROAD

AR DEN

FOULCER

23

24

PLAN

PLAN

906

22

21

EM. LOT A

5090

5084

5080

5060

3215

3205

10 HWY W

PLAN 2051 R.W.

PLAN 2051 R.W.

PLAN 1

2

6

A DD 45426V

5

PLA

4

3

2

1

460

AN

12710

9

3220

3215

3205

10 HWY W

PLAN 2051 R.W.

PLAN 2051 R.W.



204

ARDEN

FOULC

A
0
4
30
0
9
D



A

22

21

3

59.88m

31.60m

7833.32m²

1.99 acres

39.29m

3133

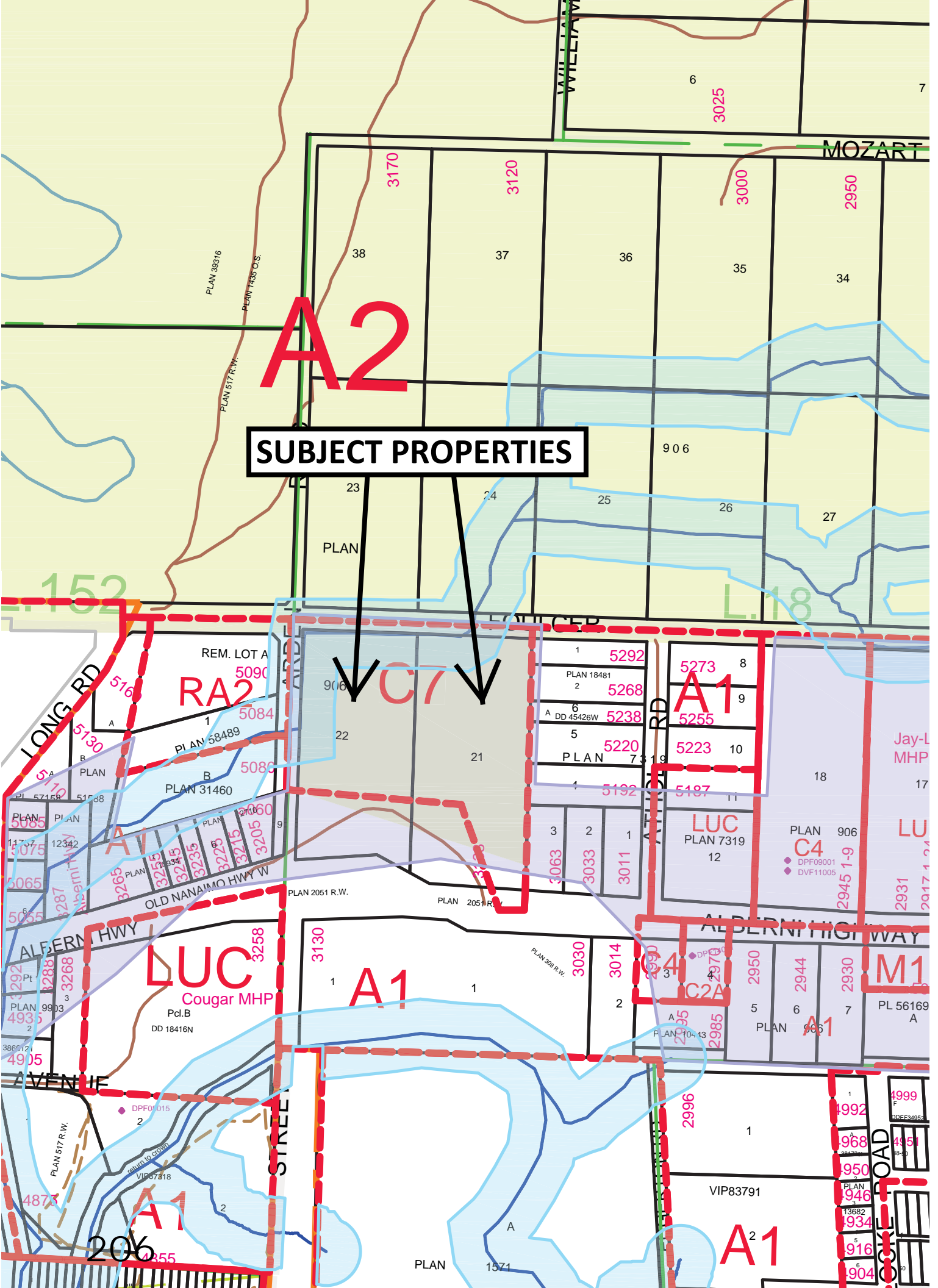
3063

21.79m

3130

1





A2

SUBJECT PROPERTIES

RA2

C7

A1

LUC
Cougar MHP

A1

C4
C2A

M1

206

A2

999
992
968
950
946
934
916
904

Alberni-Clayoquot Regional District
Staff Action Items to the Board of Directors as of April 20, 2017

#	Date	Action Item	Service Area	Priority/ Resources Y/N	Assigned	Target Date	Status/Recommendation
ADMINISTRATION							
1.	July 10/15	Develop: Long term plan for reconciliation	All	Y/N	Reconciliation Comm.	April 2017	Chair to develop a strategy with the Board/ ACRD applied for funding to host C2C Forum
2.	May 27/15	Assessment: Tseshaht First Nation water system expansion to Bell & Stuart roads	D	Y/Y	Andrew	April 2017	Request for update sent from CAO
3.	Sept. 16/15	Continue: Meeting with Tseshaht First Nation to discuss tenure at the AV Landfill	Alberni Valley	Y/Y	Andrew/ Heather	Ongoing	Letter from ACRD requesting support sent from AV/Bamf. Chair
4.	Mar. 22/16	Request: City of Port Alberni contribute matching funds as electoral area Gas Tax Allocation for AV Regional Airport improvements	Alberni Valley	Y/Y	Andrew/ Wendy/ Shelli	April 2017	Letter sent to City/ EA Chair to request meeting with Council – Refer to EA Directors Committee. No response yet.
5.	Jan. 25/17	Letter: to Toquaht Nation & Yuułuꞵitꞵatꞵ Government inviting to participate in the West Coast Multi-Plex service	West Coast	Y/Y	Wendy	May 2017	Toquaht committed, Staff meeting with YG executive in May, then amending bylaw for consideration by ACRD Board
6.	Feb. 8/17	Work: with BC Transit on a feasibility study for a transit service between Tofino and Ucluelet	West Coast	N/N	Wendy	May	Working with BC Transit on a RFP to retain a consultant to undertake a market/demand analysis in 2017
7.	Feb. 8/17	Provide: support to the first responder transportation issues in Bamfield	A	Y/N	Wendy/ Dan	April	Ongoing – meetings continue to explore the options provided on training First Responders.

Alberni-Clayoquot Regional District
Staff Action Items to the Board of Directors as of April 20, 2017

#	Date	Action Item	Service Area	Priority/ Resources Y/N	Assigned	Target Date	Status/Recommendation
8.	Feb. 22/17	Invite: Island Timberlands to meet with the ACRD Board of Directors to share their draft recreation policy	AV	N/Y		April	Invitation received by IT and acknowledged – arranging for May 24 th or June 14 th .
9.	Mar. 8/17	Investigate: Government grants for the purchase of audio equipment for the boardroom audio	All	Y/Y	Janice	April	Investigating
10.	Mar. 8/17	Draft: Letter to the BC Ambulance Service concerning the lack of emergency transportation services in Bamfield and request they post a crew in Bamfield as soon as possible to address this gap in service	“A” (Bamfield)		Wendy	April	Letter sent/Remove
11.	Mar. 22/17	Submit: Application to UBCM/First Nations Summit Regional Community to Community Forum in order to host “A Path Forward” Planning Session in the Alberni-Clayoquot Region in 2017	All	Y/Y	Shelli	April	Application submitted
12.	April 12/17	Letter: write a support letter to FCM’s request for legal defense funding and request information on what the donation supports.	All	N/Y	Janice	April	Letter sent/Remove
13.	April 12/17	Prepare for signatures: Automated External Defibrillator (AED) Supply agreement with the Heart and Stroke Foundation of Canada to place an AED in the ACRD office.	All	N/Y	Janice	April	In Progress
14.	April 12/17	Draft: Letter of appreciation to BC Heart and Stroke Foundation for it’s donation of the AED	All	N/Y	Janice	April	In progress
15.	April 12/17	Arrange: Presentation from the Western Canada Marine Response	All		Janice		Arranged for May 16 th at 1:00 pm at ACRD Board Room

Alberni-Clayoquot Regional District
Staff Action Items to the Board of Directors as of April 20, 2017

#	Date	Action Item	Service Area	Priority/ Resources Y/N	Assigned	Target Date	Status/Recommendation
		Corporation about the Marine Spill Response Base proposal for Port Alberni and Ucluelet.					
FINANCE							
16.	Sept. 21/16	Meeting: with Long Beach Golf Club regarding lease & outstanding water fees	West Coast	Y/Y	Teri/ Wendy/ Andrew	March 2017	Meeting to be arranged between WC Comm. & LBGC Possibly 1 st week of May
17.	Nov. 9/16	Meeting: with RHD Chair & IH reps regarding end of life program in region	All	Y/Y	Teri/ Shelli	April 2017	April 26 @ 9:00 am
18.	April 12/17	Issue: FCM a payment in the amount of \$750.12 in support of their legal defense fund.	All		Teri		Done/Remove
ENVIRONMENTAL SERVICES							
19.	Sept. 9/16	Refer to staff: District of Tofino correspondence re: working with Eco West on green infrastructure - Review & report back to WC Comm. & Board	West Coast	N/N	Andrew	March 2017	Included as option in WC Waste Management
20.	April 13/16	Work: with Huu-ay-aht First Nation/Bamfield Marine Science Centre to develop a plan to combine waste services for the Bamfield Area & arrange a Community Meeting within next 6 months	A	Y/Y	Andrew	Dec 2017	In Progress - Follow-up meeting with working group in March 29 th to share data Follow up meeting in May
21.	May 11/16	Invite: Island Health, Island Timberlands, Huu-ay-aht First Nation, Min. FLNRO to meet & discuss watershed management in the interests of water quality	A	Y/N	Andrew/ Heather	March 2017	In Progress

Alberni-Clayoquot Regional District
Staff Action Items to the Board of Directors as of April 20, 2017

#	Date	Action Item	Service Area	Priority/ Resources Y/N	Assigned	Target Date	Status/Recommendation
22.	Sept. 21/16	Prepare: Amending Bylaw & RFD to the Board to proceed with RFP's to lease a 2-acre section of land at Long Beach Airport, corner of Lysander & Airport Road	West Coast	Y/Y	Andrew/ Janice		Awaiting zoning bylaw
23.	Sept. 21/16	Proceed: Steller Managements' letter of intent for the development plan for Lots C & D at Long Beach Airport	West Coast	Y/Y	Andrew		Will advertise when zoning addressed
24.	Mar. 22/17	Prepare Aircraft Operating Procedures for AVRA.			Mark/Kathy		In progress
25.	Mar. 22/17	Investigate funding opportunities for the ACRD through the Rural Dividend Fund.			Kathy	April 2017	
26.	April 5/17	Arrange a public engagement session in Ucluelet and Tofino regarding the proposed cardboard disposal ban on the West Coast starting on July 1, 2017	West Coast	Y/Y	Andrew/ Kathy	May 2017	May 18 th for Long Beach or other dates suggested by West Coast Committee
27.	April 12/17	Amend: Sproat Lake Lakebed Licence agreement with TimberWest Forestry Company and prepare for signatures			Andrew/Kathy		Completed/Remove
28.	April 12/17	Investigate: acquiring the Sproat Lake Lakebed foreshore lease area.			Heather/Andrew		In progress
29.	April 12/17	Prepare for signatures: Special Operations Facilitation Agreement (SOFA) between Nav Canada Nanaimo FSS, the Tofino-Long Beach Airport, and Point Break Skydiving to allow Point Break Skydiving to operate at the LBA.	West Coast		Mark/Kathy		In progress of getting agreement signed

Alberni-Clayoquot Regional District
Staff Action Items to the Board of Directors as of April 20, 2017

#	Date	Action Item	Service Area	Priority/ Resources Y/N	Assigned	Target Date	Status/Recommendation
30.	April 12/17	Prepare for signatures: one year lease agreement with an additional one year renewal option with Devon Transportation Ltd. for kiosk #6 at the LBA terminal building.	West Coast		Kathy		In progress of getting agreement signed
31.	April 12/17	Prepare for signatures: a five year lease agreement with Orca Air for kiosk #9 at the LBAirport terminal building.	West Coast		Kathy		In progress of getting agreement signed
32.	April 12/17	Apply: for a grant up to \$15,000 to create an Alberni Valley Air Shed Management Plan through the Vancouver Foundation and assign the Alberni Air Quality Society as the "Intermediary Organization" to complete plan.	AV		Andrew/ Sarah Thomas		In progress
PLANNING							
33.	May 13/10	Proceed: Subdivision process on the Long Beach Airport lands for the WC Multiplex Society and Long Beach Golf Course following Airport rezoning	West Coast	Y/Y	Mike	March 2017	Options to West Coast Committee in May
34.	Nov. 14/12	Staff direction: Review and make recommendations on the Bamfield Community Hall Society's request to approve & support their proposal to build a new hall	A		Mike		In progress – Waiting for direction from the Hall Committee
35.	May 27/15	Re-designate: major/minor streams within all electoral area official community plan areas	Electoral Areas	Y/Y	Mike	April 2017	Part of OCP amendments

Alberni-Clayoquot Regional District
Staff Action Items to the Board of Directors as of April 20, 2017

#	Date	Action Item	Service Area	Priority/ Resources Y/N	Assigned	Target Date	Status/Recommendation
36.	May 27/15	Proceed: 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 as outlined in staff report dated Nov. 20/14 2014	C	Y/Y	Mike/ Luc	Spring 2017	
37.	Oct. 5/16	EA Committee directed staff: Conduct public input sessions to garner community input into options for dealing with short term vacation rentals	Electoral Areas	Y/Y	Mike		Spring 2017
38.	Oct. 12/16	Meeting: Invite wireless communication providers in the region to provide an update on plans in the region	All	Y/Y	Alex	March 2017	Invitation sent – following up on invite
39.	Nov. 9/16	Sign: Climate Action Charter & include cost implications in 2017 Budget	All	Y/N	Mike	April 2017	Signed – Staff report prepared for April
40.	Jan. 25/17	Investigate a bylaw for impounding and licensing of animals in the rural areas and report back to the Board	Rural Areas	Y/Y	Mike	May 2017	To EA Directors
41.	Feb. 22/17	Enter: into discussions with owner of DL 130 & DL 60, Lot 2 VIP64541 to provide a road access agreement to the property in exchange for a height restriction covenant to be placed on the two sections of land within the OLS of the AVRA	AV	Y/Y	Mike	April 2017	In progress
42.	Mar. 8/17	Refer: Report on consideration of an animal control service for	Electoral Areas		Mike		Next EA Directors meeting – May 17 th

Alberni-Clayoquot Regional District
Staff Action Items to the Board of Directors as of April 20, 2017

#	Date	Action Item	Service Area	Priority/ Resources Y/N	Assigned	Target Date	Status/Recommendation
		livestock at large to the EA Directors Committee for discussion					
43.	April 12/17	Investigate: funding to conduct a flood assessment review for the Somass River Watershed through the National Disaster Mitigation Program and report back to the Board			Dan H.	May 2017	
44.	April 12/17	Engage: McElhanney Engineering to undertake preliminary design and costing for the south side of the Traverse Trail proposed extension for a cost of \$6,420.00			Mike		Done/Remove
45.	April 12/17	Award: Nexcar Sales Ltd. the ACRD vehicle maintenance contract for 12 months commencing May 1, 2017.			Jason		Done/Remove
46.	April 12/17	Award: Eden Tree Farm and Gardening the contract to provide agricultural support services until December 31, 2017			Mike/Alex		Done/Remove
47.	April 12/17	Letter: Support letter to endorse the Alberni Farmers' Institute's request to include the ACRD as a designated region for Class D and E slaughter licensing under the Meat Inspection Regulation of the Food Safety Act			Mike		Done/Remove

Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek), "F" (Cherry Creek)



Alberni-Clayoquot Regional District
Board of Directors Meeting Schedule
MAY 2017

DATE	MEETING	TIME & LOCATION	ATTENDEES
Thursday, May 4 th	Salmon Beach Committee	2:30 pm – Regional District Board Room	Committee, Director Bennett, Staff
Wednesday, May 10 th	Board of Directors Meeting	1:30 pm - Regional District Board Room	Directors, Staff
	Hospital District Meeting	Immediately Following Above	Directors, Staff
Tuesday, May 16 th	Meeting with Marine Spill Response Corp.	1:00 pm – Regional District Board Room	Directors, Port Alberni City Council
Wednesday, May 17 th	Alberni Valley & Bamfield Services Committee	1:30 pm - Regional District Board Room	Committee, Staff
Tuesday, May 23 rd	Electoral Area Directors Meeting	2:00 pm – Regional District Board Room	Committee, Staff
Wednesday, May 24 th	In-Camera Meeting with Ministry of Aboriginal Relations & Reconciliation (Lunch Provided)	11:00 am – Regional District Board Room	Directors, Staff
	Board of Directors Meeting	1:30 pm – Regional District Board Room	Directors, Staff
Thursday, May 25 th	Alberni Valley Emergency Planning Policy Group	3:00 pm – Regional District Board Room	Committee, Staff
Wednesday, May 31 st	West Coast Committee Meeting	10:00 am – Du Quah Conference Room, Toquaht Nation Administration Office, 1971 Peninsula Road, Ucluelet, BC	Committee, Staff



**SUMMARY OF REVENUE AND EXPENDITURES
FOR PERIOD ENDING MARCH 31, 2017**

(PAGE 1)

	2017 YEAR TO DATE ACTUAL	2017 ANNUAL BUDGET	PERCENTAGE OF BUDGET
REVENUE			
Tax requisition	\$ -	\$ 4,843,721	0.00%
Parcel taxes	-	849,047	0.00%
Grants in lieu of taxes	-	30,500	0.00%
Services provided to other governments	13,507	62,584	21.58%
Sale of services	734,942	3,592,640	20.46%
Other revenue	27,315	565,600	4.83%
Grants from other sources	146,384	1,997,117	7.33%
Surplus (deficit) from prior years	1,932,234	1,936,046	99.80%
Committed surplus from prior year	2,404,402	2,404,402	100.00%
Transfers between services	-	1,475,645	0.00%
SUBTOTAL	5,258,784	17,757,302	29.61%
 <i>Transfers from Municipalities for</i>			
Municipal Finance Authority	\$ -	\$ 715,000	0.00%
TOTAL REVENUE	\$ 5,258,784	\$ 18,472,302	28.47%

EXPENDITURES	2017 YEAR TO DATE ACTUAL	2017 ANNUAL BUDGET	PERCENTAGE OF BUDGET
All Members			
E911 Telephone System	777	307,000	0.25%
General Government Services	392,537	1,355,750	28.95%
Alberni-Clayoquot Health Network	32,300	149,500	21.61%
Regional Parks	4,431	42,000	10.55%
Regional Planning	32,134	188,500	17.05%
Electoral Area's			
Building Inspection	50,378	283,500	17.77%
Electoral Area Administration	25,267	1,633,812	1.55%
Mgmt of Development - Rural Areas	50,299	372,000	13.52%
Vancouver Island Regional Library	115,506	465,500	24.81%
Alberni Valley			
Alberni Valley Emergency Planning	7,865	181,000	4.35%
Alberni Valley & Bamfield Waste Mgmt	325,988	2,565,000	12.71%
Alberni Valley Regional Airport	138,028	1,310,565	10.53%
Alberni Valley Regional Water - Proposed	332	21,000	1.58%
Custom Transit	39,640	547,000	7.25%
Sproat Lake Marine Patrol	1,459	33,000	4.42%
West Coast			
Long Beach Airport	55,400	866,106	6.40%
West Coast Emerg. Coordination - Proposed	-	9,000	0.00%
West Coast Emergency Planning	6,487	27,000	24.03%
West Coast Multiplex	5,000	107,563	4.65%
West Coast Waste Mgmt	184,136	1,015,000	18.14%
City of Port Alberni			
Port Alberni Arena	-	199,000	0.00%
Bamfield			
Bamfield Community Park	209	13,500	1.55%
Bamfield Volunteer Fire Dept	22,824	164,000	13.92%
Bamfield Water System	15,496	1,294,631	1.20%
Beaufort			
Mountain Ranch Rd Fire Protection	-	3,152	0.00%
Long Beach			
Millstream Water System	3,486	140,718	2.48%
Salmon Beach Garbage	2,863	23,080	12.40%
Salmon Beach Power Distribution	-	99,400	0.00%
Salmon Beach Recreation	894	57,300	1.56%
Salmon Beach Security	2,369	29,850	7.94%
Salmon Beach Sewage	7,503	69,650	10.77%
Salmon Beach Transportation	11,257	168,000	6.70%
Salmon Beach Water	3,790	69,550	5.45%
South Long Beach Bike Path	158	7,200	2.19%
South Long Beach Community Park	-	7,500	0.00%
South Long Beach Fire Protection	7	14,000	0.05%
South Long Beach Street Lighting	132	920	14.35%
Sproat Lake			
Sproat Lake Animal Control	124	3,100	4.00%
Sproat Lake Arena	-	28,054	0.00%
Sproat Lake Community Park	2,503	199,000	1.26%
Sproat Lake Noise Control	371	7,100	5.23%
Sproat Lake Volunteer Fire Department	66,919	393,150	17.02%
Beaver Creek			
Arvay Rd Street Lighting	220	1,500	14.67%
Beaver Creek Animal Control	524	3,000	17.47%
Beaver Creek Community Park	-	20,000	0.00%
Beaver Creek Arena	-	21,065	0.00%
Beaver Creek Noise Control	124	2,100	5.90%
Beaver Creek Volunteer Fire Department	41,903	277,500	15.10%
Beaver Creek Water System	73,217	1,246,966	5.87%
Granville Rd Fire Protection	-	1,832	0.00%
Cherry Creek			
Cherry Creek Animal Control	124	4,012	3.09%
Cherry Creek Arena	-	17,514	0.00%
Cherry Creek Noise Control	124	2,100	5.90%
Cherry Creek Community Park	6,980	138,500	5.04%
Grants-in-Aid			
Total Grants in Aid	2,500	387,110	0.65%
	1,734,585	16,594,850	10.45%
Transfers to Municipal Finance Authority on behalf of the Municipalities	-	715,000	0.00%
	\$ 1,734,585	\$ 17,309,850	10.02%

Air Quality Council Meeting: March 16th, 2017

Notes from the meeting held on Thursday March 16th, 2017 at 2:00 pm in the ACRD Board Room, 3008 Fifth Avenue, Port Alberni, BC

Present:	Chris Alemany (City of Port Alberni) Dave Jarrett (Community at large) Earle Plain (MOE) Sarah Thomas (Chair) Andrew McGifford (ACRD Environmental Services) Gary Swann (Community member) Stephanie Bruvall (Island Health) Kelly Gilday (Fire Department) Larry Cross (Catalyst Paper) Keith Wyton (ACRD) Keith Hunter (Tseshahat)
Regrets:	Cynthia Dick (Tseshahat First Nation) Ashley Popovich (Catalyst Paper) Patty Edwards (MLA's Office) Judy Carlson (Community at large) Pat Deakin (City of Port Alberni)

Introductions & Check in

It was moved and seconded that the agenda be approved.

The minutes from January 19th meeting of the Air Quality Council were accepted as distributed. Moved and seconded. Carried.

1. Updates

OBSCR open for comment	The provincial Open Burning Smoke Control Regulation is still open for comment. The link is below.
AQ Trends to the end of 2016	Earle presented updated PM2.5 data for 2016. Attached to the bottom of the meeting minutes.
Wood Stove Research Project	Door to door component complete. Went to 800 homes. Have about 400+ completed surveys. These will be analysed by Vancouver Island University over the next few weeks. Thanks to all of the volunteers who participated in the door campaign and helped make this possible.

Wood Stove Exchange 2017	The program launched on January 31, 2017. To date, 10 vouchers have been distributed out of 44 possible this year. 4 of those stoves have already been replaced.
ACRD open burning flyer	An ACRD open burning educational flyer is in process. Please send any ideas or comments to Andrew McGifford by March 24.
Website	<p>We are looking to update the AQ Web directory. Site statistics show that the page “sources of air pollution” is the second most frequented page on the ACRD website. Feb 1 – March 12 saw 1429 page views.</p> <p>The site is here: http://www.acrd.bc.ca/air-quality-council-web-directory</p> <p>If you have ideas or pieces you would like to see added please let Sarah know by the end of March.</p>

2. PM Sensors & Monitoring Technology

Discussion of Pros and Cons of different PM sensor technology	<p>Regulatory PM monitors routinely calibrated against standards to confirm accuracy and monitor performance. Hard to know where emissions are coming from without continuous ambient data and meteorological conditions. Flood of inexpensive sensors on market</p> <ul style="list-style-type: none"> • Hourly values generally follow regulatory monitor patterns (e.g. lows and highs) but data not accurate (can be 3x higher than regulatory) • Cannot calibrate once deployed; no way to maintain sensors; life-span ~1.5 years (e.g. Purple Air) • Limitations in a regulatory setting (no way to know if values are correct) • Conducive to community, citizen science • Some sensor data reported as USAQ index values - not compatible with BC standards; also applied inappropriately to all time averaging scales <p>Cheap sensors will generate numbers; just unknown how good the numbers are. BC currently evaluating Purple Air sensors in different areas of the province (different source mixes and meteorological conditions)</p>
Small Sensor Technology web links	<p>Aretas Sensors: http://www.aretas.ca/</p>

Ongoing Research

Purple Air Map:

<https://map.purpleair.org/map?zoom=16&lat=49.32052651326415&lng=-124.33015263116455&selected=210499&orderby=L&latr=0.009217225297987852&lng=0.027379989624023438>

Ongoing Research:

<http://www.aqmd.gov/docs/default-source/aq-spec/laboratory-evaluations/purple-air-pa-i---lab-evaluation.pdf?sfvrsn=2>

<https://www.epa.gov/air-sensor-toolbox/what-do-my-sensor-readings-mean-sensor-scale-pilot-project>

3. Cantimber & The Like

Bernadette Wyton Report

Bernadette Wyton produced a report “The Cantimber Controversy, Post Golder Report” which reflects on the development process and highlights some remaining concerns and recommendations regarding Cantimber.

Four primary recommendations put forward with the report were:
1. That PAPA and Cantimber answer the questions highlighted in the report.

2. That Cantimber cease operations at its current location and be relocated away from populated areas due to operational and public health risks.

3. That the federal government and Environment Canada be accountable and take an active role in overseeing environmental regulation, compliance assessment, and enforcement issues on Port Authority land. This could be done in cooperation with the MOE, as is already the case for some regulation and emissions oversight at the Catalyst paper mill.

4. That a moratorium be put on Cantimber operations and any other industrial development on Port Authority land until this very serious jurisdictional issue is resolved.

Motion.

It was moved and seconded:

That the report ‘The Cantimber Controversy, Post Golder Report’ from Bernadette Wyton be received.

That the Air Quality Council supports the questions brought forward in the report, believes that the outcomes of the issues raised have an impact on air quality in Port Alberni, and the questions outlined in the report deserve answers.

<p>What are the next steps coming out of the report?</p>	<p>Carried.</p> <p>It was moved and seconded: <i>That the Air Quality Council request that PAPA and Cantimber answer the questions highlighted in the report.</i></p> <p><i>That the Air Quality Council request that the federal government and Environment Canada be accountable and take an active role in overseeing environmental regulation, compliance assessment, and enforcement issues on Port Authority land. This could be done in cooperation with the MOE, as is already the case for some regulation and emissions oversight at the Catalyst paper mill.</i></p>
<p>Overarching framework and protocol to prevent repetition</p>	<p>Carried.</p> <p>It was raised that there could be a role for a public meeting to report out on the findings in the Golder Report.</p> <p>There is interest in considering some sort of framework that could be used going forward to allow for greater assessment before projects start to ensure that projects meets best practices and that environmental and air quality criteria are met.</p> <p>Idea of pursuing an airshed management plan in the near future. This could also address the question of what large scale PM issues we should be focusing on. Need to seek funding.</p> <p>Conversation postponed to the next meeting given the hour.</p>

Next Meeting – May 11th, 2017, 2pm, ACRD Board Room.

Adjourn – Meeting adjourned at 5:04 pm.

PM2.5 trends Port Alberni Elementary School

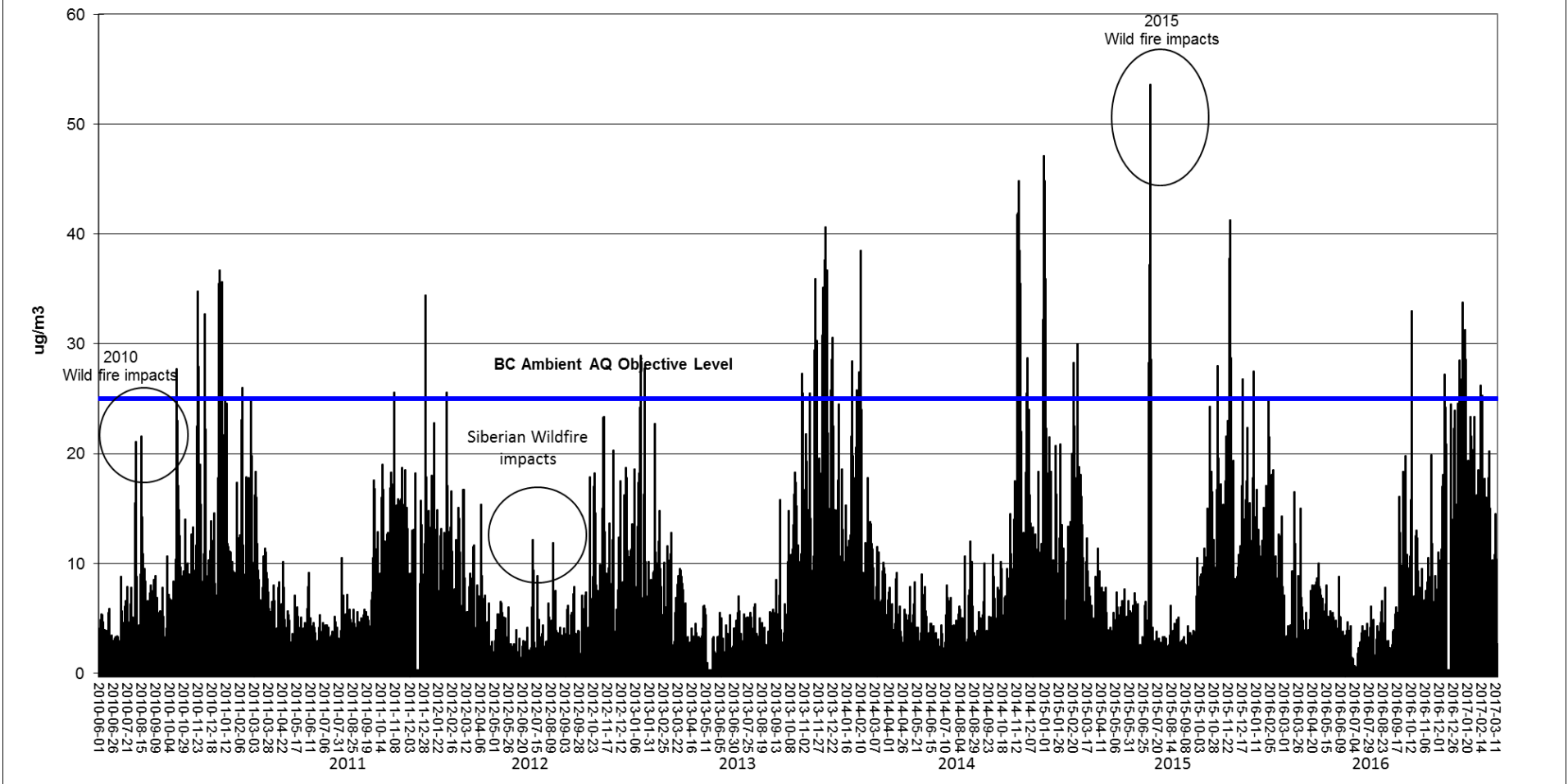
Year	Annual Average ug/m3	# of daily values	Annual 98 th %ile of daily ug/m3	Max daily value ug/m3	# of Daily values > 25 ug/m3	% of time > 25 ug/m3
2011	7.95	354	24.9	36.7	6	1.7
2012	6.2	354	17.9	25.6	1	0.3
2013	8.1	353	30.6	40.6	20	5.7
2014	8.1	362	34.8	47.1	15	4.1
2015*	8.6	361	29.7	53.6	14	3.9
2015	8.2	356	27.9	44.8	9	2.5
2016	7.1	350	22.3	33	3	0.9

Provincial Air Quality Objectives for PM2.5:

- 8 ug/m3 – Annual
- 6 ug/m3 – Annual Planning Goal
- 25 ug/m3 – 98th percentile 24-hour value annually

*includes wildfire smoke impacts

Daily PM2.5 Levels at Port Alberni Elementary School June 2010 - March 2017



THE CANTIMBER CONTROVERSY

POST GOLDER REPORT

By
Bernadette Wyton

Submitted
March 2, 2017

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INTRODUCTION

On June 17, 2015, the Port Alberni Port Authority (PAPA) announced the establishment of Cantimber Biotech within its terminal facilities. The project was advertised as a non-polluting, job-creating, activated charcoal industry with environmental benefits. However, it was launched into controversy due to episodes of noxious emissions.¹ Key aspects of the controversy include:

1. The poor location provided for Cantimber trials, operation, and expansion
2. A lack of precaution and due diligence at the outset
3. Jurisdictional immunity
4. A lack of public and stakeholder consultation at the outset
5. Confusing/misleading information
6. Not observing best practices
7. Inherent problems with the batch carbonization process
8. A loss of public trust through a series of unsatisfactory experiences
9. Occupational health and safety concerns
10. Undermining ‘Continuous Improvement’ and ‘Keeping Clean Areas Clean’
11. High background PM 2.5 levels
12. Decisions resting on one hour of sampling.

When pollution problems persisted during commissioning trials in June 2016, Cantimber operations were shut down until a review of those operations could be conducted. PAPA selected Golder Associates to oversee this work. The resulting “Operations and Emissions Evaluation” (Golder Report) was posted to the PAPA website in mid-December 2016.

Many residents and agencies are now trying to assess what just happened and where we should go from here. Following are some aspects of that assessment, post Golder Report.

Some of the questions that remain have been underlined.

¹ See AV News article, June 9 2016 “More Growing Pains, Smoke for Cantimber”

KEY ASPECTS OF THE CONTROVERSY

1. LOCATION

Cantimber is located on the waterfront in the middle of the City of Port Alberni, directly below and in front of a densely populated neighbourhood. Emissions from its carbonization and activation stacks can, therefore, result in exposures, especially to nearby residents. This problem is compounded by the relatively low stack height, temperature, and gas velocity, all of which decrease the dispersion of pollutants. The following quotation recommends siting biochar operations far from populations:

Biochar production units are usually located far from populated areas due to the smoke they produce. Kiln smoke naturally settles and travels near the ground at atmospheric pressures. Therefore, it is preferable to construct a site on high ground so the prevailing winds will carry the smoke into the upper air strata. In order for biochar to be produced in the United States non-polluting technology must be developed (Toole, 1961). ("Methods for Producing Biochar and Advanced Biofuels in Washington State, Part 1: Literature Review of Pyrolysis Reactors," Washington State Department of Ecology)

Regardless of best intentions and protocols that might minimize pollution events, those events will, no doubt, continue to occur due to problems with, for example, equipment malfunctions (i.e., syngas valves, etc), human error, and challenges of the batch process that Cantimber has chosen which is characterized by continually starting and stopping production cycles. (see Batch Process, below). Further, risks of fire and explosion are inherent in pyrolysis operations.

Most accidents occur in combustion and pyrolysis plants during start-up and shut-down, but it is important to remain vigilant during all phases of the production process. ("Guidelines for the Development and Testing of Pyrolysis Plants to Produce Biochar, International Biochar Initiative," Jane Lynch, Stephen Joseph)

The location of this kind of industry in the heart of the city remains a serious problem. The concern is heightened when considering that expansion has always been central to Cantimber's planning. The following excerpt highlights how serious the decision is to dedicate land and resources to the industrial production of activated charcoal:

*A decision of this kind cannot be undertaken lightly since in order that the investment may have a chance of being recovered, the **resource area must be committed for twenty to thirty years into the future.** The resource must also be managed in such a way that the needs of the charcoal retort system are adequately serviced. **This precludes other uses for the land, a difficult decision where populations are rising and pressure on the land increasing.** The use of complex retort systems **introduces a degree of inflexibility in resource allocation which governments may find difficult to live with.** (FAO Forestry Paper 63, Food and Agriculture Organization of the United Nations, 1983)*

According to Cantimber, there is no necessity or advantage for them to be on the waterfront.

2. PRECAUTION, DUE DILIGENCE

PAPA advertised Cantimber as a completely pollution-free operation and apparently was not prepared for the typical pollution and safety problems related to the production of activated charcoal. None of the most common and well-known hazards of biochar operations, including carbon monoxide (CO) poisoning, explosion, fire, and air pollution were divulged.

During all phases of the process – loading, start-up, operation, shutdown, unloading and storage – the following risks for operators and the public should be considered, and any relevant regulations adhered to:

- *Fire and explosion (including dust explosion on hot surfaces, combustion during storage)*
- *Particulate and gaseous emissions*
- *Gas leakage (particularly CO)*
- *Noise pollution*

(“Guidelines for the Development and Testing of Pyrolysis Plants to Produce Biochar, International Biochar Initiative,” Jane Lynch, Stephen Joseph)

There also seemed to be little testing, precautionary measures or other acknowledgement of potential pollution problems due to pyrolysis itself:

Because pyrolysis kilns are designed to only partially combust wood, gases harmful to the environment, such as methane, carbon monoxide, alkanes, oxygenated compounds, and particulate matter, as well as organic compounds such as ethane, ethanol, and polycyclic organic matter (POM) are released directly into the atmosphere. Additionally, if tars remain uncombusted, they may solidify and form emissions of particulate matter (PM), pyroacids, and aerosol. The gases that are released have a much greater impact on climate change than carbon dioxide. Studies show that producing biochar releases more emissions than actual combustion of biochar in a stove. (“Methods for Producing Biochar and Advanced Biofuels in Washington State, Part 1: Literature Review of Pyrolysis Reactors”, Washington State Department of Ecology)

3. JURISDICTION

Overseeing the manufacture of activated charcoal through pyrolysis is clearly outside the normal mandate and expertise of a port authority. The controversies and complexities that have arisen with regard to the Cantimber project may have put PAPA at odds with some aspects of their own mission and value statements.²

PAPA is a federal entity and operates outside of provincial jurisdiction. However, they have publicly stated that when seeking federal assistance to help resolve Cantimber operations and

² Mission Statement: To be an economic driver that facilitates maritime trade and marine commerce by providing professional service that respects the environment, the community and the port users.

Value Statement: 1. Accountability – Ensure the decisions and actions of the PA are made according to applicable acts, regulations and best practices. 2. Integrity – Conduct the business of the PA with commitment, respect, honesty and sincerity. 3. Professionalism – Commit to safely and efficiently meeting the mandate, regulations and mission of the PA. 4. Sustainability – Manage the affairs of the PA that ensures financial viability of the PA, economic benefit(s) to the community and the health of the environment.

emissions problems they were denied, purportedly because the project was too small to warrant any.

As a result the BC Ministry of Environment (MOE), through its Nanaimo branch, has been put in the precarious position of having to provide information, expertise, and advice to a federal port agency and a private corporation without any official authority or binding basis for future relations, decisions, or compliance issues.

Although Cantimber emissions are generated on federal land, they migrate into provincial and residential territory posing some very difficult legal and jurisdictional problems.

In the case of Catalyst, emissions permitting, compliance and enforcement are open processes conducted by trained professionals working for the MOE. It would be best to consistently apply this model for other industries operating within the Alberni airshed.

Instead, PAPA has emerged as the self-appointed lead agency to create and enforce emission permit levels for Cantimber operations. This is an unsatisfactory arrangement, especially for the public, for a number of reasons, not the least of which is the inherent conflict of interest, especially with relation to regulation setting, compliance and enforcement, where industry proponents are left watching themselves.³

Instead of using emission rates as, for example, established by Metro Vancouver in their “Boilers and Process Heaters Emission Regulation Bylaw”, PAPA attempted to establish their own. The ‘license levels’ they originally included in their license agreement with Cantimber were estimates used by Levelton as a basis for the dispersion modelling assessment they completed in 2015. However, when Golder did their emissions review, it was discovered that the results and conclusions of Levelton’s modelling were not representative of the facility. This demonstrates how difficult and unsatisfactory license levels and agreements can be.

4. CONSULTATION, TRANSPARENCY

The decision to establish Cantimber on the waterfront was made with no opportunity for the public or third parties, such as the Air Quality Council (AQC), to review the project or register concerns.

The AQC is a multi-stakeholder agency in the Alberni Basin dedicated to airshed management and air quality monitoring, research, and education. They were not included in discussions or consultations with PAPA through most of 2016 and were not invited to review the Golder Report with other stakeholders at the end of the year.

Information including emissions modelling, impact assessment, and license permit levels (Levelton), engagement contracts (Golder, Cantimber), and basic operations is not accessible.

³ PAPA is not an unbiased agency but, due to its financial relationship with Cantimber, is considered a project proponent and, therefore, is compromised as a regulatory body.

Further, content of discussions with the Ministry of Environment (MOE) and Island Health (IH) (recommendations, negotiations) are not publicly accessible and, therefore, performance requirements and claims of compliance are unverifiable.

Proprietary protection, including the claim of patent pending, has been used as a reason to withhold information.

Also, parts of the Golder report posted on the PAPA website have been removed due to being commercially sensitive.

The public has not been treated as a stakeholder. This runs counter to the sustainability principles that apply to biochar:

Biochar production processes should always be able to demonstrate a genuine “community licence to operate” in addition to any statutory approvals necessary from the prevailing jurisdictions. (Australian New Zealand Biochar Researcher Network, 2009)

There have been persistent PAPA and Cantimber public relation problems related to a lack of information, confusing or misleading information (examples below), and inadequate protocols for listening and responding to outside agencies, including the public.

For example, even after the October 13th public meeting about Cantimber (Public Meeting) where people passionately registered their health concerns, PAPA and Golder neglected to have public health concerns even nominally addressed in the Golder Report.

It should be noted that residents in PAPA’s immediate neighbourhood have just emerged from the prolonged controversy related to the Raven Coal project and PAPA’s desire to establish Port Alberni as a coal port. Both the Raven Coal and Cantimber projects failed to recognize the public’s desire to revitalize the waterfront and make it more accessible and enjoyable for citizens and visitors.⁴

There has been no official follow up with the public to discuss the Golder Report and how it relates to their concerns.

5. CONFUSING/MISLEADING INFORMATION

On a number of occasions PAPA and Cantimber have publicly claimed that they are complying with MOE and the Air Quality Council, as if those agencies had control over and were in approval of Cantimber operations, neither of which is the case. The video posted on the Cantimber website concludes that Cantimber submits regular “air quality tests to the MOE and the Air Quality Council”. This is incorrect and has caused a great deal of confusion for the public.

⁴ That direction was embodied in the Alberni Outlook 20/20 initiative that conducted extensive public and stakeholder consultations. It is also evident in the Canal Beach project and the recent development of organized kite boarding and other water sports.

During the Public Meeting, PAPA claimed, as in other public venues, that Cantimber was meeting all of the MOE's requirements (MOE can't make requirements in this case), leaving the public to believe that the MOE was the responsible, regulating agency. At the same time, contrary to advice sought from the MOE, the company announced they would continue to use firewood for start-up during their November testing period, manually adding charcoal for combustion efficiencies. This choice was counter to industry best practice and the long-standing recommendations of both the MOE and the AQC to start-up using natural gas.⁵

Cantimber has publicly made some questionable statements about specific emissions. For example, they claimed that by using waste wood from logging that would otherwise be burned they would reduce annual carbon monoxide (CO) emissions in the valley by 229 tonnes (AV Times, June 26, 2015). This assumes that the logging refuse is burned within the valley. However, most logging burn piles are outside of the Alberni airshed and none of them are fully burned.

More importantly, Cantimber's actual emission rate for CO was found to be **263 times** higher than that estimated by Levelton for the basis of modelling and license levels. According to the Golder Report, Cantimber would annually discharge 335 tonnes of CO directly into the city's air. This huge discrepancy indicates a lack of understanding by project proponents of basic operational dynamics. The Golder Report provides no comment or analysis regarding the discrepancy or possible implications.

Cantimber has repeatedly tried to minimize concerns about the toxic nature of their emissions by calling them "natural." For example, on their website under "News, Smoke and odour emission incident and response:" ***The smoke and odour are natural compounds that originate from the woody raw material...*** Pyrolysis is not a natural process. The smoke from Cantimber that many people were exposed to would include emission products such as volatile organic compounds (VOCs) and polycyclic aromatic hydrocarbons (PAHs) that if considered natural, like arsenic or cigarette smoke, is hardly a reason to allay concern.

At the Public Meeting, a resident claimed there was no patent application registered for Cantimber. The Cantimber spokesperson, uncharacteristically, offered no response. As patent pending has been used many times by Cantimber to defend withholding information, the question of its legitimacy is important. Therefore, the following question remains:

During the 2016 Port Days, when people visiting Cantimber were told not to take photos due to patent pending, was there a patent registered in Canada for any Cantimber operation?

The same resident asked about WCB oversight at Cantimber. The response was that WCB had recently been in to inspect. It was noted that the plant had been closed since June and that WCB does not inspect closed facilities. Cantimber was not able to clarify the discrepancy. Therefore, the following question remains:

When did WCB do on-site inspection(s) during 2016?

⁵ Cantimber was later convinced to use propane instead of firewood for start-up for the November test period.

6. BEST PRACTICES

After repeatedly being asked to observe best practices and pre-heat with natural gas, Cantimber insisted on using cordwood in their combustion chambers to heat the retorts. Even as late as the Public Meeting, they announced they would still be using firewood for the November test period, with the manual addition of charcoal to increase combustion efficiency. At the same time, they expressed their surprise that wet firewood had contributed to emissions problems, unlike the bamboo they were familiar with in other countries. After all the work that has been done in Port Alberni to reduce smoke emissions through the woodstove exchange program, and especially to reduce needless smoke emissions from using wet firewood and inefficient appliances, this lack of understanding by project leaders indicates a disturbing lack of insight.

Also, contrary to industry best practice, Cantimber announced they would be adding charcoal dust to the secondary burn chamber to try and manage stack emissions instead of using calibrated equipment with standardized performance. Their insistence on using manual, uncertified methods at both ends of their operation for a test period following some grave pollution events remains surprising as this option could increase the risk of further pollution and exposures to workers and citizens of the immediate neighbourhood.

During 2016 there was no requirement, for public health and employee safety considerations, that Cantimber provide any kind of continuous monitoring, including for any of the common hazardous gaseous emissions of pyrolysis (for example, carbon monoxide, a dangerous pollutant for employees directly exposed).

Currently there is no formal process, procedure or instrumentation available at the facility to check for equipment leaks and monitor the relative magnitude of fugitive emissions from various sources at the facility. (Golder Report, p.4)

It is not clear if Cantimber had any kind of health and safety risk assessment or HAZOP (hazard and operability analysis) prior to the November 2016 test period as *should be conducted as an essential part of the design phase of the project.* (Guidelines for the Development and Testing of Pyrolysis Plants to Produce Biochar, International Biochar Initiative, Jane Lynch, Stephen Joseph)

7. BATCH PROCESS

By their nature, batch processes and their emissions are difficult to regulate:

The carbonization process is not a steady state process due to the batch nature of bringing different vessels in/out of the process, and syngas line. (Golder Report)

Continuous production of biochar is more amenable to emissions control than batch production, because the composition and flow rate of emissions are relatively constant. After burners and cyclones control the emissions from continuous multiple hearth kilns. They are also used for product recovery and to reduce PM, CO, and volatile organic compounds (VOC) (by at least 80%). It is difficult to control emissions from batch type kilns because the process and consequently the emissions are cyclical. Some batch kilns have after burners to help control emissions but most do not. ("Methods for Producing Biochar and Advanced Biofuels in Washington State, Part 1 – Literature Review of Pyrolysis Reactors," Washington State Department of Ecology)

8. LOSS OF PUBLIC TRUST

Due to a lack of precaution and best practices, the resulting Cantimber pollution events put the public's health at risk causing them to lose trust in Cantimber's operations and PAPA's decisions and claims.

At no time has the public been assured of standards, levels, or limits above which would trigger a shut-down or other non-compliance measures.

One of the greatest oversights of the Golder report is a complete lack of reference to public health. After the October 13th Public Meeting where people were assured that their health concerns would be addressed, this is a disappointment that further erodes public trust.

In their "Proposal to Conduct an Operations and Emissions Evaluation Cantimber Biotech" (Golder Proposal), Golder states:

Golder understands that the Port Authority is seeking a third party consultant that can review the process and assess the source of the emissions, the type of emissions, the potential health impacts... Golder's human health risk specialist will assist in assessing the potential for health concerns. Golder assumes that a qualitative discussion of potential health concerns is adequate at this time. Quantitative dispersion modelling or human health risk assessment is not included in the current scope of work.

It was surprising to discover that "a qualitative discussion of potential health concerns" was the only deliverable proposed by Golder with regard to public health, and more surprising that they did not even deliver that.

The Golder Proposal included a list of recommendations (p. 6) they would make, including an *evaluation of potential health concerns, if any*. The last two words are disturbing as they potentially suggest there may be no health-related (or any) concerns. Given Cantimber's previous pollution events and the amount of related public unrest, it should be clear that an evaluation of health concerns is imperative. The following questions remain:

What are the potential health impacts Golder "understood" PAPA was looking for?

Where is the assessment of potential for health concerns that Golder's human health risk specialists were to assist in delivering?

Where is the qualitative discussion of potential health concerns that Golder assumed would be adequate in lieu of a quantitative assessment?

Will there be a human health risk assessment done?

Are PAPA and Golder assuming there are no health concerns?

If not, why didn't they identify or summarize the health concerns?

9. OCCUPATIONAL HEALTH AND SAFETY

4.2. Industrial safety in carbonization

Carbonization produces substances which can prove harmful and simple precautions should be taken to reduce risks.

The gas produced by carbonization has a high content of carbon monoxide which is poisonous when breathed. Therefore, when working around the kiln or pit during operation and when the kiln is opened for unloading, care must be taken that proper ventilation is provided to allow the carbon monoxide, which is also produced during unloading through spontaneous ignition of the hot charcoal, to be dispersed.

The tars and smoke produced from carbonization, although not directly poisonous, may have long-term damaging effects on the respiratory system. Housing areas should, where possible, be located so that prevailing winds carry smoke from charcoal operations away from them **and batteries of kilns should not be located in close proximity to housing areas.**

Wood tars and pyroligneous acid can be irritant to skin and care should be taken to avoid prolonged skin contact by providing protective clothing and adopting working procedures which minimize exposure.

The tars and pyroligneous liquors can also seriously contaminate streams and affect drinking water supplies for humans and animals. Fish may also be adversely affected. Liquid effluents and waste water from medium and large scale charcoal operations should be trapped in large settling ponds and allowed to evaporate so that this water does not pass into the local drainage system and contaminate streams.

9.1. Unit operations in transport of charcoal

Important factors in charcoal transport are:

- Low bulk density requiring high volumes to be transported and handled.
- Fragility leading to **production of "fines"** at every stage of handling and transport
- **Tendency of fresh charcoal to spontaneous heating and ignition through adsorption of oxygen from the air.**

(FAO Forestry Paper 41, Food and Agriculture Organization of the United Nations, Reprinted 1987)

5.2 Explosions

The causes of such accidents are often not clear but are **probably most often due to mixture of pyrolysis gases with air.**

In a batch-wise operated retort the **presence of gas in the retort is greatest at the end of the cycle, the admittance of air can form highly explosive gas mixtures.** In a continuously operated converter, the admittance of more air than needed may cause first a sudden rise in temperature and then formation of explosive mixtures in the off-gas system.

5.3 Fires

Fire can result from the **admission of large quantities of air to the retort, converter or off-gas system through cracks or badly closed doors. In other cases fire can result**

*from explosions. Such events can arise through the operator's unfamiliarity with proper operating procedures or simple carelessness. In high temperature operations there is always the **danger of wall swelling and the occurrence of unnoticed air inlets.** The inflow of excessive amounts of air could easily change the temperature pattern. This may cause very high retort temperatures, either gradually or rapidly, creating a serious fire condition. The operator's familiarity with his equipment and necessary counter measures are the best insurance for safe practice and satisfactory production. Well established, periodic inspection of the industrial charcoal-making plant will determine the corrective measures necessary for proper control and reduce the possibilities of fire damage.*

Improper sealing or structural leakages of air in the charcoal cooling bins during the cooling period can also lead to considerably reduced yields production of poisonous carbon monoxide gas and equipment damage. Such conditions may occur even in a well established operating plant and the importance of inspecting and maintaining cooling bins during the cooling cycles, controlling operational conditions and following safe practices cannot be overemphasized.

5.4 Hazards to the public

***Fire and gas leaks whether controlled inside the retorts or converter or uncontrolled, constitute a potential hazard for the public.** Unauthorised persons should not be permitted in the plant unless guided. Safety helmets are a necessity for both workmen and visitors. Transport of wood, other raw material, charcoal handling and other essential work gives rise to operational hazards and safety measures and safe work habits must be considered of prime importance.*

(FAO Forestry Paper 63, Food and Agriculture Organization of the United Nations, 1983)

Activated Powdered Charcoal made from wood residues is a hazardous substance.

*Canadian companies that are in the hazardous materials supply chain (i.e. chemical manufacturer, distributor or employer) are required by WHMIS provisions to maintain safety data sheets for the chemicals made and/or used in their facility. **MSDSs provide employees and first responders with information needed to safely handle chemicals, especially during emergencies.***

*WHMIS stands for Workplace Hazardous Materials Information System and is Canada's national hazard communication standard. It outlines the obligations of each party in the chemical supply chain – from chemical suppliers, importers, and distributors who traffic in controlled products to the employers and workers who use them. **WHMIS is based upon the idea that workers have the right to know about the hazards of the materials they work with and steps they can take to protect themselves.*** (Material Safety Data Sheets (MSDS) for Compliance with Canada's WHMIS www.msdsonline.com)

Consider the following warnings from a typical MSDS for activated carbon, wood charcoal, in this case from Anachemia Canada:

Fire and Explosion Hazards

This material in powder form is capable of creating a dust explosion. Activated carbons are not highly flammable and burn slowly without producing smoke or flame. Spontaneous heating may occur on contact with combustible materials (ex., oil).

Storage and Handling

*Store in a cool place away from heated areas, sparks, and flame. Store in a well ventilated area. Store away from incompatible materials. Do not add any other material to the container. Do not wash down the drain. Do not breathe dust. Keep container tightly closed and dry. Manipulate in a well ventilated area or under an adequate fume hood. Avoid raising dust. **Take precautionary measures against electrostatic discharges.** Ground the container while dispensing. **Use explosion proof equipment.** Use non-sparking tools. Handle and open container with care. Minimize dust generation and exposure - use dust mask or appropriate protection. This product must be manipulated by qualified personnel. Do not get in eyes, on skin, or on clothing. Wash well after use. In accordance with good storage and handling practices. Do not allow smoking and food consumption while handling. Protect from moisture.*

Special Precautions or comments

*Do not breathe dust. Avoid all contact with the product. Avoid prolonged or repeated exposure. Manipulate in a well ventilated area or under an adequate fume hood. Keep away from heat, sparks and flame. Handle and open container with care. Container should be opened only by a technically qualified person. **Wet activated carbon removes oxygen from air causing a severe hazard to workers inside enclosed or confined areas.** RTECS NO: FF5250100 (Charcoal)*

Given the earlier WCB discussion and public concern for Cantimber employees and other dock workers exposed to Cantimber emissions, it was disappointing that some personal samplers were not employed during Golder's emissions assessment.

The report makes no mention of Cantimber's HAZOP (hazard and operability analysis) or if they even had one. As the public was not made aware of safety considerations and potential hazards related to the production of activated charcoal, it does beg these questions:

In 2016, were employees made aware of the potential hazards related to the production of activated charcoal? Are they aware now?

Does Cantimber have Material Safety Data Sheets for their products?

Has PAPA and Cantimber alerted the public, Fire Department(s), Emergency and First Responders to the hazards of their products?

10. CONTINUOUS IMPROVEMENT

As described by the Canadian Council of Ministers of the Environment, federal, provincial, and territorial governments have adopted an air quality strategy called “continuous improvement”. This is part of a framework for airshed management embraced by the Air Quality Council, to ensure proactive measures are taken to protect air quality in accordance with the principles of continuous improvement (CI) and keeping clean areas clean (KCAC).

The broad vision for CI/KCAC is:

To ensure that, in the vast areas of Canada with air quality better than the CWS numerical targets for PM and ozone, air quality is not significantly degraded and is maintained or improved to the extent practicable, to minimize risk to human health and the environment for the benefit of future generations.

Using Ambient Air Quality Objectives (AAQO) as a limit that one entity can pollute up to is counter to the intention of the objective and of continuous improvement. In other words, it is not O.K. for any entity to diminish the achievement of low ambient air quality measures (clean air) by filling the space between that achievement and the objective.

Both the Golder Report and the recently released “Remodeling of Cantimber Emissions” done by WSP, appear to rely on an assumed permission to add to air quality background levels, as long as AAQO levels are not exceeded.

Polluting “Up to a Limit” is Not Acceptable

The overall objective of the CWS is to reduce the adverse health and environmental effects of PM and ozone. Therefore, allowing PM and ozone ambient levels to increase up to the current numerical CWS targets is counter productive, and unacceptable in light of the absence of any apparent lower threshold for adverse effects and the knowledge that the numerical CWS targets may not be fully protective. Proponents of development should not regard the current CWS numerical targets as a permissive maximum. The clear intent of CI/KCAC is to ensure air quality is not significantly degraded and to improve air quality whenever feasible.

Same Degree of Protection for All Canadians

All Canadians are entitled to the same level of protection from the adverse effects of PM and ozone, whether they live in large urban centers or small remote communities. The CI/KCAC provisions should apply to communities of all sizes. To the extent practicable, jurisdictions should strive through the application of a common set of principles to ensure that the same level of protection is afforded everywhere across Canada.

Jurisdictions may wish to include other air pollutants in their ambient air measurements such as sulphur dioxide (SO₂), nitrogen oxide (NO_x) volatile organic compounds (VOCs), and ammonia (NH₃). They may or may not have management targets for these pollutants. Jurisdictions may also wish to include specific components of fine particulate matter in ambient air such as sulphate (SO₄) nitrate (NO₃), elemental carbon and organic carbon for the purpose of identifying emissions sources.

(“Guidance Document on Continuous Improvement (CI) and Keeping-Clean-Areas-Clean (KCAC), Canada-wide Standards for Particulate Matter and Ozone” Canadian Council of Ministers of the Environment, 2007)

11. HIGH AMBIENT PM 2.5 LEVEL

As reported by WSP Canada Inc. in their report, “Remodeling (sic) of Emissions From Cantimber Charcoal Manufacturing Facility”(January 2017), the 24-hour average background concentration of PM 2.5 is 20.90 ug/m³. The B.C. ambient air quality objective is 25 ug/m³. This leaves very little room for any kind of additional pollution before the objective limit is reached.

The ambient air quality levels in this area are not conducive to additional, potentially polluting industrial development.

12. ONE-HOUR TEST

The emissions evaluation provided in the Golder Report is based on a single hour of testing for both the carbonization and activation stack. This is one hour out of many days where, at any given time, there are up to eight retort vessels at different stages between starting up and shutting down.

The results of the one-hour test were then used by WSP to produce a remodelling report. The two reports are now being used by project proponents to make decisions about the future of Cantimber. However, modelling and remodelling are only as good as the data used to produce them. The questions remain:

How good is this data?

How representative is this data of the entire variable batch process and the real pollution it will cause day after day and year after year?

One hour of testing is inadequate to answer these questions or provide the assurance necessary to proceed without risk.

GOLDER PROPOSAL/SCOPE OF WORK FOR THE CANTIMBER OPERATIONS AND EMISSION EVALUATION

QUESTIONS and CONCERNS

START-UP EMISSIONS

Combustion upsets, start-up, and shut-down are periods of incomplete combustion and, therefore, greater emissions. Obviously, a test period will not normally document a combustion upset as operators strive for perfect conditions. To understand real annual emissions for Cantimber, some measurement of emissions during start-up and shut-down are essential, especially as these periods are continual in the batch process.

Why didn't the Golder Report at least address *emissions characterization during start-up*, as initially requested by PAPA for Golder's scope of work?

LITERATURE REVIEW

The Golder Report does not mention their literature review of pyrolysis emissions, as proposed for Task 2 of the Scope of Work.

What documents were reviewed in detail as part of the Cantimber Operations and Emissions Evaluation?

ODOURS

Where is the qualitative assessment of odours and their sources, as proposed for Task 2 of the Scope of Work?

HUMAN HEALTH

Where is the assessment and qualitative discussion of potential health concerns by a Golder human health risk specialist, as proposed for Task 2 of the Scope of Work?

GOLDER REPORT
CANTIMBER OPERATIONS AND EMISSION EVALUATION
QUESTIONS AND CONCERNS

SCRUBBER SUMP DISCHARGES

Page 3 Where will scrubber sump discharges be removed to?

VOC LEAK

Page 4 It is disturbing that under the best conditions a VOC leak was detected from a syngas valve. Leaks and breaks will most likely continue to be a problem linked to the hazards of emission exposures and risk of explosion and fire.

LOWER FEED RATE – GREATER EMISSIONS?

Page 4 Is it possible that lower activation process feed rates may result in greater emissions?

For the carbonization process, do all of the retorts need to be filled and active?

How many vessels were used and how full were they for the November test period?

Page 6 How regular should the blow down of scrubber water and replacement with fresh makeup water be?

What is an adequate temperature for the cooling water before it is discharged?

CO EMISSIONS 263 TIMES HIGHER THAN ESTIMATED RATE

Page 7 The CO emissions for 2 activation trains in run 3 are 263 times Levelton's license level.

Why was no comment provided regarding the cause or implications of the huge CO emissions discrepancy?

NO2 DOUBLE LICENSE EMISSION LEVELS

Even during this testing phase and optimal operating conditions, NO2 levels are higher than expected and are an ongoing health concern.

LEVELTON

Would it be possible to get some feedback from Levelton and/or Golder regarding the initial modelling levels set for NO2 and CO; the high NO2 test levels; the excessively high CO test levels recorded in the Golder Report; and possible reasons for and implications of these discrepancies?

COMPARE TO CATALYST

Page 8 To provide better context, when comparing the relatively small Cantimber operation to the huge Catalyst operation, volume of feedstock should be included. This might make Cantimber CO emissions appear remarkably high instead of relatively good in comparison.
Also, for context, Cantimber's stack height, temperatures and volumetric flow are much lower than Catalyst's and, therefore, more conducive to ground level emission exposures. This is compounded by the geography with the stacks situated in front of and below a densely populated neighbourhood.

COMPARE RESULTS TO OTHER BIOCHAR REGULATION LIMITS

Could Golder provide pertinent results (i.e. Gravimetric Results) expressed in common measurements with and in comparison to other regulation limits relevant to biochar production? (i.e. Metro Vancouver's "Boilers and Process Heaters Emission Regulation Bylaw" OR regulation limits set in other areas with extensive biochar experience, such as Washington State, or California)⁶

INTENT OF WINTER SHUTDOWN

Page 8 If the intent of the Nov 10 to Jan 10 annual shutdown is to avoid operating under inversion conditions, should the company not also shut down when those conditions are actually happening? (For example, the conditions may start after January and persist into March.)

PAH TESTING BEFORE START UP

Page 8 Given the health concern and request to test further for specific VOC's prior to resuming Cantimber operations and given that one of them, Naphthalene, is also a PAH:

Shouldn't stack testing of speciated PAH's also be done before start-up and not some time in the future?

DUSTTRAK DATA INCOMPLETE FOR START UP PERIOD

Page 12 It is unfortunate that DustTrak-South Street/1 Ave. had poor to almost no data completeness during the critical start-up phase. On Nov 4 when the combustion chamber was warming up, it was only 7% complete. On Nov 4, both DustTraks recorded emission levels over the ambient air quality objective (see Fig 8, page 15) with the South St. unit reading over 60 ug/m³ and Stirling St. over the objective of 25 ug/m³. This was not the case for the partisol on 2nd or the bam on the Alberni Elementary School, both with very low readings. This could suggest start up emissions and exposures.

What was the problem with this DustTrak during the start-up period?

⁶ A previous request to compare emissions levels with related levels set by the GVRD was denied by Golder. See "COMMENTS REGARDING THE ADDENDUM TO THE GOLDR REPORT p. 21

Did it stop or is there other data during that period from the DustTrak that is not included in the report?

LICENSE AGREEMENTS PRIVATE

Page 16 *Current regulatory conditions relating to air quality, including air emission levels and monitoring requirements relating to the facility, are outlined in the license between PAPA and Cantimber Biotech Inc. dated 1 May 2015. (Golder Report)*

Unfortunately the license is a private document which is unsatisfactory for the public, individuals at risk, and the future of public health, especially considering that Golder had to suggest that the license *incorporate the main aspects of a typical air emissions permit* and that *conditions could be included in the permit that state the data/reports be interpreted by a suitably qualified person*. This suggestion could also be ignored, potentially, resulting in an unqualified person interpreting the data.

FEEDSTOCK SOURCES

Page 17 Burning wood that has been in contact with salt water can potentially result in air emissions of the very toxic duo, dioxins and furans. The recommendation to include permit restrictions around the source of wood chips to ensure they are not in contact with saltwater leads to the following questions with regards to Golder's evaluation:

Was Cantimber ever using wood from other sources than slash piles left from logging?

Did Cantimber ever use wood fibre that had been in the ocean?

Did Golder take feedstock samples for potential further analysis, as suggested in Task 2 of the Scope of Work?

If so, to help answer these and other questions, will they analyze them?

WHEN?

Page 18 In the summary of recommendations, unshaded areas do not have to be addressed before Cantimber resumes operations. Timelines for these need to be specified:

When should the fuel source for the combustion chambers be changed to natural gas and automated?

When should regular fugitive emission surveys be undertaken on the carbonization process using an analyzer so leaks can be identified and addressed immediately?

Given past valve issues, shouldn't an analyzer be put in place prior to commencement of operations?

When should the assessment of worker exposure take place?
Shouldn't this be done ASAP after resuming work to protect their health?

It is recommended that future stack sampling consider the high CO levels recorded in the Golder Report and *plan appropriate health and safety procedures and controls.*

Why don't the high CO levels reported trigger this immediately?

ADDENDUM TO THE GOLDER REPORT

COMMENTS AND QUESTIONS

Precipitation Levels and Impact on Ambient Monitoring Results

In this section of the Addendum, Golder states that during the stack test period (7 – 9 November) *that the residential area was not downwind of the facility*. As wind direction tends to change diurnally (from day to night) in the valley,

What percentage of time during the entire test period was the residential area downwind of the facility?

Using other meteorological data (MOE, Levelton) produced in Port Alberni, what percentage of time for the year would the residential community expect to be downwind of the facility?

Other Regulatory Considerations

In this section of the Addendum, Golder gives a number of reasons for denying the request to compare the Cantimber emissions results with limits set by the GVRD under their Boilers and Process Heaters Emission Regulation Bylaw. They note that air quality considerations in the larger urban area are different to those in less urban areas.

In the case of the City of Port Alberni, however, the concerns about Cantimber emissions are similar to related concerns in the City of Vancouver – namely concerns about industrial air pollution effecting a fairly dense resident population.

Another reason Golder gives for denying the request to compare is that the regulator for the GVRD is different than that of the rest of the province. This is unsatisfactory for two reasons:

1. The request was to compare emissions levels with limits set elsewhere, as Cantimber and PAPA have not set any limits here. This would simply require translating the unit measurements into those used by, for example, the GVRD.
The request was not to abide by the GVRD bylaw, but compare levels to help put them in context as Golder did, for example, by comparing Cantimber emissions to Catalyst emissions and to wood stove emissions.
2. The regulator argument is a very poor one, as it highlights the fact that Cantimber has no regulator other than their landlord.

If Golder will not compare Cantimber emission levels to relevant limits set by the GVRD,

Will Golder provide a comparison of Cantimber emissions to relevant emission levels and limits recorded and set in British Columbia, in other parts of Canada, and in other areas with pyrolysis experience such as Washington State?

This could be an extension of the literature review undertaken by Golder.

CONCLUSIONS

The experience of having a new and potentially polluting industry placed on the waterfront in Port Alberni has led to a number of concerns. Some of these have been addressed by the Golder Report but a number of them remain unresolved, including:

➤ **RELOCATION**

PAPA land is not a good site for combustion-related industry from an air quality and public health point of view. This is especially true given the assertion, from the beginning, of Cantimber's intention to expand operations in phases.

PAPA land is not a good site for the high-risk environment of pyrolysis operations, including the hazards of producing, storing, and transporting activated charcoal powder.

The safest option and best use of funds to resolve Cantimber problems is to move the operation to a less populated area, such as the link mill site.

Past experience and future risk should lead prudent planners to request a relocation.

➤ **RISK**

From a public health point of view, it is risky to establish a potentially polluting industry within a neighbourhood that already has compromised air quality. Given the high 24-hour average ambient PM 2.5 levels, as reported by WSP, the precautionary principle is in order as is prioritizing pollution reduction and prevention, especially for this area.

➤ **NO ASSURANCE**

After a clear demonstration of public health concerns and dissatisfaction with Cantimber performance, PAPA and Golder proceeded with testing and reporting that neglected to address potential public health impacts. At no time have either one of them defined specific emission levels above which would trigger a shut-down of operations to assure public safety.

The current regulatory process is unsatisfactory.

➤ **DECISIONS**

At the public meeting both PAPA and city representatives expressed their disappointment with regard to Cantimber pollution problems and indicated that if they weren't 'fixed', the company would be shut down. Unfortunately, their decisions to proceed or not will now be based primarily on only one hour of stack emissions sampling during perfect operating conditions. This is a start, however, as with the 2015 Levelton modelling, the 2016 modelling may not be representative of actual emissions over time from a complex batch process operation.

For many, the larger question remains:

Who gets to make decisions regarding the future of Cantimber based on what priorities, information, and limits?

➤ **CLEAN AIR ACHIEVEMENTS**

Air quality improvements in the Alberni valley have been made slowly through a tremendous amount of work and public education. There is no desire to go backwards.

Cantimber emissions for PM 2.5, NO₂, and CO alone, indicate a serious conflict with the AQC mission statement, and with their first goal:

The Air Quality Council serves to promote health by working to ensure the cleanest possible air for the Alberni Basin and its inhabitants.

Their first goal is *“To seek the co-operation of all agencies and stakeholders in promoting and protecting clean air.”*

Cantimber emissions run counter to the continuous improvement model. They also compromise local climate change initiatives and commitments as emissions from pyrolysis are particularly damaging from a climate change point of view.

➤ **DEVELOPMENT AND OVERSIGHT**

Policy development is needed to address industrial activity on federal PAPA lands that remain outside the normal avenues and strictures of democratic process and environmental oversight.

➤ **WHERE IS FEDERAL PARTICIPATION?**

This is the largest problem that has been raised by the Cantimber experience. The apparent complete lack of presence, input, and oversight from Environment Canada and the federal government with regard to the Cantimber controversy is unacceptable. This is an opportune time for all relevant stakeholders to collectively request a commitment from the federal government to take responsibility for operations on their lands, especially when they have environmental and human health implications.

A moratorium should be placed on Cantimber operations and any further economic development projects on PAPA land until this gap is addressed.

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