



# Alberni-Clayoquot Regional District

## ELECTORAL AREA DIRECTORS COMMITTEE MEETING WEDNESDAY, JUNE 24, 2020, 10:00 AM

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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	PAGE #
<b>1. <u>CALL TO ORDER</u></b>	
Recognition of Territories.	
<b>2. <u>APPROVAL OF AGENDA</u></b> <i>(motion to approve, including late items requires 2/3 majority vote)</i>	
<b>3. <u>ADOPTION OF MINUTES</u></b>	
a. <b>Electoral Area Directors Committee Meeting held March 3, 2020</b>	<b>3-6</b>
<i>THAT the minutes of the Electoral Area Committee meeting held on March 3, 2020 be reviewed.</i>	
<b>4. <u>PETITIONS, DELEGATIONS &amp; PRESENTATIONS (10-minute maximum)</u></b>	
<b>5. <u>CORRESPONDENCE FOR ACTION/INFORMATION</u></b>	
<b>6. <u>REQUEST FOR DECISIONS &amp; BYLAWS</u></b>	
a. <b>REQUEST FOR DECISION</b>	<b>7-13</b>
Community Works Funds Project 2020	
<i>THAT the Electoral Area Directors Committee recommend that the Alberni-Clayoquot Regional District (ACRD) Board of Directors approve the amendment of the ACRD Community Works Policy, 2019 to align the 'Responsibilities and Procedures' with the financial planning process.</i>	
<b>7. <u>REPORTS</u></b>	
a.     Planning and Development Department Update for Rural Planning and Building Inspection Services	<b>14-17</b>
b.     Bylaw Options for Enforcement and Fines – Bylaw PS1008	<b>18-21</b>
<i>THAT the Electoral Area Directors Committee receives reports a-b.</i>	

8. **LATE BUSINESS**

9. **ADJOURN**



# Alberni-Clayoquot Regional District

## MINUTES OF THE ELECTORAL AREA DIRECTORS COMMITTEE MEETING HELD ON TUESDAY, MARCH 3, 2020

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

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### **DIRECTORS**

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

### **PRESENT:**

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)

### **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

Wendy Thomson, General Manager of Administrative Services

## **1. CALL TO ORDER**

The CAO called the meeting to order at 1:31 pm.

The CAO recognized the meeting today is being held in the Tseshaht First Nation and the Hupacasath First Nation Territories.

## **2. ELECTION OF CHAIRPERSON/VICE-CHAIRPERSON FOR 2020**

### **ELECTION OF CHAIRPERSON**

The CAO conducted the election for Chairperson of the Electoral Area Directors Committee for 2020. The CAO requested nominations three times.

The CAO declared Director Cote to the position of Chairperson of the Electoral Area Directors Committee for 2020.

### **ELECTION OF VICE-CHAIRPERSON**

The CAO conducted election of Vice- Chairperson of the Electoral Area Directors Committee for 2020. The CAO requested nominations three times.

The CAO declared Director McNabb to the position of Vice-Chairperson of the Electoral Area Directors Committee for 2020.

Director Cote assumed the Chair.

**3. APPROVAL OF AGENDA**

MOVED: Director Shannon  
SECONDED: Director Bodnar

*THAT the agenda be approved as circulated.*

**CARRIED**

**4. RECEIVING OF MINUTES**

**a. Electoral Area Directors Committee Meeting – October 24, 2019.**

MOVED: Director McNabb  
SECONDED: Director Shannon

*THAT the minutes of the Electoral Area Directors Committee Meeting held on October 24, 2019 be received.*

**CARRIED**

**5. PETITIONS, DELEGATIONS & PRESENTATIONS**

**6. CORRESPONDENCE FOR ACTION/INFORMATION**

**7. REQUEST FOR DECISIONS & BYLAWS**

**a. Request for Decision regarding Review – Electoral Area Directors Committee Terms of Reference**

MOVED: Director McNabb  
SECONDED: Director Shannon

*THAT the Electoral Area Directors Committee review and reconfirm their Terms of Reference for 2020.*

**CARRIED**

**b. Request for Decision regarding Cherry Creek Community Recreation Commission Grant-in-aid Request**

MOVED: Director Bodnar  
SECONDED: Director McNabb

*THAT the Electoral Area Directors Committee recommend that the ACRD Board of Directors award a grant in aid in 2020 to the Cherry Creek Community Recreation Commission in the amount of \$20,000.00 as follows: \$18,000.00 contribution from Area "F" and \$2,000.00 contribution from Area "E" AND FURTHER THAT*

*Regional District staff be directed to work with Commission on potential eligibility through the Community Works Fund for their interior hall upgrades with the understanding that, if all or part of the renovation project is eligible through the Community Works Fund, the grant in aid requisition will be reversed pro rata for the eligible amount.*

**CARRIED**

**c. Request for Decision regarding West Coast Industrial Land Analysis**

*MOVED: Director Roberts*

*SECONDED: Director Beckett*

*THAT the Electoral Area Directors Committee recommend to the Board of Directors that the ACRD contribute \$7,500 to the West Coast Industrial Land Analysis being undertaken by the Districts of Tofino and Ucluelet.*

**CARRIED**

**8. REPORTS**

**a. Community Works Funding Allocation for Salmon Beach Potable Water**

*MOVED: Director Roberts*

*SECONDED: Director McNabb*

*THAT the Electoral Area Directors Committee receive the report.*

**CARRIED**

**b. EA Director's Forum – Verbal Reports (B. Beckett, K. Roberts, P. Cote, D. Bodnar)**

Electoral Area Directors reported on their attendance at the recent Electoral Area Directors Forum held in Vancouver.

*MOVED: Director Roberts*

*SECONDED: Director Beckett*

*THAT the Electoral Area Directors Committee receive the verbal reports.*

**CARRIED**

**9. LATE BUSINESS**

*MOVED: Director Roberts*

*SECONDED: Director McNabb*

*THAT the Electoral Area Directors Committee recommend that the ACRD Board of Directors instruct staff to investigate the potential of putting in a fire hydrant at the corner of Sutton Road and Port Albion Road in Long Beach.*

**CARRIED**

**10. ADJOURN**

*MOVED: Director Shannon*

*SECONDED: Director McNabb*

*THAT this meeting be adjourned 3:08 pm.*

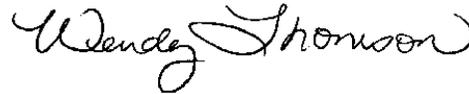
**CARRIED**

Certified Correct:



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Penny Cote,  
Chairperson



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Wendy Thomson,  
General Manager of Administrative Services



## REQUEST FOR DECISION

**To:** Electoral Area Directors Committee  
**From:** Teri Fong, CPA, CGA, Chief Financial Report  
**Meeting Date:** June 24, 2020  
**Subject:** Community Works Funds Project 2020

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### Recommendation:

**THAT the Electoral Area Directors Committee recommend that the Alberni-Clayoquot Regional District (ACRD) Board of Directors approve the amendment of the ACRD Community Works Policy, 2019 to align the 'Responsibilities and Procedures' with the financial planning process.**

### Desired Outcome:

To update the ACRD Community Works Fund Policy to reflect the new financial planning process implemented in 2020.

### Summary:

The financial planning process for the ACRD was improved in 2020 and the restructured format provided the Board of Directors and the public the opportunity to see the Draft Financial Plan in its entirety when initially presented by staff in mid-February instead of being presented service by service at the committee level as it has been done in the past. This approach provided the overall impact for all the services delivered to each area. The process was well received by both staff and the Board and so a similar process is planned for 2021. This new process does require an amendment to the Community Works Funds Policy as the projects will be presented as a component of the entire draft financial plan.

Staff recommend that the 'Responsibilities and Procedures' section of the policy be amended to reflect that the draft financial plan is presented to the entire Board in advance of the EA Directors Committee meeting this winter. This will permit a review of projects in the context of the draft financial plan and the EA Directors will be able to discuss proposed CWF projects in that context. A draft of the revised policy is attached.

Looking forward, staff's intention is to build a multi-year (~10+ years) capital plan that reflects approved asset management plans, CWF projects and all available Board policy direction so that the allocation of CWF could be discussed at any time during the year. Staff hopes to have that analysis prepared for the 2022 financial plan at which time the Board may wish to direct different time frames for the review of CWF projects to be stated in the policy.

### 2020 Community Works Fund Projects

The majority of the Community Works Fund projects budgeted for 2020 are carried over from the prior year. New projects approved during the 2020 financial planning process include:

1. The West Coast Multi-use Path contribution of \$240,000 to provide some matching funds for grant applications for the construction of the section in Electoral Area C – Long Beach. This funding cannot be spent until the governance of the path is determined.

2. Beaver Creek Water System contribution of \$407,000 water main upgrade on Lamarque Road. This project is one of the top priorities in the BCWS's Asset Management plan.
3. Salmon Beach Sewage contribution of \$50,000 for the next phase of the septic system upgrade.
4. Salmon Beach Water contribution of \$50,000 for the possible development of a potable water source.

The projects identified above were originally presented to the Committee of the Whole on February 13, 2020 during the staff presentation of the 2020-2024 Draft Financial Plan. At that initial financial planning meeting the 'Parking Lot' system was used meaning that any items that the Directors wanted to discuss further were put on a list to be discussed at an additional meeting. The only item related to the above projects that was placed on the list was the Salmon Beach allocation of Community Works Funding. As a result of this 'Parking Lot' item the attached Report for Information was provided to the Electoral Area Directors Committee Meeting on March 3, 2020. The only motion relating to this item during the meeting was motion to receive.

The 2020-2024 Financial Plan was adopted on March 31, 2020 with the projects identified above being included in the Electoral Area Administration budget.

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

A significant amount of staff time is required to identify eligible Community Works Funds projects in the region, review applications from outside entities and complete the reporting requirements of the grant agreement.

**Financial:**

There is no financial impact to this recommendation.

**Policy or Legislation:**

A draft of the revised ACRD's Community Works Fund Policy is attached for your reference.

**Options Considered:**

If the Electoral Area Directors Committee does not want the potential Community Works Fund projects being considered by the entire Board of Directors during the initial financial planning meeting then staff recommend that the Community Works Funds Policy deadline for project applications be revised to October 31<sup>st</sup> of the prior year in order for the applications to be considered at the last Electoral Area Directors Committee meeting each year. It is important to note that a discussion of CWF projects at this date would lack the context of a draft financial plan and resultant draft requisition amounts. If the Committee would prefer this option then the following motion is recommended:

***That the Electoral Area Directors Committee recommend that the ACRD Board of Directors amend the Timelines section of the Community Works Fund Policy to include a date of October 31<sup>st</sup> of the prior year.***



Submitted by:

Teri Fong, CPA, CGA, Chief Financial Officer



Approved by:

Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



Alberni-Clayoquot Regional District

## COMMUNITY WORKS FUND POLICY

Policy Issued by: Board of Directors  
Date Adopted: May 8, 2019  
Date(s) Amended:

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### Preamble:

Community Works Funds are provided to the Alberni-Clayoquot Regional District (ACRD) from the Government of Canada through the Gas Tax Fund. The Administrative Agreement on the Federal Gas Tax Fund in British Columbia is a tripartite agreement between Canada-British Columbia-UBCM that provides the framework for the Community Works Funding. Funding under the program is intended to be directed to local priorities that fall within one of the eligible project categories and that are in keeping with the Agreement's intended outcomes of a clean environment, strong cities and communities, and productivity and economic growth. The projects related to these priorities can be achieved by either ACRD services or outside non-profit organizations.

### Purpose of the Policy:

The purpose of this policy is to oversee the effective use of Community Works Gas Tax Funding and to implement a process to ensure compliance with the Community Works Fund (CWF) Agreement.

### Eligibility:

The Electoral Area (EA) Directors Committee will consider eligible project proposals, as outlined in the Administrative Agreement, that are associated with any of the ACRD services as well as projects presented from local non-profit organizations.

### Approval Considerations:

The CWF is provided to the ACRD on the basis of population of the electoral areas. While this allocation is an important consideration when determining the distribution of the funding to projects, other factors including the following should also be considered. Preference is to be given to projects that:

- Align with the strategic priorities of the ACRD
- Are more regionally focused and benefit a larger portion of the population
- Assist in funding the asset management infrastructure gap

## Responsibilities & Procedures:

The responsibilities and procedures related to this policy are as follows:

- ACRD staff will:
  - Develop eligible proposals to present during the financial planning process
  - Review non-profit proposals to confirm eligibility
  - Complete all reporting requirements
- The Board of Directors shall:
  - Adopt the Community Works Fund Policy and consider updates from time to time
  - Approve funding of CWF projects during the annual financial plan process and any required financial plan amendments
  - Approve contribution agreements with non-project organizations received CWF monies
- The EA Directors Committee shall:
  - At a meeting, shortly after the initial presentation of the draft financial plan, review any proposed projects
  - Provide recommendations for any changes to the proposed projects to the Board of Directors in advance of the adoption of the financial plan

## Timelines:

In order to be included in the current year financial plan, proposals from ACRD services and non-profit organizations must be received by January 15<sup>th</sup>. Proposals received after this date will only be presented to the EA Directors if the project is considered an emergency. This deadline is provided to reduce the occurrence of financial plan amending bylaws.

## Non-Profit Project Proposals:

Project proposals from outside non-profit organizations must include the following components:

- Proof of non-profit status
- Identify the eligible project category applicable to the proposed project
- Description of how the project is aligned to the ACRD's strategic priorities
- Description of the long-term asset management plans of the non-profit
- Description of how a project is regionally focused
- Confirmation of land ownership and/or long-term lease exceeding 10 years
- Funding amount requested
- Description of the project including management framework, project impact, project outcomes
- Anticipated timeline
- Detailed project budget outlining all eligible and ineligible costs as well as supporting quotes or estimates

### **Non-Profit Funding Conditions**

Where non-profit projects are approved for a project to be undertaken by a non-profit organization a contribution agreement must be signed between the ACRD and the non-profit organization. The agreement will include the following commitments from the non-profit organization:

- To expend funds consistent with the ACRD purchasing policy
- To comply with all applicable regulations including building permits
- To be responsible for raising the balance of any funds required to complete the project
- To submit an annual report for each year in which the project is being funded
- To submit of a final report including the outcomes achieved from the project
- To provide a copy of an unaudited Balance Sheet and Statement of Income and Expenses for the year the funds were dispersed to finance the project
- To maintain all records associated with the project and retain these records for 10 years following the completion of the project



## REPORT FOR INFORMATION

**To:** Electoral Area Directors Committee Meeting

**From:** Rob Williams, General Manager of Environmental Services

**Meeting Date:** March 3, 2020

**Subject:** Community Works Funding Allocation for Salmon Beach Potable Water

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A question was raised at the February 13<sup>th</sup>, 2020 Committee of the Whole (COW) meeting regarding previously allocated Community Works Funds for the investigation of a potable water system at Salmon Beach (SB). The following provides a brief history of the Salmon Beach potable water initiative.

Access to potable water has been an ongoing topic of discussion amongst Salmon Beach property owners. In 2015, the ACRD retained the services of McElhanney Consulting Services to conduct an inventory of water wells within the Salmon Beach development. The report located 21 individual wells and noted that all but one of the wells was located on private property. The one well that was not on private property was located within the ministry right of way. The report provided high-level available information about the wells but was not a full well assessment.

Upon completion of the well inventory study, the ACRD worked with Island Heath to educate property owners who had wells located on their property about the regulations, standards and responsibility of private water wells.

The ACRD consulted GW Solutions (GWS) in 2016 to further investigate potable water options at Salmon Beach. GWS used the McElhanney Consulting report and worked to identify a preferred well for future potable water development. This included analyzing well water quality data. The study concluded that many of the wells were susceptible to sea water intrusion due to their elevation and therefore not suitable as community potable water wells. The recommendation was for the ACRD to look at either drilling a new well or conducting water testing on the existing most preferred well (#7). The ACRD moved ahead with water testing on existing well #2 and #10 (admin building well) over the course of 2016 and 2017. Well #7 was not investigated due to its location on private property. The results indicated that while well #10 had elevated levels of arsenic it would be the better option for a community water source.

Issues around liability were also raised at the February 13<sup>th</sup>, 2020 COW meeting. From a liability perspective, there is limited exposure to the ACRD with respect to SB wells as the majority are located on private property and the responsibility of property owners. The old admin building well (#10) that is in the right of way and managed by the ACRD is capped and locked and creates limited risk to the organization.

The Salmon Beach Committee expressed an interest in continuing to develop one of the identified water wells as a community water system. The ACRD Board of Directors supported this initiative and allocated \$100,000 of Community Works Funding (CWF) to the Salmon Beach Water budget as part of the 2017-2021 Financial Plan.

ACRD staff are actively working to better understand potable water options for the Salmon Beach community. This includes currently working with Koers Engineering to confirm feasible water treatment and dispensing options for well #10. As this work is likely to take several months and due to the Salmon Beach septic field treatment project taking priority, the 2020 financial plan has been adjusted to move the \$100,000 CWF from the potable water initiative to the sewage budget line in order to complete the septic field treatment project.

**Options Considered:**

The SB sewage budget does have adequate funds to cover the total costs associated with this project, however using these funds would deplete the budget reserve for this service. The following recommendation is provided if the ACRD Board of Directors do not support using CWF for this initiative:

***THAT the 2020-2024 Draft Financial Plan be amended to reallocate \$100,000 of Community Works Funds from the Salmon Beach Sewage budget to the Salmon Beach Water budget.***



Submitted by: \_\_\_\_\_

Rob Williams, MSc, General Manager of Environmental Services



Approved by: \_\_\_\_\_

Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



## MEMORANDUM

**To:** Electoral Area Directors

**From:** Mike Irg, GM of Planning and Development

**Meeting Date:** June 24, 2020

**Subject:** Planning and Development Department Update for Rural Planning and Building Inspection Services

### **Recommendations:**

THAT the Electoral Area Directors receive this memorandum.

**Note:** If the Electoral Area Directors Committee want to provide additional or alternate direction, staff recommend that the Committee make recommendation to the Board of Directors.

### **Background:**

This report has been prepared with input from all planning and development staff. The Planning and Development Department continue to receive numerous development and building permit applications, as well as various daily requests from members of the public, staff from other ACRD departments, and Directors. This includes daily or weekly Emergency Operations Centre priority tasks, which are also in addition to a number of upcoming or underway Electoral Area Rural Planning projects. With new challenges related to work practices and safety measures related to COVID-19, staff are providing an update on the current Electoral Area Planning, Development, Building and Bylaw workload, and seeking discussion and direction on priorities.

### **Planning Applications:**

In addition to numerous ongoing development applications received prior to 2020, below are the applications received in 2020:

APPLICATION TYPE	NUMBER RECEIVED IN 2020
Rezoning/OCP/Text Amendments	4
Development Permits	9
Development Variance Permits	3
Subdivision Referrals	6
Temporary Use Permits	2
Crown Lease Referrals	6
Miscellaneous Referrals	4
<b>Total:</b>	<b>34</b>

Although some applications are straight forward, many require extensive staff time and research to complete. And, in many cases, applications also require Building Inspector and/or Bylaw Enforcement assistance. With development of new COVID-19 procedures to protect public health, many of these applications are taking additional time to process.

### **Mapping and GIS Development:**

Mapping and GIS has been making headway on two overall goals, while also addressing general inquiries and map

document requests from ACRD departments as well as residents and external organizations. The primary goal is to transition the ACRD geospatial data processing and management procedures into present day standards with geodatabase and mapping technologies. The largest task for this goal, converting the OCPs, Zoning data and DPA data, is underway with the OCP designation data currently in the review stages. As our mapping data becomes finalized in the new formats, it is being hosted on CityView for employee access, and maps published on the ACRD website will be updated and replaced. The second goal is to improve the organization of the ACRD.bc.ca website. The Notices and Bylaws sections are currently under review and more sections will be tackled and cleaned up throughout the year.

ACRD owned spatial data transition progress status:

Civic Addresses	Completed
Development, Variance, Temp Permits	Completed
OCP Designation Boundaries	80% complete – in review stage
Zoning Boundaries	25% complete – in conversion
DPA's	Pending
Service Areas	Pending
Regional Parks and Trails	Pending
Lidar Datasets and Product	Pending
Aerial Photo datasets	Pending
Hard copy maps	Pending

Base data has been sourced and is being maintained monthly as distributors publish updates within the ACRD area. Base data includes Parcel data from ICI Society, Roads from the Digital Road Atlas of BC, Administrative Boundaries including First Nation lands from DataBC, Freshwater Stream Atlas from DataBC.

**Building Department:**

In addition to numerous active building permits issued prior to 2020, the building department has issued a total of 45 permits in 2020. To-date, 65 building permits applications have been received.

The department’s current objectives focus on continuing to processes the intake and issuance of building permits, building inspection duties, responding to building bylaw complaints, and other requests and inquiries. Two proposed amendments to the building bylaw include, exempting low occupancy farm buildings from requiring building permits (request of the Agricultural Development Committee) and reviewing the fee schedule (as directed by the Board) are in this year’s work plan.

**Electoral Area Rural Planning Projects:**

**Agriculture**

Agricultural support and food security initiatives are ongoing in 2020, coordinated by Agricultural Support Workers who are under contract until the end of the year. The immediate focus of the agricultural support program relates to COVID-19 by supporting the needs of local farmers and sharing Grow Local resources to residents in the area. The Agricultural Support Workers and Agricultural Development Committee are leading these initiatives with community partners in the Alberni Valley and on the West Coast. Two additional grant-funded projects have recently launched in 2020 to support food production and food security initiatives in the coastal communities and to create a Council for Agricultural Water Supply. Agriculture initiatives are managed by Planning staff under the Regional Planning budget supported by EA and Municipal Director participants. This update is provided as there is significant overlap with rural planning and building inspection.

**Burning Bylaw**

The ACRD is considering two bylaws which would regulate the emission of smoke from residential burning: the solid-fuel burning appliance (woodstove) bylaw and the open burning bylaw. A public engagement campaign is currently underway with a website to share information and plans for a public survey and mail out. Public feedback will be compiled along with agency referrals already received and a report will be prepared for the Board’s consideration in

summer 2020.

### **Bylaw Notice Enforcement Bylaw**

On June 10, 2020, the Board of Directors adopted Bylaw No. PS1008 'Bylaw Notice Enforcement Bylaw, 2020', and endorsed the proposed public notification strategy. Next steps include notifying the general public through a bulk mail out and newspaper ads and letters will be mailed to property owners with active Zoning Bylaw enforcement files. In addition, staff are preparing internal procedures for implementing the fines and procedures required for when Bylaw PS1008 takes effect August 1<sup>st</sup>.

### **Zoning Bylaw and Official Community Plan Updates**

The draft Zoning Bylaw and updated OCPs will be sent for agency and First Nation pre-referrals in the coming weeks. Staff are working on final proposed updates to the Zoning Bylaw, a summary list of all proposed updates to the OCPs, and updating the Zoning Bylaw and OCP maps to a new easy to read standardized format. Part of the pre-referral process also includes a summary sheet that will be mailed to all Bamfield households, providing an overview of proposed Zoning Bylaw and OCP updates, with Bamfield specific information.

### **Alberni Valley Age-Friendly Plan**

The final Alberni Valley Age-Friendly Plan was completed as of June 4, 2020, and sent to UBCM as part of the grant requirements. The final Age-Friendly Plan is being presented to the Board at the June 24, 2020 meeting, and includes recommendations to explore options to move forward with the actions identified, and apply for Age-Friendly BC Community recognition from the Province of BC. Once the Plan is presented to the Board, it will be publicized and presented to other community partners.

### **Housing Needs Reports**

In February 2020, the ACRD received UBCM grant funding to complete a Housing Needs Report (HNR) for each of the ACRD Electoral Areas (EAs). HNRs will be completed for three separate geographic areas with Bamfield EA first, followed by the Alberni Valley (Beaufort, Sproat Lake, Beaver Creek, and Cherry Creek EAs), and then the West Coast (Long Beach EA).

The UBCM grant application (endorsed by Board resolution) included a work plan that consisted of the HNRs being completed by a consultant (75% of the workload), with Planning staff providing overall project management and support. To accommodate this new, temporary way of undertaking projects virtually during the COVID-19 pandemic, Planning staff are developing a work plan to complete the HNRs for each Electoral Area that is cost effective and results in the best report for each area. Preliminary work on Bamfield HNR has started; staff anticipate the Alberni Valley work will be coordinated with the four EA and the City of Port Alberni. The Long Beach HNR will be coordinated with Tofino and Ucluelet with the intent to use the same consultant. The order of the work will be Bamfield, Alberni Valley, Long Beach. As staff develop this work plan, it may be more efficient to utilize ACRD staff for a greater percentage of this work. If that is the case, a report will be prepared for the Board to approve any changes to the work plan.

As an example, the Age-Friendly Plan (on the June 24 Board agenda), was also funded by a UBCM grant, where ACRD staff undertook the project management role, with minimal project assistance from a consultant.

### **Short Term Vacation Rentals (STR):**

Since the Province declared a state of emergency due to COVID-19, staff have not brought applications for temporary use applications (TUP) for STRs to the Board. Now that the Province is in stage two, reopening travel within the Province, staff will prepare reports for the STR applications we have already received, and anticipate more application will be received based on discussions we have had with property owners.

### **Public Hearings:**

Staff are preparing procedures for conducting public hearings remotely, allowing the public and applicants to participate by phone and Zoom video conferencing.

**Bylaw Enforcement:**

The ACRD continues to receive bylaw complaints, although at a somewhat slower pace in 2020 likely due to weather and COVID-19, however the number of interactions with the public by phone and emails enquiring about zoning and regulatory bylaw infractions has increased substantially. Work has started with administrative help to begin steps to send letters informing property owners of active bylaw enforcement files in contravention of the Zoning Bylaw that the new Bylaw Notice Enforcement Bylaw will take effect on August 1, 2020. The BNEB will allow the ACRD to issue fines for Zoning Bylaw infractions which will give staff a more effective tool for gaining compliance with the bylaw.

The Bylaw Enforcement Officer continues to work with the Province in a support role on a number of files that are predominantly under Provincial jurisdiction but impact area residents. This has included conducting site visits in conjunction with the conservation officer. Monitoring, tracking, and responding to complaints regarding STRs continues. Staff would note that a number of STR are currently not operating.

**Summary:**

This report address projects and work in the rural planning and building services which apply to the Electoral Areas of the ACRD and does not include the support provided by planning and development staff provided to other services and projects such as the flood mapping, ALC application, provincial referrals and the planning staff time leading the COVID-19 recovery initiatives.

Submitted by:   
\_\_\_\_\_  
Mike Irg, MCIP, RPP, GM of Planning & Development  
(on behalf of Planning and Building Staff)

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



## MEMORANDUM

**To:** Electoral Area Directors Committee

**From:** Mike Irg, GM of Planning and Development

**Date:** June 24, 2020

**Subject:** Bylaw Options for Enforcement and Fines – Bylaw PS1008

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**Recommendation:**

That the Electoral Area Directors Committee receive the staff memorandum.

**Summary:**

At the June 10, 2020 Board meeting, staff were asked to report back with a list of ACRD bylaws that could be added Bylaw PS1008. This list is attached as Appendix A. This memorandum is intended as an update to facilitate discussion and assist the Board with future decisions on the ACRD bylaw enforcement process.

Staff's advice to the Board on June 10, was to adopt Bylaw PS1008 and have the ability to issue bylaw notices (tickets) for zoning bylaw infractions. Other regulatory bylaws are not included in Bylaw PS1008. Bylaw PS1008 will be implemented and zoning bylaw infractions will be ticketed when compliance cannot be achieved. Staff will report to the Board on the success of this new system and provide the Board with options and recommendations in six months.

**Desired Outcome:**

To have a fair and efficient bylaw enforcement program.

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

The ACRD has never issued tickets for bylaw infractions and this is new territory for elected officials, the public and staff. Based on discussions with members of the public, an increase in complaints is expected. Starting with the zoning bylaw will give staff time to implement and learn the procedures required to effectively administer Bylaw PS1008 with the resources the Board has budgeted for in 2020.

**Financial:**

Enforcement of the Zoning Bylaw is part of the Rural Planning Service. If the Board wishes to include other regulatory bylaws, a review of the other services budgets should be part of the Boards decision making process, as additional resources would be required to administer the ticketing process.

**Policy or Legislation:**

Please note that some of the bylaws have never been updated or amended and are dated, for example Bylaw 10 from 1969 and Bylaw 16 from 1971. The bylaws listed in the first part of Appendix A (1 through

12) can be included in PS1008 without any changes; staff would recommend the older bylaws be updated as part of the work plan.

Appendix B is the Bylaw Enforcement Procedures, including ticketing options with Bylaw PS1008.

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

## APPENDIX A

### Adopted Bylaws that can be Included in PS1008

1. Bylaw No. 16, 1971 Nuisance and Unsightly Premises
2. Bylaw R1001-1, 2012 – Cherry Creek Noise Control Bylaw
3. Bylaw R1002-1, 2012 – Beaver Creek Noise Control Bylaw
4. Bylaw R1024, 2013 – Sproat Lake Noise Control Bylaw
5. Bylaw R1017, 2006 – Dangerous Dog Regulation Bylaw “D” (Sproat Lake) and “E” (Beaver Creek)
6. Bylaw No. R1026, 2014 – Cherry Creek Dangerous Dog Regulation
7. Building Bylaw
8. Bylaw No. 10 Soil Removal Bylaw
9. Bylaw R1025Bamfield Residential Backyard Burning Bylaw
10. Tipping Fee and Regulation Bylaw
11. Beaver Creek Water System Service Area Rated and Regulations Bylaw
12. Bylaw R1022 Sign Bylaw

### Proposed Bylaws Under Consideration That Could Be Included Once Adopted in PS1008

1. Outdoor Burning Smoke Control Regulation Bylaw R1032, 2019
2. Solid Fuel Burning Appliances Bylaw No. R1030, 2019

## APPENDIX B

### Enforcement Process with PS1008

- A. Respond to written complaints;
- B. The first step is to write a letter to the property owner, informing them the Regional District has received a complaint. The owner is asked to contact the Bylaw Enforcement Officer to discuss the complaint;
- C. If we do not get a response or a second letter is sent by registered mail to the property owner. A second letter is also sent if there is an infraction and the owner is unwilling to resolve the problem;
- D. At this point we begin building evidence and investigating the matter to determine what action is required;
- E. Staff determine if there if there is a bylaw infraction. If there is an infraction, we proceed with enforcement action. If the complaint is not furthered we inform the complainant;
- F. If the property does not comply with ACRD Bylaws, a fine is issued to the property owner.
  - i. The property owner pays the fine and complies with ACRD Bylaws then the file is closed.
  - ii. The property owner can dispute the fine.
  - iii. If a person fails to pay the fine, the ACRD can submit the fine for collection.
- G. At this point if there is still no response or compliance from the property owner a registered letter is sent stating the owner must cease and desist;
- H. The majority of complaints are resolved by this time. However, if there is still no resolution we report to the Regional Board and request formal approval to proceed with legal action. The file is then forwarded to the Regional District's legal counsel;