



# Alberni-Clayoquot Regional District

BOARD OF DIRECTORS MEETING  
WEDNESDAY, APRIL 8, 2020, 1:30 pm

Due to COVID-19, the meeting will be held via Zoom Video Conferencing and will be livestreamed on the ACRD website at <https://www.acrd.bc.ca/>

## AGENDA

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1. **CALL TO ORDER**

Recognition of Territories.

2. **APPROVAL OF AGENDA**

*(motion to approve, including late items required ALL VOTE 2/3 majority vote)*

3. **DECLARATIONS**

*(conflict of interest or gifts exceeding \$250 in value as per section 106 of the Local Government Act)*

4. **ADOPTION OF MINUTES**

(ALL VOTE/UNWEIGHTED)

- a. **Board of Directors Meeting – March 11, 2020** **5 - 16**

*THAT the minutes of the Board of Directors meeting held on March 11, 2020 be adopted.*

- b. **Committee-of-the-Whole Financial Planning Meeting –  
March 11, 2020** **17 -20**

*THAT the minutes of the Committee-of-the-Whole Financial Planning meeting Held on March 11, 2020 be adopted.*

- c. **Special Board of Directors Meeting – March 31, 2020** **21 - 26**

*THAT the minutes of the Special Board of Directors meeting held on March 31, 2020 be adopted.*

5. **PETITIONS, DELEGATIONS & PRESENTATIONS (10 minute maximum)**

6. **CORRESPONDENCE FOR ACTION**

(ALL VOTE/UNWEIGHTED)

- a. **REQUEST FOR NOMINEE** **27**  
Port Alberni Port Authority, March 17, 2020, requesting

nominee to represent the ACRD on the Port Advisory Nominating Committee.

Possible Motion:

*THAT the Board of Directors re-appoint Mr. Douglas Holmes, CAO as the Regional District nominee on the Port Alberni Port Authority's Advisory Nominating Committee.*

**7. CORRESPONDENCE FOR INFORMATION**  
(ALL VOTE/UNWEIGHTED)

- |    |   |                |
|----|---|----------------|
| a. | <b>CITY OF PRINCE GEORGE</b>  | <b>28 - 29</b> |
|    | Sharing Payments from Opioid Class Action Lawsuit                                   |                |
| b. | <b>REGIONAL DISTRICT OF CENTRAL OKANAGAN</b>  | <b>30</b>      |
|    | 911 Call Answer Levy on Cellphones  |                |
| c. | <b>MINISTRY OF FOREST, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL DEVELOPMENT</b> | <b>31 - 33</b> |
|    | Grant for Alberni Valley Regional Airport   |                |
| d. | <b>UNION OF BC MUNICIPALITIES</b>   | <b>34 - 37</b> |
|    | Provincial Response to 2019 Resolutions   |                |

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

**8. REQUEST FOR DECISIONS & BYLAWS**

- |    |   |                |
|----|---|----------------|
| a. | <b>REQUEST FOR DECISION</b>   | <b>38 - 41</b> |
|    | Fayette and Lamarque Road Water Main Upgrade<br>(ALL VOTE/UNWEIGHTED) |                |

*THAT the Alberni-Clayoquot Regional District Board of Directors award the Fayette and Lamarque Road water main upgrade to Leuco Construction Inc. for the tender price of \$755,698.17 including GST.*

- |    |   |                |
|----|---|----------------|
| b. | <b>REQUEST FOR DECISION</b>                     | <b>42 - 43</b> |
|    | Late Payment Penalties<br>(ALL VOTE/UNWEIGHTED) |                |

*THAT the ACRD Board of Directors direct staff to not apply a 2% penalty to overdue water payments for the next three months.*

*THAT the ACRD Board of Directors direct staff to terminate any commercial solid waste tipping fee accounts at the Alberni Valley and West Coast Landfills that have outstanding payments after 30 days of receipt of invoice.*

*THAT the ACRD Board of Directors direct staff to not apply a 2% penalty to overdue airport lease payments for the next three months.*



*THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment  
Bylaw P1402 be adopted.*

**10. REPORTS**

**10.1 STAFF REPORTS**

**10.2 COMMITTEE REPORTS**

**10.3 OTHER REPORTS**

**11. UNFINISHED BUSINESS**

**12. LATE BUSINESS**

**13. QUESTION PERIOD**

Questions/Comments from the Public can be emailed to the ACRD at  
[responses@acrd.bc.ca](mailto:responses@acrd.bc.ca)

**14. RECESS**

(ALL VOTE/UNWEIGHTED)

*Motion to recess the Regular Board of Directors Meeting in order to conduct the  
Regional Hospital District Meeting.*

**15. RECONVENE**

**16. IN CAMERA**

(ALL VOTE/UNWEIGHTED)

*Motion to close the meeting to the public as per:*

- i. Community Charter Section 90 (2) (b) the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party, and;*
- ii. FOIPPA Act Section 21 (c) (i) the disclosure of which could reasonably be expected to harm significantly the competitive position or interfere significantly with the negotiations position of the third party.*

**17. RECOMMENDATIONS TO THE BOARD FROM IN-CAMERA**

**18. ADJOURN**

(ALL VOTE/UNWEIGHTED)

**Next Board of Directors Meeting: Wednesday, April 22, 2020, 1:30 pm, ACRD Board Room**



# Alberni-Clayoquot Regional District

## MINUTES OF THE BOARD OF DIRECTORS MEETING HELD ON WEDNESDAY, MARCH 11, 2020, 1:30 PM

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

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### **DIRECTORS**

#### **PRESENT:**

John Jack, Chairperson, Councillor, Huu-ay-aht First Nation  
Josie Osborne, Vice-Chair, Mayor, District of Tofino  
Bob Beckett, Director, Electoral Area "A" (Bamfield)  
Tanya Shannon, Director, Electoral Area "B" (Beaufort)  
Kel Roberts, Director, Electoral Area "C" (Long Beach)  
Penny Cote, Director, Electoral Area "D" (Sproat Lake)  
(Via Teleconference)  
John McNabb, Director, Electoral Area "E" (Beaver Creek)  
Dianne Bodnar, Director, Electoral Area "F" (Cherry Creek)  
Sharie Minions, Mayor, City of Port Alberni (Via Teleconference)  
Debbie Haggard, Councillor, City of Port Alberni  
Rachelle Cole, Councillor, District of Ucluelet (Via Teleconference)  
Wilfred Cootes, Councillor, Uchucklesaht Tribe Government  
(Via Teleconference)  
Alan McCarthy, Member of Legislature, Yuułuʔiłʔatḥ Government  
(Via Teleconference)

#### **REGRETS:**

Kirsten Johnsen, Member of Council, Toquaht Nation

#### **STAFF PRESENT:**

Douglas Holmes, Chief Administrative Officer  
Teri Fong, Chief Financial Officer  
Mike Irg, General Manager of Planning and Development  
Rob Williams, General Manager of Environmental Services  
Heather Zenner, Manager of Protective Services  
Tracy Bond, Administrative Assistant

### **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 Territories.

Chair Jack read out the Alberni-Clayoquot Regional District and City of Port Alberni COVID-19 Response Plan and gave a brief update.

Mike Irg, Manager of Planning & Development introduced new Mapping Technician Amy Wilson to the Board of Directors.

**2. APPROVAL OF AGENDA**

*MOVED: Director Beckett*  
*SECONDED: Director McNabb*

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

- 8(h). Added Material – Request for Decision for Electoral Area Directors Meeting, March 3, 2020 and District of Ucluelet Letter of Request – West Coast Industrial Land Analysis.*
- 9(c). Added Material - TUP19024 – Public Input*

**CARRIED**

**3. DECLARATIONS**

**4. ADOPTION OF MINUTES**

**a. Board of Directors Meeting – February 26, 2020**

*MOVED: Director McNabb*  
*SECONDED: Director Shannon*

*THAT the minutes of the Board of Directors meeting held on February 26, 2020 be adopted.*

**CARRIED**

**b. Committee-of-the-Whole Meeting – February 19, 2020**

*MOVED: Director Beckett*  
*SECONDED: Director McCarthy*

*THAT the minutes of the Committee-of-the-Whole meeting held on February 19, 2020 be adopted.*

**CARRIED**

**c. Alberni Valley & Bamfield Services Committee Meeting – March 3, 2020**

*MOVED: Director McNabb*  
*SECONDED: Director Roberts*

*THAT the minutes of the Alberni Valley & Bamfield Services Committee meeting held on March 3, 2020 be adopted.*

**CARRIED**

**d. Electoral Area Directors Committee – March 3, 2020**

*MOVED: Director McNabb*

*SECONDED: Director Bodnar*

*THAT the minutes of the Electoral Area Directors meeting held on March 3, 2020 be adopted.*

**CARRIED**

**e. West Coast Committee – March 4, 2020**

*MOVED: Director Roberts*

*SECONDED: Director McCarthy*

*THAT the minutes of the West Coast Committee meeting held on March 4, 2020 be adopted.*

**CARRIED**

**5. PETITIONS, DELEGATIONS & PRESENTATIONS**

**6. CORRESPONDENCE FOR ACTION**

- a. Invitation dated February 11, 2020 from the Port Alberni Friendship Center regarding to attend Reconciliation Circle scheduled for March 27, 2020, 11:00 am at the Port Alberni Friendship Centre, 3555 4<sup>th</sup> Avenue.**

*MOVED: Director McNabb*

*SECONDED: Director McCarthy*

*THAT the Board of Directors authorize interested Directors to attend the Port Alberni Reconciliation Circle on Friday, March 27, 2020.*

**CARRIED**

**7. CORRESPONDENCE FOR INFORMATION**

- a. ISLAND COASTAL ECONOMIC TRUST**  
\$1.8 Million in Funding Available for Economic Infrastructure and Innovation Projects
- b. CITY OF ABBOTSFORD**  
Resolution – Continued Expansion of Trans Canada Hwy #1  
Resolution – Development Cost Charges (DCC) Bylaw and Ministry of Transportation and Infrastructure (MOTI) Infrastructure
- c. THE OFFICE OF THE OMBUDSPERSON**  
Quarterly Report: October 1 – December 31, 2019
- d. FOREST ENHANCEMENT SOCIETY OF BRITISH COLUMBIA**  
Forest Enhancement Society of BC Accomplishments Update

**e. UNION OF BRITISH COLUMBIA MUNICIPALITIES**  
UBCM Membership (Invoice Paid)

*MOVED: Director Osborne*  
*SECONDED: Director Shannon*

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

**CARRIED**

**8. REQUEST FOR DECISIONS & BYLAWS**

**a. Request for Decision regarding Long Beach Airport – Lease Renewal – BC Parks Office Building.**

*MOVED: Director Roberts*  
*SECONDED: Director Osborne*

*THAT the ACRD Board of Directors renew the BC Parks Office Building lease at the Long Beach Airport for a (3) three-year term commencing May 1st, 2020 and ending April 30th, 2023 at a rate of \$4,840.00 per year plus applicable taxes and yearly BC CPI increases.*

**CARRIED**

**b. Request for Decision regarding Cascadia Air Support Letter Request.**

*MOVED: Director Osborne*  
*SECONDED: Director Roberts*

*THAT the ACRD Board of Directors direct staff to draft a letter to Cascadia Air supporting their proposal to bring scheduled air service to the Long Beach Airport; subject to Transport Canada authorization and execution of a formal agreement with the ACRD.*

**CARRIED**

**c. Request for Decision regarding Porsche Club Request to Use Long Beach Airport for Event.**

*MOVED: Director Roberts*  
*SECONDED: Director Osborne*

*THAT the ACRD Board of Directors approve the Vancouver Island Region of the Porsche Club of America request to host their annual driver education and charitable fundraising event at the Long Beach Airport to be held May 14th to 17th, 2020 for a rental fee of \$1,000.*

**CARRIED**

**d. Request for Decision regarding Long Beach Airport Asset Management Plan Version 1.**

*MOVED: Director Osborne*

*SECONDED: Director Roberts*

*THAT the Alberni-Clayoquot Regional District Board of Directors adopt the Long Beach Airport Asset Management Plan Version 1.*

**CARRIED**

**e. Request for Decision regarding Alberni Valley Regional Airport Asset Management Plan Version 1.**

*MOVED: Director McNabb*

*SECONDED: Director Haggard*

*THAT the Alberni-Clayoquot Regional District Board of Directors adopt the Alberni Valley Regional Airport Asset Management Plan Version 1.*

**CARRIED**

Director Beckett exited the meeting at 1:52 pm

**f. Request for Decision regarding UBCM – Emergency Operations Centre & Training Grant Application, and UBCM – Evacuation Route Planning.**

*MOVED: Director McNabb*

*SECONDED: Director Haggard*

*THAT the Alberni Clayoquot Regional District Board of Directors apply for a grant through the Union of BC Municipalities – Community Emergency Preparedness Program Fund for Emergency Operations Centres and Training.*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Haggard*

*THAT the Alberni Clayoquot Regional District Board of Directors apply for a grant through the Union of BC Municipalities – Community Emergency Preparedness Program Fund for Evacuation Route Planning for the Alberni Valley.*

**CARRIED**

**g. Request for Decision regarding request for Acknowledgement: Municipal Finance Authority of BC 50<sup>th</sup> Anniversary.**

*MOVED: Director McNabb*

*SECONDED: Director Shannon*

*THAT the Alberni-Clayoquot Board of Directors send a letter of acknowledgement and congratulations to the Municipal Finance Authority of BC (MFA) recognizing the organizations 50th anniversary in 2020.*

**CARRIED**

- h. Request for Decision regarding West Coast Industrial Land Analysis.  
LATE ITEM: Added Material – Request for Decision for Electoral Area Directors Meeting, March 3, 2020 and District of Ucluelet Letter of Request – West Coast Industrial Land Analysis**

*MOVED: Director Roberts*

*SECONDED: Director Bodnar*

*THAT the ACRD Board of Directors authorize a contribution of \$7,500 to the West Coast Industrial Land Analysis being undertaken by the Districts of Tofino and Ucluelet funded from Rural Planning Service.*

**CARRIED**

## **9. PLANNING MATTERS**

### **9.1 ELECTORAL AREA DIRECTORS ONLY**

- a. DVD20001, STRACHAN, 9492 STIRLING ARM DRIVE (SPROAT LAKE)**  
Development Variance Permit Application – Memorandum and Permit

*MOVED: Director Cote*

*SECONDED: Director Shannon*

*THAT the Board of Directors issue development variance permit DVD20001.*

**CARRIED**

- b. DVD20002, CONLEY & BROLEY PROPERTIES INC, 9618 STIRLING ARM CRESCENT (SPROAT LAKE)**  
Development Variance Permit Application – Memorandum and Permit

*MOVED: Director Cote*

*SECONDED: Director McNabb*

*THAT the Board of Directors issue development variance permit DVD20002.*

**CARRIED**

- c. TUP19024, SPROAT LAKE LANDING INC, 10695 LAKESHORE ROAD (SPROAT LAKE)**

Temporary Use Permit Application – Memorandum and Permit  
**LATE IITEM: Added Material – Public Input**

*MOVED: Director Cote*  
*SECONDED: Director Roberts*

*THAT the Board of Directors defer Temporary Use Permit TUP19024.*

**CARRIED**

- d. RE18010, COWLEY & GRANT, 5628 TOMSWOOD ROAD (BEAVER CREEK)**  
Rezoning Application - Public Hearing Report, Public Hearing Minutes and  
Bylaw P1381

*MOVED: Director McNabb*  
*SECONDED: Director Shannon*

*THAT the Board of Directors receive the public hearing report.*

**CARRIED**

*MOVED: Director McNabb*  
*SECONDED: Director Shannon*

*THAT the Board of Directors receive the public hearing minutes.*

**CARRIED**

*MOVED: Director McNabb*  
*SECONDED: Director Bodnar*

*THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw  
P1381 be read a third time.*

**CARRIED**

- e. RE19007, HILTUNEN & BURNETT, 7565 DAVENPORT ROAD (BEAVER  
CREEK)**  
OCP Amendment and Rezoning Application – Bylaws P1401 and P1402

*MOVED: Director McNabb*  
*SECONDED: Director Shannon*

*THAT Beaver Creek Official Community Plan Amendment Bylaw P1401 be read a  
second time.*

**CARRIED**

*MOVED: Director McNabb*  
*SECONDED: Director Shannon*

*THAT Beaver Creek Official Community Plan Amendment Bylaw P1401 be read a third time.*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Roberts*

*THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1402 be read a second time.*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Shannon*

*THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1402 be read a third time.*

**CARRIED**

**f. RE20001, ANKER, 6261 LAMARQUE ROAD (BEAVER CREEK)**  
Rezoning Application – Report and Bylaw P1404

*MOVED: Director McNabb*

*SECONDED: Director Shannon*

*THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1404 be read a first time;*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Shannon*

*THAT the public hearing for Bylaw P1404 be delegated to the Director for Electoral Area 'E', the Alternate Director or the Chairperson of the Regional District;*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Roberts*

*THAT the Board of Directors confirm that adoption of Bylaw P1404 is subject to:*

*Confirmation from a Registered On-Site Wastewater Practitioner that the proposed lots are capable of accommodating on-site sewage disposal to a minimum 0.6 acre density; and*

*Meeting technical referral agency requirements.*

**CARRIED**

- g. RE20002, PAQUETTE & MCNAMARA, 6765 BEAVER CREEK ROAD (BEAVER CREEK)**  
Rezoning Application – Report and Bylaw P1407

*MOVED: Director McNabb*

*SECONDED: Director Shannon*

*THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1407 be read a first time;*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Roberts*

*THAT the public hearing for Bylaw P1407 be delegated to the Director for Electoral Area 'E', the Alternate Director or the Chairperson of the Regional District;*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Bodnar*

*THAT the Board of Directors confirm that adoption of Bylaw P1407 is subject to:*

*Confirmation from a Registered On-Site Wastewater Practitioner that the proposed lots are capable of accommodating on-site sewage disposal to a minimum 1 acre density; and*

*Meeting technical referral agency requirements.*

**CARRIED**

## **9.2 ELECTORAL AREA DIRECTORS AND TOFINO**

- a. RT19009, CANNABIS PRODUCTION REGULATIONS (ALL ELECTORAL AREAS)**  
Zoning Text Amendment – Memorandum and Bylaw P1399

*MOVED: Director McNabb*

*SECONDED: Director Bodnar*

*THAT Regional District of Alberni-Clayoquot Zoning Text Amendment Bylaw P1399 be adopted.*

**CARRIED**

**9.3 ALL DIRECTORS**

**a. ACRD HOUSING NEEDS REPORT (ALL ELECTORAL AREAS)**

Memorandum – ACRD Housing Needs Report Project Outline

*MOVED: Director Osborne*

*SECONDED: Director Roberts*

*THAT the Board of Directors receive the ACRD Housing Needs Report Project Outline.*

**CARRIED**

**10. REPORTS**

**10.1 STAFF REPORTS**

**a. Information Report – Central Westcoast Forest Society Clean-up – March 2020 (J. Brunn)**

*MOVED: Director Roberts*

*SECONDED: Director McNabb*

*THAT this report be received for information.*

**CARRIED**

**b. Information Report – West Coast Landfill Engineering Work Update – March 2020 – (J. Brunn)**

*MOVED: Director Shannon*

*SECONDED: Director Roberts*

*THAT this report be received for information.*

**CARRIED**

**10.2 COMMITTEE REPORTS**

**10.3 OTHER REPORTS**

**11. UNFINISHED BUSINESS**

Director Beckett re-entered the meeting at 2:30 pm

Director Beckett exited the meeting at 2:51 pm

**12. LATE BUSINESS**

**13. QUESTION PERIOD**

**14. RECESS**

*MOVED: Director McNabb*

*SECONDED: Director Bodnar*

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

**CARRIED**

The meeting was recessed at 2:52 pm

**15. RECONVENE**

The meeting was reconvened at 3:13 pm

**16. IN-CAMERA**

*MOVED: Director Roberts*

*SECONDED: Director Bodnar*

*THAT the meeting be closed to the public as per the Community Charter, sections:*

- i. 90 (1) (k): negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the board, could reasonably be expected to harm the interests of the regional district if they were held in public;*
- ii. 90 (2) (b): the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;*
- iii. 90 (1) (j): information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 (1) (c) (i) of the Freedom of Information and Protection of Privacy Act.*

**CARRIED**

The meeting was closed to the public at 3:13 pm.

The meeting was re-opened to the public at 3:40 pm.

**17. RECOMMENDATIONS TO THE BOARD FROM IN-CAMERA**

The following recommendation from the in-camera portion of the meeting was reported out in open meeting.

*THAT the Alberni-Clayoquot Regional District Board of Directors authorize the Board Chair and CAO to execute the draft three-year (April 1<sup>st</sup>, 2020 to March 31<sup>st</sup>, 2023) lease agreement with the Long Beach Recreation Cooperative (LBRC) at the Long Beach Airport.*

**18. ADJOURN**

*MOVED: Director Roberts*

*SECONDED: Director Bodnar*

*THAT this meeting be adjourned at 3:40 pm*

**CARRIED**

Certified Correct:

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John Jack,  
Chairperson

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Douglas Holmes,  
Chief Administrative Officer



# Alberni-Clayoquot Regional District

## MINUTES OF THE COMMITTEE-OF-THE-WHOLE (FINANCIAL PLANNING MEETING)

HELD ON WEDNESDAY, MARCH 11, 2020, 10:00 AM

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

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### DIRECTORS

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

### PRESENT:

Josie Osborne, Vice-Chairperson, District of Tofino

Bob Beckett, Director, Electoral Area "A" (Bamfield)

Tanya Shannon, Director, Electoral Area "B" (Beaufort)

Kel Roberts, Director, Electoral Area "C" (Long Beach)

Penny Cote, Director, Electoral Area "D" (Sproat Lake)  
(via Teleconference)

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

Dianne Bodnar, Director, Electoral Area "F" (Cherry Creek)

Sharie Minions, Mayor, City of Port Alberni

Debbie Haggard, Councillor, City of Port Alberni

Rachelle Cole, District of Ucluelet (Via Teleconference)

Kirsten Johnsen, Member of Council, Toquaht Nation

### REGRETS:

Wilfred Cootes, Councillor, Uchucklesaht Tribe Government

Alan McCarthy, Member of Legislature, Yuuʔuʔiʔath Government

### STAFF PRESENT:

Douglas Holmes, Chief Administrative Officer

Teri Fong, Chief Financial Officer

Rob Williams, General Manager of Environmental Services

Tracy Bond, Administrative Assistant

### 1. CALL TO ORDER

The Chairperson called the meeting to order at 10:00 am.

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

### 2. APPROVAL OF AGENDA

*MOVED: Director Roberts*

*SECONDED: Director McNabb*

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

*Supplementary Information to 4a. RFD 2020-2024 Draft Financial Plan.*

**CARRIED**

### **3. PETITIONS, DELEGATIONS & PRESENTATIONS**

- a. Kevin Daniel, Manager, Capital Planning, Chris Sullivan, Director of Capital Planning Island Health, regarding 2020 Alberni-Clayoquot Regional Hospital District Capital Requisition.**

K. Daniel advised on Island Health's capital project and equipment requirements for 2020-2021 for the Alberni-Clayoquot Regional Hospital District region. Island Health only has 60 per cent matching funds for half of the Alberni-Clayoquot Regional Hospital District's allocated funding. This is due to some large island-wide projects currently in progress such as the Nanaimo ICU. This short fall will continue for the next few years until projects completion. Included in the minor capital projects is a request for projects related to information management and technology, which are an essential component to healthcare delivery. The costs of these island-wide projects have been allocated to the Regional Hospital Districts based on population. Ten Year Capital Plan larger projects noted in chronological order include Consolidation of Public Health Programs, Island Health/Electronic Health Record, Cerner Re-platforming, Development of an Integrated Primary care Centre, and Tofino General Hospital Replacement. Commencement of these projects is subject to available funding, and the priority of these projects relative to other Island Health project. Project dates and cost estimates will be provided if/when the development of these projects progress further.

- b. Mr. Bill Collett, CEO, Alberni Valley Chamber of Commerce, and Willa Thorpe, Director, Parks, Recreation and Heritage, City of Port Alberni, regarding presentation on the proposed plans for McLean's Mill in 2020/2021**

W. Thorpe discussed the grant-in-aid the Regional District provided to the City of Port Alberni for 2019-2024 for McLean Mill. The City of Port Alberni matched the \$30,000 funding. \$120,000 was spent in 2019 for roofing projects on McLean Mill historic garage, cookhouse and worker house. The 2020 project list includes property and roof works. The City of Port Alberni takes lead on historic zone and the Alberni Chamber of Commerce leads the non-historic zone.

B. Collette, reported that the AV Chamber of Commerce will be running the business portion of the McLean Mill Site. B. Collette introduced team members Susan Denny and Anita Sutherland. The Chamber has applied for student grants. Marketing McLean Mill as a destination site for special events such as weddings, corporate events, staff retreats, family reunions is being undertaken.

- c. Ms. Marcie DeWitt, Alberni-Clayoquot Health Network regarding presentation on highlights for 2020 ACHN.**

Ms. DeWitt provided an overview of the Network highlights for 2019 and plans for 2020 including the following:

Annual Report – 2019 key areas of development. strategic plan, transportation, network development, community connectedness etc.

Communications – website, social determinants of health, consistent messaging, presentation to local decision making, tables, ongoing projects.

Connected communities – BC Transit Feasibility Study and outreach assistance, work with community stakeholders around transportation planning in Port Alberni and the West Coast.

Building Regional Prosperity – poverty reduction in our area. Analysis of provincial engagement to inform future planning, scoping and planning for provincial opportunities.

Knowledge and Capacity Building – participation and support to local networks, participation and support to Alberni Valley Art of Hosting workshop, support and capacity building with island wide CHN network, support and preparations for UBCM

Submitted application for poverty reduction to continue to build health communities.

#### **4. REQUEST FOR DECISIONS & BYLAWS**

- a. **Request for Decision regarding 2020-2024 Draft Financial Plan.**  
**LATE ITEM: Supplementary Information – RFD 2020-2024 Draft Financial Plan.**

Director Haggard declared a conflict of interest with respect to item 4a. and left the meeting at 10:46 am.

*MOVED: Director McNabb*

*SECONDED: Director Shannon*

*THAT the Committee of the Whole reduce Area E – Beaver Creek’s contribution to the Cherry Creek Community Recreation Commission grant-in-aid from \$2,000 to \$0 and increase the Beaver Creek special events grant from \$2,500 to \$4,500.*

**CARRIED**

*MOVED: Director Bodnar*

*SECONDED: Director Shannon*

*THAT the Committee of the Whole increase Area F – Cherry Creek’s contribution to the Cherry Creek Community Recreation Commission grant-in-aid from \$18,000 to \$20,000.*

**CARRIED**

Director Haggard re-entered the meeting at 10:50 am.

*MOVED: Director Osborne*  
*SECONDED: Director Minions*

*THAT the Committee of the Whole direct staff to prepare the 2020 to 2024 Alberni-Clayoquot Regional District Financial Plan bylaw for consideration at the March 25, 2020 Board of Directors meeting.*

**CARRIED**

**5. REPORTS**

**a. Regional Parks Information Report – R. Williams**

*MOVED: Director Shannon*  
*SECONDED: Director McNabb*

*THAT this report be received for information.*

**CARRIED**

**b. Extended Producer Responsibility Programs Information Report  
– J. Brunn**

*MOVED: Director Osborne*  
*SECONDED: Director Shannon*

*THAT this report be received for information.*

**CARRIED**

**7. LATE BUSINESS**

**8. ADJOURN**

*MOVED: Director Osborne*  
*SECONDED: Director Shannon*

*THAT this meeting be adjourned at 11:04 am*

**CARRIED**

Certified Correct:

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John Jack,  
Chairperson

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Douglas Holmes,  
Chief Administrative Officer



# Alberni-Clayoquot Regional District

## MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING HELD ON TUESDAY, MARCH 31, 2020, 10:00 AM

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

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**DIRECTORS PRESENT:** John Jack, Chairperson, Councillor, Huu-ay-aht First Nation  
Josie Osborne, Vice-Chair, Mayor, District of Tofino  
Bob Beckett, Director, Electoral Area "A" (Bamfield)  
Tanya Shannon, Director, Electoral Area "B" (Beaufort)  
Kel Roberts, Director, Electoral Area "C" (Long Beach)  
Penny Cote, Director, Electoral Area "D" (Sproat Lake)  
John McNabb, Director, Electoral Area "E" (Beaver Creek)  
Dianne Bodnar, Director, Electoral Area "F" (Cherry Creek)  
Sharie Minions, Mayor, City of Port Alberni  
Debbie Haggard, Councillor, City of Port Alberni  
Rachelle Cole, Councillor, District of Ucluelet  
Wilfred Cootes, Councillor, Uchucklesaht Tribe Government  
Kirsten Johnsen, Member of Council, Toquaht Nation

**REGRETS:** Alan McCarthy, Member of Legislature, Yuułuʔiłʔatḥ Government

**STAFF PRESENT:** Douglas Holmes, Chief Administrative Officer  
Teri Fong, Chief Financial Officer  
Mike Irg, General Manager of Planning and Development  
Wendy Thomson, General Manager of Administrative Services  
Janice Hill, Executive Assistant  
Heather Zenner, Protective Services Manager

Note: Due to the COVID-19 pandemic and to respect social distancing efforts, all Regional District Directors and Staff participated in the Board of Directors Meeting via zoom video or phone conferencing and there was no public in attendance.

### 1. **CALL TO ORDER**

The Chairperson called the meeting to order at 10:04 am.

The Chairperson recognized the meeting this morning being held in the Tseshaht First Nation, Hupacasath First Nation and Nuu-chah-nulth territories.

### 2. **APPROVAL OF AGENDA**

*MOVED: Director McNabb*

*SECONDED: Director Beckett*

*THAT the agenda be approved as circulated.*

**CARRIED**

**3. DECLARATIONS**

**4. ADOPTION OF MINUTES**

**a. Board of Directors Meeting – March 25, 2020**

*MOVED: Director McNabb*

*SECONDED: Director Bodnar*

*THAT the minutes of the Board of Directors meeting held on March 25, 2020 be adopted.*

**CARRIED**

**5. REQUEST FOR DECISIONS & BYLAWS**

**a. Request for Decision regarding Relaxation of a Portion of the ACRD Payment Processing Policy, 2012.**

*MOVED: Director Roberts*

*SECONDED: Director Cootes*

*THAT, during the COVID-19 pandemic, the Alberni-Clayoquot Regional District (ACRD) Board of Directors waive Section 2 – Approval of Payments, of the ACRD Payment Processing Policy, 2012 in order to protect the health and safety of staff, directors and the public AND FURTHER this be reviewed at the April 22, 2020 Board of Directors Meeting.*

**CARRIED**

**b. Request for Decision regarding Bylaw F1149, 2020-2024 Financial Plan Bylaw Adoption.**

*MOVED: Director Beckett*

*SECONDED: Director Haggard*

*THAT the Alberni-Clayoquot Regional District Board of Directors give second reading to the bylaw cited as “Bylaw F1149, 2020 to 2024 Alberni-Clayoquot Regional District Financial Plan”.*

*MOVED: Director Roberts*

*SECONDED: Director Cote*

*THAT the Board of Directors amend Bylaw F1149, General Government, page 7, as follows:*

*Line 3 – Tax requisition – decrease by \$41,500 to \$1,185,580*

*Line 12 – Capital fund contribution – decrease by \$40,000 to \$60,000*

*Line 31 – FCM convention & membership – decrease by \$1,500 to \$7,500*

*Line 78 – Vehicle purchase – move the \$45,000 from 2020 to 2021*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Cote*

*THAT the Board of Directors amend Bylaw F1149, Electoral Area Administration, page 20, as follows:*

*Line 3 – Tax requisition – decrease by \$8,000 to \$79,749*

*Line 17 – AVICC dues & convention expenses – decrease by \$8,000 to \$2,000*

**CARRIED**

*MOVED: Director McNabb*

*SECONDED: Director Johnsen*

*THAT the Board of Directors amend Bylaw F1149, Alberni Valley Emergency Planning, page 25, as follows:*

*Line 2– Tax requisition – increase by \$30,000 to \$203,744*

*Line 11 – Emergency response & recovery – increase by \$30,000 to \$30,000*

**CARRIED**

*MOVED: Director Beckett*

*SECONDED: Director Roberts*

*THAT the Board of Directors amend Bylaw F1149, Bamfield Emergency Planning, page 49, as follows:*

*Line 2– Tax requisition – increase by \$1,000 to \$23,350*

*Add a line after line 8 – Emergency response & recovery – increase by \$1,000 to \$1,000.*

**CARRIED**

*MOVED: Director Roberts*

*SECONDED: Director Beckett*

*THAT the Board of Directors amend Bylaw F1149, Long Beach Emergency Planning, page 57, as follows:*

*Line 2– Tax requisition – increase by \$1,000 to \$12,433*

*Add a line after line 6 – Emergency response & recovery – increase by \$1,000 to \$1,000*

**CARRIED**

*MOVED: Director McNabb*  
*SECONDED: Director Shannon*

*THAT the Board of Directors amend Bylaw F1149, Beaver Creek Water System, page 90, as follows:*  
*Line 64– Less – capital expenditures – decrease by \$10,000 to \$50,000*

**CARRIED**

*MOVED: Director McNabb*  
*SECONDED: Director Cootes*

*THAT the Board of Directors amend Bylaw F1149, Beaver Creek Community Park, page 82, as follows:*  
*Line 2 – Tax requisition – decrease by \$10,000 to \$24,785*  
*Line 6 – Contribution to capital fund –decrease by \$10,000 to \$0*

**CARRIED**

*MOVED: Director McNabb*  
*SECONDED: Director Bodnar*

*THAT, commencing April 1, 2020 until June 15, 2020 the ACRD Board of Directors remove Directors remuneration.*

**DEFEATED**

*MOVED: Director Roberts*  
*SECONDED: Director Johnsen*

*THAT the main motion be amended to include an additional amendment to the 2020-2024 Alberni-Clayoquot Regional District Financial Plan reallocating \$50,000 of Community Works Funds from the Salmon Beach Water budget to the Salmon Beach Sewage budget as follows:*

*Electoral Area Administration, page 21 as follows:*  
*Line 41– Salmon Beach Sewage sani-field upgrade – increase by \$50,000 to \$50,000*  
*Line 42 – Salmon Beach Water well development – decrease by \$50,000 to \$50,000*

*Salmon Beach Sewage, page 64 as follows:*  
*Line 19 – Grants and other contributions – increase by \$50,000 to \$50,000*

*Salmon Beach Water, page 66 as follows:*  
*Line 18 – Community Works Fund transfer – decrease by \$50,000 to \$50,000*

**CARRIED**

The main motion of second reading of Bylaw F1149 as amended was;

**CARRIED**

*MOVED: Director Shannon*  
*SECONDED: Director Cote*

*THAT the meeting be recessed at 12:06 pm in order to conduct a Special Regional Hospital District meeting.*

**CARRIED**

Director Cootes left the meeting at 12:11 pm.

The meeting was re-convened at 12:27 pm.

*MOVED: Director McNabb*  
*SECONDED: Director Bodnar*

*THAT the Alberni-Clayoquot Regional District Board of Directors give third reading to the bylaw cited as "Bylaw F1149, 2020 to 2024 Alberni-Clayoquot Regional District Financial Plan".*

**CARRIED**

Directors Jack, Osborne, Beckett, Shannon, Roberts, Cote, Bodnar, Minions, Haggard, Cole and Johnsen voted in favour of the above motion.

Director McNabb voted in opposition of the above motion.

*MOVED: Director McNabb*  
*SECONDED: Director Bodnar*

*THAT the Alberni-Clayoquot Regional District Board of Directors adopt bylaw cited as "Bylaw F1149, 2020 to 2024 Alberni-Clayoquot Regional District Financial Plan".*

**CARRIED**

Directors Jack, Osborne, Beckett, Shannon, Roberts, Cote, Bodnar, Minions, Haggard, Cole and Johnsen voted in favour of the above motion.

Director McNabb voted in opposition of the above motion.

**6. LATE BUSINESS**

**7. ADJOURN**

*MOVED: Director McNabb*  
*SECONDED: Director Roberts*

*THAT this meeting be adjourned at 12:30 pm*

**CARRIED**

Certified Correct:

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John Jack,  
Chairperson

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Wendy Thomson,  
General Manager of Administrative Services



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

March 17, 2020

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



Dear Sir/Ma'am:

**RE: Port Alberni Port Authority – Port Advisory Nominating Committee**

The Port Alberni Port Authority's Advisory Nominating Committee (PANC) would like to ask you to solicit one person as a nominee to represent your organization on the committee. The PANC is a mandatory requirement of the *Canada Marine Act* and the Port Alberni Port Authority's Letters Patent. A copy of both are available on our website.

The Port Advisory Nominating Committee is comprised of the following:

- Two representatives from Commodity Shippers
- One representative from Marine Carriers
- Two representatives from Service Providers
- Two representatives from Other Port Related Business

The length of the term for each of the above "User Groups" is **3 - 5 years**. This ensures a continuum of experienced committee members at all times. Each nominee submitted by the Other Port Related Business for the Port Advisory Nominating Committee will be considered and you will be notified if your nominee is elected.

Please feel free to contact the writer at (250) 723-5312 if you have any questions.

The Port Alberni Port Authority respectfully requests that you forward your submission by **March 31, 2020**.

Yours Truly,  
PORT ALBERNI PORT AUTHORITY

Zoran Knezevic  
President & CEO



## OFFICE OF THE MAYOR

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9  
p: 250.561.7600 | www.princegeorge.ca

March 24, 2020

*Via email*

Dear Mayor and Council:

At the City of Prince George regular Council meeting held March 9, 2020, Council endorsed the following resolution titled **Sharing Payments from Opioid Class Action Lawsuit** for submission to the Union of BC Municipalities (UBCM) for consideration at their annual convention this year.

### **Sharing Payments from Opioid Class Action Lawsuit**

*WHEREAS* under the Opioid Damages and Health Care Costs Recovery Act (the “Act”) the provincial government may sue a manufacturer or wholesaler of an opioid product to recover the costs of health care benefits on an aggregate basis, for a population of persons who have suffered damage caused or contributed to by the use of or exposure to an opioid product;

*AND WHEREAS* pursuant to the Act and other legislation, the provincial government has launched a class action lawsuit on behalf of all federal, provincial and territorial governments to recover the costs of health care benefits from manufacturers and wholesalers of opioid products, whose marketing practices have had devastating impacts on the lives of thousands of British Columbians;

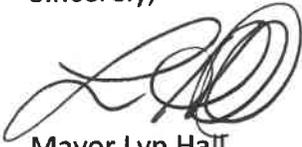
*AND WHEREAS* the definition of “health care benefits” under the Act includes “other expenditures by the government, made directly or through one or more agents or other intermediate bodies, for programs, services, benefits or similar matters associated with disease, injury or illness” and local governments have faced substantial “health care benefits” costs due to the opioid crisis;

*THEREFORE BE IT RESOLVED* that UBCM advocate to the provincial government to share any recovery of damages from the class action lawsuit with local governments, to further enable local governments to continue offering services and support programs that aim to reduce harm and stigma, address the root causes of the opioid crisis, and support people struggling with mental health and addiction.

On behalf of Prince George Council, I am requesting your favourable consideration and support for this resolution should it be accepted for debate at the 2020 Annual Convention of UBCM.

If you have any questions or would like more information please feel free to contact my office at [Mayoradmin@princegeorge.ca](mailto:Mayoradmin@princegeorge.ca) or 250-561-7609.

Sincerely,



Mayor Lyn Hall

c.  
North Central Local Government Association (NCLGA)  
The Union of British Columbia Municipalities (UBCM) Annual Convention  
British Columbia Municipalities and Regional Districts  
Shirley Bond, MLA  
Mike Morris, MLA



Office of the Chair  
1450 K.L.O. Road  
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Telephone: (250) 469-6224  
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March 27, 2020  
File No.: 0530-02

The Honourable Mike Farnworth  
Room 128 Parliament Buildings  
Victoria, BC V8V 1X4

Via Email: PSSG.Minister@gov.bc.ca

Dear Minister Farnworth:

Re: 911 Call Answer Levy on Cellphones

The Regional Board of the Regional District of Central Okanagan at its meeting of March 12, 2020 adopted the following resolution:

*“THAT the Regional Board agree to advocate for the establishment of a province-wide 911 call answer levy on cell phones and the consistent application of 911 service standards that are aligned with the federal network of public safety answering points across Canada;*

*AND FURTHER THAT Chair Given be authorized to send a letter to the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General in support of this matter and cc'd to all regional districts in British Columbia.*

The Board is aware that in October 2018 your Ministry notified UBCM that it was reinvigorating work related to 911 emergency communication service delivery in BC, and further that in 2019 a new 911 Steering Committee was established with representatives from local governments, indigenous organizations, RCMP, Fire, Ambulance, Telus, E-Comm 911 and national/provincial 911 working groups. We also understand this initiative is a work in progress and that the Province recognizes the advantages of a 911 call answer levy on cellphones and that it is a significant public safety issue needing a province-wide approach.

On behalf of the Regional Board, I encourage you once the current pandemic and state of emergency ends, understanding the economic challenges that lay ahead and the complex landscape of 9-1-1 emergency communications, not to delay implementation of a provincial approach and passage of a 9-1-1 Bill. The Board further encourages consideration for the Call Levy dollars not to be put into provincial general revenue but establish an independent corporation with a clear mandate and appropriate authority to deliver the service.

Respectfully,

A handwritten signature in black ink, appearing to read "Gail Given", is written over a white background.

Gail Given  
Chair

cc: BC Regional Districts  
Premier John Horgan (premier@gov.bc.ca)  
Deputy Solicitor General, Mark Sieben - PSSG.Minister@gov.bc.ca



Agreement #: 2019070035  
Date Issued: March 31, 2020

Teri Fong  
Alberni-Clayoquot Regional District  
3008 5th Ave  
Port Alberni, B.C. V9Y 2E3

Dear Teri Fong:

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development (the "Province", "we", "us", or "our" as applicable) is pleased to provide Alberni-Clayoquot Regional District (the "Recipient", "you", or "your" as applicable) a grant for \$10,000 to support the Alberni Valley Regional Airport Strategic Economic Development Plan (the "Project") to assist with economic development and recovery following COVID-19. This grant will further the Recipient's purpose, objectives and goals to:

This project will host a workshop and develop a Strategic Economic Development Plan for the recently expanded Alberni Valley Regional Airport (AVRA). The newly formed AVRA Advisory Committee will be tasked with creating a Strategic Plan to guide the Alberni-Clayoquot Regional District's Board of Directors.

The Province requires brief reporting on the status of achievements in relation to this funding, and financial information, with timing and content of reporting as agreed between the Province and the Recipient. Reporting templates will be provided by the Province. The Recipient will submit a brief Interim Report when 50% of the project has been completed, and a final project report upon project completion and will include:

- (a) Confirmation that the Financial Contribution was spent on essential Project costs;
- (b) A description of project deliverables, successes, lessons learned, and outcomes achieved; and
- (c) The number of jobs created, the duration of those jobs, and the economic benefits the project provided your community.

The Province reserves the right to, for monitoring and audit purposes, at all reasonable times, on reasonable notice, enter any premises used by the Recipient to deliver the Services or request and keep any documents or records pertaining to the Services, in order for the Province to inspect, audit, examine, review and copy, whether complete or not, that are produced, received or otherwise acquired by the Recipient as a result of this Agreement. It is the responsibility of the Recipient to ensure cooperation from all partners and third-party contributors, in a timely manner, during a review or audit of the Services.

This Agreement starts upon its execution and ends March 31, 2023.

Furthermore, the Province requires that all marketing, publicity and communications activities related to the Project comply with the rules outlined in Appendix A.

2019070035

We wish you success in achieving the objectives of this Agreement. Please contact the Rural Policy and Programs Branch (RPP) at 250-356-7950 if you have any questions or concerns.

Yours truly,



\_\_\_\_\_  
Chris Stagg  
Assistant Deputy Minister  
Ministry of Forest, Lands, Natural Resource Operations and Rural Development

\_\_\_\_\_  
March 30, 2020

Date

## **APPENDIX A – MARKETING, PUBLICITY AND COMMUNICATIONS**

1. Media events and promotional materials regarding the Project shall not occur without the prior knowledge and agreement of the Province. The Recipient will provide at least 15 working days' notice to the Province's Rural Policy and Programs Branch contact of media events. Media events include, but are not limited to, news conferences, public announcements, official events or ceremonies, news releases, or release of documents.
2. Notice of a media event shall be provided by the Recipient to the Province's Rural Policy and Programs Branch contact. Current contact is:  
[ruraldevelopment@gov.bc.ca](mailto:ruraldevelopment@gov.bc.ca)

Notification of a new contact may be provided from time to time.

3. Any media event shall take place at a mutually agreed date and location. The Recipient will acknowledge the Financial Contribution made by the Province on any signage, posters, exhibits, pamphlets, brochures, advertising, websites, forms, or other publications produced by the Recipient and related to the Project, in terms satisfactory to the Province.
4. The Recipient will use the Province's logo in acknowledging the financial contribution of the Province. Any and all use by the Recipient of the Provincial logo and statement will be in the form provided by the Province, and will comply with the graphic standards and any conditions communicated, by the Province to the Recipient from time to time. The Province's logo and graphic standards document is incorporated by reference into this Agreement.

The statement to accompany acknowledgement is as follows: "We gratefully acknowledge the financial support of the Province of British Columbia"

March 27, 2020

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



Dear Chair Jack:

**Re: Provincial Response to 2019 Resolutions**

UBCM has received the Province's response(s) to your Board resolution(s) from 2019. Please find the enclosed resolution(s) and their provincial response(s).

Responses received from the Province have been posted to the UBCM web site under Resolutions & Policy.

If you have any questions about this process, please contact Jamee Justason, Resolutions and Policy Analyst at 604.270.8226 ext. 100 or [jjustason@ubcm.ca](mailto:jjustason@ubcm.ca)

Yours truly,

Maja Tait  
UBCM President

*Enclosure*

Whereas the municipalities and regional districts that provide firefighting services must provide certified Fire Apparatus and regulatory compliant Firefighter Personal Protective Equipment to meet insurance standards and WorkSafe BC regulations;

And whereas the cost of providing the specialty apparatus and equipment has become an onerous challenge for large and small fire departments alike:

Therefore be it resolved that the provincial government be requested to provide an exemption from provincial sales tax for fire protection equipment and supplies for Fire Departments within the province.

**Convention Decision:                      Endorsed**

Provincial Response

**Ministry of Finance**

*Government values the contribution that first responders, including firefighters, make to communities throughout BC. It is important that the health and safety of firefighters is protected while they provide invaluable services to British Columbians every day.*

*The current PST system strikes a balance between providing tax exemptions and grants to ensure firefighters have life-saving equipment and apparel and ensuring it can be properly applied by BC businesses. The full suite of PST exemptions is described in an information bulletin—PST 100, Safety Equipment and Protective Clothing— is available online:*  
<https://www2.gov.bc.ca/assets/gov/taxes/sales-taxes/publications/pst-100-safety-equipment-protective-clothing.pdf>

*Ministry of Finance staff are also available to assist local governments and fire departments understand whether an exemption applies to specific items and can be reached at [CTBTaxQuestions@gov.bc.ca](mailto:CTBTaxQuestions@gov.bc.ca).*

Whereas agricultural extension services support government and community priorities around food security, economic development, climate change adaptation and water management;

And whereas agricultural producers and stakeholders in each Regional District are subject to unique challenges and opportunities that are difficult to address in the long-term or in a consistent manner without predictable, non-project-based funding:

Therefore be it resolved that the Ministry of Agriculture provide funding to local governments through a stable, annual and accountable framework to establish strategic and long-term regional agricultural extension supports.

**Convention Decision:**                      **Endorsed**

#### Provincial Response

##### **Ministry of Agriculture**

*The Ministry of Agriculture provides support to the agriculture sector through Grow BC, Feed BC, Buy BC, which is a three-pillared strategy to enable sustainable shared prosperity for a better BC, by supporting BC's agriculture, seafood and food processing sectors, encouraging consumption of BC products and building resiliency within the sector.*

*The Ministry has a variety of programs and services to support BC's farming communities, industry groups and aspiring new farmers. These programs are designed to promote local food products, support innovation, build capacity of BC's existing producers and processors, assist new entrants looking to farm in BC and support farmers to adapt to a changing climate.*

*Currently, the Ministry provides direct service delivery to primary and value-added producers through a network of front-line staff and technical staff support capable of facilitating contacts between producers, industry associations, local governments, First Nations and other stakeholders and communities of interests. These interests are served with a broad range of modern tools, information and resources but support needs are increasing given a changing environment, pressures on the urban/rural interface and technological change. Examples of key activities include:*

- Regional Agrologists (15 Agrologists) who deliver strategic outreach activities, facilitate strong agricultural land-use planning, coordinate agricultural emergency response, and address current and emerging issues facing agriculture within a specific region, in collaboration with local governments, regional producer organizations and local producers;*
- Industry Specialists (11 Specialists) who drive agricultural competitiveness by delivering industry extension programming, research, and coordination to key agricultural commodities province-wide, in collaboration with producers, processors, provincial-federal organizations and governments, and;*
- AgriServiceBC, which provides a single point of contact for producers, processors and citizens to access Ministry information, programs and services.*

Whereas intermittent or complete lack of cellular services in remote communities and along over 5,000 km of BC's rural highways creates a significant barrier for access to emergency services, negatively affects emergency response time, and increases public safety risk;

And whereas there is a market failure to provide cellular services where revenue cannot support costs to deploy and maintain the service:

Therefore be it resolved that the Province set targets to close gaps in cellular service in remote communities and along rural highway sections, and oblige service providers in partnership with all levels of government to close these gaps.

**Convention Decision:**                      **Endorsed**

Provincial Response

**Ministry of Citizens' Services**

*The Province recognizes the importance of cellular connectivity along provincial highways and in rural communities, especially for public safety and the role it plays in economic development and tourism. Cellular service along highways is essential for immediate access to emergency services when they are needed most.*

*Telecommunications in Canada is regulated by the Canadian Radio-Television and Telecommunications Commission and therefore the province cannot compel service providers to expand cellular services.*

*The Federal Government recently launched a new national connectivity strategy where the expansion of cellular services is being studied. The Province is working with other levels of government on developing a costing model for the expansion of cellular coverage along highways across Canada.*

*Once this work around cellular model costing has been completed, the Province will work with the federal government on what their targets are to understand the national target and how they may apply to individual provinces and territories.*

*There is a role for local governments in the process to assist in facilitating access to local infrastructure that can help support new cellular equipment such as antennas. The Province is studying the role of this local infrastructure and how it can be used more effectively to accelerate the deployment of cellular and broadband infrastructure.*



## REQUEST FOR DECISION

**To:** ACRD Board of Directors  
**From:** Jenny Brunn, Manager of Operations  
**Meeting Date:** April 8, 2020  
**Subject:** Fayette and Lamarque Road Water Main Upgrade

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### **Recommendation:**

***THAT the Alberni-Clayoquot Regional District Board of Directors award the Fayette and Lamarque Road water main upgrade to Leuco Construction Inc. for the tender price of \$755,698.17 including GST.***

### **Desired Outcome:**

Replace aging water main infrastructure on Lamarque and Fayette Roads in alignment with the Beaver Creek Asset Management Plan.

### **Background:**

The watermains on Fayette and Lamarque Roads were installed in the early 1960s and are approaching the end of their life expectancy. Through the asset management program these sections of water main have been identified as the highest risk for failure in the system based on pipe size, material, age, frequency of breaks and on-site condition assessments. Asset management aims to prioritize improvement works required through effective allocation of resources. The frequency of breaks results in higher than usual maintenance costs, resource allocations and lost revenues for non-billable water loss.

As detailed in the attached recommendation letter from Koers Engineering, the tender for upgrading Lamarque and Fayette Road watermains was advertised publicly and closed on March 24, 2020. Separate pricing for each section of watermain was requested to provide flexibility for proceeding with one section if the costs were too high to complete both this year.

### **Time Requirements – Staff & Elected Officials**

Staff time is required to work with the engineering firm, the construction firm, and the public throughout the project. The Operations Manager and water staff will be required to support this project until completion and for a yearlong maintenance period once completed.

### **Financial:**

Of the 11 bids received, the lowest conforming bid was Lueco Construction for a total cost of \$755,698.17 that includes both the Fayette and Lamarque watermain replacements. It is important to note that this cost does not include a contingency which has been standard practice in the past. The removal of the requirement for contingency in the tender

submission was intended to improve tender pricing. The competitive pricing received was the lowest per meter cost submissions that the ACRD has seen in the past 3 years and staff feel that future tenders should also eliminate required contingency budgets as long as contingency funds are set aside in the budget for potential scope changes and overages.

Staff will be adding approximately 10% (\$80,000) to the construction budget for a total of \$864,712.54. If unexpected project scope changes cause the budget to exceed this amount, staff will be required to return to the Board as per the ACRD purchasing policy. Staff are also budgeting \$65,000 for engineering costs, for a total project budget of \$907,948.17. The approved financial plan includes an allocation of \$955,000 in 2020 for the Fayette and Lamarque watermain replacements. This includes a transfer of \$407,000 of Community Works Funding.

Water services and the construction of water systems has been deemed essential services. Leuco Construction Inc. has confirmed their capacity to proceed with the project as proposed at this time, barring any unforeseen changes to the situation. Staff recommend that the project be awarded to Leuco Construction Inc. for the tender price of \$755,698.17 including GST to complete Fayette and Lamarque watermain replacements in 2020.

**Options Considered:**

Completing the Fayette section only for a total estimated project budget of \$476,281.51.

Not completing any water main replacements in 2020.

Submitted by:   
\_\_\_\_\_  
Jenny Brunn, Manager of Operations

Reviewed by:   
\_\_\_\_\_  
Rob Williams, General Manager of Environmental Services

Approved by:   
\_\_\_\_\_  
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



**KOERS  
& ASSOCIATES  
ENGINEERING LTD.**  
*Consulting Engineers*

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March 26, 2020  
File: 1919-02R1

Alberni Clayoquot Regional District  
3008 5th Ave  
Port Alberni, B.C. V9Y 2E3

**Attention:** Ms. Jenny Brunn  
Manager of Operations

**Re: Lamarque & Fayette Road Watermain Replacements  
Tender Summary**

Tenders for the Lamarque & Fayette Road Watermain Replacements were received at the office of Koers & Associates Engineering Ltd. in Parksville BC on Tuesday March 24, 2020 at 2:00 pm. The Tenders were not opened in public due to the current COVID-19 pandemic and the recommended social distancing. The unverified bid results of the opening were emailed to the Tenderers at 3:30 pm the same day.

The work involves the supply and installation of approximately 850 lineal meters of 150 mm dia. PVC watermain on Lamarque Road from Wadena Road to Kellow Road and 795 lineal meters of 150 mm dia. PVC watermain on Fayette Road from Beaver Creek Road to Swanson Road. Both of these watermain projects will replace existing 100mm dia. AC watermains.

A total of eleven tenders were received at the office of Koers & Associates, however one Tender was received at the office of the ACRD and submitted by email to the office of Koers. All tenders were accompanied by the required Bid Bond, and ten of the twelve of the tenders were accompanied by the signed Addenda. The tenders have been checked for completeness and accuracy. A minor mathematical error was found in the tenders submitted by Copcan Civil Ltd., IWC Excavation Ltd., TGK Irrigation Ltd., and Upland Excavating Ltd. with the prices below showing the corrected value. All Tenders except for Denis Francouer Backhoeing Ltd. and Upland Excavating Ltd., which did not include the signed Addenda are considered accurate and valid.

TENDERER	CONTRACT 1A TENDER PRICE	CONTRACT 1B TENDER PRICE	CONTRACT 1A&1B TENDER PRICE
Leuco Construction Inc.	\$377,732.91	\$341,979.63	\$719,712.54
Bowerman Excavating Ltd.	\$402,894.00	\$363,965.00	\$766,859.00
David Stalker Excavating Ltd.	\$425,009.75	\$383,924.25	\$808,934.00
Denis Francouer Backhoeing Ltd.	\$452,740.00	\$401,422.00	\$854,162.00
Copcan Civil Ltd.	\$456,074.50	\$410,925.50	\$867,000.00
Hazelwood Construction Services Inc.	\$509,632.75	\$466,395.06	\$976,027.81
Roc-Star Enterprises Ltd.	\$529,965.00	\$495,545.00	\$1,025,510.00
Upland Excavating Ltd.	\$581,767.46	\$525,833.36	\$1,107,601.32
TGK Irrigation Ltd.	\$594,378.00	\$525,094.00	\$1,119,472.00
IWC Excavation Ltd.	\$687,437.28	\$634,876.88	\$1,322,314.16
J Cote & Sons Excavating Ltd.	\$801,825.00	\$683,875.00	\$1,485,700.00
Kelsey Pipelines Ltd.	\$993,500.00	\$944,275.38	\$1,887,125.00

The Tender prices shown do not include GST or a contingency allowance.

.../2

March 26, 2020  
File: 1919-02R1

Alberni Clayoquot Regional District  
Ms. Jenny Brunn

The lowest Tender is from Leuco Construction Inc., who is based in Qualicum Beach, and is a reputable Contractor. Leuco Construction Inc. has worked on previous projects for the City of Duncan, Village of Cumberland, Town of Qualicum Beach, and Town of Ladysmith. The stated completion period of 160 calendar days is considered appropriate for the scope of work involved in the Contract.

Subject to sufficient funds being available, we recommend that the Regional District accept the lowest Tender for Contract 1A & 1B submitted for the Lamarque and Fayette Road Watermain Replacements, as submitted by Leuco Construction Inc. in the amount of \$719,712.54 plus 5% GST for a total of \$755,698.17. We also recommend that the Regional District budget \$65,000 for Engineering and \$80,000 for a construction contingency for an overall project budget amount of \$864,712.54 plus 5% GST for a total of \$907,948.17. We enclose a draft Notice of Award, which should be retyped on Regional District letterhead and issued to the Contractor following award. Please send us a copy of the notice for our records.

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.



Chris Downey, P.Eng.  
Project Manager

Enclosures

KOERS & ASSOCIATES ENGINEERING LTD.



ASSOCIATION OF CONSULTING  
ENGINEERING COMPANIES  
BRITISH COLUMBIA





## REQUEST FOR DECISION

**To:** ACRD Board of Directors  
**From:** Rob Williams, General Manager of Environmental Services  
**Meeting Date:** April 8, 2020  
**Subject:** Late Payment Penalties

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### Recommendation:

***THAT the ACRD Board of Directors direct staff to not apply a 2% penalty to overdue water payments for the next three months.***

***THAT the ACRD Board of Directors direct staff to terminate any commercial solid waste tipping fee accounts at the Alberni Valley and West Coast Landfills that have outstanding payments after 30 days of receipt of invoice.***

***THAT the ACRD Board of Directors direct staff to not apply a 2% penalty to overdue airport lease payments for the next three months.***

### Desired Outcome:

That the ACRD provide payment relief options to ACRD customers during the COVID 19 pandemic while protecting the public interest.

### Background:

The current COVID 19 pandemic has caused major disruptions across many sectors of the Canadian economic system. This includes the business and employment sectors where many small local businesses have temporarily suspended operations in order to comply with provincial health orders. This has resulted in employee layoffs in both the private and public sector. Senior levels of government have implemented programs to help address the current economic situation as a result of COVID 19, however ACRD staff have started to receive requests for payment deferrals with respect to ACRD delivered services. A challenge with deferring or approving user fee forgiveness with such services is that it then increases the tax requisition to cover the revenue shortfall. Local government services are delivered through a cost recovery model from user fees and or property taxes.

### **Water Utility Payments**

The ACRD operates three community water utilities that have established rate and fee structures. These water utilities include the Beaver Creek, Bamfield and Millstream water systems. All three service establishing bylaws include language regarding late payments and enable the application of a 2% penalty to any overdue payment over 30 days. ACRD staff are recommending that the ACRD Board direct staff to not apply the 2% penalty to overdue water payments during the duration of the COVID 19 response period, or for the next three months. Further extensions may be considered by the Board if necessary. Any unpaid amounts at the end of the calendar year will be transferred to property taxes.

**Solid Waste Tipping Fees**

The ACRD operates two landfills, the Alberni Valley and West Coast landfills. Residential tipping fees are collected at the scale house at the time of visit, while commercial waste haulers often establish an account with the ACRD and are billed for tipping fees on a monthly basis. There is currently no mechanism for the ACRD to ensure payment of tipping fees that are generated through commercial business accounts. Staff are recommending that the ACRD Board direct staff to terminate any commercial account that has outstanding payments after 30 days of receipt of invoices. Outstanding payments will be referred to collections.

**Airport Lease Fees**

The ACRD operates the Alberni Valley and Long Beach airports. Both of these airports have lease agreements with various agencies for the use land and buildings. The lease agreements have language that outlines the amount of rent to be paid and a clause that states late payments will be subject to a 2% penalty. To provide relief to those lease holders requesting it, staff are recommending that the ACRD Board direct staff to not apply the 2% penalty to overdue lease payments during the duration of the COVID 19 response period, or for the next three months. Further extensions may be considered by the Board if necessary. All overdue fees after the relief period will be sent to collections and staff will bring a report forward with lease management options including possible termination for any outstanding accounts.

**Time Requirements – Staff & Elected Officials:**

A significant amount of staff time will be required to respond to customers regarding payment options and track and log outstanding payments

**Financial:**

There is the potential for lost revenue to the water, waste and airport service budgets due to the inability of customers to pay fees. It is impossible to estimate any potential revenue shortfalls at this time.

**Policy or Legislation:**

None

**Options Considered:**

Not provide user fee relief options for ACRD services and apply penalties as per bylaws and lease agreement language.

Submitted by:   
Rob Williams, MSc, General Manager of Environmental Services

Approved by:   
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



## REQUEST FOR DECISION

**To:** ACRD Board of Directors

**From:** Alex Dyer, MCIP, RPP, Planner

**Meeting Date:** April 8, 2020

**Subject:** Open Burning Regulations

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### **Recommendation:**

- 1) THAT Regional District of Alberni-Clayoquot Solid-Fuel Burning Appliance Emission Regulation Bylaw No. R1030, 2019 be adopted.
- 2) THAT third reading of Alberni-Clayoquot Outdoor Burning Smoke Control Regulation Bylaw No. R1032, 2019 be repealed.
- 3) THAT Regional District of Alberni-Clayoquot Outdoor Burning Smoke Control Regulation Bylaw No. R1032, 2019 be amended as presented.
- 4) THAT Regional District of Alberni-Clayoquot Outdoor Burning Smoke Control Regulation Bylaw No. R1032, 2019 be given third reading as amended.
- 5) THAT Regional District of Alberni-Clayoquot Outdoor Burning Smoke Control Regulation Bylaw No. R1032, 2019 be adopted.
- 6) THAT the Board of Directors direct staff to engage in a public information campaign in collaboration with the Port Alberni Air Quality Council.

### **Summary:**

In the spring of 2019, the Board of Directors considered two bylaws to regulate the emission of smoke from residential burning within the Regional District: the Solid-Fuel Burning Appliance Emission Regulation Bylaw No. R1030 and the Outdoor Burning Smoke Control Regulation Bylaw No. R1032. Bylaw R1030 received third reading on May 8, 2019 and Bylaw R1032 received third reading on June 12, 2019.

The Board directed staff to engage with the Port Alberni Air Quality Council, Ministry of Environment and Island Health on the regulatory burning bylaws. At this time, staff have proposed amendments to the bylaws considering the feedback received and have recommended that the bylaws now be adopted with the proposed amendments.

### **Solid-Fuel Burning Appliances:**

At the May 8, 2019 regular meeting, the Board of Directors gave three readings to the “Solid-Fuel Burning Appliance Emission Regulation Bylaw No. R1030, 2019”. The bylaw will regulate wood burning appliances within the ACRD. The bylaw will require that any new installed solid-fuel burning appliance conforms to the CSA/EPA Standard and require that any existing solid-fuel burning appliance be permanently disconnected and removed by July 1, 2023.

No amendments to the solid-fuel burning appliance bylaw are proposed and staff recommend that Bylaw R1030 be adopted as presented.

### **Outdoor Burning:**

At the June 12, 2019 regular meeting, the Board of Directors gave three readings to the “Outdoor Burning Smoke Control Regulation Bylaw No. R1032, 2019”. The bylaw will regulate open burning within each of the six Electoral Areas and includes varying regulations for campfires, domestic backyard open fires and larger land-clearing open fires.

The bylaw includes provisions for atmospheric venting; time of year and time of day; size of fires; number of fires on a parcel of land; setbacks from combustible materials, buildings and property lines; permitted burning materials; time limited smoke-release periods; establishment of a fuel break; competent supervision; safety equipment; and compliance with provincial and federal regulations.

The bylaw provides exemptions for cooking fires contained within barbeques and cooking appliances, fires maintained by fire services personnel and fires relating to “normal farm practices” and “forest practices” under specific circumstances as defined by relevant provincial legislation.

### **Open Burning Smoke Control (OBSC) Regulation:**

The provincial *Open Burning Smoke Control (OBSC) Regulation* was substantially revised and updated following the Board’s consideration of Bylaw R1032 for three readings. The new regulation, which came into effect on September 15, 2019, sets out the conditions under which open burning of vegetative debris takes place in the province with an intent to reduce air quality related impacts on human health. The OBSC Regulation generally applies to larger scale open burning generated from land clearing, forestry activities, agricultural activities, etc. and not to domestic backyard burning and campfires.

The OBSC Regulation exempts the burning of vegetative debris with a diameter less than 3cm, typical of branches in a domestic backyard burn, from any regulatory requirements and debris with

a diameter between 3cm and 10cm are subject to only limited requirements. The full application of the OBSC Regulation is intended for open burning of larger vegetative debris over 10cm. Local governments can apply additional regulations to any of the Province's open burning requirements and the ability to regulate the burning of debris under 10cm in diameter provides an opportunity for the ACRD to add regulation for fires that are exempt under the OBSC Regulation.

The Port Alberni Air Quality Council, with involvement from Ministry of Environment and Island Health representatives on the AQC, have reviewed the bylaws on two occasions and have suggested amendments that reflect a desire to better align the ACRD bylaw with the revised OBSC Regulation. This would allow the province to manage large scale open burning under their revised regulations while providing the opportunity for the ACRD to manage domestic backyard open burning within rural residential and agricultural areas in the Regional District.

### **Amendments to Outdoor Burning Smoke Control Regulation Bylaw No. R1032:**

Staff recommend that the Board of Directors repeal third reading of Bylaw R1032 and make the following amendments to the bylaw:

1. Change definitions of open burning to Category A Open Fires for debris with a diameter less than 10cm and Category B Open Fires for debris with a diameter 10cm or greater. Category A fires have limited restrictions under the OBSC Regulation and Category B fires must comply with all provisions of the Regulation.
2. Minimum setback provisions for Category B Open Fires removed from the bylaw and replaced by reference to the setbacks required in the OBSC Regulation, which change depending on the atmospheric conditions and scale of the fire.
3. Add "Each parcel of land is limited to a maximum of 12 days of Category A or Category B Open Fire burning in each calendar year and 6 days of Open Fire burning in each calendar month" to the conditions of Open Burning to align with the OBSC Regulation within High Smoke Sensitivity Zones.
4. For clarity, change the provision "Fires must be during daylight hours only" in the conditions of Open Burning to "Fires must be ignited no earlier than one hour after sunrise and additional unlit debris must not be added to a fire later than two hours before sunset".
5. Minor adjustments to the wording of definitions to better align with the provisions of the OBSC Regulation.

The bylaw presented to the Board has been adjusted to reflect the suggest amendments noted above. After amending Bylaw R1032, the Board can give the bylaw third reading as amended and adopt the bylaw at the same Board meeting.

### **Public Information Campaign:**

Following adoption of the burning appliance and open burning regulations, planning staff recommend that the Regional District launch a public engagement campaign to inform the public of the new regulations and build knowledge of the need for burning restrictions in our communities.

In the short term during the COVID-19 pandemic, planning staff propose sharing information through a website dedicated to burning regulations, social media posts, newspaper advertisements, bulk mailout to residents. In the longer term following the pandemic, staff propose open houses to be held in the Alberni Valley, Bamfield and Long Beach.

The Port Alberni Air Quality Council (AQC) has broad representation within the Alberni Valley and staff propose that the public information campaign be led by the Regional District in collaboration with the AQC in the Alberni Valley. Staff can work with similar organizations in the Long Beach and Bamfield areas to guide information sharing in those communities.

It is important to note that, apart from engagement with the AQC and the Province, very limited public engagement occurred in the development of the two burning bylaws. If the Board wishes, it can defer a decision on adopting the burning regulation bylaws to allow for public input. Recognizing the public health threat posed by exposure to particulate matter, staff are recommending that the bylaws be adopted now and that a program be developed to inform the public of the new regulations. The Board can choose to amend the regulatory bylaws at any time in the future.

### **Time Requirements – Staff & Elected Officials:**

Significant staff time will be required to conduct a public information campaign, respond to public inquires and complaints and to enforce the bylaws after implementation. It is anticipated that significant bylaw enforcement staff time would be required to administer the bylaw. Enforcement of the bylaws on the west coast will require significant travel time to respond to complaints. Staff are investigating creative possibilities to work with ACRD staff located on the west coast or with the Districts and Treaty First Nations on the west coast to identify enforcement resources that could be utilized locally. The intent is to avoid situations that require 3-4 hours of round-trip travel time from the Alberni Valley to respond to one complaint.

In order to be effective, planning staff also recommend that contraventions to the bylaw be dealt with through a Bylaw Notice Enforcement ticketing process to gain compliance. Staff expect to have the Bylaw Notice Enforcement bylaw ready for consideration by the Board in spring 2020 with implementation of the ticketing process following adoption of the bylaw.

### **Financial:**

The Board included 0.5 FTE staff resourcing in the 2020-2024 Financial Plan to implement, monitor and enforce the burning bylaws. The Board would have to assess this service level over time in making its determination as to whether its objectives were being met. Implementing a Bylaw Notice

Enforcement ticketing process will help gain compliance with the regulations, but it is not expected to be a cost recovery service with the staff time required to investigate and issue notices.

**Options Considered:**

1. Proceed with adoption of both burning bylaws and direct staff to engage in a public information campaign.
2. Proceed with adoption of both burning bylaws with no public information campaign.
3. Defer a decision on the bylaws and direct staff to gather public input on burning regulations in the ACRD and seek formal referral comments from the Province prior to proceeding.

Submitted by:   
\_\_\_\_\_  
Alex Dyer MCIP, RPP, Planner

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

Approved by:   
\_\_\_\_\_  
Douglas Holmes BBA, CPA, CA, Chief Administrative Officer

## REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

### BYLAW NO. R1030

#### A Bylaw to Regulate Solid-Fuel Burning Appliance Emissions

**WHEREAS** the Regional District of Alberni-Clayoquot is empowered under supplementary Letters Patent dated December 22, 1966 to exercise the powers of the *Municipal Act* relating to air pollution control;

**AND WHEREAS** Section 325 of the *Local Government Act* gives the Regional District of Alberni-Clayoquot the authority to regulate the emission of smoke and require owners or occupiers of real property to eliminate or reduce the fouling or contaminating of the atmosphere through those emissions;

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

#### **1. AREA**

This bylaw shall apply within the boundaries of Electoral Area "A" (Bamfield), Electoral Area "B" (Beaufort), Electoral Area "C" (Long Beach), Electoral Area "D" (Sproat Lake), Electoral Area "E" (Beaver Creek) and Electoral Area "F" (Cherry Creek).

#### **3 DEFINITIONS**

**"Certified appliance"** means a fireplace, woodstove, wood-fired furnace, or other wood or solid-fuel burning appliance or device intended for space heating of buildings, the heating of water or other such purpose and is located in the interior of a building and which contains an identification label affixed to the appliance indicating compliance with either the CSA Standard or EPA Standard.

**"CSA Standard"** means the "Performance Testing of Solid-Fuel Burning Heating Appliances" CAN/CSA-B415.1 standard, published by the Canadian Standards Association (CSA), as amended from time to time.

**"EPA Standard"** means the "New Source Performance Standards, Title 40, Part 60, Sub-part AAA of the Code of Federal Regulations (USA) (7-1-02 Edition)" standard, published by the United States Environmental Protection Agency (EPA), as amended from time to time.

**"Solid-fuel burning appliance"** means a fireplace, fireplace insert, woodstove, pellet stove, wood-fired furnace, or other wood or solid-fuel burning appliance or device intended for space heating of buildings, the heating of water or other such purpose and is located in the interior of the building which it serves, but specifically excludes a coal burning device.

#### **4. PROHIBITION**

No person shall install, or allow to be installed, a solid-fuel burning appliance unless the appliance is a certified appliance which conforms to the CSA Standard or EPA Standard.

**5. REGULATION OF EXISTING NON-COMPLIANT APPLIANCE**

Existing solid-fuel burning appliances not in compliance with Section 4 above will be permitted to remain in service until July 1, 2023, providing that the solid-fuel burning appliance, its installation and use otherwise meet required safety standards. Thereafter, any such non-conforming solid-fuel burning appliance must be permanently disconnected and removed from the structure.

**6. INSPECTION**

A Building Inspector, Bylaw Enforcement Officer, Fire Chief, or designate of a Fire Chief, may enter and inspect any premises in which burning is being conducted, for the purpose of determining compliance with this bylaw.

**7. OFFENCE**

Any person who contravenes, violates or fails to comply with any provision of this bylaw, or who suffers or permits any act to be done in contravention of this bylaw, commits an offence and shall be liable upon conviction to a fine not more than the maximum prescribed in the *Offence Act*, as amended from time to time.

**8. SEVERABILITY**

If any section or lesser portion of this bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the bylaw.

**9. TITLE**

This bylaw may be cited as the “Solid-Fuel Burning Appliance Emission Regulation Bylaw No. R1030, 2019”

Read a first time this 8<sup>th</sup> day of May, 2019

Read a second time this 8<sup>th</sup> day of May, 2019

Read a third time this 8<sup>th</sup> day of May, 2019

ADOPTED this    day of    , 2019

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Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chairperson of Regional Board

## REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

### BYLAW NO. R1032

#### Outdoor Burning Smoke Control Regulation Bylaw

**WHEREAS** the Regional District of Alberni-Clayoquot is empowered under supplementary Letters Patent dated December 22, 1966 to exercise the powers of the *Municipal Act* relating to air pollution control;

**AND WHEREAS** Section 325 of the *Local Government Act* gives the Regional District of Alberni-Clayoquot the authority to regulate the emission of smoke and require owners or occupiers of real property to eliminate or reduce the fouling or contaminating of the atmosphere through those emissions;

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

#### **1. AREA**

This bylaw shall apply within the boundaries of Electoral Area "A" (Bamfield), Electoral Area "B" (Beaufort), Electoral Area "C" (Long Beach), Electoral Area "D" (Sproat Lake), Electoral Area "E" (Beaver Creek) and Electoral Area "F" (Cherry Creek).

#### **3 DEFINITIONS**

**"Campfire"** means a fire that is:

- a) located within a permanent outdoor fireplace or fire pit that is designed and constructed to confine the fire;
- b) limited in size to no larger than 0.5 m in height and 0.5 m in width; and
- c) lit, fuelled or used by any person for a recreational or ceremonial purpose.

**"Category A Open Fire"** means an open fire that is:

- a) limited to vegetative debris with a diameter less than 10 cm; and
- b) burns material in one pile not exceeding 2 m in height and 3 m in width, or burns stubble or grass over an area that does not exceed 0.2 ha.

**"Category B Open Fire"** means an open fire that contains vegetative debris with a diameter of 10 cm or greater, or includes stubble or grass over an area 0.2 ha or greater;

**"Debris"** means disturbed or undisturbed vegetative matter targeted for management or disposal by open burning.

**"Demolition Waste"** means any materials resulting from or produced by the complete or partial destruction or tearing down of any structure.

**"Fuel Break"** means a barrier, change in fuel type, change in condition or strip of land that has been modified or cleared to prevent fire spread.

**"Heavy Equipment"** means crawler tractors, skidders, excavators or other suitable mechanized fire fighting equipment.

**“Inspector”** means a Bylaw Enforcement Officer, Fire Chief, designated member of a Fire Department or peace officer.

**“Open Burning”** means the combustion of material with or without control of the combustion air and without a stack or chimney to vent the emitted products of combustion to the atmosphere.

**“Open Burning Smoke Control (OBSC) Regulation”** means the provincial Open Burning Smoke Control Regulation of *the Environmental Management Act*, as amended from time to time;

**“Open Fire”** means any fire that is not vented through a structure that has a flue incorporated in a building.

**“Prohibited Materials”** includes tires, plastic, polystyrene foam, rubber products, drywall, demolition waste, domestic waste, construction waste, paint, special waste, animal organic waste, biomedical waste, hazardous waste, tar, tar paper, treated or painted wood products, furniture, appliances, carpets, railway ties, asphalt products, battery boxes, petroleum products, fuel and lubricant containers or any other material which may produce black smoke or noxious odours.

**“Province”** means the Province of British Columbia.

**“Smoke”** means the gases, particulate matter and products of combustion emitted into the atmosphere when debris is open burned.

**“Ventilation Index”** means the forecast ventilation index prepared using Environment Canada data.

#### 4. OPEN BURNING

- 1) Category A Open Fires and Category B Open Fires are permitted only:
  - i. When the ventilation index is rated as ‘good’, as reported by Environment Canada’s Ventilation Index;
  - ii. Between March 1 and April 30 inclusive and between September 30 and November 30 inclusive, unless otherwise prohibited by the Province.
- 2) Category A Open Fires permitted under subsection (1) are subject to the following requirements:
  - i. Category A Open Fires must be compliant with the Province’s *Open Burning Smoke Control (OBSC) Regulation* where applicable;
  - ii. Fires limited to:
    - a. vegetative debris with a diameter less than 10 cm.
    - b. debris burned in one pile not exceeding 2 m in height and 3 m in width, or stubble or grass over an area that does not exceed 0.2 ha;
  - iii. Fires must be located at minimum:
    - a. 2 metres from any shrubs, trees or other combustible materials;
    - b. 5 metres from any building or structure;
    - c. 10 metres from any property line;
  - iv. Only one open fire per parcel of land at any one time;

- v. Fire-fighting equipment, including a shovel, rake and hose connected to a water source, must be on hand and readily available;
  - vi. All material burned must originate from the parcel of land where it is burned;
  - vii. All material burned must consist of untreated natural wood and brush and must not include any prohibited materials;
  - viii. Fires must be ignited no earlier than one hour after sunrise and additional unlit debris must not be added to a fire later than two hours before sunset;
  - ix. The smoke-release period for any fire must not exceed 72 consecutive hours;
  - x. Each parcel of land is limited to a maximum of 12 days of Category A or Category B Open Fire burning in each calendar year and 6 days of Open Fire burning in each calendar month;
  - xi. The property owner, or designate of the property owner, must ensure that a competent person is present at all times when the fire is burning, for the purpose of controlling and supervising the fire;
  - xii. Compliance with all applicable provincial and federal regulations.
- 3) Category B Open Fires permitted under subsection (1) are subject to the following requirements:
- i. Category B Open Fires must be compliant with the Province's *Open Burning Smoke Control (OBSC) Regulation* where applicable;
  - ii. Category B Open Fires include any fire that contains vegetative debris with a diameter of 10 cm or greater, or includes stubble or grass over an area exceeding 0.2 ha;
  - iii. Fires must be located in compliance with the minimum setbacks provided in the Province's *OBSC Regulation*;
  - iv. Fire-fighting equipment, including heavy equipment and hose connected to a water source, must be on hand and readily available;
  - v. All material burned must originate from the parcel of land where it is burned;
  - vi. All material burned must consist of untreated natural wood and brush and must not include any prohibited materials;
  - vii. Establishment of a fuel break surrounding the fire;
  - viii. Fires must be ignited no earlier than one hour after sunrise and additional unlit debris must not be added to a fire later than two hours before sunset;
  - ix. The smoke-release period for any fire must not exceed 72 consecutive hours;
  - x. Each parcel of land is limited to a maximum of 12 days of Category A or Category B Open Fire burning in each calendar year and 6 days of Open Fire burning in each calendar month;
  - xi. The property owner, or designate of the property owner, must ensure that a competent person is present at all times when the fire is burning, for the purpose of controlling and supervising the fire;
  - xii. Compliance with all applicable provincial and federal regulations.
- 4) Campfires are permitted at any time, unless otherwise prohibited by the Province, subject to the following requirements:
- i. Campfires limited to one pile no larger than 0.5 m in height and 0.5 m in width;
  - ii. Campfires must be located:
    - a. within a permanent outdoor fireplace or fire pit that is designed and constructed to confine the fire;
    - b. a minimum of 5 metres from any building, structure or property line;

- iii. Fire-fighting equipment, including a shovel, rake and hose connected to a water source, must be on hand and readily available;
- iv. All material burned must consist of untreated natural wood and brush and must not include any prohibited materials;
- v. The property owner, or designate of the property owner, must ensure that a competent person is present at all times when the fire is burning, for the purpose of controlling and supervising the fire;
- vi. Compliance with all applicable provincial and federal regulations.

## **5. EXCEPTIONS**

- 1) Nothing in this bylaw restricts or prohibits:
  - i. A fire contained within a barbeque or appliance designed to cook food;
  - ii. Fires started and maintained by Alberni-Clayoquot Regional District staff, fire services personnel and emergency services personnel in the course of their duties;
  - iii. Any person undertaking open burning as part of “normal farm practices” as defined in the Province’s *Farm Practices Protection Act*;
  - iv. Any person undertaking open burning as part of “forest practices” as defined in the Province’s *Forest and Range Practices Act* or forest practices on land manage under the Province’s *Private Managed Forest Land Act*, Crown Land and any Alberni-Clayoquot Regional District land used for forestry purposes;

## **6. INSPECTION AND ORDERS**

- 1) An Inspector may enter and inspect any premises in which burning is being conducted at all reasonable times, for the purpose of determining compliance with this bylaw.
- 2) An Inspector may order the extinguishment of any fire that is in violation of this bylaw.
- 3) An Inspector may prevent prohibited materials from being added to any fire.
- 4) No person shall interfere with or obstruct an Inspector in carrying out their duties pursuant to this bylaw.

## **7. OFFENCE**

Any person who contravenes, violates or fails to comply with any provision of this bylaw, or who suffers or permits any act to be done in contravention of this bylaw, commits an offence and shall be liable upon conviction to a fine not more than the maximum prescribed in the Province’s *Offence Act*, as amended from time to time.

## **9. LIABILITY**

This bylaw shall not create a duty or responsibility for the Alberni-Clayoquot Regional District, its officers, employees, Inspectors or persons acting on its behalf pursuant to this bylaw, concerning enforcement or failure to enforce any provision contained within this bylaw.

**8. SEVERABILITY**

If any section or lesser portion of this bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the bylaw.

**9. REPEAL**

Bylaw R1025, cited as the “Bamfield Residential Backyard Burning Bylaw No. R1025, 2013” is hereby repealed.

**10. TITLE**

This bylaw may be cited as the “Outdoor Burning Smoke Control Regulation Bylaw R1032, 2019”

Read a first time this 12<sup>th</sup> day of June, 2019

Read a second time this 12<sup>th</sup> day of June, 2019

Read a third time this    day of    , 2020

Adopted this    day of    , 2020

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Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chairperson of Regional Board



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

## MEMORANDUM

**To:** ACRD Board of Directors

**From:** Sarah Holden, Junior Planner

**Meeting Date:** April 8, 2020

**Subject:** TUP19024 – Sproat Lake Landing INC, Ross Mitchell – 10695 Lakeshore Road  
Mini golf washroom plans

### Recommendation

*THAT the Board of Directors issue Temporary Use Permit TUP19024.*

### Background

On February 26, 2020, the Board considered an application for a Temporary Use Permit for the property described as LOT A, DISTRICT LOT 204, ALBERNI DISTRICT AND SECTION 91, CLAYOQUOT DISTRICT, PLAN 31720, located at 10695 Lakeshore Road, Sproat Lake.

Two letters expressing concern over the Sproat Lake Landing Mini Golf proposal were received as late items at the March 11, 2020 meeting. At that meeting the Board requested additional information regarding the applicant's plan for washrooms to service the proposal. The applicant intends to use two temporary washrooms located on the east side of the property, located near the proposed mini golf so that patrons will not have to cross Lakeshore Road. In the long-term, the applicant plans to construct a permanent 100-200 foot square washroom in a starter hut.

If approved, the permit will allow the applicants to operate a mini golf course at the subject property for a three (3) year term.

Prepared by: \_\_\_\_\_

Sarah Holden, Junior Planner

Reviewed by: \_\_\_\_\_

Mike Irg, MCIP, RPP, Manager of Planning & Development

### TUP19024

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułuʔiłʔatḥ 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)



Approved by: \_\_\_\_\_  
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

**TUP19024**

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułu?i?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)



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

## MEMORANDUM

**To:** ACRD Board of Directors

**From:** Sarah Holden, Junior Planner

**Meeting Date:** March 11, 2020

**Subject:** TUP19024 – Sproat Lake Landing INC, Ross Mitchell – 10695 Lakeshore Road

### Recommendation

*THAT the Board of Directors issue Temporary Use Permit TUP19024.*

### Background

On February 26, 2020, the Board considered an application for a Temporary Use Permit for the property described as LOT A, DISTRICT LOT 204, ALBERNI DISTRICT AND SECTION 91, CLAYOQUOT DISTRICT, PLAN 31720, located at 10695 Lakeshore Road, Sproat Lake.

The Board recommended that this application be furthered to the next stage of the temporary use permit process. This involved publishing notification of the permit in the newspaper and notification to all residents and owners of properties within 100m of the subject property, which have been completed. No correspondence has been received to date. If any correspondence is received prior to the March 11, 2020 Board meeting, staff will inform the Board.

If approved, the permit will allow the applicants to operate a mini golf course at the subject property for a three (3) year term.

Prepared by:   
Sarah Holden, Junior Planner

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

Approved by:   
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

### TUP19024

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)





# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

## TEMPORARY USE PERMIT NO. TUP19024

Whereas, pursuant to Section 463 of the *Local Government Act*, a local government may by resolution, on application of a property owner, issue a temporary use permit;

A Temporary Use Permit is hereby issued to:

**Name:** Sproat Lake Landing INC

**Address:** 10695 Lakeshore Road, Port Alberni

With respect to:

**Legal Descriptions:** LOT A, DISTRICT LOT 204, ALBERNI DISTRICT AND SECTION 91, CLAYOQUOT DISTRICT, PLAN 31720

**PID:** 001-136-780

The Regional District of Alberni-Clayoquot hereby issues a Temporary Use Permit to Sproat Lake Landing INC with respect to property legally described as LOT A, DISTRICT LOT 204, ALBERNI DISTRICT AND SECTION 91, CLAYOQUOT DISTRICT, PLAN 31720 subject to the conditions as follows:

1. This permit is issued for the operation of a mini golf course on the subject property.
2. The location of the mini golf course is as per the site plan attached as 'Appendix A'.
3. The hours of operation are limited to 10 am – 9 pm.
4. This permit is valid for three (3) years from the date of execution. 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 bring the property into compliance with zoning.
5. Should the conditions of this permit not be met, the permit may be revoked.

In accordance with the provision of Section 463 of the *Local Government Act*, approval of this permit was given by resolution of the Regional District of Alberni-Clayoquot Board of Directors on XXXX, 2020.

This permit was issued under the seal of the Regional District of Alberni-Clayoquot on XXXX, 2020.

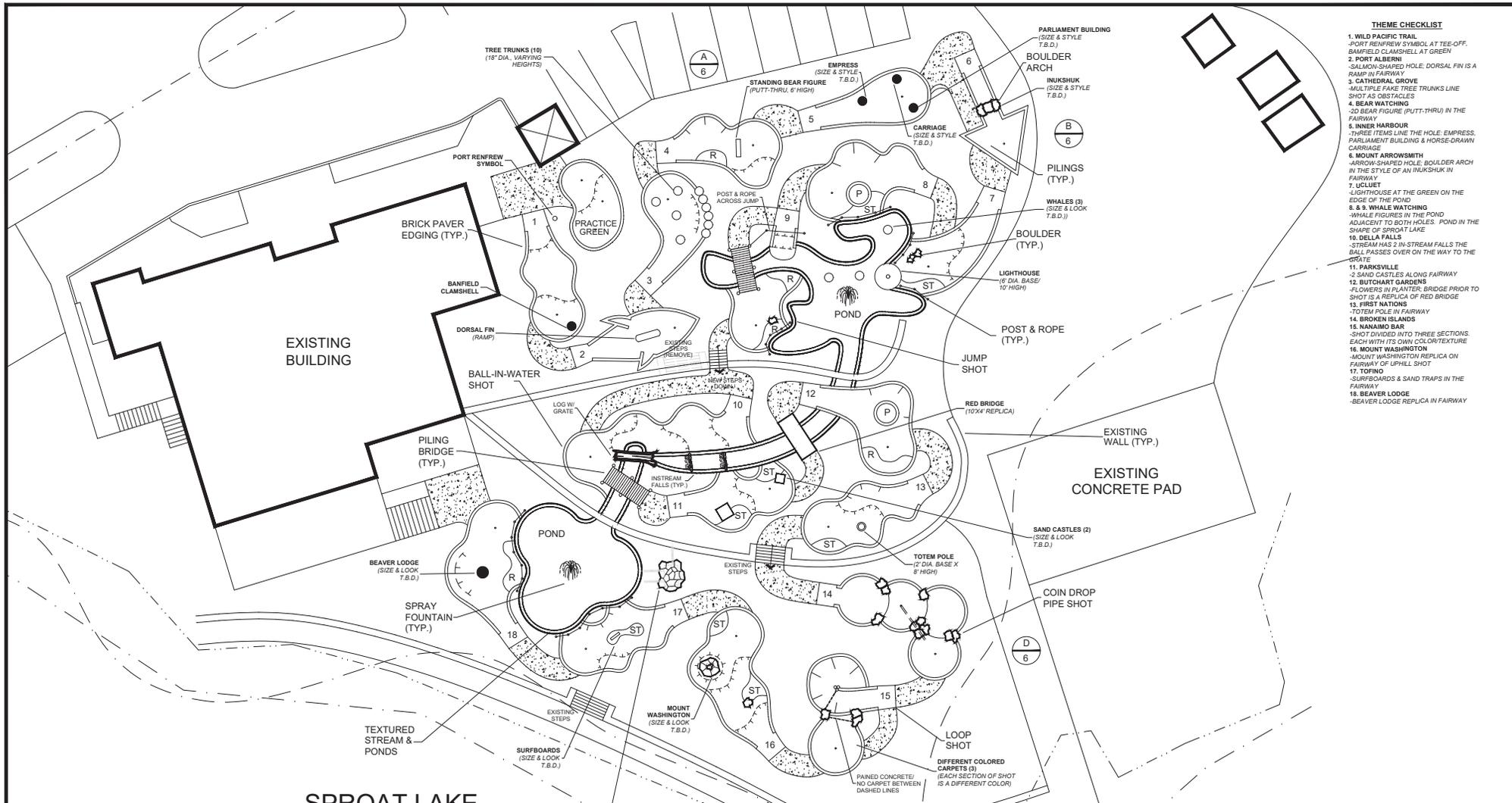
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Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chair of the Regional Board

## TUP19024



- THEME CHECKLIST**
1. WILD PACIFIC TRAIL  
-PORT RENFREW SYMBOL AT TEE-OFF.  
-BANFIELD CLAMSHELL AT GREEN
  2. PORT ALBERNI  
-SALMON SHAPED HOLE. DORSAL FIN IS A RAMP IN FAIRWAY
  3. CATHEDRAL GROVE  
-MULTIPLE FAKE TREE TRUNKS LINE SHOTS AS OBSTACLES
  4. BEAR WATCHING  
-3D BEAR FIGURE (PUTT-THRU) IN THE FAIRWAY
  5. INNER HARBOUR  
-THREE TEES LINE THE HOLE. EMPRESS, PARLIAMENT BUILDING & HORSE-DRAWN CARRIAGE
  6. MOUNT ARROWSMITH  
-ARROW SHAPED HOLE. BOULDER ARCH IN THE STYLE OF AN INUKSHUK IN FAIRWAY
  7. UCLUJET  
-LIGHTHOUSE AT THE GREEN ON THE EDGE OF THE POND
  8. & 9. WHALE WATCHING  
-WHALE FIGURES IN THE POND ADJACENT TO BOTH HOLES. POND IN THE SHAPE OF SPROAT LAKE
  10. DELLA FALLS  
-STREAM HAS 2 IN-STREAM FALLS THE BALL PASSES OVER ON THE WAY TO THE GRATE
  11. PARKSVILLE  
-2 SAND CASTLES ALONG FAIRWAY
  12. BUTCHART GARDENS  
-FLOWERS IN PLANTER. BRIDGE PRIOR TO SHOT IS A REPLICA OF RED BRIDGE
  13. FIRST NATIONS  
-TOTEM POLE IN FAIRWAY
  14. BROKEN ISLANDS  
-SHOT DIVIDED INTO THREE SECTIONS. EACH WITH ITS OWN COLOR/TEXTURE
  15. MOUNT WASHINGTON  
-MOUNT WASHINGTON REPLICA ON FAIRWAY OF UPHILL SHOT
  17. TOFINO  
-SURFBOARDS & SAND TRAPS IN THE FAIRWAY
  18. BEAVER LODGE  
-BEAVER LODGE REPLICA IN FAIRWAY

## SPROAT LAKE

**NOTES:**

All concrete on site shall be a fiber mesh based concrete with a 3500 P.S.I. rating.

Three Phase available but motor starter is required. Please consult your electrician in choosing appropriate pump assembly.

Unless otherwise agreed, electrician is responsible for supplying and installing starters and overloads for Three Phase pumps.

Owner MUST request Three Phase pumps IN WRITING.

It is strongly recommended that a buck & boost transformer be installed if a single phase leg is taken from 3-phase service to power the pumps, due to the unstable voltage of this arrangement.

Spray fountain heads in lower ponds MUST be HIGHER than pump.

Handicap accessible portions of the course(s) are designed in accordance with ADAAG (Americans with Disabilities Act Accessibility Guidelines) Chapter 10 Section 1007.

**REUSE OF DOCUMENTS:**  
This document, and the designs incorporated herein, are the property of Harris Miniature Golf Courses, Inc. and are not to be used in whole or in part for construction of this, or any other project without written authorization of Harris Miniature Golf Courses, Inc.

Scale 1" = 10' - 0"

**GRAPHICS LEGEND:**  
R- Rough  
ST- Sand Trap  
\*Note: color carpet may be used in place of natural sand  
Elevation Change  
Embankment

PROJECT: Sproat Lake Landing Port Alberni, BC	
DRAWN BY: J. Orzechak	DATE: 03 / 11 / 19
CHECKED BY: G. Lynn	JOB #: 19-16-2
LAYOUT PLAN	SHEET: 2 OF 10
REVISIONS:	
J.J.O.	01 / 30 / 20 (COURSE LAYOUT)
DATE PRINTED: 02 / 03 / 20	

## Proposed Temporary Use Permit (TUP19024) – Miniature Golf Course

Sproat Lake Landing Inc, 10695 Lakeshore Road (Lot A, District Lot 204, Alberni District and Section 91, Clayoquot District, Plan 31720)

We are writing to express concerns we have about a mini golf course proposed for Sproat Lake Landing. While we are not opposed to the concept of a mini golf course per se, we are concerned about potential adverse effects the project, as now proposed, could have on the adjacent wetland habitat and the wildlife it supports, both during the construction phase and afterwards.

Wetlands are among the most endangered ecosystems in Canada and elsewhere. A widely accepted Canadian regulatory definition of *wetland* is “land having the water table at, near, or above the land surface or which is saturated for a long enough period to promote aquatic processes, as indicated by hydric soils, hydrophilic vegetation, and various kinds of biological activity which are adapted to the wet environment.” [Ecology and Field Biology, Sixth Edition, Smith and Smith, 2001] The wetland at Sproat Lake Landing is an excellent example.

Our concerns are twofold:

First, the lower portion of the proposed course (holes 15, 16, 17 and 18) is within 15m of Sproat Lake. We note that “any development within 15m of Sproat Lake requires a Development Permit for DPA I – Riparian Areas Protection, including a **report from a Qualified Environmental Professional (QEP)**”. However, an environmental assessment by a QEP, which should include mitigation measures to protect the sensitive wetland, has not been submitted as part of the application.

Moreover, in winter, the lower area of the property is prone to annual flooding as the lake level dramatically rises. This flooding will not only cause water-damage to structures of the lower golf course but could also lead to leaching of chemical constituents (e.g. from concrete, glue, paint, preservatives, synthetic fibres, electrical components, etc.) into the wetland, with adverse effects, especially on organisms such as amphibians and the endangered Western Painted Turtle, which is known to inhabit the lake.

BC provincial government Riparian Area Regulations require a 30m buffer from water courses, and we are aware that the ACRD Board is planning to adopt this Provincial 30m standard in its Zoning Bylaw update in 2020. Rather than turn a blind eye, shouldn't this 30m buffer be enforced now?

Our second concern, alluded to above, relates to the wildlife that uses this wetland habitat. For example, seventy-seven species of birds have been recorded at Sproat Lake Landing (see eBird checklist attachment). At least three of these species nest in or adjacent to the wetland (Red-winged Blackbird, Song Sparrow, Canada Goose). Both Provincial and Federal laws (e.g. Migratory Birds Convention Act, 1994; MBCA) prohibit activities that may harm migratory birds (as populations or individual birds) and their nests, including the release of “substances harmful to birds in waters or areas frequented by them” (MBCA). This concern relates primarily to construction activities and winter flooding of the lower part of the golf course, as detailed above.

In summary, ACRD seems to be ignoring its own standards adopted in the Sproat Lake Official Community Plan (Bylaw No. P1310, Schedule A, 2014). For example:

- Policy 3.2.18 – Encourage the preservation of natural features such as streams, lakes and wetlands through the subdivision and development process.
- Objective 19.1.2 – Support the protection of the quality of surface and ground water, fish habitat, and wetlands.
- Policy 19.2.1 – Protect the environmental integrity of the natural resources including lakes, wetlands, rivers, streams and karst features.

**There *must* be an environmental assessment by a QEP to address potential harmful effects and mitigation on this sensitive wetland.** This proposed development should also adhere to the soon-to-be-adopted ACRD Zoning Bylaws (2020).

We are not opposed to the mini golf proposal at Sproat Lake Landing so long as potential environmental impacts are addressed and mitigated. In fact, we wish Mr. Mitchell every success; indeed, we are promoting Sproat Lake Landing as a destination by having recommended it as a Hotspot on eBird (<https://ebird.org/hotspot/L8599926?yr=all&m=&rank=mrec>; see eBird checklist attachment) and by recognizing it on our new website, Bird Alberni ([birdalberni.ca](http://birdalberni.ca); see webpage attachment).

We look forward to learning the outcome of the ACRD Board’s decision.

Thank you,

Annette Bailey, RPBio  
Daryl Henderson, PhD

2950 7<sup>th</sup> Ave  
Port Alberni, BC  
V9Y 2J4

# eBird Field Checklist

## Sproat Lake Landing

Alberni-Clayoquot, British Columbia, CA

[ebird.org/hotspot/L8599926](http://ebird.org/hotspot/L8599926)

77 species (+12 other taxa) - Year-round, All Years

Date: \_\_\_\_\_  
Start Time: \_\_\_\_\_  
Duration: \_\_\_\_\_  
Distance: \_\_\_\_\_  
Party Size: \_\_\_\_\_  
Notes: \_\_\_\_\_

This checklist is generated with data from eBird ([ebird.org](http://ebird.org)), a global database of bird sightings from birders like you. If you enjoy this checklist, please consider contributing your sightings to eBird. It is 100% free to take part, and your observations will help support birders, researchers, and conservationists worldwide.

Go to [ebird.org](http://ebird.org) to learn more!

### Falcons and Caracaras

\_\_\_ Merlin

### Tyrant Flycatchers: Pewees, Kingbirds, and Allies

\_\_\_ Willow Flycatcher

### Vireos

\_\_\_ Warbling Vireo

### Jays, Magpies, Crows, and Ravens

\_\_\_ Steller's Jay  
\_\_\_ Northwestern Crow  
\_\_\_ Common Raven

### Tits, Chickadees, and Titmice

\_\_\_ Chestnut-backed Chickadee

### Martins and Swallows

\_\_\_ Purple Martin  
\_\_\_ Tree Swallow  
\_\_\_ Violet-green Swallow  
\_\_\_ Barn Swallow  
\_\_\_ swallow sp.

### Long-tailed Tits and Bushtit

\_\_\_ Bushtit

### Kinglets

\_\_\_ Golden-crowned Kinglet  
\_\_\_ Ruby-crowned Kinglet

### Wrens

\_\_\_ Pacific Wren  
\_\_\_ Bewick's Wren

### Starlings and Mynas

\_\_\_ European Starling

### Thrushes

\_\_\_ Varied Thrush

### Waterfowl

\_\_\_ Canada Goose  
\_\_\_ Trumpeter Swan  
\_\_\_ Muscovy Duck (Domestic type)  
\_\_\_ Wood Duck  
\_\_\_ Northern Shoveler  
\_\_\_ Mallard  
\_\_\_ Mallard (Domestic type)  
\_\_\_ Ring-necked Duck  
\_\_\_ Bufflehead  
\_\_\_ Hooded Merganser  
\_\_\_ Common Merganser

### Grebes

\_\_\_ Pied-billed Grebe  
\_\_\_ Horned Grebe  
\_\_\_ Red-necked Grebe

### Pigeons and Doves

\_\_\_ Band-tailed Pigeon  
\_\_\_ Eurasian Collared-Dove

### Swifts

\_\_\_ Vaux's Swift

### Hummingbirds

\_\_\_ Rufous Hummingbird  
\_\_\_ hummingbird sp.

### Shorebirds

\_\_\_ Killdeer  
\_\_\_ peep sp.  
\_\_\_ Spotted Sandpiper

### Alcids

\_\_\_ Marbled Murrelet

\_\_\_ Swainson's Thrush  
\_\_\_ American Robin

### Waxwings

\_\_\_ Cedar Waxwing

### Wagtails and Pipits

\_\_\_ American Pipit

### Finches, Euphonias, and Allies

\_\_\_ Evening Grosbeak  
\_\_\_ Purple Finch  
\_\_\_ Red Crossbill  
\_\_\_ Pine Siskin  
\_\_\_ American Goldfinch

### New World Sparrows

\_\_\_ Fox Sparrow  
\_\_\_ Dark-eyed Junco  
\_\_\_ White-crowned Sparrow  
\_\_\_ Golden-crowned Sparrow  
\_\_\_ Savannah Sparrow  
\_\_\_ Song Sparrow  
\_\_\_ Lincoln's Sparrow  
\_\_\_ Spotted Towhee

### Blackbirds

\_\_\_ Red-winged Blackbird  
\_\_\_ Brown-headed Cowbird

### Wood-Warblers

\_\_\_ Orange-crowned Warbler  
\_\_\_ MacGillivray's Warbler  
\_\_\_ Common Yellowthroat  
\_\_\_ Yellow Warbler  
\_\_\_ Yellow-rumped Warbler

### Gulls, Terns, and Skimmers

\_\_\_ Glaucous-winged Gull  
\_\_\_ Larus sp.  
\_\_\_ gull sp.

### Loons

\_\_\_ Red-throated Loon  
\_\_\_ Common Loon  
\_\_\_ loon sp.

### Hérons, Ibis, and Allies

\_\_\_ Great Blue Heron

### Vultures, Hawks, and Allies

\_\_\_ Turkey Vulture  
\_\_\_ Cooper's Hawk  
\_\_\_ Sharp-shinned/Cooper's Hawk  
\_\_\_ Bald Eagle  
\_\_\_ Red-tailed Hawk  
\_\_\_ hawk sp.

### Owls

\_\_\_ Barred Owl

### Kingfishers

\_\_\_ Belted Kingfisher

### Woodpeckers

\_\_\_ Red-breasted Sapsucker  
\_\_\_ Downy Woodpecker  
\_\_\_ Hairy Woodpecker  
\_\_\_ Downy/Hairy Woodpecker  
\_\_\_ Pileated Woodpecker  
\_\_\_ Northern Flicker  
\_\_\_ woodpecker sp.

\_\_\_ Black-throated Gray Warbler

This field checklist was generated using eBird ([ebird.org](http://ebird.org))

# Sproat Lake Landing



© Daryl Henderson

Located on Lakeshore Rd adjacent to Hwy 4 about 15 km west of Port Alberni, this scenic little estuary teems with birdlife and is a recently added eBird hotspot, 'Sproat Lake Landing.' And don't miss the fine beaver lodge!

Relax and enjoy splendid views of the West Bay section of Klehkoot Arm and Mount Arrowsmith in the distance. Drinkwaters Restaurant (seasonal) and Dellas Café (open year-round) offer good food and beverages.

On the other side of Hwy 4 there is an adjoining wetland, which can be viewed from spots along Kimola Rd.



**From:** [nancy.harvey](#)  
**To:** [Planning Shared](#); [Penny Cote](#)  
**Subject:** Proposed Temporary Use Permit: Sproat Lake Landing Inc  
**Date:** March 9, 2020 9:29:17 PM

---

Thank you for the opportunity to provide input into the proposed Temporary Use Permit for a 'modern-style miniature golf course' at 10695 Lakeshore Road.

I am pleased to see a proposal that may provide local area residents with a family focused amusement activity. This may also draw visitors from their travel to/from the Pacific Rim to pause and enjoy our valley.

However, I have some concerns for this venture, mostly from a public safety view.

I am a resident that travels Highway 4 and Lakeshore road daily. I have had more than one close call while waiting to turn left off of Highway 4 from on-coming East bound traffic diverting into my lane to swerve around a vehicle turning right towards Lakeshore landing. Has there been any consideration into required signage and/or lengthened turn lanes with an enhanced amusement venture? This may be Ministry of Highway jurisdiction, however should be considered. Will this create a visual distraction to drivers?

I am not able to inspect the documents at the ACRD office, but have been led to understand that the golf course will be on the lake side of the Hotel. The pathway that is on the West side of the building exits onto the roadway immediately after the Weiner bridge, not at the pedestrian crosswalk. I have experienced pedestrians step onto the roadway without looking for on-coming vehicles on Lakeshore Rd. Is there a plan to adjust the flow of pedestrians to improve their safety? If there is any growth of this plan to the upland property west of the bridge, there is currently no pedestrian walkway after the bridge itself. Regardless, an increase in pedestrian traffic on Lakeshore is likely from both directions, with no existing walkways, which is already a recognized public safety issue.

What is the plan for parking? I frequently observe vehicles parked on the Cafe side road area completely blocking the Stop sign from the Highway, resulting in vehicles travelling through the intersection. These are travelling directly into the Hotel Parking area. They have missed the sign. I have complained to staff at Della's and suggested that they move something to obstruct parking immediately adjacent to that sign, but no action has been taken to date. Vehicles leaving the hotel have also failed to yield to Lakeshore traffic travel. If activity in the area is increased, I hope a parking solution is included, with enhanced signage.

Lastly, I am not sure how a Temporary Use Permit is applicable to a Commercial property. What are the restrictions placed on this, and what is the term for Temporary use?

Yours in Community  
Nancy Harvey



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

## MEMORANDUM

TO: ACRD Board of Directors

FROM: Sarah Holden, Junior Planner

MEETING DATE: April 8, 2020

RE: RE18010 – 5628 Tomswood Road, Beaver Creek (Cowley/Grant)

### Recommendation:

- 1) THAT Bylaw P1381, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be adopted.

### Background:

Bylaw P1381 was given third reading on March 11, 2020. All conditions for the rezoning have been satisfied and planning staff recommends that the bylaw be adopted.

Prepared by:

  
Sarah Holden  
Junior Planner

Reviewed by:

  
Mike Irg, MCIP, RPP  
Manager of Planning and Development

Approved by:

  
Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

**RE18010**

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. P1381**

**OFFICIAL ZONING ATLAS AMENDMENT NO. 709**

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

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

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

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

1. TITLE  
This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw No. P1381.
2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT A, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN 21840 from Small Holdings (A1) District to Acreage Residential (RA2) District as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this 26<sup>th</sup> day of, September, 2018.  
Amended this 13<sup>th</sup> day of November, 2019  
Read a second time this 13<sup>th</sup> day of November, 2019  
Public Hearing held this 2<sup>nd</sup> day of March, 2020  
Read a third time this 11<sup>th</sup> day of March, 2020

Adopted this        day of        ,

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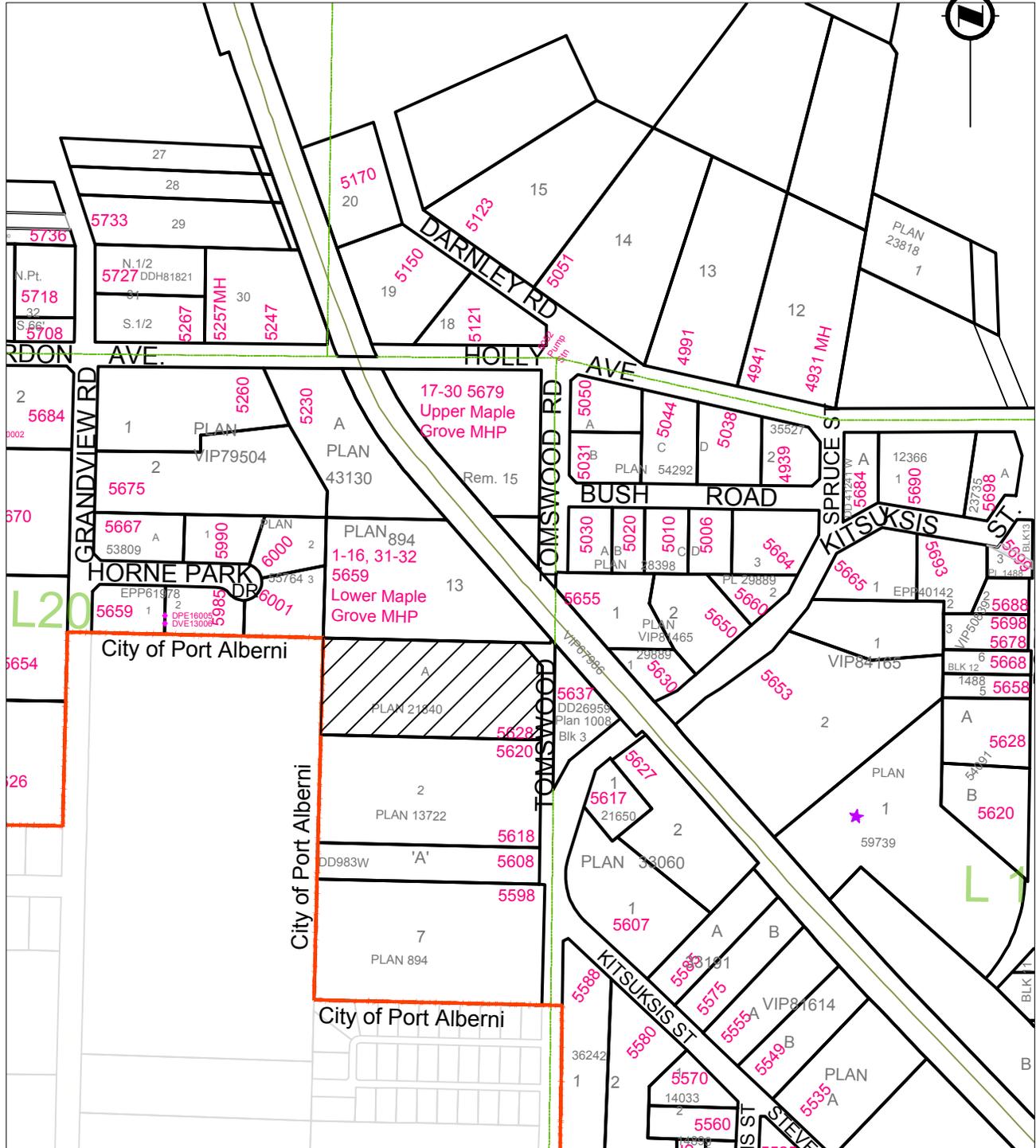
Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chair of the Regional Board

# Schedule 'A'

This schedule is attached to and forms part of Bylaw P1381



Legal Description: LOT A, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN21840



To be rezoned from Small Holdings (A1) District to Acreage Residential (RA2) District.



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT





# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

## MEMORANDUM

TO: ACRD Board of Directors

FROM: Sarah Holden, Junior Planner

MEETING DATE: April 8, 2020

RE: RE19007 – 7565 Davenport Road, Beaver Creek (Burnett/Hiltunen)

### Recommendation:

- 1) THAT Bylaw P1401, Beaver Creek Official Community Plan Amendment Bylaw be adopted;
- 2) THAT Bylaw P1402, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be adopted.

### Background:

Bylaws P1401 and P1402 were given second and third readings on March 11, 2020. All conditions for the rezoning have been satisfied and planning staff recommends that the bylaws be adopted.

Prepared by:

Sarah Holden  
Junior Planner

Reviewed by:

Mike Irg, MCIP, RPP  
Manager of Planning and Development

Approved by:

Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

**RE19007**

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. P1401**

**A BYLAW TO AMEND BYLAW NO. P1291  
BEAVER CREEK OFFICIAL COMMUNITY PLAN**

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

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

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

1. TITLE  
This bylaw may be cited as the Beaver Creek Official Community Plan Amendment Bylaw No. P1401.
2. Schedule B, the plan map, is hereby amended by redesignating LOT A, DISTRICT LOT 33, ALBERNI DISTRICT, PLAN 10711, EXCEPT THAT PART IN PLAN 19690 from “Rural Use” to “Residential Use” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this 27<sup>th</sup> day of November, 2019  
Public Hearing held this 2<sup>nd</sup> day of March, 2020  
Read a second time this 11<sup>th</sup> day of March, 2020  
Read a third time this 11<sup>th</sup> day of March, 2020

Adopted this        day of        ,

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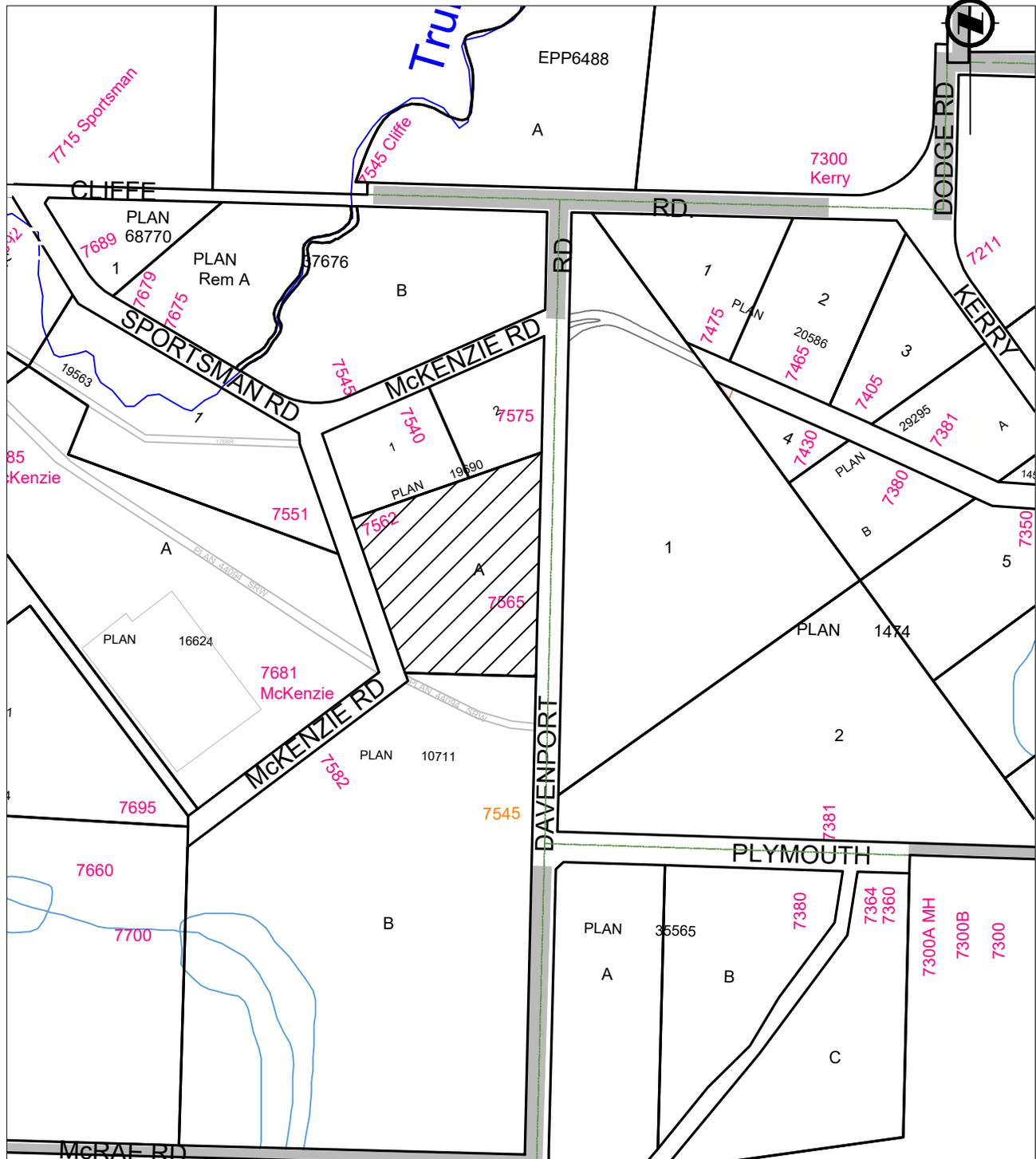
Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chair of the Regional Board

# Schedule 'A'

This schedule is attached to and forms part of Bylaw P1401



Legal Description: LOT A, DISTRICT LOT 33, ALBERNI DISTRICT, PLAN 10711, EXCEPT THAT PART IN PLAN 19690



To be redesignated from "Rural Use" to "Residential Use".



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT



**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. P1402**

**OFFICIAL ZONING ATLAS AMENDMENT NO. 721**

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

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

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

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

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw No. P1402.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT A, DISTRICT LOT 33, ALBERNI DISTRICT, PLAN 10711, EXCEPT THAT PART IN PLAN 19690 from Rural (A2) District to Small Holdings (A1) District as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.

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

Read a first time this 27<sup>th</sup> day of November, 2019

Public Hearing held this 2<sup>nd</sup> day of March, 2020

Read a second time this 11<sup>th</sup> day of March, 2020

Read a third time this 11<sup>th</sup> day of March, 2020

Adopted this        day of        ,

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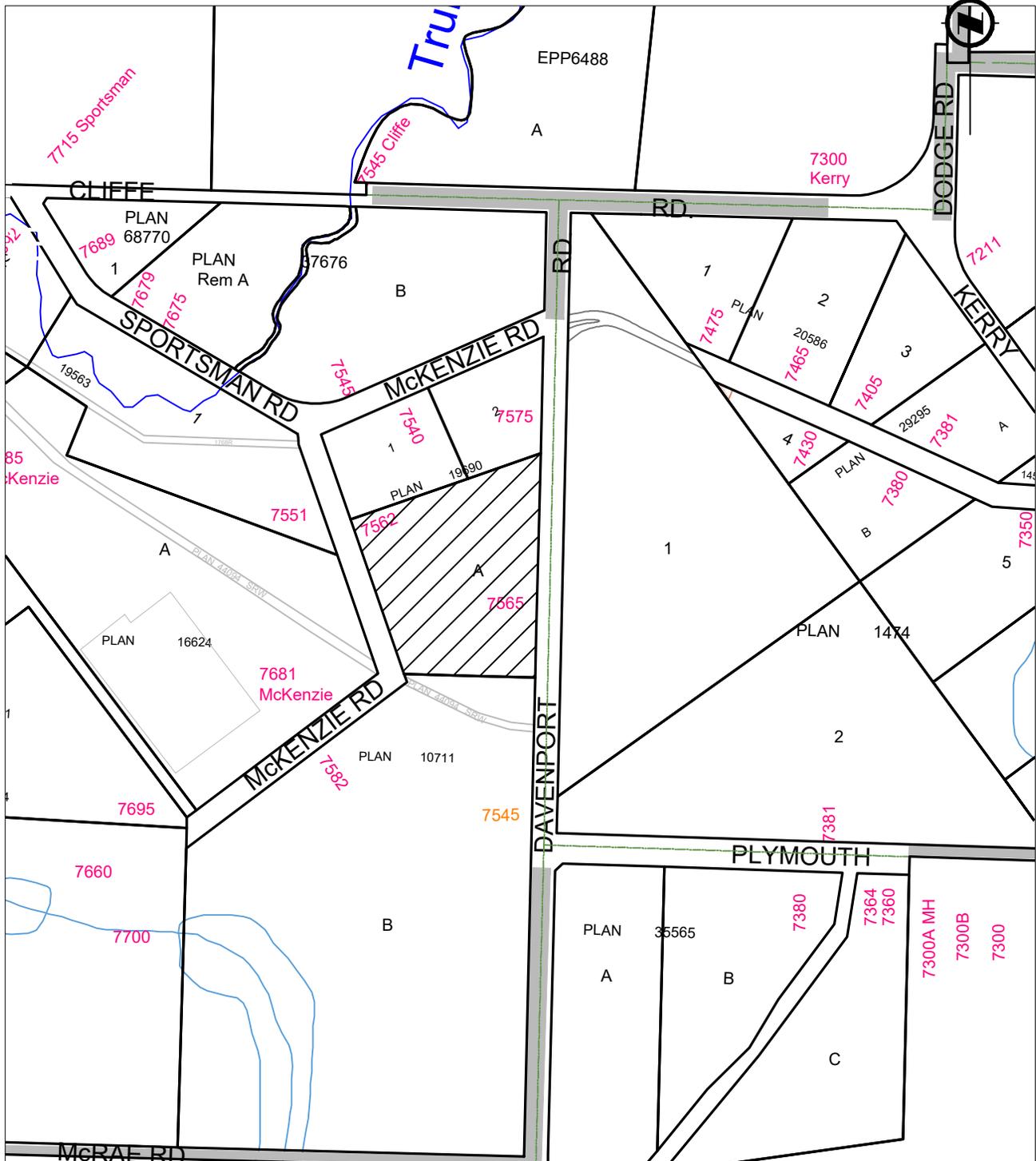
Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chair of the Regional Board

# Schedule 'A'

This schedule is attached to and forms part of Bylaw P1402



Legal Description: LOT A, DISTRICT LOT 33, ALBERNI DISTRICT, PLAN 10711, EXCEPT THAT PART IN PLAN 19690



To be rezoned from Rural (A2) District to Small Holdings (A1) District.



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT

