



Alberni-Clayoquot Regional District

BOARD OF DIRECTORS MEETING
WEDNESDAY, APRIL 28, 2021, 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/events/28-4-2021/>

Public Attendance: the public are welcome to attend the meeting via Zoom Webinar by registering at:

https://portalberni.zoom.us/webinar/register/WN_AhrDNS4dTUGjQuq0h46Tgw

AGENDA

	PAGE #
1. <u>CALL TO ORDER</u>	
Recognition of Territories.	
Notice to attendees and delegates that this meeting is being recorded and livestreamed to YouTube on the Regional District Website.	
2. <u>APPROVAL OF AGENDA</u>	
<i>(motion to approve, including late items requires ALL VOTE 2/3 majority vote)</i>	
3. <u>DECLARATIONS</u>	
<i>(conflict of interest or gifts exceeding \$250 in value as per section 106 of the Local Government Act)</i>	
4. <u>ADOPTION OF MINUTES</u>	
(ALL/UNWEIGHTED)	
a. Board of Directors Meeting –April 14, 2021	7-16
<i>THAT the minutes of the Board of Directors meeting held on April 14, 2021 be adopted.</i>	
5. <u>PETITIONS, DELEGATIONS & PRESENTATIONS (10 minute maximum)</u>	
a. Presentation: Jason Kevis, Bylaw Enforcement Officer, 5 Years of Service – M. Irg, General Manager of Planning & Development.	
b. Stefan Yancey, Operations Manager, Transportation & Infrastructure, Central Vancouver Island, regarding Highway Issues and Concerns in the Region.	

6. **CORRESPONDENCE FOR ACTION**

7. **CORRESPONDENCE FOR INFORMATION**

(ALL/UNWEIGHTED)

- | | | |
|----|---|--------------|
| a. | CITY OF PENTICTON | 17-19 |
| | Request for Support from Union of British Columbia Municipalities regarding BC Government's Use of Provincial Paramountcy to Undermine Local Government Bylaws. | |
| b. | DISTRICT OF SOOKE | 20-23 |
| | Moratorium on Recreational Wolf Hunting on Vancouver Island | |
| c. | B.C. FERRY AUTHORITY | 24 |
| | New Appointment to the Board of B.C. Ferry Authority | |
| d. | VANCOUVER ISLAND REGIONAL LIBRARY | 25-30 |
| | March 2021 – From the Board Table | |
| e. | FOREST ENHANCEMENT SOCIETY OF BRITISH COLUMBIA | 31-35 |
| | Forest Enhancement Society of BC Accomplishments Update Spring 2021 | |
| f. | ISLAND COASTAL ECONOMIC TRUST | 36-40 |
| | Community Builder Profile | |
| g. | PEACE RIVER REGIONAL DISTRICT | 41-43 |
| | Lack of Funding – Invasive Plant Management | |

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

8. **REQUEST FOR DECISIONS & BYLAWS**

- | | | |
|----|---|--------------|
| a. | REQUEST FOR DECISION | 44-45 |
| | ACRD Open Meetings and Electronic Meetings – COVID-19 Pandemic (ALL/UNWEIGHTED) | |

THAT in accordance with Ministerial Order M192 and Provincial Health Officer Order on gatherings and events dated December 24, 2020, all Alberni-Clayoquot Regional District (ACRD) open Board and Committee meetings continue to be held virtually without members of the public in attendance in person until May 27, 2021;

AND THAT in the interest of openness, accountability and transparency, ACRD Board and Committee meetings continue to be conducted via Zoom videoconferencing and livestreamed on the ACRD Website and the public continue to have the opportunity to participate in the Zoom meetings via Zoom Webinar or emailing the ACRD at responses@acrd.bc.ca to provide comments and/or input respecting agenda items;

AND FURTHER THAT in the interest of openness, accountability and transparency, ACRD public hearings continue to be conducted via Zoom videoconferencing or other electronic means.

- b. **REQUEST FOR DECISION** **46-48**
Installation of Traditional Territory acknowledgement signage in
Alberni-Clayoquot Regional District public facilities
(ALL/UNWEIGHTED)

THAT the Alberni-Clayoquot Regional District Board of Directors direct staff to install traditional territory acknowledgement signage in Alberni-Clayoquot Regional District public facilities.

- c. **REQUEST FOR DECISION** **49-50**
Union of British Columbia Local Government Development Approvals
Program Grant Application
(ALL/UNWEIGHTED)

THAT the Alberni-Clayoquot Regional District Board of Directors support the application to the Union of BC Municipalities (UBCM) Local Government Development Approvals Program for a \$250,000 grant to implement GIS and a CityView online application portal, support building inspection, create web-based mapping, and streamline the development application process.

- d. **REQUEST FOR DECISION** **51-56**
Alberni-Clayoquot Regional District & Tseshaht First Nation
Government to Government Accord
(ALL/UNWEIGHTED)

THAT the Alberni-Clayoquot Regional District (ACRD) Board of Directors approve the Government-to-Government Accord between the Tseshaht First Nation (TFN) and the ACRD and, acknowledging that the Agreement is a living document, delegate authority to the ACRD Directors on the Protocol Working Group to approve modifications from time to time that are consistent with the spirit and intent of the current agreement.

- e. **REQUEST FOR DECISION** **57-58**
Alberni Valley Landfill and West Coast Landfill – Pilot Project for Coastal
Clean-Up Material Tipping Fee
(PARTICIPANTS/WEIGHTED)

THAT the Alberni-Clayoquot Regional District Board of Directors approve a 6-month pilot project to receive up to 250 tonnes of coastal clean-up material at the Alberni Valley and West Coast Landfills at a rate of \$175/tonne from Coastal Restorations.

- f. **REQUEST FOR DECISION**
Salmon Beach Sewage Collection Fee Bylaw Amendment
(ALL/UNWEIGHTED)

59-61

THAT the Alberni-Clayoquot Regional District Board of Directors give first reading to the bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021".

THAT the Alberni-Clayoquot Regional District Board of Directors give second reading to the bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021".

THAT the Alberni-Clayoquot Regional District Board of Directors give third reading to the bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021".

THAT the Alberni-Clayoquot Regional District Board of Directors adopt bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021"

- g. **REQUEST FOR DECISION**
Proposed Amendments to the ACRD Building Bylaw
(ALL/UNWEIGHTED)

62-96

THAT the Alberni-Clayoquot Regional District Board of Directors give first reading to the bylaw cited as "The Building Bylaw No. PS1011, 2021".

THAT the Alberni-Clayoquot Regional District Board of Directors give second reading to the bylaw cited as "The Building Bylaw No. PS1011, 2021".

THAT the Alberni-Clayoquot Regional District Board of Directors direct staff to inform the public and advertise the proposed changes to the building bylaw.

THAT the Alberni-Clayoquot Regional District Board of Directors consider third reading and adoption of "The Building Bylaw No. PS1011, 2021" at the May 26, 2021 regular Board meeting.

9. **PLANNING MATTERS**

9.1 **ALL DIRECTORS** (PARTICIPANTS/UNWEIGHTED)

- a. **AB21001, CITY OF PORT ALBERNI, 5633 SMITH ROAD (BEAUFORT)**
ALC Exclusion Referral – Report
Public correspondence Susan Roth [McLean Mill Environmental Review 2019 Attachment](#)

97-147

THAT the Board of Directors notify the Agricultural Land Commission that the ACRD supports the City of Port Alberni's ALC exclusion application for part of LOT A, LOOP FARMS AND DISTRICT LOT 106, ALBERNI DISTRICT, PLAN VIP57991 EXCEPT THAT PART IN PLAN VIP65071, noting that the current zoning is Park and Public Use (P2) District and the Official Community Plan Designation is "Cultural Heritage Site (McLean Mill National Historic Site)".

10. REPORTS

10.1 STAFF REPORTS

(ALL/UNWEIGHTED)

- | | | |
|----|--|------------|
| a. | Meeting Schedule – May 2021 | 148 |
| b. | Building Report-March 2021 | 149 |
| c. | Emergency Operations Centre Update – verbal report
– H. Zenner, Protective Services Manager | |

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

10.2 COMMITTEE REPORTS

10.3 MEMBER REPORTS

(ALL/UNWEIGHTED)

- a. 9-1-1 Corporation – J. McNabb
- b. Vancouver Island Regional Library – P. Cote
- c. Alberni Valley Chamber of Commerce – S. Minions
- d. Air Quality Council, Port Alberni – D. Bodnar
- e. West Coast Aquatic Board – T. Stere
- f. Association of Vancouver Island & Coastal Communities – P. Cote
- g. Beaver Creek Water Advisory Committee – J. McNabb
- h. West Island Woodlands Advisory Group – J. Jack
- i. Agricultural Development Committee – T. Shannon
- j. Other Reports

THAT the Board of Directors receives the Member Reports.

11. UNFINISHED BUSINESS

12. LATE BUSINESS

13. QUESTION PERIOD

Questions/Comments from the public participating in the Zoom meeting.

Questions/Comments from the Public, respecting an agenda item, can be emailed to the ACRD at responses@acrd.bc.ca and will be read out by the Corporate Officer at the meeting.

14. IN CAMERA

(ALL/UNWEIGHTED)

Motion to close the meeting to the public as per the Community Charter, section(s):

- i. 90 (1) (a) : personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district;*
- ii. 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 of the Freedom of Information and Protection of Privacy Act;
• 21 (1) (c) (i) of FOIPPA: The head of a public body must refuse to disclose to an applicant information the disclosure of which could reasonably be expected to harm significantly the competitive position or interfere significantly with the negotiating position of the third party;*
- iii. 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.*

15. REPORT OUT - RECOMMENDATIONS FROM IN-CAMERA

16. ADJOURN

(ALL/UNWEIGHTED)

**Next Board of Directors Meeting: Wednesday, May 12, 2021
Regional District Board Room**



Alberni-Clayoquot Regional District

MINUTES OF THE BOARD OF DIRECTORS MEETING HELD ON WEDNESDAY, WEDNESDAY, APRIL 14, 2021

Due to COVID-19 pandemic, meeting conducted via Zoom video/phone conferencing

- DIRECTORS PRESENT:** John Jack, Chairperson, Councillor, Huu-ay-aht First Nation
John McNabb, Vice-Chair, Director, Electoral Area "E" (Beaver Creek)
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)
Dianne Bodnar, Director, Electoral Area "F" (Cherry Creek)
Sharie Minions, Mayor, City of Port Alberni
Ron Paulson, Councillor, City of Port Alberni
Tom Stere, Councillor, District of Tofino
Wilfred Cootes, Councillor, Uchucklesaht Tribe Government
Kirsten Johnsen, Member of Council, Toquaht Nation
Alan McCarthy, Member of Legislature, Yuułu?if?ath Government
- REGRETS:** Rachelle Cole, Councillor, District of Ucluelet
- STAFF PRESENT:** Douglas Holmes, Chief Administrative Officer
Teri Fong, Chief Financial Officer
Mike Irg, General Manager of Planning and Development
Jenny Brunn, General Manager of Community Services
Wendy Thomson, General Manager of Administrative Services
Janice Hill, Executive Assistant
Heather Zenner, Protective Services Manager
Karen Freethy, Protective Services Coordinator
Alex Dyer, Planner
Eddie Kunderman, Operations Manager

The meeting can be viewed on the Alberni-Clayoquot Regional District website at:
<https://www.acrd.bc.ca/events/14-4-2021/>

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 throughout the Nuu-chah-nulth territories.

The Chairperson reported this meeting is being recorded and livestreamed to YouTube on the Regional District website.

2. APPROVAL OF AGENDA

MOVED: Director McNabb
SECONDED: Director Roberts

THAT the agenda be approved as circulated with the addition of the following late item under Section 8 (h): Request for Decision Port Alberni Port Authority Yard Space Rental Agreement.

CARRIED

3. DECLARATIONS

4. ADOPTION OF MINUTES

a. AVRA Advisory Committee Meeting – March 23, 2021

MOVED: Director Paulson
SECONDED: Director McNabb

THAT the minutes of the AVRA Advisory Committee Meeting held on March 23, 2021 be adopted.

CARRIED

b. Board of Directors Meeting – March 24, 2021

MOVED: Director Roberts
SECONDED: Director Beckett

THAT the minutes of the Board of Directors meeting held on March 24, 2021 be adopted.

CARRIED

5. PETITIONS, DELEGATIONS & PRESENTATIONS

a. Introductions:

- **Eddie Kunderman, Operations Manager**
The General Manager of Community Services introduced new employee, Eddie Kunderman.
- **Karen Freethy, Protective Services Coordinator**
The Protective Services Manager introduced new employee, Karen Freethy.

- b. **Daniel Healey - Senior Manager and Lenora Lee - Engagement Partner, KPMG regarding Alberni-Clayoquot Regional District Audit Findings Report for the year ended December 31, 2020.**

Director Cootes entered the meeting at 1:44 pm.

The delegation presented the Alberni Clayoquot Regional District audit findings report for the year ended December 31, 2020.

- c. **Mark Duncan - AeroEdge, Andrew Cuthbert - Urban Systems, Mike Ruttan - AVRA Advisory Committee Chair and members of the AVRA Advisory Committee regarding the AVRA Visioning and Strategic Plan.**

The delegation presented the Alberni Valley Regional Airport (AVRA) Visioning and Strategic Plan developed by Urban Systems in conjunction with the AVRA Advisory Committee.

6. CORRESPONDENCE FOR ACTION

7. CORRESPONDENCE FOR INFORMATION

- a. **KAREN HAUGEN, PACIFIC RIM NATIONAL PARK RESERVE**
Update of Pacific Rim National Park Reserve's overnight experiences for the 2021 visitor season
- b. **ISLAND COASTAL ECONOMIC TRUST**
Community Builder – Rose Klukas, City of Campbell River
- c. **ISLAND COASTAL ECONOMIC TRUST**
New Employment Created to Support Rural Economic Recovery
- d. **ISLAND COASTAL ECONOMIC TRUST**
Cowichan Community Commercial Kitchen to Support Small Scale Producers
- e. **ISLAND COASTAL ECONOMIC TRUST**
VOICES - Genevieve Burdett, Cumberland Lake Wilderness Society
- f. **DISTRICT OF SICAMOUS**
Resolution: Aquatic Invasive Species Enforcement
- g. **DISTRICT OF SICAMOUS**
Resolution: Invasive Asian Clams
- h. **NORTH VANCOUVER DISTRICT**
Resolution: Help Cities Lead (HCL) Campaign
- i. **CITY OF PORT MOODY**
Resolution: Help Cities Lead (HCL) Campaign (full City of Port Moody Council Report available from ACRD upon request)
- j. **ALBERNI FARMERS' INSTITUTE (AFI)**
Rising Insurance for Farms
- k. **FIRST NATIONS PUBLIC SERVICE SECRETARIAT**
First Nations Well Being Fund

l. **HONOURABLE JOSIE OSBORNE, MLA**
Circuit Breaker Business Relief Grant

m. **CITY OF VICTORIA**
Council Motion – Support for Laid-off Hotel and Tourism Industry Workers

MOVED: Director Shannon

SECONDED: Director Beckett

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

CARRIED

8. REQUEST FOR DECISIONS & BYLAWS

a. **Request for Decision regarding Alberni-Clayoquot Regional District
Financial Statements**

MOVED: Director Roberts

SECONDED: Director Bodnar

*THAT the Alberni-Clayoquot Regional District Board of Directors approve the
2020 Audited Financial Statements for the Alberni-Clayoquot Regional District as
presented.*

CARRIED

Director McCarthy left the meeting at 2:27 pm.

b. **Request for Decision regarding AVRA Visioning and Strategic Plan
Report**

MOVED: Director Cote

SECONDED: Director Paulson

*THAT the Alberni-Clayoquot Regional District Board of Directors approve the Alberni
Valley Regional Airport Visioning and Strategic Plan; and*

*THAT the Alberni-Clayoquot Regional District Board of Directors direct staff to work
with the Alberni Valley Regional Airport Advisory Committee to develop
implementation options for Board consideration.*

CARRIED

c. Request for Decision regarding AVRA – 2021 Lease Renewals

MOVED: Director Cote
SECONDED: Director Paulson

THAT the Alberni-Clayoquot Regional District Board of Directors approve the following lease renewals at the Alberni Valley Regional Airport for 2021:

- 1. #1 Hangar Group (Alberni Valley Flying Club) – Lease Lots 3 & 22 at a rate of \$3,580.38 per year plus GST and yearly BC CPI increases for a (3) three- year term from September 1st, 2021 to August 31st, 2024.*
- 2. Allen Paul – Lease Lot 7 at a rate of \$1,838.67 per year plus GST and yearly BC CPI increases for a (3) three-year term from April 30th, 2021 to March 30th, 2024.*
- 3. Bowerman Excavating Ltd. – Lease Lots 8 & 17 at a rate of \$3,278.80 per year plus GST and yearly BC CPI increases for a (3) three-year term from April 30th, 2021 to March 30th, 2024.*

CARRIED

d. Request for Decision regarding Renewal of the License of Occupation for the Community Septic Field Land

MOVED: Director Paulson
SECONDED: Director Johnsen

THAT the Alberni-Clayoquot Regional District Board of Directors authorize the CAO and Chair to enter a ten (10) year extension for the License of Occupation for the Salmon Beach Community Septic Field Land until March 30, 2031.

CARRIED

e. Request for Decision regarding 2021 Federation of Canadian Municipalities Convention, May 31st to June 4th, 2021

The Chairperson requested the Vice-Chair to take over chairing the meeting at 2:40 pm. The Vice-Chairperson assumed the Chair.

MOVED: Director Cote
SECONDED: Director Beckett

THAT the Alberni-Clayoquot Regional District Board of Directors authorize up to four Directors to attend the 2021 Federation of Canadian Municipalities Conference and Trade Show being held virtually from May 31st to June 4th, 2021.

CARRIED

The Chairperson re-assumed the Chair at 2:45 pm

f. Request for Decision regarding Sproat Lake Community Association – 2021 Community Works Fund Contributions

MOVED: Director Cote
SECONDED: Director McNabb

THAT the Alberni-Clayoquot Regional District Board of Directors approve the Letter of Understanding with the Sproat Lake Community Association to increase the amount of Community Works Funding from \$180,000 to \$250,000 for upgrading the Community Hall for recreational purposes.

CARRIED

MOVED: Director Cote
SECONDED: Director Shannon

THAT the Alberni-Clayoquot Regional District Board of Directors approve entering into the Contribution Agreement with the Sproat Lake Community Association outlining the terms and conditions for a Multi-Purpose Court Upgrade grant of \$75,000 of Community Works Funding.

CARRIED

g. Request for Decision regarding UBCM Asset Management Planning Program Grant Application

MOVED: Director Roberts
SECONDED: Director Shannon

THAT the Alberni-Clayoquot Regional District Board of Directors support the application to the Union of BC Municipalities (UBCM) Asset Management Planning Program Grant for a \$10,000 grant to expand the ACRD's Asset Management program to include the identification, use and management of natural assets.

CARRIED

h. Late Request for Decision - Port Alberni Port Authority Yard Space Rental Agreement.

MOVED: Director Cootes
SECONDED: Director Paulson

THAT the Alberni-Clayoquot Regional District Board of Directors authorize the CAO to enter into a six-month agreement with the Port Alberni Port Authority for Yard Storage of Curbside Recycling and Organic Carts at a rate of \$1,146 per month.

CARRIED

9. PLANNING MATTERS

9.1 ELECTORAL AREA DIRECTORS ONLY

- a. DVE20010, JAMIESON, 7194 MCKENZIE ROAD (BEAVER CREEK)**
Development Variance Permit Application – Memorandum

MOVED: Director McNabb

SECONDED: Director Shannon

THAT the Board of Directors consider issuing development variance permit DVE20010, subject to neighbouring properties being notified as per Local Government Act s.499.

CARRIED

- b. TUP20004, DAHLING/MOHAN, 5458 HIGHLAND DRIVE (BEAVER CREEK)**
Temporary Use Permit Application – Memorandum

MOVED: Director McNabb

SECONDED: Director Cote

THAT the Board of Directors consider issuing Temporary Use Permit TUP20004, subject to neighbouring properties being notified as per Local Government Act s.494.

CARRIED

- c. TUP21002, SMITH, 3240 CLAYTON ROAD (CHERRY CREEK)**
Temporary Use Permit Application – Memorandum

MOVED: Director Bodnar

SECONDED: Director Beckett

THAT the Board of Directors consider issuing Temporary Use Permit TUP21002 subject to:

Neighbouring properties being notified as per Local Government Act s.494.

Confirmation from a Registered On-Site Wastewater Practitioner that any liquid waste produced by the cider production use can be processed by the existing on-site sewage disposal system.

CARRIED

9.2 ALL DIRECTORS

a. MISC21002, REGIONAL DISTRICT OF NANAIMO REGIONAL GROWTH STRATEGY AMENDMENT REFERRAL

Miscellaneous Referral - Request for Decision

MOVED: Director Paulson

SECONDED: Director Beckett

THAT the Board of Directors accept the proposed Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.04, 2020 as presented.

CARRIED

b. NORTH ISLAND COLLEGE MARKET GARDEN FARM WORKER PROGRAM, GRANT APPLICATION

Request for Decision

MOVED: Director Shannon

SECONDED: Director Bodnar

THAT the Board of Directors authorize staff to partner with North Island College to submit a grant application to the Community Workforce Response Grant to support the Market Garden Farm Worker program and, if successful, authorize the CAO to execute a grant agreement with North Island College and the Province.

CARRIED

10. REPORTS

10.1 STAFF REPORTS

- a. Emergency Operations Centre Update – verbal report – Heather Zenner
- b. Sproat Lake Marine Patrol 2021 Adjusted Program Scope
- c. City of Port Alberni Curbside Three-Stream Waste Services Update
- d. Airport Relief Grants for LBA and AVRA

MOVED: Director Cote

SECONDED: Director McNabb

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

CARRIED

10.2 COMMITTEE REPORTS

10.3 OTHER REPORTS

11. UNFINISHED BUSINESS

12. LATE BUSINESS

MOVED: Director Cote
SECONDED: Director Bodnar

THAT the following be allowed for consideration as a late item: forwarding a letter of congratulations to the Hupacasath First Nation on their recent elections.

CARRIED

MOVED: Director Cote
SECONDED: Director Bodnar

THAT the Alberni-Clayoquot Regional District Board of Directors forward a letter of congratulations to the Hupacasath First Nation on their recent elections.

CARRIED

MOVED: Director Roberts
SECONDED: Director Shannon

THAT the following be allowed for consideration as a late item: forwarding a letter of congratulations to the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations on joining the Strathcona Regional District.

CARRIED

MOVED: Director Roberts
SECONDED: Directors Shannon

THAT the Alberni-Clayoquot Regional District Board of Directors forward a letter to the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations congratulating them on joining the Strathcona Regional District as a full voting member on April 1, 2021.

CARRIED

13. QUESTION PERIOD

Questions/Comments from the public. The Corporate Officer advised there were no questions or comments from the public respecting an agenda topic from Zoom webinar attendees or submissions received by email at responses@acrd.bc.ca.

14. RECESS

MOVED: Director Paulson
SECONDED: Director Beckett

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

CARRIED

The meeting was recessed at 3:27 pm.

15. RECONVENE

The meeting was reconvened at 3:39 pm.

16. IN-CAMERA

MOVED: Director Roberts
SECONDED: Director Beckett

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

CARRIED

The meeting was closed to the public at 3:39 pm.

The meeting was re-opened to the public at 3:54 pm.

17. REPORT OUT – RECOMMENDATIONS FROM IN-CAMERA

18. ADJOURN

MOVED: Director McNabb
SECONDED: Director Paulson

THAT this meeting be adjourned at 3:54 pm.

CARRIED

Certified Correct:

John Jack,
Chairperson

Wendy Thomson,
General Manager of Administrative Services



Mayor's Office, City of Penticton

171 Main Street, Penticton, B.C. V2A 5A9

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www.penticton.ca

April 13, 2021

President Brian Frenkel
c/o Union of British Columbia Municipalities
525 Government Street
Victoria, BC V8V 0A8

Re: B.C. Government's Use of Provincial Paramourcy to Undermine Local Government Bylaws

Dear President Frenkel:

On behalf of Penticton City Council, I am requesting the Union of British Columbia Municipalities write a letter to Premier John Horgan requesting the reconsideration of invoking Provincial Paramourcy as it relates to the violation of Penticton City Council's authority and the City of Penticton's Zoning Bylaws at 352 Winnipeg Street, Penticton, BC.

The following is a timeline of events:

- When COVID-19 struck in March, 2020 many facilities that provided showers, laundry services, and meals to our most vulnerable in our community had to close and/or adapt. The City via its Emergency Operations Centre (EOC), Emergency Management BC and BC Housing worked together to find a temporary "hygiene station" and isolation shelter for anyone that was needing to isolate during COVID.
 - 352 Winnipeg Street was not an ideal site for a hygiene station as it was adjacent to two seniors' homes. However, as the site contained a vacant and free standing building that could quickly be fitted for a hygiene station, the EOC supported and worked with BC Housing to quickly stand-up the hygiene station.
- In September, 2020 BC Housing approached the City to turn the isolation shelter into a 42 bed Temporary Emergency Winter Shelter. This use was contrary to City Zoning Bylaws and although met with trepidation from the neighbourhood, Council ultimately approved a Temporary Use Permit (TUP) for the isolation shelter to be converted and operate as Temporary Winter Shelter until April 1, 2021.
 - Video of the lengthy Council debates from our October 6th and 20th, 2020 meetings can be found on our website to better understand how clear individual Council members were that this was not an appropriate location, but that in the midst of the pandemic, they would grant a TUP on this one occasion.

- In March 2021, BC Housing sought an extension to this TUP until March 31, 2022 in effect changing the use from a temporary, emergency winter shelter to a year round shelter. Council denied this request based on zoning bylaws and the previous clearly communicated unsuitability of this location.
 - Via resolution, Council further directed Penticton’s Safety and Security Advisory Committee to develop location selection criteria for a new, permanent winter shelter for Penticton.
 - Council initially learned of the Province’s interests in exploring the use of paramountcy via an interview on Global news with Minister David Eby, who had met with Council twice early in the year to discuss a supportive housing project at 3240 Skaha Lake Rd., Penticton, BC.
- Again in March, BC Housing stated their intention to continue operations of the facility “on a balance of convenience” and asked Council to reconsider. Having been presented no alternate location as requested or new information; based on zoning bylaws and the previously communicated unsuitability of this location Council did reconsider the request and again denied the request.
 - Via resolution, Council further directed staff to work with BC Housing to find alternate solutions.
- At the writing of this letter, 352 Winnipeg now operates in contravention of the City of Penticton bylaws as a newly established year round shelter following the threat of Provincial Paramountcy.

While the issue at hand is a matter of land use and planning, it is important to note according to data provided directly from the current Minister responsible for Housing to City Council, Penticton has the highest number of supportive housing beds per capita in the Interior region. Each of these beds was developed with Penticton City Council’s input and with respect for their role in the local decision making process.

In closing, Penticton City Council is hoping Minister David Eby, whom has invoked paramountcy on behalf of the Province, or Premier John Horgan as the head of a Government that promised to work collaboratively with Local Governments, reconsiders their position and adheres to our City’s bylaws. As this could happen to any one of the other 188 local governments in B.C., we ask that the Union of British Columbia Municipalities, on behalf of its membership, request Premier John Horgan reconsider the use of Provincial Paramountcy with respect to 352 Winnipeg Street, Penticton, BC.

Yours truly,



John Vassilaki

Mayor

- cc. Penticton City Council
 Donny van Dyk, Chief Administrative Officer
 Dan Ashton, Member of Legislative Assembly
 BC Local Government Elected Officials

Council seeks support from UBCM to help challenge Provincial Paramountcy

(Penticton, BC – April 13, 2021) – On behalf of City Council, Penticton Mayor, John Vassilaki, has sent a letter to the Union of British Columbia Municipalities (UBCM) President, Brian Frenkel, requesting UBCM prepare a letter to BC Premier, John Horgan, supporting Council's position that the Province's recent use of Paramountcy is a violation of two Council decisions and the City's zoning Bylaws.

"My letter to Mr. Frenkel made it very clear that the issue at hand is a matter of land use and cooperative planning between two levels of government," said Penticton Mayor, John Vassilaki. "The Attorney General and Minister Responsible for Housing, David Eby, would have British Columbians believe that the City of Penticton is not doing its part to support the housing crisis. This is simply not the case and information provided directly from the Minister shows that Penticton has the highest number of supportive housing beds per capita in the interior region. All of these beds were developed with Penticton Council's input and with respect for Council's role in the decision making process.

"Today our previous working relationship of bilateral cooperation has been replaced by a unilateral hammer that puts our residents at risk of having the Provincial Government plan our community. As such, Council has reached out to Mr. Frenkel and the UBCM membership at large to seek their support in reversing the Province's conduct towards Penticton, or any other community they disagree with."

-30-

Contact:

Philip Cooper
Communication Manager
City of Penticton
250-490-2583



File No 0400-01

March 8, 2021

Attention: Minister Katrine Conroy
BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Via email: FLNR.Minister@gov.bc.ca

Re: Moratorium on Recreational Wolf Hunting on Vancouver Island

Dear Minister Conroy,

I am writing today regarding the District of Oak Bay's Feb. 22 resolution asking the memberships of the Association of Vancouver Island and Coastal Communities and the Union of BC Municipalities to request that the Province of BC *"implement a moratorium on recreational wolf hunting on Vancouver Island, pending completion of a scientific, data-driven and evidence-based study that includes consultation with the Island's Indigenous communities, to re-examine the efficacy of unrestricted wolf harvesting practices and their impacts on the Island's biodiversity, wildlife ecology and sustainability of the resident wolf population."*

I am contacting you directly to express my support for this resolution while also sharing some of the outrage expressed within the District of Sooke at last month's news that a Victoria big-game hunter was planning to "trap and kill an entire pack" in the Sooke Hills, according to a report that first appeared in the *Globe and Mail*.

Premier Horgan was duly concerned about this when he first learned of it at a press conference on Feb. 10. And many of us in Sooke were sickened by this callous threat, especially given how all levels of government and many NGOs are working so hard, effectively and strategically to protect wildlife and habitat.

We in Sooke are certainly encouraged to learn of your willingness to consult with the BC Wildlife Federation and the BC Trappers Association to "close the loopholes" in hunting legislation that allows the kind of behaviour illustrated by this regrettable situation. This said, a moratorium on hunting and trapping on Vancouver Island is urgent and essential until we learn more about the island's wolf population.

The Sooke organization Project HOWL (Help Our Wolves Live), founded by local teenagers Finn and Chloe Unger, has reported that no less than nine packs of the genetically distinct Vancouver Island "sea wolf" (*Canis lupis crassodon*) roam the Sooke Hills. The Ungers have documented the role of these remarkable wild creatures in creating a balanced ecosystem -- "if we let them," they add.

The Wild Wise Sooke Society, which receives annual funding from the District of Sooke, has been delivering public education campaigns focused on bears, cougars and other local wildlife, wolves included. Its new "Living with Wolves" working group is a collaboration with Coexisting With Carnivores' Nitya Harris and will involve 20 dedicated volunteers. "We are hoping to not only spread education on the importance of wolves as a keystone species but also encourage

others to support the moratorium on wolf hunting on the island," writes Wild Wise Sooke coordinator Sam Webb. The group intends to consult with First Nations and the BC-SPCA in moving ahead.

Sadly, Ms. Webb reports that one of the Sooke region packs identified by Project HOWL has now seemingly been eradicated according to anecdotal evidence from Sooke wildlife photographer Gary Schroyen. He has been closely studying wolves in East Sooke and Metchosin, and he believes one particular pack has been destroyed with the possible exception of a last remaining member. Wild Wise intends to honour this pack by posting videos and photos on its website as inspiration to protect our Sooke wolves before it's too late.

Given, as the Oak Bay resolution clearly states, that Vancouver Island's sea-wolves are a unique, quite small and therefore extremely vulnerable population about which little is known, I wholeheartedly support its call for a moratorium to be implemented with all due urgency.

Sincerely,



Maja Tait
Mayor

cc Premier John Horgan
cc Mayor Kevin Murdoch, City of Oak Bay mayor@oakbay.ca
cc Ian Morrison, President, AVICC ian.morrison@cvrd.bc.ca
cc Brian Frenkel, President, Union of BC Municipalities bfrenkel13@gmail.com
cc Sam Webb, Wild Wise Sooke Society wildwise123@gmail.com
cc Nitya Harris, Coexisting With Carnivores coexcarnivores@gmail.com

References:

- Wild Wise Sooke: <https://www.wildwisesooke.com>
- Project HOWL: <https://www.facebook.com/ProjectHOWL>
- Sooke Talks ~ Finn & Chloe Unger: <https://www.youtube.com/watch/VjEDue4pODc>
- Coexisting With Carnivores: <https://coexcarnivores.org>
- *The Globe & Mail* (Feb. 12, 2021): <https://www.theglobeandmail.com/canada/british-columbia/article-bc-to-tighten-rules-for-trapping-wolves>
- *Victoria Times Colonist* (Feb. 12, 2021): <https://www.timescolonist.com/news/local/hunter-s-social-media-posts-prompt-outrage-calls-for-more-protection-for-wolves-1.24281261>

April 8, 2021

Dear Board Chair and Directors

RE: Moratorium on recreational wolf hunting on Vancouver Island

On behalf of Coexisting with Carnivores Alliance (CwCA) and the Wild Wise Society, we are writing to express concern regarding the recreational hunting of wolves on Vancouver Island.

CwCA is a non-profit organization that promotes coexistence between people, bears, cougars and wolves on southern Vancouver Island. The Wild Wise Society is a wildlife educational program designed to reduce human-wildlife conflicts in various communities. Both organizations work closely with the Conservation Officer service, provincial government staff and local wildlife officers to teach people the tools needed to coexist so that we can share the landscape.

As a part of this work, we are concerned for the survival of the subspecies of Grey Wolf (*canis lupus nublus*) that live on Vancouver Island. In British Columbia wolves are killed by legal recreational hunting and trapping - the largest source of mortality for wolves. In many cases in BC, there is no limit to the number of wolves that can be killed daily. Wolves play an important ecological role as apex predators. They provide food to other species who scavenge on their kills, cycle nutrients through the environment and regulate populations of deer and elk leading to greater biodiversity and balance of the natural ecosystem. Healthy wolf populations support intact, functional and biodiverse ecosystems. We believe that it is possible for humans to coexist with wolves in a way that is beneficial to both species as well as the ecosystem. This would require a better understanding of wolves and their interactions with their habitat and with humans.

At present, there is very little information available regarding the population of wolves on Vancouver Island, and how the recreational hunting of such species affects the long-term survival of the species and their habitat. Without science-driven decision making there is concern that wolf numbers may drop significantly under current regulations, as experienced on Vancouver Island between 1950s and 1970s.

The District of Oak Bay has put forward a Motion to AVICC as follows:

“Whereas the public and wildlife conservation organizations are concerned about provincial regulations for recreational wolf hunting practices on Vancouver Island, and believe that these practices should be re-examined for scientific and ethical reasons;

And whereas very little scientific evidence exists about the size of Vancouver Island’s wolf population or the sustainability of impacts of unrestricted harvesting levels on the Island’s biodiversity related to habitats and wildlife ecology, especially at the regional level:

Therefore, be it resolved that AVICC and UBCM request the provincial government to implement a moratorium on recreational wolf hunting on Vancouver Island, pending the completion of a scientific, data-driven and evidence-based study that includes consultation with

the Island's Indigenous communities, to re-examine the efficacy of unrestricted wolf harvesting practices and their impacts on the Island's bio-diversity, wildlife ecology and sustainability of the resident wolf population."

The District of Sooke has provided a letter of support to this Motion (see attached). We request a letter from you to Minister Conroy and the AVICC in support of the Resolution by Oak Bay prior to the AVICC AGM on May 28, 2021. Please feel free to contact us at coexcarnivores@gmail.com for any further information.

Thank you for your consideration of this matter.

Sincerely,

Nitya Harris
Chair, Coexisting with Carnivores Alliance
coexcarnivores.org

Samantha Webb, BSc, RVT, WR
Wild Wise President
wildwise123@gmail.com

B.C. Ferry Authority

OFFICE OF THE CHAIR

Suite 500-1321 Blanshard Street
Victoria, BC V8W 0B7

Tel (250) 978-1502
Fax (250) 978-1953

April 15, 2021

Mr. John Jack, Chair
Alberni-Clayoquot Regional
District
3008 – 5th Avenue
Port Alberni, BC V9Y 2E3

Ms. Jesse Ketler, Chair
Comox Valley Regional
District
600 Comox Road
Courtenay, BC V9N 3P6

Mr. Ian Thorpe, Chair
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Mr. Patrick Brabazon, Chair
qathet Regional District
202, 4675 Marine Avenue
Powell River, BC V8A 2L2

Mr. Brad Unger, Chair
Strathcona Regional District
301, 990 Cedar Street
Campbell River, BC V9W 7Z8

Dear Chairs:

On behalf of the B.C. Ferry Authority, I am writing to thank the regional districts for submitting qualified nominees for consideration to serve as a Director on the Board of the B.C. Ferry Authority.

The Authority carefully considered the five nominees submitted for the Central Vancouver Island and Northern Georgia Strait appointment area. I am pleased to advise you that Marc Tremblay has been appointed by the Board to serve as a Director for a three-year term, effective April 1, 2021. Mr. Tremblay was nominated by the Strathcona Regional District.

Strong regional representation is critical for the Authority Board and its work to oversee the strategic direction of BC Ferries in the public interest. Thank you again for your support.

Sincerely,



Lecia Stewart
Chair, Board of Directors
B.C. Ferry Authority

pc: Mr. Toby Louie, Executive Director, B.C. Ferry Authority
Mr. Douglas Holmes, Chief Administrative Officer, Alberni-Clayoquot Regional District
Mr. Russell Dyson Chief Administrative Officer, Comox Valley Regional District
Ms. Phyllis Carlyle, Chief Administrative Officer, Regional District of Nanaimo
Mr. Al Radke, Chief Administrative Officer, qathet Regional District
Mr. Dave Leitch, Chief Administrative Officer, Strathcona Regional District



from the Board Table

An Update on the Consolidated Facilities Master Plan (CFMP)

The Board was provided with an overview of the impetus and origins of Vancouver Island Regional Library’s (VIRL) CFMP with a specific focus on VIRL’s sustainable building model and commitment to exemplary library services in communities of every size and composition. It served primarily as a backgrounder for Trustees and also as a roadmap for facility-focused community engagements in conjunction with VIRL’s Strategic Planning process.



A Road to Recovery

Trustees received ongoing details on VIRL's response to and recovery from the ongoing COVID-19 pandemic. At the time of the meeting, the report noted that all but one branch are open at Phase 3 levels of service. The Union Bay branch is the one exception as it is too small to accommodate customers under the current Provincial Health Orders.

Although varying from branch to branch, Phase 3 services include:

- Access to physical collections
- Access to holds pick up and self checkout
- Assistance from staff in the branch for information needs and in-person checkout
- Access to computers, printing, and photocopying services
- Washroom access
- Access to external book returns
- Ongoing Takeout services for those who prefer it

When it is deemed safe to do so, a Phase 4 will see increased services such as limited in-person programming, increased capacity, and access to meeting rooms and study rooms. Moving to this phase is dependent on direction from the Provincial Health Authority.



Seize the Moment: A Provincial Advocacy Strategy

With deep connections at the provincial government, including the Minister of Municipal Affairs, The Honourable Josie Osborne, VIRL Trustees have a unique opportunity to engage the province and demonstrate the many ways VIRL branches are already helping the ministry deliver its mandate.

This report presented a path forward for Trustees, including a plan to meet with the Minister and her staff, and talking points for Trustees with specific references to the ministry's mandate letter from Premier Horgan.



Finance

Finance Report

Balance Sheet: The balance sheet of \$38.9 million shows a healthy balance of cash and investments of \$4.3 million at the end of February and a year to date operating deficit of \$34,904.

Revenue and Expenditures: The small operating deficit as at the end of February reflects that revenues were in line with expectations and expenditures were within budget.

Reserves: The Board of Trustees is provided with updated reserves information at each meeting. At the end of February, the reserves stood at a balance of \$5.9 million. Appropriations to reserves are recorded on a monthly basis and at the end of February represented 17% of the budgeted contributions to reserves for the year.

Summary: VIRL's current position is sustainable and VIRL's operations are in line with expectations for this point in the year.



Facilities Update

Prototype Libraries

Masset: Our consultants are working on the design, floorplan, and other planning and tender documents.

Sandspit: Council to provide potential sites for review.

Tahsis: VIRL is awaiting the results of a grant application.

Tofino: Potential sites are under review by Tofino Council.

New Builds

Campbell River: Demolition of the existing branch to build the two-storey, 20,000 sq. ft. new library is set to begin in 2021. [More information is available at this link.](#)

North Saanich: North Saanich previously identified a potential site at the Panorama Recreation Centre for a new branch. This site is part of the Agricultural Land Reserve (ALR). North Saanich continues to seek approval from the Agricultural Land Commission, which oversee the ALR.

Sooke: Construction is well underway. The lease at the current location has been extended to avoid disruptions to library service.

Refurbishments

Port Alberni: Preliminary floorplans have been developed and are being refined.

Courtenay: VIRL is preparing to move forward with project planning.

Cowichan Lake: Remedial flooring work is required in 2021.

The 2021 Capital Plan also includes funding allocated for updates to Port McNeill, Sointula, Bowser, and Port Clements. This funding is identified for furniture replacement, new equipment, upgrades to work areas, or other required interior improvements.

General Updates

2020 Provincial Library Grants Report

This report highlighted how provincial funding supports library services in our communities and in doing so, BC's strategic goals for library service and government's commitments to British Columbians. It also reported on how VIRL deployed the one-time Technology Grant awarded to libraries by the province in 2020.

Strategic Plan Update

Like so many plans and initiatives, VIRL's anticipated research and community engagement throughout 2020 to develop a new Strategic Plan for 2021 – 2025 was disrupted by COVID-19. Trustees received an updated timeline with the goal of developing a new Strategic Plan to guide VIRL from 2023 – 2027. Since VIRL's Consolidated Facilities Master Plan is also being renewed over the same time period, the report also affirmed VIRL's commitment to engaging stakeholders on facility uses and priorities during the Strategic Plan engagements.





Forest Enhancement
Society of British Columbia

Board info

April 9, 2021

Re: Forest Enhancement Society of BC Accomplishments Update Spring 2021



Dear John Jack and Alberni-Clayoquot (Regional District) Directors,

Projects funded by the Forest Enhancement Society of BC (FESBC) address a number of environmental, social, and economic priorities of British Columbians. These priorities include protecting communities from wildfire risk, improving wildlife habitat, reducing greenhouse gases, accelerating the expansion of the bio-economy, and enhancing B.C.'s forests for future generations. Forest enhancement projects achieve multiple social, environmental, and economic aspirations of British Columbians. Investing in forests to reduce our carbon footprint, reduce wildfire risks, enhance habitat, and create jobs is a win-win-win on all fronts.

Some of the economic impacts of COVID-19 have been mitigated with support from the provincial government. The Province's ***Stronger BC for Everyone: B.C.'s Economic Recovery Plan*** provided \$3 million of additional funding to FESBC to help sustain approximately 100 forestry jobs this past winter to use wood fibre that is normally left behind after logging.

"This new funding is part of the government's \$1.5-billion economic recovery plan, which reflects our ongoing commitment to help British Columbians deal with challenges posed by the COVID-19 pandemic. The grants will support local jobs and help make better use of wood debris left behind after timber harvesting."

Hon. Katrine Conroy

Minister of Forests, Lands, Natural Resource Operations and Rural Development

Quote from: New grants to help use more food fibre | BC Government News Feb. 1, 2021

The enclosed Accomplishments Update Spring 2021 edition provides a snapshot of how FESBC sustained an estimated 100 forestry jobs to utilize about 233,000 cubic meters of low-value wood (4,600 truck loads) this past winter while at the same time contributing to achieving B.C.'s and Canada's climate change targets. The projects are estimated to avoid 65,000 tonnes of CO2 emissions which is equivalent to taking 13,000 cars off the road for a year.

If you are interested in further information, please visit our website www.fesbc.ca or connect with our Executive Director Steve Kozuki at skozuki@fesbc.ca or 1.778.765.0938

Jim Snetsinger, RPF

Board Chair, Forest Enhancement Society of BC

(015) RD



“The Forest Enhancement Society of BC contributes to climate change mitigation by planting trees to absorb carbon and using wood waste to reduce greenhouse gas emissions.”

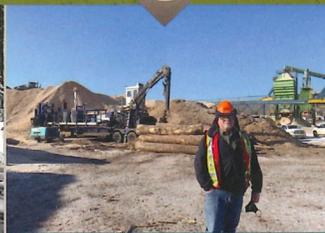
—Steven F. Kozuki, Executive Director of the Forest Enhancement Society of BC (FESBC)

1



East Fraser Fiber
MACKENZIE

2



Duz Cho Logging Ltd.
CHETWYND

3



Pinnacle Renewable Energy Inc.
SMITHERS

4



Westwood Fibre Resources
PRINCETON

5



Valley Carriers Ltd.
MERRITT

FOREST ENHANCEMENT: CREATES JOBS, REDUCES GREENHOUSE GAS EMISSIONS



The Paris Agreement is an international treaty to limit global warming. Article 5 invites countries to take action and manage greenhouse gases in forests. Why? Because forests absorb carbon dioxide and provide oxygen as they grow. Carbon and other greenhouse gases are stored in trees until they decay or are burned; therefore, planting more trees absorbs more carbon and burning less waste wood emits fewer greenhouse gases. There are even further greenhouse gas benefits by using more wood in buildings and by utilizing wood to make green energy instead of using fossil fuels. Growing our bioeconomy creates jobs for many British Columbians, with the added benefit of helping to protect our environment. **In B.C., climate change heroes can often be found in the forest wearing hard hats.**



Forest Enhancement Society of British Columbia

Read more about FESBC-funded projects throughout the province inside.



The work we do now means people today and for generations to come will benefit from our forests. FESBC's work improves forests while at the same time supports First Nations, forestry workers, and communities throughout the province.

About FESBC

The B.C. government has invested \$238 million in FESBC, of which \$237.6 million has been allocated for 269 forest enhancement projects as of March 2021. FESBC has empowered local people who want to do local projects that contribute to the achievement of our climate change goals and enhance B.C.'s forests through: wildfire risk mitigation; accelerated ecological recovery after wildfires; wildlife habitat enhancement; and increased utilization of forest fibre. In our 7th Intake, FESBC approved and allocated \$3 million to 14 enhanced fibre utilization projects throughout the province. Visit our website to learn about the newly funded projects and read about all 269 FESBC-funded projects: www.fesbc.ca

6

Boston Bar

PROJECT PARTNER:
Interwest Timber Ltd.

FESBC GRANT: \$13,000

EST. VOLUME RECOVERED:
999 m³ = approx. 20 truckloads

"The work we will be able to conduct with FESBC funding will help us deliver pulp logs to the market, saving us from burning the material in slash piles. This will be better for air quality and will help to support jobs and enhance the use of waste wood."
—Chris Graham, Interwest Timber Ltd.



9

Williams Lake

PROJECT PARTNER:
Atlantic Power (Williams Lake) Ltd.

FESBC GRANT: \$199,603

EST. VOLUME RECOVERED:
15,354 m³ = approx. 307 truckloads

"The funding from FESBC has allowed the plant to consume an otherwise uneconomical fuel—roadside logging debris. With partnerships established with several of the local First Nations, we have been able to not only create new jobs and procure much-needed new fuel supply, but we are now utilizing a product that would otherwise be burned. Instead we are turning wood waste into green energy."
—Frankie Nelson, Business Manager
Atlantic Power (Williams Lake) Ltd.

7

Fraser Lake

PROJECT PARTNER:
The Corp. of the Village of Fraser Lake

FESBC GRANT: \$100,818

EST. VOLUME RECOVERED:
13,398 m³ = approx. 268 truckloads

"FESBC funding allows our Community Forest to haul low-grade fibre from the forest to the mill for use as pulp or biomass. We are maximizing our use, reducing waste, creating employment, reducing the risk of catastrophic wildfire, and preparing the land for a return to productivity."
—Rodney J. Holland
Chief Administrative Officer
Village of Fraser Lake



10

Clinton

PROJECT PARTNER:
Arrow Transportation Systems Inc.

FESBC GRANT: \$720,748

EST. VOLUME RECOVERED:
48,050 m³ = approx. 961 truckloads

"FESBC funding, combined with government, industry and Domtar support, has led Arrow to be a leader in the biomass energy sector. Today, we are planning to utilize over 150,000 m³ of fibre per year by either grinding or chipping what used to be burned."
—Greg Kilba, Division Manager
Portable Wood Processing and Log Buying
Arrow Transportation Systems Inc.

8

Nazko

PROJECT PARTNER:
Cariboo Pulp & Paper

FESBC GRANT: \$134,897

EST. VOLUME RECOVERED:
9,115 m³ = approx. 182 truckloads

"Cariboo Pulp & Paper is grateful for the funding provided by FESBC to facilitate increased utilization of harvest waste, reducing the amount of slash pile burning required on primary harvest sites. The project is a win for communities and the environment, sustaining jobs and reducing our impact on the environment."
—Brian Grantham, General Manager
Cariboo Pulp & Paper



11

Terrace

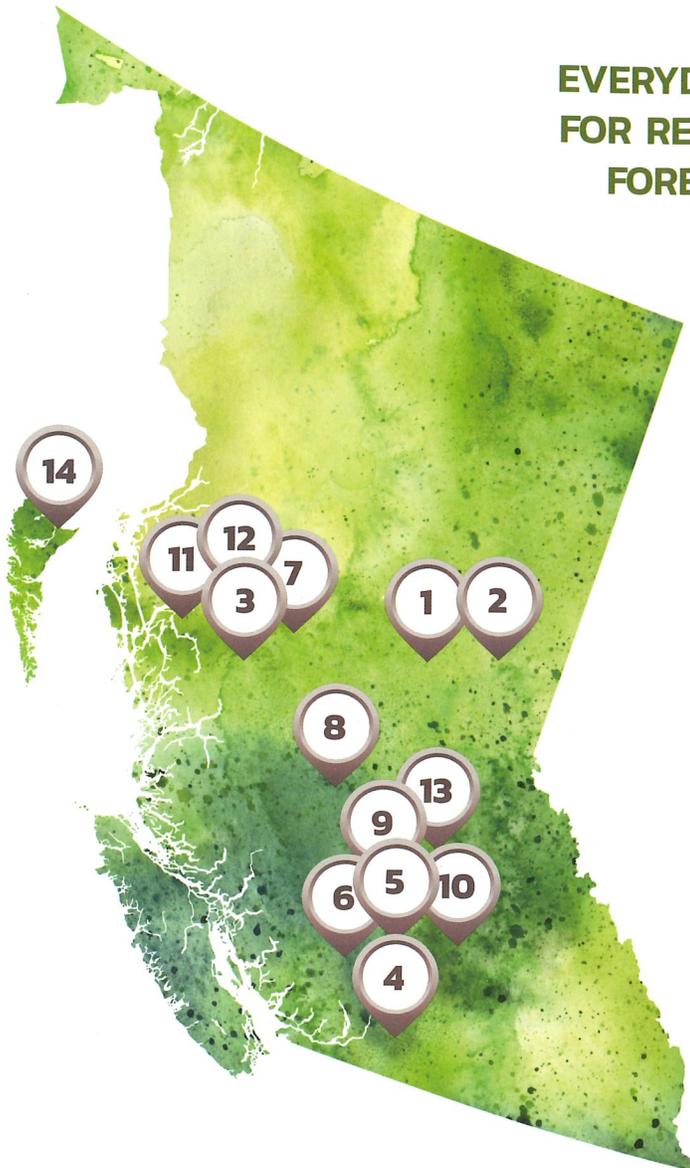
PROJECT PARTNER:
Westland Resources Ltd.

FESBC GRANT: \$256,561

EST. VOLUME RECOVERED:
26,260 m³ = approx. 525 truckloads

"We are grateful to FESBC and the provincial government for the funding for our project. This project will help enhance utilization of uneconomic pulp logs in the Terrace area. We are proud to work with forest licensees and FESBC on projects that provide economic, social, and environmental benefits to our communities."
—Brittany Dewar, FIT, Westland Resources Ltd.

EVERYDAY USES FOR RECOVERED FOREST FIBRE



Did You Know?

There are countless uses for recovered fibre, a green, renewable, organic, and environmentally sustainable material.

Most people know that the wood used to build our homes and some of the furniture we purchase comes from trees. Many know that cardboard boxes, paper and some hygiene products are also made from wood. But did you know that at a microscopic level, wood is mainly cellulose (which looks like miniature straws) and lignin (which looks like glue)? When wood is broken down, its cellulose is an important ingredient for making thousands of products, including rayon cloth, toothpaste, ice cream, nail polish, makeup, disinfecting wipes, paint, ping pong balls, and LCD screens.

SOURCE: NRCan

INTERESTING FACT:

Cellulose is the most abundant organic polymer on the planet.



Hazelton

12

PROJECT PARTNER:
NorthPac Forestry Group Ltd.

FESBC GRANT: \$279,749

EST. VOLUME RECOVERED:
18,356 m³ = approx. 367 truckloads

"This project allows us to increase the overall recovery of fibre from the forest, resulting in a greater availability of logs for domestic pulp producers and a reduction of the amount of biomass burned each year. It also provides us with operational certainty, allowing us to commit to contracts with loggers and truck drivers, which stimulates the local economy."

—Andrew Burke, Director Business Development
NorthPac Forestry Group Ltd.

Williams Lake

13

PROJECT PARTNER:
Elhdaqox Developments Ltd.

FESBC GRANT: \$83,100

EST. VOLUME RECOVERED:
10,000 m³ = approx. 200 truckloads

"Prior to approval of the FESBC funding, residual fibre from a stand rehabilitation project would have been slash piled and burned. Now, we can transport the fibre and have it used to make green energy. It's a good news project with environmental, economic, and social benefits."

—Chris Young, Elhdaqox Developments Ltd.

Masset

14

PROJECT PARTNER:
Husby Forest Products Ltd.

FESBC GRANT: \$61,750

EST. VOLUME RECOVERED:
4,060 m³ = approx. 81 truckloads

"The grant from FESBC has been a tremendous support to the work of our company to enhance fibre utilization. Now, to avoid the burning of recovered fibre from forest operations, it will be transported and utilized to help support coastal pulp mills."

—Joe Morreau, President
Husby Forest Products Ltd.

\$3 Million in New Grants Help Use More Wood Fibre



As you've read, FESBC allocated \$3 million in new grants throughout the province to support jobs in the forestry sector and increase the utilization of wood fibre that otherwise would be burned as slash. The new funding was part of the provincial government's \$1.5 billion StrongerBC economic recovery plan.

"Upon receiving word of the \$3-million allocation, our team moved quickly to prepare and announce its seventh intake for funding applications," said Jim Snetsinger, FESBC Board Chair. "We were delighted with the quality and innovation shown in the proposals. It demonstrates the significant role the forestry sector plays in our province's broader economic recovery, while at the same time helping to achieve B.C.'s and Canada's climate change targets."

FESBC by the numbers*

269

projects approved throughout B.C.

2,214

full time equivalent jobs created

5.3 MILLION TONNES

of CO₂e sequestered or avoided = 1.1 million cars off the road for a year

\$357 MILLION DOLLARS

in economic activity created by 269 projects

63

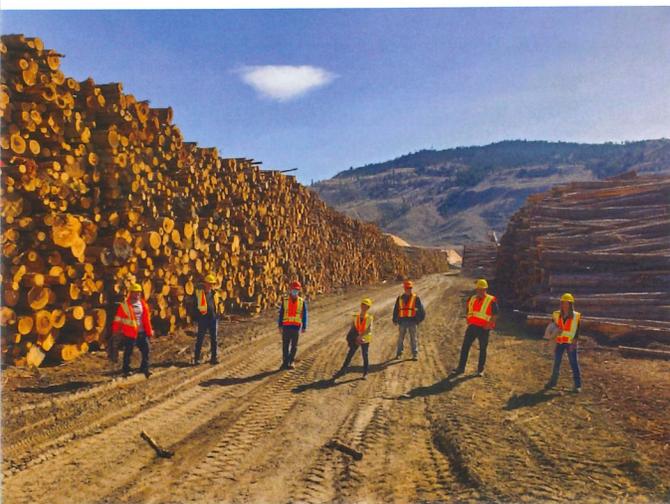
projects led by First Nations and 23 additional projects have significant First Nations involvement —these 86 projects are valued at \$72 million



\$237.6 MILLION DOLLARS

in grants approved (\$400,000 remains)

*All numbers current as of March 2021



Learn More

If you'd like to learn more about the Forest Enhancement Society of BC and how people in British Columbia's forests are helping create climate change solutions, reduce wildfire risk, and keep workers employed through our funded projects, connect with us!

Steve Kozuki, FESBC Executive Director
skozuki@fesbc.ca or 1.877.225.2010

Subscribe to our FESBC Newsletter: www.fesbc.ca | Follow us on:

These projects are funded in part by the Government of Canada and the Province of BC.

From: ICET <info@islandcoastaltrust.ca>
Sent: April 22, 2021 9:59 AM
To: Wendy Thomson <wthomson@acrd.bc.ca>
Subject: COMMUNITY BUILDER - Bill Morrison, Ucluelet Aquarium Society

[View this email in your browser](#)



In our fourth Community Builder profile, we head to the west coast of Vancouver Island to speak with a creative and unassuming contributor to one of the region's best known visitor attractions.

Call it good timing. Call it having the 'right skills'. But the vision, innovation and drive to help create something one-of-a-kind doesn't come around every day. Lucky us.

“We wanted to flip that (idea) around to show something neat with an educational, entertainment and tourism side.”

COMMUNITY BUILDER

Bill Morrison, *Ucluelet Aquarium Society*, (past)
President



Turning vision into an innovative reality

Bill Morrison doesn't understand why he's being interviewed.

Part of his confusion is humility, the other part a lurking sense that his voice today is somehow diluted. Having stepped down as the Ucluelet Aquarium's President (incidentally the month before COVID's March lockdown), preceded by his earlier decision to step away from his other volunteer engagements, means that today Bill is skeptical of his relevance as a regional community builder.

Innovative idea

The truth is, past or present, Bill will remain a key player in developing one of Vancouver Island's most unique and attractive tourism assets. And if you've ever set foot inside the 3000 square foot, fish-shaped, indigo blue facility overlooking the water in Ucluelet, you'll understand why.

"The whole idea was a reaction to large scale aquariums and galleries where the only person that talks to you is in the gift shop," says Bill, who first came out 'to visit a friend in Tofino from Ottawa in 1987 and never left'. "We wanted to flip that (idea) around to show something neat with an educational, entertainment and tourism side."

Collaboration and timing

Bill is quick to point out, however, that fleshing out this "neat" idea was his friend Philip Brueker's early vision and making it into a reality was a truly collaborative effort. Bringing in a rotation of specimens from the local waters and having guides interpret for visitors, who could directly interact with the animals before watching their release at season's end, was indeed a unique concept. The idea of building a system integrating the Aquarium with the local marine ecosystem (as freshwater

from the harbour flows through the tanks providing the specimens with all of the fresh nutrients found in the wild) was truly innovative.

“I happened to be in the right place at the right time, and had the very narrow set of communication skills and connections within the community that complemented a large set of other skills within our (volunteer) team,” says Bill, who has a Masters in Biology, previously worked in fisheries and has “been in a few folk bands”.

But good timing or not, the development of the aquarium in 2012 coincided with the development of other factors that were also enhancing Ucluelet’s position as a visitor destination. Word traveled fast and far that an innovative and immersive sea life facility had opened in a small community on Vancouver Island’s west coast.

Spurring offshoots

“The success of the Ucluelet aquarium led to the development of facilities in Campbell River, Sechelt, Port Alberni and Newfoundland,” says Bill. “This idea went viral, and the aquarium later proved to be an international pioneer when (in the Spring of 2019) we hosted a conference with representatives coming from facilities in Scotland and Washington.”

And while two springs ago seems like a lifetime now, Bill has faith that the Aquarium, version 2.0, will come through the pandemic remaining true to its original intent and philosophy. Meanwhile, after serving 16 years as President, he admits his involvement is now “zero”. His interest in “helping people achieve their goals” continues, albeit in a different format.

Life after the Aquarium

Since 1996, Bill has been teaching with North Island College (NIC) and currently teaches online education, adult basic education and first year mathematics. When

he's not working with students that span from Canada's west coast to India and China, Bill can be found doing either one of his newfound activities: sailing or gardening.

And if you want to hear the pride rise in Bill's voice, you may just ask about his daughters, both of whom are working to complete degrees at UNBC and UBC in Medicine and Geology.

Community builders are, in fact, about helping build better environments for tomorrow – those that can benefit their own families and generations to come.

###

Bill is the former President of the [Ucluelet Aquarium Society](#) (2004-2020) and is currently an instructor at North Island College.



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Our mailing address is:

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Courtenay, British Columbia, Canada V9N 1H3

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April 23, 2021

File: 5280.31

<p>The Honourable John Horgan Premier of BC PO Box 9041 Stn Prov Govt Victoria, BC V8W 9E1 Via email: Premier@gov.bc.ca</p>	<p>The Honourable Lana Popham Minister of Agriculture, Food and Fisheries PO Box 9409, Stn Prov Govt Victoria, BC V8W 9V1 Via email: AGR.Minister@gov.bc.ca</p>
<p>The Honourable Katrine Conroy Minister of Forests, Lands, Natural Resource Operations and Rural Development PO Box 9049, Stn Prov Govt Victoria, BC V8W 9W2 via email: FLNR.Minister@gov.bc.ca</p>	<p>The Honourable George Heyman Minister of Environment and Climate Change Strategy PO Box 9360, Stn Prov Govt Victoria, BC V8W 9M2 via email: ENV.Minister@gov.bc.ca</p>

Dear Mr. Premier, Minister Popham, Minister Conroy and Minister Heyman:

RE: Lack of funding – Invasive Plant Management

At its April 15, 2021 meeting, the Board of the Peace River Regional District (PRRD) discussed growing concerns that the Province is not recognizing the economic contribution agriculture makes to the province of BC.

It has come to the Board’s attention that, due to an oversight in funding allocations, there are no funds available for treatment of invasive plants on public lands by the Ministry of Forests, Lands, Natural Resource Operation and Resource Development (FLNRORD). These non-funded activities include the ongoing treatment work targeted towards known, existing, high priority areas in our region as well as the rest of the province. This dramatic oversight will result in the spread of invasive plants on FLNRORD lands going unchecked and affecting neighbouring agricultural lands.

The PRRD respectfully requests answers to the following questions from each Ministry’s perspective:

1. How can \$12 million dollars be allocated from the office of the Premier, under FLNRORD, to assist with the detection and removal of invasive plants, without allocating funds to hire trained contractors to engage in treatment activities on Crown lands?
2. Given that the funding is meant for job creation and invasive plants are continually trying to invade Crown lands (which include much needed grazing areas that support the agriculture industry); why is funding not being directed towards reinstatement of those pre-existing jobs that would normally conduct the aforementioned treatment works through contract?

It is extremely concerning that the overarching Ministry which maintains the *Noxious Weeds Act* would neglectfully be unprepared to treat invasive plants found on Crown occupied lands. Without treatment, we would respectfully point out that invasive plants know no borders and, if unchecked, will encroach neighbouring lands containing vital agriculture.

diverse. vast. abundant.

PLEASE REPLY TO:

Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca
 9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1125 Email: prrd.fsj@prrd.bc.ca

The Province should be aware that the PRRD not only has an Invasive Plant Bylaw that enforces the procession of invasive plants within the entire area of the BC Peace, it also employs staff and contractors which are designated under the *Noxious Weeds Act* to enforce on the Crown's behalf. Further, additional seasonal staff are hired annually to assist with the vast number of complaints that are received regarding invasive plant infestations on public and private lands.

This leads us to our final question: in good faith, how can a local government enforce such invasive plant removal when the Ministry housing the legislation is not even engaging in such activities?

In closing, the agricultural industry in the north provides economic benefits for the entire province. Lack of funding and cancellation of any invasive plant treatment strategy will be detrimental, resulting in increased costs of treatment work when funding does become available.

We look forward to receiving a favourable response to our concerns and questions.

Yours truly,



Brad Sperling
Regional Board Chair

Yours truly,



Leonard Hiebert
Invasive Plant Committee Chair

c: Mr. Mike Bernier, South Peace MLA, via email: Mike.Bernier.MLA@leg.bc.ca
Mr. Dan Davies, North Peace MLA, via email: Dan.Davies.MLA@leg.bc.ca
Mr. Bob Zimmer, MP for Prince George-Peace River-Northern Rockies, via email: Bob.Zimmer@parl.gc.ca
NCLGA via email: admin@nclga.ca
UBCM via email: ubcm@ubcm.ca

Enclosures: April 21, 2021 Letter of Support, District of Chetwynd



District of Chetwynd

Box 357
Chetwynd, BC
Canada V0C 1J0

tel: (250) 401-4100
fax: (250) 401-4101

email: d-chet@gochetwynd.com

April 21, 2021

Peace River Regional District
P.O. Box 810
Dawson Creek, BC V1G 4H8
By email: leonard.hiebert@prrd.bc.ca

Attention: Director Leonard Hiebert – Electoral Area “D” Director

Dear Mr. Hiebert:

Re: Invasive Weed Control on Crown Land

As you described during a recent Peace River Regional District Board meeting, invasive weeds are a serious threat to biodiversity because they can spread quickly, outcompete native species and destroy the habitat, dominate natural and managed areas, and in so doing harm biological communities.

As BC's environment, people and economy can be negatively impacted by the unchecked spread of invasive weeds, we support you in urging the Provincial government to continue to provide invasive weed control measures on crown land.

Yours Truly,

Allen Courtoreille
Mayor



REQUEST FOR DECISION

To: ACRD Board of Directors

From: Wendy Thomson, General Manager of Administrative Services

Meeting Date: April 28, 2021

Subject: ACRD Open Meetings and Electronic Meetings – COVID-19 Pandemic

Recommendation:

THAT in accordance with Ministerial Order M192 and Provincial Health Officer Order on gatherings and events dated December 24, 2020, all Alberni-Clayoquot Regional District (ACRD) open Board and Committee meetings continue to be held virtually without members of the public in attendance in person until May 27, 2021;

AND THAT in the interest of openness, accountability and transparency, ACRD Board and Committee meetings continue to be conducted via Zoom videoconferencing and livestreamed on the ACRD Website and the public continue to have the opportunity to participate in the Zoom meetings via Zoom Webinar or emailing the ACRD at responses@acrd.bc.ca to provide comments and/or input respecting agenda items;

AND FURTHER THAT in the interest of openness, accountability and transparency, ACRD public hearings continue to be conducted via Zoom videoconferencing or other electronic means.

Desired Outcome:

To continue to protect the health and safety of staff, elected officials and the public during the COVID-19 pandemic and to continue adhering to Minister Order M192 and the current Provincial Health Officer Order on gatherings and events.

Background:

Due to the continuing COVID-19 pandemic, the following orders remain in effect placing restrictions on local governments holding in-person meetings:

- Ministerial Order M192 [Ministerial Order M192 - Local Government Meetings & Bylaw Process \(formerly M139\)](#), and;
- Provincial Health Officer Order on Gathering and Events ([PHO Order on Gatherings and Events \(PDF\)](#))

As directed by these orders, all Alberni-Clayoquot Regional District (ACRD) Board and Committee meetings have been held virtually via Zoom Webinar since December 9, 2020. The public continue to have several ways to participate in ACRD meetings including appearing as a delegation, participating in meeting and asking questions during question period or emailing input to responses@acrd.bc.ca. The public can watch open Board and Committee meetings live on the ACRD website at www.acrd.bc.ca as well as watch previously recorded meetings.

At the February 10, 2021 Board of Directors meeting the above recommendation was passed by the ACRD Board of Directors to be in effect until April 29th. The above resolution is once again required in order to continue complying

with the Provincial orders. Regional District staff recommend the Board of Directors pass the above resolution to be in effect until after the May 26th Board of Directors meeting. If the orders change before this date, staff will bring back a report to the ACRD Board of Directors. Staff will continue monitoring Ministerial and Provincial Health Officer orders respecting holding open ACRD Board and Committee meetings.

Time Requirements – Staff & Elected Officials:

Minimal.

Financial:

Associated costs covered through General Government Services.

Strategic Plan Implications:

n/a

Policy or Legislation:

COVID-19 Related Measures Act, Minister Order M192, Provincial Health Officer Orders, Local Government Act and ACRD Procedures Policy apply.



Submitted by: _____
Wendy Thomson, General Manager of Administrative Services



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



REQUEST FOR DECISION

To: Alberni-Clayoquot Regional District Board of Directors

From: Heather Zenner, Protective Services Manager

Meeting Date: April 28, 2021

Subject: Installation of Traditional Territory acknowledgement signage in Alberni-Clayoquot Regional District public facilities.

Recommendation:

That the Alberni-Clayoquot Regional District Board of Directors direct staff to install traditional territory acknowledgement signage in Alberni-Clayoquot Regional District public facilities.

Desired Outcome:

To publicly acknowledge the First Nation traditional territories that Alberni-Clayoquot Regional District (ACRD) facilities are located on, by installing signage.

Summary:

At all public meetings Alberni-Clayoquot Regional District staff and directors acknowledge First Nation traditional territories and have done so for approximately 10 years. Staff recommend that in addition to this acknowledgement, we install signage in our public facilities to acknowledge the Traditional Territories in which the facilities rest on. Staff recommend signage at the ACRD administration office and at the Long Beach Airport, where public frequently visit, and the signage would be visible. Signage is currently posted near the entrance to the Alberni Valley Regional Airport that includes Nuu-Chah-Nulth language.

Recommended language for signage would include identifying specific First Nations and respectfully acknowledging the traditional territories on which the facility is built on. A picture from a local Provincial ministry building is attached to illustrate an example of what signage could look like.

Time Requirements – Staff & Elected Officials:

Procuring signage and installation will take some staff time; however, it is anticipated to be relatively minor.

Financial:

Cost of signs for two facilities is estimated to be \$500 and installation can be completed internally.

Strategic Plan Implications:

This proposal supports the ACRD Strategic Plan, Partnership and Alignment focus area, by supporting reconciliation efforts.

Policy or Legislation:

N/A

Options Considered:

The Board could consider unveiling traditional territory signage by inviting First Nations and the media; however, staff recommend a more subtle approach. Staff are of the belief that signage is just one small step on the reconciliation path, as a Local Government we have continued efforts to make, that should be acknowledged when appropriate in the future.



Submitted by:

Heather Zenner, MA, RPF, Protective Services Manager



Approved by:

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

We respectfully acknowledge the territories of the **Hupačasath** and **Tseshaht** Peoples. We humbly honour their connection to the land and respect the importance of the ancient teachings, traditions and practices within these territories.





REQUEST FOR DECISION

To: Alberni-Clayoquot Regional District Board of Directors

From: Tricia Bryant, CPA, CGA, Asset Management Coordinator

Meeting Date: April 28, 2021

Subject: UBCM Local Government Development Approvals Program Grant Application

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors support the application to the Union of BC Municipalities (UBCM) Local Government Development Approvals Program for a \$250,000 grant to implement GIS and a CityView online application portal, support building inspection, create web-based mapping, and streamline the development application process.

Desired Outcome:

To secure funding to improve efficiencies by advancing the ACRD's web-based support services for both staff and the public by streamlining and automating the application and inquiry processes.

Summary:

The ACRD Planning & Building Department has experienced an increase in the amount of development applications and inquiries from the public. Success with the grant application will ensure safety protocols are further improved by reducing the need for face-to-face contact through online development applications, web-based GIS and maps that the public can access at any time, and automated application reviews that will reduce the current workloads of building inspection officials and planners. Staff are facing heightened volumes of inquiries and applications and wait times are expected to increase in conjunction with development interest in our region.

This project is not intended to reduce interaction with the public but instead increase capacity within the building inspection and planning departments without requiring additional resources at the expense to the public. The goal of the grant funding is to establish long-term organizational efficiencies that will benefit the ACRD over the long-term.

Background:

The UBCM, with funding from the Ministry of Municipal Affairs, has developed the Local Government Development Approvals grant with the intention of supporting the implementation of established best practices and to test innovative approaches to improve development approvals processes while meeting local government planning and policy objectives. Regional Districts are permitted to submit one application by the application deadline of May 7, 2021. This project is eligible for funding and could begin as soon as late summer 2021 and must be completed within 24 months of approval.

Time Requirements – Staff & Elected Officials:

Grant application completion, additional training, software development, and potential consultant support will require some time from staff. This is viewed by staff as a valuable next step in matching the demands of the public with the resources available. The staff are able to make time to complete this project in order to improve overall departmental efficiencies and performance.

Financial:

Staff propose the project budget to be \$250,000 with the UBCM Local Government Development Approvals Program covering 100% of approved projects.

Strategic Plan Implications:

If successful, this grant would further support Strategic Plan Focus Area number 2 Communications and Engagement with Communities.

Options Considered:

That this opportunity is not pursued at this time.

Submitted by: 

Tricia Bryant, CPA, CGA, Asset Management & Grant Coordinator

Reviewed by: _____
Mike Irg, General Manager of Planning & Development

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



REQUEST FOR DECISION

To: Alberni-Clayoquot Regional District Board of Directors

From: Douglas Holmes, Chief Administrative Officer

Meeting Date: April 28, 2021

Subject: Alberni-Clayoquot Regional District & Tseshaht First Nation Government to Government Accord

Recommendation:

THAT the Alberni-Clayoquot Regional District (ACRD) Board of Directors approve the Government-to-Government Accord between the Tseshaht First Nation (TFN) and the ACRD and, acknowledging that the Agreement is a living document, delegate authority to the ACRD Directors on the Protocol Working Group to approve modifications from time to time that are consistent with the spirit and intent of the current agreement.

Desired Outcome:

To establishing and maintaining a long-term cooperative and collaborative government to government relationship.

Background:

ACRD Staff and Elected Officials have met with the Tseshaht First Nation in February and again in April, in a working group to discuss items of mutual interest. Previously, in 2017, 2018 and 2019 the ACRD and TFN collaborated together in a working group fashion and the Board of Directors, in February of 2019, passed a resolution to approve in principle an amended Government-to-Government Accord with the Tseshaht First Nation, pending successful discussion with the Tseshaht First Nation and signing ceremony. The Accord was not finalized at that time.

Since starting up the Protocol Working Group (PWG) again this year, TFN proposed and the PWG refined the attached Government-to-Government Accord to further establish cooperative communications, addressing specific concerns, and raising awareness and understanding of the Tseshaht First Nation Title, Rights, and responsibilities and rights of the ACRD under the *Community Charter* and the *Local Government Act*.

In January of 2019, the TFN and the Port Alberni Port Authority (PAPA) signed a Cooperation, Collaboration and Communication Accord, and the City of Port Alberni endorsed a Government-To-Government Accord with the TFN.

The attached draft document is intended to morph over time. While the Directors will consider it at various intervals, the PWG will update it collaboratively in the spirit of it being a working document so long as any changes do not modify its core purposes or intentions - to establish a cooperative and collaborative government-to-government relationship for the purpose of sharing information, improving communications, addressing specific concerns, and raising awareness and understanding of Tseshaht First Nation Title, Rights and responsibilities and the powers and limitations of the ACRD under the *Local Government Act* and the *Community Charter*.

TFN Working Group members will be presenting the draft agreement to Tseshaht First Nation Council at their next

Council meeting.

Time Requirements – Staff & Elected Officials:

The PWG have regular meetings scheduled quarterly and will hold additional meetings throughout the year to discuss specific topics as required.

Strategic Plan Implications:

This agreement supports the ACRD Strategic Plan, Partnership and Alignment focus area by partnering with First Nations and aligning our efforts toward common goals.

Policy or Legislation:

As per the *Community Charter and Local Government Act*.

Submitted and
Approved by:



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

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Government to Government Accord

This ACCORD dated for reference the ____ day of ____, 2021.

BETWEEN: THE TSESHAHT FIRST NATION

AND: THE ALBERNI-CLAYOQUOT REGIONAL DISTRICT (ACRD)

WHEREAS (The Parties)

- A.** The Tseshaht First Nation and the Alberni-Clayoquot Regional District (the “ACRD”) each have distinct governance authorities and responsibilities towards their residents and members, and acknowledge that the interests of persons living in their communities are best served by working together in the spirit of cooperation.
- B.** The Parties recognize that establishing a formal government-to-government relationship now will create a level of certainty for the Parties’ communities and jurisdictions and begin an important dialogue in anticipation of successful community development.
- C.** The Parties recognize the following documents and principles as guides to effective inter-governmental relations:
 - United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
 - The Truth and Reconciliation Commission’s 94 Calls to Action
 - lisaak (respect), hishukish-tsawalk (everything is interconnected) and uu-a-thluk (taking care of)

NOW THEREFORE the Parties enter into this Accord with the intention and desire to establish a cooperative and collaborative government-to-government relationship for the purpose of sharing information, improving communications, addressing specific concerns, and raising awareness and understanding of Tseshaht First Nation Title, Rights and responsibilities and the powers and limitations of the ACRD under the *Local Government Act* and the *Community Charter*.

1.0 PURPOSE

- 1.1** The purpose of this Accord is to enter into a more formal arrangement between the Tseshaht First Nation and the ACRD with respect to establishing and maintaining a long-term cooperative and collaborative government-to-government relationship through effective communications.

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2.0 PRINCIPLES OF COOPERATION

The Parties agree that the Tseshaht First Nation and the ACRD will:

- 2.1 Meet regularly to promote and encourage open and constructive dialogue based on mutual trust, honesty, respect and understanding.
- 2.2 Work cooperatively to ensure that the Parties have a full understanding of each other's governing structures, capacities, traditions, roles, responsibilities and current projects.
- 2.3 Maintain respect for the views and authority of each of the Parties.
- 2.4 Explore potential partnerships and collaborative opportunities that help support a strong regional economy. Each Party will endeavor to advise the other Party at the early stages of consideration about economic development projects that may impact the other Party.

3.0 KEY JOINT INTERESTS

The Parties agree to work together on the following, but not limited to areas of mutual interest:

- Reconciliation
- Natural Resources
- Governance
- Intergovernmental Relations
- Transportation
- Landfills /Recycling
- Infrastructure/Water Systems
- Cultural, Language and Heritage Protection
- Economic Development and Tourism
- Environmental Protection
- Public Safety
- Emergency Response and Preparedness
- Capacity Building
- Service Delivery
- Poverty
- Sustainable Healthy Communities
- Land Use Planning and Zoning

4.0 COMMUNICATIONS

4.1 The Parties recognize the success of a government-to-government relationship is predicated upon:

- Open and transparent communication
- Effectiveness and efficiency
- Cooperation and collaboration

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- 4.2** The parties acknowledge and recognize that communication and information sharing for the interests set out in this Accord may be subject to Federal and Provincial Freedom of Information and Protection of Privacy Legislation.
- 4.3** The Parties agree to seek and explore opportunities to incorporate Tseshaht culture, history and language into communications, advertising and signage.
- 4.4** The Parties agree to jointly develop and implement a strategy for interaction between the Parties for the purposes of improving timely communication on matters referred to in this Accord.
- 4.5** Nothing in this Accord discharges any legal obligation the Crown may have to consult or accommodate Tseshaht First nation respecting potential adverse impacts of projects on the Aboriginal title and rights of Tseshaht First nation within ACRD's jurisdiction, nor do the parties intend that any discussions or engagement pursuant to this Accord will constitute consultation or accommodation for such projects.
- 4.6** The Parties agree to provide letters of support to one another when applicable, so long as they are mutually beneficial and both Parties have approval through their appropriate governing processes.

5.0 Implementation and Dispute Resolution

- 5.1.** This Accord shall be administratively implemented through the CAO of the ACRD and the Executive Director of the Tseshaht First Nation. In the event that a dispute arises pertaining to this Accord, the CAO and Executive Director shall meet to seek resolution of that dispute.
- 5.2** If the Administration of both Parties cannot resolve any dispute as referenced above, the Chair of the ACRD Board of Directors and the Chief Councillor of the Tseshaht First Nation shall meet to develop solutions in accordance with this Accord.
- 5.3** If a dispute cannot be resolved at the levels of Administration or Chair of the ACRD Board and Chief Councilor, then a meeting of both Tseshaht First Nation Chief and Council and the ACRD Board of Directors shall occur to resolve the matter in accordance with this Accord.

6.0 COUNCIL TO BOARD FORUM

- 6.1** The Tseshaht First Nation Council and the ACRD Board of Directors will meet at least annually and as required to monitor and evaluate the implementations of this Accord and the specific initiatives undertaken thereto. Tseshaht First Nation Council and the ACRD Board of Directors will also provide vision, policy and

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strategic direction to the Administrations of their respective governments in accordance with this Accord.

7.0 TERMS OF THE ACCORD

- 7.1** The Parties agree that this Accord shall take effect by a formal resolution by each respective Council.
- 7.2** The Parties agree that this Accord is a living document and may be subject to revision from time to time by mutual consent. The revisions must be agreed to in writing, and by formal resolution by each the Tseshaht First Nation Chief and Council and the ACRD Board of Directors.
- 7.3** The Accord will remain in effect continuously unless terminated by either of the Parties by providing thirty (30) days' notice in writing, to be delivered by hand, facsimile or registered mail.
- 7.4** The Accord will be reviewed jointly by the Parties on an annual basis.
- 7.5** This Accord does not affect the Aboriginal Title and Rights, or interest of the Tseshaht First Nation.
- 7.6** This Accord does not prejudice or affect the ACRD's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Local Government Act* and *Community Charter* as amended from time to time.
- 7.7** This Accord is non-binding and is not intended to and does not create any legal rights or obligations.

8.0 ADDRESS FOR SERVICE

TSESHAHT FIRST NATION
5091 Tsuma-as Drive
Port Alberni, BC V9Y 8X9

ALBERNI-CLAYOQUOT REGIONAL DISTRICT (the "ACRD")
3008 5th Avenue
Port Alberni BC, V9Y 2E3

IN WITNESS THEREOF The Parties have hereunto affixed their signatures as of the day and year first written above.

Chief Councilor Ken Watts
Tseshaht First Nation

John Jack, Chair
Alberni-Clayoquot Regional District



REQUEST FOR DECISION

To: ACRD Board of Directors
From: Brenda Sauve, Environmental Services Coordinator
Meeting Date: April 28, 2021
Subject: AVLF & WCLF – Pilot Project for Coastal Clean-Up Material Tipping Fee

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors approve a 6-month pilot project to receive up to 250 tonnes of coastal clean-up material at the Alberni Valley and West Coast Landfills at a rate of \$175/tonne from Coastal Restorations.

Desired Outcome:

To support coastal clean-up efforts and removal of derelict vessels in the Alberni, Barkley and Nootka Sound. The establishment of a 6-month pilot project will allow appropriate processes to be developed to support and effectively manage coastal clean-up material at the Alberni Valley & West Coast landfills for the future.

Summary:

The Coastal Restoration Society (CRS) has been undertaking coastal clean-up events for a number of years with recent activities and upcoming events growing in scale as new funding initiatives have been made available. In the past year, they have undertaken larger scale projects bringing significant amounts of material to the West Coast Landfill (WCL). The material from these clean-ups are typically barged or brought in by helicopter. Effort is made to sort the material so recyclables are removed and can be diverted from the landfill. However, there were a couple of circumstances due to weather and/or time constraints where this was not accomplished. As per our landfill fee bylaws, any mixed loads are charged double the tipping fee, resulting in some loads being charged at \$320/tonnes for landfilling coastal clean-up materials. This has started discussions between ACRD, Landfill and CRS staff about how to have a better process for managing coastal clean-up materials.

A 6-month pilot project is being proposed for coastal clean-up materials at a rate of \$175/tonne that will allow loads with recyclable and banned materials to be landfilled without additional fines. Staff feel this is appropriate due to the significant benefit that these clean-up projects provide to the environment, the low quality of recyclable material that is within the loads and the logistical challenges of removing these materials in remote environments. There are limitations and constraints about what can be accepted under this special rate, including less than 10% metal, no attractants or organics and required notice prior to delivering material to the landfill. The pilot will help to determine what should be included in this category and further logistical requirements that may be needed. This pilot is being proposed at the Alberni Valley and West Coast landfills (AVLF & WCLF) which will be undertaken by CRS. If this process is successful, the ACRD will implement a new application process and rate of \$175/tonne for coastal clean-up materials through amending the AVLF & WCLF Fee Bylaws.

In order for CRS to maximize their diversion efforts, they are looking for approximately an acre of land for storing uncovered mega bags of ocean plastics and other materials for sorting, preferably in the Alberni Valley. ACRD staff will endeavor to assist them by sharing any opportunities or ideas for leasable land that would be appropriate for this activity.

Time Requirements – Staff & Elected Officials:

Significant staff time has been invested in addressing the recent challenges these coastal clean-up materials have presented and working to develop an alternative to best address the situation. Additional time will be required to monitor the progress of this pilot, develop an application process and update the bylaws if this is successful.

Financial:

The anticipated volume of material that will be received during the pilot is between 200 and 250 tonnes of material. Loads that have had all divertible materials removed will be charged at the lower \$160/tonne tipping fee to encourage and support removal of these materials. This project will result in an estimated \$35,000 - \$40,000 in revenues at the landfills. This revenue will cover the cost to dispose of the material and proportionately contribute to the long-term capital costs for management, closure and post-closure of the landfills.

Strategic Plan Implications:

This project will support the objective to improve recycling and diversion programs throughout the region and provide adequate funding for long-term management of our infrastructure as identified as a key focus area in the Strategic Plan.

Policy or Legislation:

As per the Alberni-Clayoquot Regional District Solid Waste Management Plan.

Options Considered:

To not proceed with the Pilot Project and charge double the fee for mixed loads.

Submitted by: 
Brenda Sauve, Environmental Services Coordinator

Reviewed by: 
Jenny Brunn, GM of Community Services

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



REQUEST FOR DECISION

To: ACRD Board of Directors
From: John Thomas, Environmental Services Technician
Meeting Date: April 28, 2021
Subject: Salmon Beach Sewage Collection Fee Bylaw Amendment

Recommendation:

That the Alberni-Clayoquot Regional District Board of Directors give first reading to the bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021".

That the Alberni-Clayoquot Regional District Board of Directors give second reading to the bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021".

That the Alberni-Clayoquot Regional District Board of Directors give third reading to the bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021".

That the Alberni-Clayoquot Regional District Board of Directors adopt bylaw cited as "Salmon Beach Sewage Collection Fee Amendment Bylaw No. F1076-2, 2021"

Desired Outcome:

To improve measurement and control of demand on the Salmon Beach septic system and maintain equitable costs to all users of the septic system.

Summary:

The Salmon Beach sewage system is primarily comprised of properties with holding tanks that utilize a user-pay pump and haul service to the septic field. There are also a small number of properties that use holding tanks or portable waste containers that self-haul to the field unsupervised at no charge.

The septic system is comprised of two fairly new fields which have a design capacity that may have been overcharged in the past. This capacity limitation will be remedied in the fall of 2021 with the construction of a pretreatment plant. Until then the volume of pump and hauls and the self-hauls will need to be monitored and potentially restricted. There has always been a waiting list created due the ebb and flow of the community needs which can create a delay of up to two weeks. An arrangement has been made with a local septic truck company to pump out excess holding tanks to reduce wait times.

In order for the ACRD to manage the Salmon Beach sewage we recommend providing an emergency service option. Owners have experienced situations where they cannot wait due to water infiltration or warning indicators not working. To better manage this excess demand and provide an option for residents who cannot wait for a pump-out, an emergency pump-out rate of \$320 is proposed. The additional fee for this emergency service will cover the additional costs incurred related to hauling excess volume off-site.

Staff have prepared the attached amendment for the Salmon Beach Sewage Collection Fee Bylaw (F1076) to include rates for

self-haul and emergency pump outs. The Scope of Work for the Operations and Maintenance Contract has also been updated to include better language to limit the use of the septic system to within allowable capacity and require that self-haul be controlled and monitored with volumes recorded and reported to the ACRD for billing.

Background:

At the Salmon Beach Committee Meeting on December 16, 2020, staff presented a capacity review of the sewage system. The report identified that the current demands on the system are at or exceed capacity, are continuing to increase, and that projected demands would exceed the capacity of the planned upgrades within 5 years. The report recommended some operational improvements to address the current capacity issues including that self-haul begin being controlled and measured. The committee supported the operational improvements including improved control of self-haul and passed the following resolution:

THAT the Salmon Beach Committee recommend that self-haul is limited to 200 litres at \$20 per 100 litres to be done during scheduled time.

Time Requirements – Staff & Elected Officials:

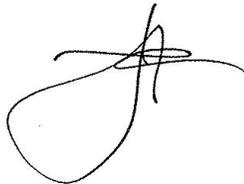
There will be staff time required to finalize the bylaw amendment, support the operations and maintenance contractor in transition to the system and time responding to questions from sewage system users during the implementation of fees in the first few months. There will be on-going staff time to record, administer and bill for these new fees.

Financial:

The financial implications are unknown at this time, since the current use of the system by self-haul is not recorded.

Policy or Legislation:

Local Government Act – Section 397 – Imposition of Fees and Charges is the authority used for this bylaw.



Submitted by: _____
John Thomas, Environmental Services Technician



Reviewed by: _____
Eddie Kunderman, Operations Manager



Submitted by: _____
Jenny Brunn, General Manager of Community Services



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



REQUEST FOR DECISION

To: ACRD Board of Directors
From: Mike Irg, GM of Planning and Development
Meeting Date: April 28, 2021
Subject: Proposed Amendments to the ACRD Building Bylaw

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors give first reading to the bylaw cited as "The Building Bylaw No. PS1011, 2021".

THAT the Alberni-Clayoquot Regional District Board of Directors give second reading to the bylaw cited as "The Building Bylaw No. PS1011, 2021".

THAT the Alberni-Clayoquot Regional District Board of Directors direct staff to inform the public and advertise the proposed changes to the building bylaw.

THAT the Alberni-Clayoquot Regional District Board of Directors consider third reading and adoption of "The Building Bylaw No. PS1011, 2021" at the May 26, 2021 regular Board meeting.

Desired Outcome:

To improve efficiencies in the delivery of the building inspection service and provide effective cost recovery for this service.

Summary:

A summary of the proposed changes include:

1. Revised or new definitions for dwelling unit, farm building, value of work, and owner.
2. Establishes a new \$100.00 deposit fee, due when the building permit application is submitted.
3. Increases the minimum building permit fee to \$100. From \$50.00.
4. Establishes an expiration time (6 months) to submit a complete building permit application.
5. Establishes an expiration time (60 days) to pay for and pick up building permits once the permit is ready to be issued. Existing building permits that are ready to be issued, but have not been paid for, will have 60 days from the date Bylaw PS1011 is adopted to complete the building permit process. If the permit fee is not paid, the permit application will expire.
6. Establishes an exemption for farm buildings under 500 square meters in floor area, if the building will be located on land classified as a farm under the *BC Assessment Act* and the building will be used for a qualifying agricultural use under the *Farm Regulation*. The *Farm Regulation* exempts seven (7) qualifying agricultural uses, including cannabis production. Building for these uses would require a building permit.

7. Increases the fee for buildings where construction is started without a building permit by doubling the building permit fee.
8. Updating the fee schedule, which includes calculating the permit fee based on the new definition of “value of work”.
9. Additional amendments to modernize and update the bylaw recommended by the ACRD lawyer.

Bylaw PS1011 is presented as a consolidated bylaw. The complete list of proposed amendments is the last section of this report.

Time Requirements – Staff & Elected Officials:

Staff time is required to prepare the amendments and reports for the Board. Advertising, public notification, and answering questions will also require staff time.

Financial:

If adopted, the amendments described would result in increased fees from permits and, after the magnitude of revenue change is understood, the Board could discuss financial plan implications including reducing the tax requisition for building inspection services in 2022.

Strategic Plan Implications:

Building inspection is a core service and strategy 1.4 in the Strategic Plan is “Enhance Agricultural Development”. While the Board has not identified a specific Strategic Plan Objective in relation to building permits on agricultural land, a mechanism for easier or less expensive placement of low occupancy farm buildings on agricultural land in a manner that complies with applicable statutes could support Strategy 1.4.

Policy or Legislation:

The Electoral Area Directors Committee recommended the Building Bylaw be updated. The *Local Government Act*, *Building Act* and BC Building Code regulate this service.

Comments:

The Building Bylaw amendments in Bylaw PS1011 are based on recommendations from the EA Committee. The ACRD lawyer has recommended some additional changes.

Based on the new definition of “value of work” and the fee schedule, building permit fees will be based on the value of construction. Additional fees for revisions are included and when construction is started without a building permit, the permit fee will be double. The double building permit fee when construction has started without a permit is to account for the increased staff time to review and process these types of applications.

Applicants will have 60 days to pick up and pay for permits once they have been notified that the permit is ready to be issued. If the permit fee is not paid, the permit expires and a new application is required. Current permits that are ready to be issued but the property owners have not paid the building permit fee will have 60 days after Bylaw PS1011 is adopted to pay for and pick up their permit.

Once a building permit application is made, applicants will have six (6) months to submit all required documentation.

This will assist in having applicants submit complete applications and cut down on staff time involved in reviewing and following up on incomplete applications.

An exemption for certain farm buildings under 500 square meters in floor area is included. Staff will be available to work with farmers to determine which buildings are exempt. Information will be provided and staff will be available to answer questions on a case-by-case basis. Not all farm buildings under 500 square metres are exempt, for example, buildings for cannabis production and manufactured derivatives from agricultural raw materials would require a building permit.

A minimum building permit fee of \$100.00 is proposed, this will coincide with the \$100.00 building permit application fee.

ACRD staff have discussed the changes proposed in PS1011 with City of Port Alberni staff and the City is working to bring their rate structure more in line with proposed changes in PS1011. In addition, ACRD staff have shared the changes proposed with District of Tofino and Ucluelet staff. The ACRD will continue to coordinate and share information with municipalities.

City of Port Alberni building permit fee for a single-family dwelling is \$6 for each \$1,000 of construction value up to \$100,000, plus \$5 for each \$1,000 of construction value between \$100,000 and \$200,000, plus \$4.50 for each \$1,000 of construction value between \$200,000 and \$500,000, plus \$2.25 for each \$1,000 of construction value between over \$500,000 based on the monetary worth of all construction and work related to building authorized by the permits. Plumbing fees are an additional charge.

District of Tofino building permit fee for a single-family dwelling is \$9.00 for each \$1,000, or portion thereof, of construction value based on estimated value of construction as determined in accordance with the “Marshall & Swift Valuation Service” or “Residential Cost Handbook” using “average” quality of construction.

District of Ucluelet building permit fee for a single-family dwelling is \$7.00 for each \$1,000, or portion thereof, of construction value based on estimated value of construction as determined in accordance with the “Marshall & Swift Valuation Service” or “Residential Cost Handbook” using “average” quality of construction.

Staff recommend that the Board give first and second reading to Bylaw PS1011 on April 28, 2021. Staff will then arrange for public notification of the proposed changes. This will include information on the ACRD website, ads in the local newspapers and an information sheet available to local builders. Bylaw PS1011 would then be brought back to the May 26, 2021 Board meeting for the Board to consider third reading and adoption.

Options Considered:

1. Proceed with some of the proposed amendments to the Building Bylaw proposed in PS1011.
2. Do not update the building bylaw.
3. Adopt the bylaw at the April 28th meeting without notifying the public of proposed changes.

Complete List of proposed amendments to the Building Bylaw:

1. Section 2 of the Building Bylaw is amended by inserting the following new definitions in alphabetical order:

“DWELLING UNIT”	has the same meaning as the Zoning Bylaw.
“FARM BUILDING”	means a Building that does not contain a Dwelling Unit and is:

- (a) located on land that has been classified as a farm by the assessor under the *Assessment Act*, RSBC 1996, c 20; and
- (b) used for a “qualifying agricultural use” as that use is defined in the *Standards for the Classification of Land as a Farm Regulation*, BC Reg 411/95.

“VALUE OF THE WORK”

means the hard costs and soft costs of all Construction contemplated by a Building Permit, including, but not limited to, building materials, finishes, roofing, electrical, plumbing, drains, heating, venting and air-conditioning systems, fire extinguishing systems, elevators, any other equipment and materials, fees for design testing, consulting, management, all contributed or assumed labour and materials, contractor’s profit and overhead, insurance and for site works and improvements, including all associated, paving, landscaping, connections and servicing and it will be the greater of:

- (a) the value declared on the Building Permit application;
- (b) the value of Construction that would be authorized by a Building Permit as estimated by a third-party quantity surveyor;
- (c) the value of Construction that would be authorized by a Building Permit as estimated by the Building Inspector utilizing independent third-party valuation sources to determine the Construction costs, such as the Marshall & Swift “Marshall Valuation Service” guide or other comparable valuable sources; or
- (d) the cumulative total of all contracts for Construction to complete the Building project.

2. The existing definition of “OWNER” in the Building Bylaw is deleted and replaced with the following:

“OWNER” means the registered owner of an estate in fee simple of a parcel in relation to which a Permit application is made under this Bylaw, or on which Construction occurs, and includes an Agent authorized in writing by the Owner to make an application for a Permit and carry out the Owner's obligations under this Bylaw.

3. Section 3(9) of the Building Bylaw is amended by deleting the existing Subsection with the following new subsections after Subsection 3(9):

“(9) No person may knowingly submit false or misleading information to the Building Inspector in relation to any Permit application or Construction undertaken pursuant to this Bylaw.”

4. Section 4 of the Building Bylaw is amended by inserting a new Subsection 4(6) as follows:

“(6) The Building Inspector may require as a condition of a Permit that the Owner deposit with the Regional District performance security in the form of an irrevocable letter of credit, or cash, in the amount prescribed in Schedule “A-4”. The Regional District may use the performance security to:

- (a) repair any damage to the Regional District’s property occurring as a result of the Construction authorized by the Permit;

- (b) clear any debris, materials, chattels or equipment that has accumulated or been left on the Regional District’s property during the Construction authorized by the Permit; or
- (c) secure the removal or demolition of a Building within the time limit established by the Building Permit; or
- (d) secure the provision of essential services in accordance with Section 14 of this Bylaw.

Any performance security held by the Regional District will be returned to the person who provided it after the issuance of an Occupancy Permit, other than a provisional Occupancy Permit issued pursuant to Section 11(3)(b) of this Bylaw, provided the Owner is not in default of any of the obligations for which the performance security was provided.”

5. Section 5(1)(c) of the Building Bylaw is amended by deleting Schedule “A” and inserting Schedule “A-2”.

6. Section 5(1) of the Building Bylaw is amended by inserting a new subsection (c.1) as follows:

“(c.1) any fees, charges, levies or taxes imposed by the Regional District and payable under an enactment at the time of issuance of the Building Permit;”

7. Section 5(3) of the Building Bylaw is amended by inserting a new subsection (a.1) before the existing Subsection 5(3)(a) as follows:

“(a.1) include a non-refundable application fee in the amount prescribed in Schedule “A-1” to this Bylaw to ascertain the completeness of the application;”

8. Section 5 of the Building Bylaw is amended by adding a new Subsection 5(3.1) after the existing Section 5(3) as follows:

“Expiration of an Application for a Permit

(3.1) An application for a Permit expires:

- (a) after six (6) months from the date an application is filed with the Regional District where the Building Inspector deems the application incomplete and no significant steps are taken by the applicant to provide a complete application; or
- (b) after sixty (60) days from the date the Regional District confirms that the application for a Permit is complete, if the Building Permit cannot be issued because the applicant has not provided anything required by Section 5(1).

If a Permit application expires in accordance with this section, an Owner must submit a new application for a Permit, including the payment of new application fees.”

9. The Building Bylaw is amended by inserting a new Section 5A after the existing Section 5 as follows:

“5A. EXEMPTIONS

(1) A Building Permit is not required for:

- (a) a Farm Building less than 500 square meters in total floor area; and
- (b) the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures or hot water tanks.

Where a Building Permit is not required pursuant to this Bylaw, the Owner is solely responsible for ensuring the design, construction, siting, and use of the Building complies with all applicable bylaws, enactments and

regulations, including the Building Code.”

10. Section 6(1) of the Building Bylaw is amended by deleting the existing Subsection 6(1) and replacing it with the following:

- “(1) The Building Inspector may revoke a Permit for any of the following reasons:
 - (a) for a violation of any of a condition under which the Building Permit was issued;
 - (b) a provision of the Building Code, this Bylaw or other applicable Bylaws or enactments;
 - (c) if any reason is found to exist which would have been cause for denial of such Building Permit, if known to exist at the time of issuance of the Building Permit, or
 - (d) the Building Permit was issued in error.”

11. Section 18 of the Building Bylaw is amended by adding a new Section 18(3) after the existing section 18(2) as follows:

- “(3) If any Construction for which a Building Permit is required under this Bylaw is commenced before a Building Permit is issued, the Building Permit fees payable prior to issuance of a Building Permit in accordance with Section 5(1)(c) of this Bylaw will be doubled.”

12. Schedule “A” of the Building Bylaw is deleted in its entirety and replaced by the Schedule “A” attached to this Bylaw.

13. This Bylaw shall come into full force and effect upon its adoption. Any complete applications for a Permit that have been received by the Regional District prior to the adoption of this Bylaw, but for which the Permits have not been issued, will expire sixty (60) days from the date of adoption of this Bylaw.

SCHEDULE “A”

A-1 PERMIT APPLICATION FEE

Upon application for a Permit, a non-refundable application fee shall be paid to the Regional District as follows:

1.1	For any Building Permit.	\$100.00
1.2	For a solid fuel burning permit	\$100.00*

The application fee may be credited toward the final Permit fees calculated in accordance with Schedule A-2.

A-2 PERMIT FEES AND CHARGES

Permit fees and charges shall be paid to the Regional District at issuance of the Permit and shall be calculated on the total Value of the Work as follows:

2.1	For the first \$2,000.00 or fraction thereof	\$100.00
2.2	For each additional \$1,000.00 or fraction thereof up to \$499,999.99	\$7.00
2.3	For each additional \$1,000.00 or fraction thereof exceeding \$500,000.00	\$6.00
2.4	For a Demolition Permit	\$30.00
2.5	For a solid fuel burning permit	\$100.00*
2.6	For provisional Occupancy Permits under Section 11(3)(b) of this Bylaw	\$500.00
2.7	For Occupancy Permits under Section 11(3)(c)	\$nil
2.7	For all other Permits	\$100.00*

Any changes to the application documentation or drawings will incur additional fees and charges in accordance with Schedule A-3.

Where the Building Inspector relies on certification by a professional Engineer or Architect that the plans submitted with the application for the Permit comply with the Building Code or other applicable enactment, the fees and charges payable under this

section shall be reduced by 2.5% to a maximum reduction of \$500.00 to the building permit fee for any one property.

Where the Building Permit is being issued for Construction commenced before the Regional District issued a Building Permit, the Building Permit fees payable will be double the amount prescribed in the A-2 above.

A-3 ADDITIONAL FEES AND CHARGES

3.1	For Permit applications where the plan review requires more than two (2) iterations of the drawings or supporting documents to be resubmitted	\$150.00
3.2	For review of changes to Building plans or related documents due to change in design after the Building Permit is issued	\$250.00
3.3	For change in ownership for an open Permit file	\$100.00
3.4	For each additional inspection in excess of the nine (9) inspections included in the fees paid under Schedule A-2	\$50.00
3.5	Land Title Office (LTO) Legal Notation/Covenant Registration or Discharge	All fees and disbursements incurred by the Regional District for the preparation of these documents plus a 15% administration charge
3.6	Return payment fee (NSF fee)	\$25.00

A-4 SECURITY DEPOSIT

4.1	For Permits where the Value of the Work is \$500,000.00 or more	\$3,500.00
4.2	For all other Permits	\$1,000.00
4.3	For provisional Occupancy Permits under Section 11(3)(b) of this Bylaw	150% of the Value of Work outstanding

Note: The fees and charges in this schedule do not include applicable taxes except for those fees marked with an asterisk (*).

Submitted by: 

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

Approved by: 

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



Alberni-Clayoquot Regional District

Bylaw No. PS1011

A BYLAW TO PROVIDE FOR THE ADMINISTRATION OF THE BUILDING CODE.

May 2021

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REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. PS1011

A BYLAW TO PROVIDE FOR THE ADMINISTRATION OF THE BUILDING CODE.

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

1. CITATION

This Bylaw may be cited for all purposes as “The Building Bylaw No. PS1011, 2021”.

2. INTERPRETATION

For the purposes of this Bylaw, the following words and expressions are defined, and where the same words and expressions are defined in the Building Code, those definitions do not extend to the use of those words and expressions in this Bylaw:

- (a) “AGENT” includes a person representing the owner by designation or contract and includes a hired tradesman and contractor who may be granted permits for work within the limitations of his license.
- (b) “AUTHORITY HAVING JURISDICTION” as used in the Building Code for the purposes of this Bylaw means the Building Inspector.
- (c) “BUILDING” means a structure that is used or intended to be used for supporting or sheltering persons or animals or property, except those prescribed by regulation as exempted from the Building Code and includes plumbing contained in a building and servicing a building.
- (d) “BUILDING CODE” has the same meaning as the “British Columbia Building Code” in the Building Regulations of British Columbia made pursuant to the *Local Government Act*.
- (e) “BUILDING INSPECTOR” means the person or persons appointed from time to time by the Regional Board as Building Inspector and includes chief, deputy and assistant Building Inspector.
- (f) “BUILDING PERMIT” means a permit for construction required or issued pursuant to this Bylaw.
- (g) “CONSTRUCT” includes to reconstruct, install, repair, alter, demolish and

- (h) "CONSTRUCTION" includes reconstruction, installation, repair, alternations, demolition and moving.
- (i) "DWELLING UNIT" has the same meaning as the Zoning Bylaw.
- (j) "FARM BUILDING" means a Building that does not contain a Dwelling Unit and is:
 - (a) located on land that has been classified as a farm by the assessor under the *Assessment Act*, RSBC 1996, c 20; and
 - (b) used for a "qualifying agricultural use" as that use is defined in the *Standards for the Classification of Land as a Farm Regulation*, BC Reg 411/95.
- (k) "FEE" means the fee prescribed in Schedule "A" to this Bylaw.
- (l) "LANE" means a public secondary access to the side or rear of a parcel.
- (m) "OCCUPANCY PERMIT" means an Occupancy Permit issued pursuant to this Bylaw.
- (n) "OWNER" means the registered owner of an estate in fee simple of a parcel in relation to which a Permit application is made under this Bylaw, or on which Construction occurs, and includes an Agent authorized in writing by the Owner to make an application for a Permit and carry out the Owner's obligations under this Bylaw.
- (o) "PERMIT" means a Permit required or used pursuant to this Bylaw and includes a Building Permit, Demolition Permit, a Plumbing Permit, a Building Moving Permit, a Chimney Permit, a Fireplace Permit and a Solid Fuel Burner Permit.
- (p) "POOL" means anything constructed, set-up, dug or formed, for the express purpose of collecting, holding or ponding water to a depth exceeding 24 inches, which may be used for swimming, bathing, wading or for landscape or decorative purposes or for fish containment. This does not include irrigation or natural ponding or any type of water containment intended for agricultural uses i.e. stock watering.
- (q) "REGIONAL BOARD" means the Board of the Regional District of Alberni-Clayoquot.

- (r) "REGIONAL DISTRICT" means the Regional District of Alberni-Clayoquot.
- (s) "VALUE OF THE WORK" means the hard costs and soft costs of all Construction contemplated by a Building Permit, including, but not limited to, building materials, finishes, roofing, electrical, plumbing, drains, heating, venting and air-conditioning systems, fire extinguishing systems, elevators, any other equipment and materials, fees for design testing, consulting, management, all contributed or assumed labour and materials, contractor's profit and overhead, insurance and for site works and improvements, including all associated, paving, landscaping, connections and servicing and it will be the greater of:
 - (a) the value declared on the Building Permit application;
 - (b) the value of Construction that would be authorized by a Building Permit as estimated by a third-party quantity surveyor;
 - (c) the value of Construction that would be authorized by a Building Permit as estimated by the Building Inspector utilizing independent third-party valuation sources to determine the Construction costs, such as the Marshall & Swift "Marshall Valuation Service" guide or other comparable valuable sources; or
 - (d) the cumulative total of all contracts for Construction to complete the Building project.
- (t) "ZONING BYLAW" means the Zoning Bylaw of the Regional District of Alberni-Clayoquot in effect from time to time.

3. PROHIBITIONS

- (1) No person shall, unless exempted by this Bylaw or any other enactment, commence or continue to construct a building or structure without first obtaining a Permit for that purpose from the Building Inspector.
- (2) No person shall occupy or use a building or part of it after construction of that building or part of it without first obtaining an Occupancy Permit for it, or contrary to the terms of any Permit, Notice, Certificate or Order given by the Regional District or the Building Inspector.
- (3) No person shall occupy or use a building following a change in class of

occupancy of the building or part of it without first obtaining an Occupancy Permit for it.

- (4) No person shall, unless authorized by the Building Inspector, alter, reverse, deface, cover, remove or in any way tamper with any Notice, Permit or Certificate posted pursuant to the provisions of this Bylaw.
- (5) No person shall do any work that is at variance with the description, plans and specification for the building or structure which have been authorized by the Building Inspector and for which a permit has been issued, unless the variance has first been authorized in writing by the Building Inspector.
- (6) No Permit shall be issued for an alteration, addition or repair to a building which is deficient in means of egress, provision of air, light and ventilation or which is structurally defective, unless that defect or deficiency is corrected at the time of the alteration, addition or repair.
- (7) No person shall continue to do any work upon a building or structure or any portion of it after the Building Inspector has ordered cessation of work on it or has ordered the suspension of any portion of construction of it.
- (8) No person shall do any work or carry out any construction contrary to a provision or requirement of this Bylaw and the Building Code.
- (9) No person may knowingly submit false or misleading information to the Building Inspector in relation to any Permit application or Construction undertaken pursuant to this Bylaw.

4. AUTHORITY OF BUILDING INSPECTOR

- (1) The Building Inspector is authorized to:
 - (a) administer this Bylaw;
 - (b) keep records of applications received, Permits and Orders issued, inspections and tests made, and retain copies of all papers and documents connected with the administration of this Bylaw; and
 - (c) take such action that they consider necessary to establish whether any method or type of construction or material used in the construction of a building conforms with the requirements and provisions of the Building Code; it being understood that the purpose

of this function is to enforce the provision of this Bylaw and not to hold out to any person that a building is constructed in a safe and proper manner.

(2) The Building Inspector

Authority to Enter

- (a) is hereby authorized to enter, at all reasonable times, upon any property, subject to the regulations of this Bylaw, and the Building Code, in order to ascertain whether the regulations of, or directions under them, are being observed.

Consent to Enter

- (b) is directed, where any dwelling, apartment or guest room is occupied, to obtain the consent of the occupant or provide written notice twenty-four (24) hours in advance of entry pursuant to clause (4)(2)(a).

Correct Work

- (c) may order the correction of any work which is being or has been improperly done under any Permit.

Stop Work

- (d) may order the cessation of work that is proceeding in contravention of this Bylaw or the Building Code.

Power to Suspend Work

- (e) where any building under construction, in whole or in part;
- i. does not conform to this Bylaw or the Building Code, the Zoning Bylaw, or
 - ii. is being constructed without a Permit.

may order the immediate suspension of all or any portion of the construction by attaching a Notice of that effect to the Building and sending by return registered mail to the owner of the real property on which the building stands, at his address, a copy of the notice.

Tests

- (f)
 - i. shall retain as public record copies of the results of all tests ordered and carried out under the Building Code after construction is completed.
 - ii. may revoke or refuse to issue a Permit where, in his opinion the results of tests referred to in clause 4(2)(f)(i) are not satisfactory; and
 - iii. may order the correction of any work which they consider is being or has been improperly done.
- (3) Notwithstanding any other provisions of this Bylaw or the Building Code, whenever, in the opinion of the Building Inspector, the proposed work requires specialized technical knowledge, they may require, as a condition of the issuance of a Permit, that all drawings, specification and plot plans, or any part of them, be prepared, signed and sealed by and the construction carried out under the supervision of an architect or professional engineer specializing in the relevant field of engineering.

(4) Professional Certification

Where the Building Inspector considers that:

- (a) the site conditions, or
- (b) the size or complexity of
 - (i) the development, or
 - (ii) an aspect of the development

to which a building permit relates, warrants a certification by a professional Engineer or Architect that the plans submitted with the application of the permit, or specified aspects of those plans, comply with the Building Code and other applicable enactments respecting safety, the building inspector may require the owner to provide the certification.

(5) Endorsement and Notice under Section 4(4)

The following Notice shall be given to the owner by endorsing it on a building permit that is issued in reliance upon a certification by a professional Engineer or Architect that the plans submitted in support of the application

for the Permit comply with the British Columbia Building Code and other applicable enactments respecting safety of the building.

“Take notice that the Regional District of Alberni-Clayoquot, in issuing this permit has relied upon the certification of compliance of (Name of Consultant), professional Engineer or Architect, submitted with the plans of construction, that the plans comply with the current British Columbia Building Code and other applicable enactments respecting safety of the building or structure”.

- (6) The Building Inspector may require as a condition of a Permit that the Owner deposit with the Regional District performance security in the form of an irrevocable letter of credit, or cash, in the amount prescribed in Schedule “A-4”. The Regional District may use the performance security to:
- (a) repair any damage to the Regional District’s property occurring as a result of the Construction authorized by the Permit;
 - (b) clear any debris, materials, chattels or equipment that has accumulated or been left on the Regional District’s property during the Construction authorized by the Permit; or
 - (c) secure the removal or demolition of a Building within the time limit established by the Building Permit; or
 - (d) secure the provision of essential services in accordance with Section 15 of this Bylaw.

Any performance security held by the Regional District will be returned to the person who provided it after the issuance of an Occupancy Permit, other than a provisional Occupancy Permit issued pursuant to Section 12(3)(b) of this Bylaw, provided the Owner is not in default of any of the obligations for which the performance security was provided.

5. PERMITS

Issuing Permit

- (1) Where
 - (a) an application has been made;

- (b) the proposed work set out in the application complies with the Building Code, this Bylaw and all other applicable bylaws and enactments;
 - (c) the applicant for a Permit has paid to the Regional District the fee or fees prescribed in Schedule "A-2" to this Bylaw;
 - i. any fees, charges, levies or taxes imposed by the Regional District and payable under an enactment at the time of issuance of the Building Permit;
 - (d) the applicant has
 - i. provided to the Building Inspector proof that a sewage disposal system design has been filed with the required Health Authority, as required by the Health Act, or
 - ii. provided the Building Inspector with written assurance from a registered on-site wastewater practitioner that a sewerage system constructed under a permit from the Ministry of Health will function adequately with the projected demand on the system after the construction contemplated in the permit application is completed.
- unless:
- iii. the property is serviced by a community sanitary sewerage system, or
 - iv. the construction contemplated in the permit application is for an accessory use and has no habitable space or plumbing fixtures therein.

the Building Inspector shall issue the permit for which the application was made.

Permit Conditions

- (2) Every Permit is issued upon the following conditions:
 - (a) nine (9) inspections are included with each issued Permit. All subsequent inspections carry a charge of fifty (\$50) dollars per inspection.

- (b) construction shall commence within six (6) months from the date of issuing the Permit;
- (c) work is not to be discontinued or suspended for a period of more than six (6) months;
- (d) Permits shall lapse in the event that either of the preceding two conditions are not met;
- (e) a lapsed Permit shall not be renewed, nor the fee refunded. If the work is not completed when a Permit lapses, a new Permit shall be required for the remaining construction;
- (f) all Permits issued after the date of adoption of this Bylaw will expire two (2) years from the date of issuance;
- (g) at any time after the issuance of a Permit, but before the work under the Permit has commenced, the Permit holder may apply for cancellation of the Permit. Upon receipt of such application, the Building Inspector, if satisfied that the work has not commenced, shall cancel the Permit and shall refund to the Permit holder fifty (50%) percent of the fee paid by him in respect of the Permit;
- (h) the registered owner of the land signs the following, which may be endorsed on the permit;

“In consideration of the granting of this permit, I/we agree to release and indemnify the Regional District of Alberni-Clayoquot, its Board members, employees and agents from and against all liability, demands, claims of action, suits, judgments, losses, damages, costs, expenses of whatever kind which I/we or any other person, partnership or corporation or my/our respective heirs, successors, administrators or assignees may have or incur in consequence of or incidental to the granting of this permit or any inspection, failure to inspect, certification, approval, enforcement or failure to enforce the Regional District of Alberni-Clayoquot Building Bylaw or the British Columbia Building Code and I/we agree that the Regional District of Alberni-Clayoquot owes me/us no duty of care in respect of these matters.

I/we have read the above agreement, release and indemnity and understand it.”

Contents of Application for Permit

- (3) The application for a Building Permit shall
- (a) include a non-refundable application fee in the amount prescribed in Schedule "A-1" to this Bylaw to ascertain the completeness of the application;
 - (b) be made in the form prescribed by the Regional District;
 - (c) be signed by the owner or his agent;
 - (d) state the intended use or uses of the building;
 - (e) state the true value of the proposed work;
 - (f) include as exhibits, copies for detached dwelling units in duplicate, of the specification and scale drawings of the building with respect to which work is to be carried out showing;
 - i. the dimensions of the building including area of each floor;
 - ii. the dimensions, area and proposed use of each room or floor area;
 - iii. the dimensions of the parcel on which the building is, or is to be , situated;
 - iv. the proposed siting of the new building and the siting, use, height and horizontal dimensions of all existing buildings on the parcel referred to in subclause 5(3)(f)(iii) on a plan with a minimum scale of 1:200;
 - v. the technical information specified in other parts of this Bylaw and the Building Code required to be included on the drawings related to those parts;
 - vi. such other information as is necessary to illustrate all essential features of the design of the building;
 - vii. the name, address and telephone number of the designer; and

- viii. contain any and all other information necessary to establish compliance with this Bylaw, the Zoning Bylaw and any other applicable enactment.

Expiration of an Application for a Permit

- (4) An application for a Permit expires:

- (a) after six (6) months from the date an application is filed with the Regional District where the Building Inspector deems the application incomplete, and no significant steps are taken by the applicant to provide a complete application; or

- (b) after sixty (60) days from the date the Regional District confirms that the application for a Permit is complete, if the Building Permit cannot be issued because the applicant has not provided anything required by Section 5(1).

If a Permit application expires in accordance with this section, an Owner must submit a new application for a Permit, including the payment of new application fees.

- (5) When required by the Building Inspector, the application shall also be accompanied by:

- (a) details of the grades and elevations of the streets and public services, including sewer and drainage, abutting the parcel referred to in subsection 5(3)(f)(iii) and showing access to the building, parking, driveways, or site drainage and finished grades all tied into the Regional District's integrated survey area;

- (b) a plan that shows the location and size of every building drain and of every trap or inspection piece that is on drains;

- (c) a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe. The plans and specifications shall be submitted in the form and quantities required by the Building Inspector and shall have on them complete design and calculation criteria so that the Building Inspector has this information available for examination, and shall bear the name, address and telephone number of the designer;

- (d) a graphic drawing of proposed plumbing work showing the size and location of the plumbing system and containing complete design and calculation criteria; and
- (e) a survey of the building site by a registered British Columbia Land Surveyor whenever one of the following conditions exist;
 - i. there is doubt as to the location of the lot lines;
 - ii. there are no existing legal survey pins within sixty (60) metres of the building site.
- (6) Where the Regional District relies under Section 4(4) of this bylaw on a certificate of compliance in issuing a Building Permit, the fees payable for a Building Permit shall be reduced by 2.5% (to a maximum of \$500.00 for any one property).
- (7) The Building Inspector shall not issue a building permit for any premises not served by a community sanitary sewerage system until the conditions of 5(1)(d) have been met.
- (8) In addition to the conditions set out in subsection (2), it shall be a further condition of the issuance and validity of a Permit that the Permit Holder provide to the Building Inspector no later than upon completion of the foundations for the works authorized under the Permit, a Site Certificate prepared by a registered British Columbia Land Surveyor confirming locations of buildings and structures under construction under a Permit and, where applicable, buildings and structures already situated on a lot where one or more of the following circumstances apply :
 - (a) the lot (or the portion of the lot on which the building is to be sited) is less than 30.48 metres (100 feet) in width;
 - (b) the area of the lot is less than 1,672.2 square metres (18,000 square feet);
 - (c) the building is located within 6.10 metres (20 feet) of the required minimum setback for the zoning district in which it is located according to the Zoning By-Law and subsequent amendments thereto;
 - (d) the building is located within 6.10 metres (20 feet) of the setback provisions of the following sections of the Zoning By-Law and

subsequent amendments thereto :

6.2(3) & (4) [Location and Siting of Buildings]

6.5 [Accessory Buildings and Uses]

6.13 [Projections]

6.14 [Vision Clearance at Intersections]

- (e) in the opinion of the Building Inspector, any other significant site conditions or apparent anomalies in the location of existing buildings warrant confirmation of siting compliance with Regional District by-laws.

For clarification:

- this section does not replace Section 5(5)(e);
- it is the responsibility of the property owner to ensure that all buildings meet the setback requirements of this by-law and of the Regional District of Alberni-Clayoquot Zoning By-law.

6. EXEMPTIONS

- (1) A Building Permit is not required for:

(a) a Farm Building less than 500 square meters in total floor area; and

(b) the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures or hot water tanks.

Where a Building Permit is not required pursuant to this Bylaw, the Owner is solely responsible for ensuring the design, construction, siting, and use of the Building complies with all applicable bylaws, enactments and regulations, including the Building Code.

7. REVOCATION OF PERMIT

- (1) The Building Inspector may revoke a Permit for any of the following reasons:

(a) For a violation of any of a condition under which the Building Permit was issued;

(b) a provision of the Building Code, this Bylaw or other applicable

Bylaws or enactments;

- (c) if any reason is found to exist which would have been cause for denial of such Building Permit, if known to exist at the time of issuance of the Building Permit, or
 - (d) the Building Permit was issued in error.
- (2) The revocation shall be in writing and transmitted to the Permit holder by registered mail, and deemed served at the expiration of three (3) days after the date of mailing.

8. PHASED CONSTRUCTION

- (1) (a) the Building Inspector may issue a permit for the construction of a part of a building before the entire plans and specifications for the whole building have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the Bylaw.
 - (b) the issuance of the Permit notwithstanding, the requirements of this Bylaw and the Building Code apply to the remainder of the building, as if the Permit had not been issued.
- (2) the Building Inspector may issue an Occupancy Permit for part of a building provided that he is satisfied that the part of the building complies with all applicable bylaws, enactments and regulations, and that all health and safety requirements have been met.

9. TEMPORARY BUILDINGS

- (1) Subject to compliance with other applicable bylaws, the Building Inspector may issue a Permit for the erection or placement of a temporary building if he is satisfied that the building is safe for the stated use and duration;
- (2) The word "Temporary", as used in this subsection, shall mean period not exceeding twelve (12) months;
- (3) Applications for a Permit to construct a temporary building shall be made in writing to the Building Inspector accompanied by:

- (a) plans showing the location of the building on the site and construction details of the building;
- (b) a statement of the intended use and duration of the use; and
- (c) a bond or certified cheque in the amount of ONE THOUSAND (\$1,000.00) DOLLARS which will guarantee that the building will be removed entirely and the site left in a safe and sanitary condition when the Permit has expired.

10. RESPONSIBILITY OF THE OWNER

- (2) Before construction commences, the owner shall
 - (a) determine that the building site is safe and will not be affected by flooding water caused by surface run-off or otherwise, or by land slip or other hazards; and
 - (b) incorporate into the design and plans submitted for a permit, the climatic data in Section 14.

11. GENERAL DUTIES OF THE OWNER BEFORE CONSTRUCTION

- (1) An owner of real property shall
 - (a) permit the Building Inspector to enter his building or premises at any reasonable time for the purpose of inspection;
 - (b) obtain from the Regional District, or other authority having jurisdiction where applicable, permits relating to demolition, excavation, building, repair or buildings, zoning, change in classification of occupancy, swimming pools, sewers, water, plumbing, signs, canopies, awnings, marquees, blasting, street occupancy, electricity, building to be moved, and all other permits required in connection with the proposed work prior to the commencement of the work;
 - (c) when required by the Building Inspector, give at least 48 hours notice to the Building Inspector of the intention to start work on the construction site;
 - (d) obtain elevation and construction requirements relative to Provincial

Flood Plan Restrictions from the Ministry of Environment;

- (e) within fifteen (15) days after completion or occupancy of a building, place or cause to be placed on or over the entrance to the building or premises the number (address) as assigned on the Building Permit;
 - (f) not place or maintain, nor shall any owner or agent permit to remain on any building or premises, a building number other than that required under the provision of this Bylaw.
- (2) Neither the granting of a permit nor the acceptance of plans and specifications, nor inspections made by or on behalf of the Regional District, shall in any way relieve the owner from full responsibility to perform the work in strict accordance with this Bylaw, the Building Code and all other applicable enactments.

12. RESPONSIBILITY OF OWNER DURING CONSTRUCTION

- (1) Ensure no work is done on any part of the building or structure beyond that point indicated in each successive inspection report without first obtaining the written approval of the Building Inspector; and
- (2) During the progress of work, request the Building Inspector to make or cause to be made the following inspections, by giving notice to the Building Inspector a minimum of one (1) working day prior to the inspection being required
 - (a) after excavation is completed;
 - (b) after removal of formwork from a concrete foundation and installation of perimeter drain tiles, drain rock and damp proofing, but prior to backfilling against foundation;
 - (c) when framing and exterior sheathing of the building are complete, including fire-stopping, bracing, chimney, duct work, plumbing, gas venting, wiring, but before any insulation, lath or other interior or exterior finish is applied which would conceal such work;
 - (d) when insulation and vapour barrier is installed prior to covering of interior finish;

- (e) before a building drain, sanitary or storm sewer is covered, and if any part of a plumbing systems is covered before it is inspected and approved it shall be uncovered if the Building Inspector so directs, and when considered necessary, underground building drains, branches, storm drains, and sewers shall be re-tested after the completion of all backfilling and grading by heavy equipment;
 - (f) after the building or portion thereof is complete and ready for occupancy, but before occupancy takes place of the whole or a portion of the building; and
 - (g) where it is deemed necessary by the Building Inspector, provide specialized professional information at the owners cost, and the owner shall not proceed with any further work which would prevent a thorough inspection until the inspection has been done and approved.
- (3) The owner shall
- (a) ensure that the building or structure is built in compliance with the Building Code and this Bylaw;
 - (b) prior to the completion of any building, or part of it, obtain from the Building Inspector written permission to occupy part of it if partial occupancy is desired;
 - (c) prior to the occupancy of any building, or part of it, after completion of construction of the building, or part of it, or prior to any change in class of occupancy of any building, or part to it, obtain from the Building Inspector an Occupancy Permit, which may be withheld by the Building Inspector until the building or part of it complies with the requirements of this Bylaw, the Building Code and all other health safety requirements of any Municipal bylaw or other enactment;
 - i. Prior to the Building Inspector issuing an occupancy permit, the owner must provide proof of filing with the required Health Authority that the sewage disposal system has been constructed in accordance with the design filed under section 5 (1)(d)(i) if applicable;
 - (d) obtain from the Building Inspector written permission prior to resuming construction which has been suspended on any building;

- (e) where tests of any materials are required by the Building Inspector to ensure conformity with the requirements of this bylaw, transmit to the Building Inspector records of the test results;
- (f) in all cases where it is required to conduct the waste from plumbing fixtures or trade waste to a Regional District owned sanitary sewer make certain, by inquiring from the Building Inspector, that the sanitary sewer is at sufficient depth and capacity to receive the discharge; and also to arrange the plumbing to suit the location of the connection provided for the parcel by the Regional District;
- (g) where it is desired to connect a building or storm sewer with any building or storm sewer extension, furnish such information as the Building Inspector may require to show that the proposed sewers will be laid at such depth, and in such a position as to connect the property with the building or storm sewer extension;
- (h) obtain, where applicable, a highway or street access permit to the real property; and
- (i) during construction, keep
 - i. posted in a conspicuous place on the property in respect of which the Permit was issued a copy of the Permit or a poster or placard showing the material facts in the Permit in lieu of the permit; and
 - ii. a copy of the Permit drawings and specification on the property in respect of which the Permit was issued.

13. FENCES AND WALKWAYS

- (1) If, in the opinion of the Building Inspector, a fence or covered walkway is necessary for the protection and safety of the public during the construction or maintenance of a building, it shall be erected in accordance with this Section.
- (2) In a commercial zone, a closed board fence is required not less than 1.83 metres in height and at a distance beyond the street line directed by the Building Inspector.
- (3) A covered walkway shall be a minimum of 1.22 metres in width and shall be

equipped with red warning lights to warn of its existence to approaching pedestrians or traffic.

- (4) No fence or covered walkway shall be erected in such a way as to obstruct direct access to any fire hydrants, catch basins, fire alarm boxes, letter boxes or to obstruct light from street lamps.

14. CLIMATIC DATA

- (1) Climatic data for the design of buildings in the Regional District is:

- (2) Design Temperature

January 2 1/2%	-5C
January 1%	-7C
July 2 1/2%	
Dry	31C
Wet	18C

Degree - Days Below 18C - 3, 152

- (3) Maximum Rainfall

15 minutes	10mm
One Day	140mm

Maximum Snowload
on the Ground 2.7 kPa

Annual Total Precipitation 1 987mm

- (4) Hourly Wind Pressure

Probability 1/10	0.47 kPa
Probability 1/30	0.58 kPa
Probability 1/100	0.70 kPa

- (5) Seismic Data

Za	5
Zv	5

Zonal Velocity Ratio 0.30

15. ESSENTIAL SERVICES

No permit for the construction of any residential, commercial or industrial building shall be issued unless the following essential services are provided for:

Highway Access

- (1) Practical and legal public road access to the property to allow access by emergency vehicles at all times, unless a property is accessible only by water.

Water Main

- (2) A public water service or other source of supply of water approved by the Medical Health Officer is available for the building or structure unless water is not required for the particular use of a building or structure.

Sewer

- (3) A public sewer or other approved method of sewage disposal unless water and sewage disposal is not required for the particular use of a building or structure.

Storm Drain

- (4) An approved method of storm drainage has been installed to service the building or structure.

Access to Driveway

- (5) A driveway of sufficient strength, grade and width for access from a public road described in Section 15 (1) to all buildings on the property, unless a property is accessible only by water.

16. BUILDING MOVES

- (1) No person shall move or cause to be moved any building into the Regional District or from one parcel to another in the Regional District without first obtaining a building permit.
- (2) The following conditions apply to the issuance of a Building Permit under this Section if the building to be moved is residential:

- (a) the building shall either meet the requirement of the Building Code prior to its move or be rehabilitated to Building Code requirements within six (6) months from the issuance of the Permit to move.
- (3) The following conditions apply to all building in respect of which an application to move has been made:
 - (a) the floor area of the building to be moved shall be equal to or greater than the minimum floor area requirements for the parcel to which it is to be moved and, when located on that parcel, the building shall comply with all clearances and siting requirements applicable to that parcel; and
 - (b) the application for a building permit shall be accompanied by detailed plans and specifications of the proposed relocation and rehabilitation of the building and by an irrevocable letter of credit or a certified cheque in the amount of TWO THOUSAND (\$2,000.00) DOLLARS payable to the Regional District.

The letter of credit may be drawn upon by the Regional District in an amount sufficient to complete the work specified in the plans submitted if the work is not completed in its entirety within twelve (12) months from the date of issuance of the Permit to move, and the deposit or the balance thereof (if any) remaining in the hands of the Regional District shall be returned to the depositor after an Occupancy Permit in respect of the work has been issued.

17. POOLS

- (1) No person shall construct or set up any pool without first obtaining a building permit.
- (2) An application for a permit to construct or set up all swimming pools shall include;
 - (a) Plans and specifications for the pool including all water supply piping and waste water system and outfall.
 - (b) Details for the fence or enclosure around the pool
 - (c) A site drawing showing the location of the pool in relationship to

property lines and all other buildings (wells and septic systems where applicable)

- (3) The following conditions apply to all pools, existing or proposed.
- (a) All swimming pools shall be fully enclosed by a fence or building or a combination of both. This enclosure shall be a minimum of 6 feet high with the base being within 4 inches of finished grade.
 - (b) All openings through the enclosure will be fitted with gates or doors, complete with self closing and self latching hardware. The latching hardware shall be located a minimum of 4 ft. 9 inches above grade if on the outside or 3 ft 3 inches if located on the pool side.
 - (c) All other openings shall be sized to prevent a spherical object of 4" in diameter passing through.
 - (d) There shall be no horizontal members on the outside of the enclosure to facilitate climbing.
 - (e) The enclosure shall be designed and built to prevent a child from going under, over or through it.
 - (f) A pool shall not be filled or allowed to contain water until the fence or enclosure has been inspected and approved by the Building Inspector.
 - (g) The location of a pool shall meet the requirements and provisions of the Zoning Bylaw of the Regional District of Alberni-Clayoquot.
 - (h) No swimming pool shall be located less than 10 ft. from any rear lot line.
 - (i) No in ground pool shall be located less than 10 ft. from any basement.
 - (j) For the purpose of this section "Swimming Pool" shall include any pool constructed or set up to be used or intended to be used for swimming, bathing or wading, which is over 24 inches in depth.

18. RETAINING WALLS

- (1) A retaining wall shall be designed to resist the pressure of the retained material, including both dead and live load surcharges to which it may be subjected to ensure stability against overturning, sliding, excessive foundation pressure, and water uplift. Unless a drainage system is provided which will effectively drain the backfill under all conditions, the wall shall be designed to resist a hydrostatic pressure due to a head of water equal to the height of the backfill.

19. PENALTIES

- (1) A person who:
 - (a) violates a provision of the Building Code or this Bylaw;
 - (b) causes, suffers or permits an act, or thing, to be done in contravention or in violation of the Building Code or this Bylaw;
 - (c) neglects or refrains from doing anything required to be done by the Building Code or this Bylaw;
 - (d) carries out or suffers, causes or permits to be carried out any construction in a manner prohibited by or contrary to the Building Code or this Bylaw; or
 - (e) fails to comply with an order, direction or notice given under the Building Code or this Bylaw;

commits an offence and is liable on conviction to a fine and penalty not exceeding TWO THOUSAND (\$2,000.00) DOLLARS.

- (2) For each day that a violation of the provisions of this Bylaw is permitted to exist, it shall constitute a separate offence.
- (3) If any Construction for which a Building Permit is required under this Bylaw is commenced before a Building Permit is issued, the Building Permit fees payable prior to issuance of a Building Permit in accordance with Section 5(1)(c) of this Bylaw will be doubled.

20. SEVERABILITY

If any provision of this by-law is held by a court to be void, voidable or unenforceable, such provision may be severed, and the remaining provisions shall continue in effect.

21. ENACTMENT

This Bylaw shall come into full force and effect upon its adoption. Any complete applications for a Permit that have been received by the Regional District prior to the adoption of this Bylaw, but for which the Permits have not been issued, will expire sixty (60) days from the date of adoption of this Bylaw.

22. REPEAL BYLAWS

Building Bylaw PS1005, PS1005-1, PS1005-2, PS1005-3, PS1005-4 and PS1005-5 are hereby repealed.

READ A FIRST TIME THIS DAY OF , 2021.

READ A SECOND TIME THIS DAY OF , 2021.

READ A THIRD TIME THIS DAY OF , 2021.

ADOPTED THIS DAY OF , 2021.

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE "A"

A-1 PERMIT APPLICATION FEE

Upon application for a Permit, a non-refundable application fee shall be paid to the Regional District as follows:

1.1	For any Building Permit.	\$100.00
1.2	For a solid fuel burning permit	\$100.00*

The application fee may be credited toward the final Permit fees calculated in accordance with Schedule A-2.

A-2 PERMIT FEES AND CHARGES

Permit fees and charges shall be paid to the Regional District at issuance of the Permit and shall be calculated on the total Value of the Work as follows:

2.1	For the first \$2,000.00 or fraction thereof	\$100.00
2.2	For each additional \$1,000.00 or fraction thereof up to \$499,999.99	\$7.00
2.3	For each additional \$1,000.00 or fraction thereof exceeding \$500,000.00	\$6.00
2.4	For a Demolition Permit	\$30.00
2.5	For a solid fuel burning permit	\$100.00*
2.6	For provisional Occupancy Permits under Section 11(3)(b) of this Bylaw	\$500.00
2.7	For Occupancy Permits under Section 11(3)(c)	\$nil
2.7	For all other Permits	\$100.00*

Any changes to the application documentation or drawings will incur additional fees and charges in accordance with Schedule A-3.

Where the Building Inspector relies on certification by a professional Engineer or Architect that the plans submitted with the application for the Permit comply with the Building Code or other applicable enactment, the fees and charges payable under this section shall be reduced by 2.5% to a maximum reduction of \$500.00 to the building permit fee for any one property.

Where the Building Permit is being issued for Construction commenced before the Regional District issued a Building Permit, the Building Permit fees payable will be double the amount prescribed in the A-2 above.

A-3 ADDITIONAL FEES AND CHARGES

3.1	For Permit applications where the plan review requires more than two (2) iterations of the drawings or supporting documents to be resubmitted	\$150.00
3.2	For review of changes to Building plans or related documents due to change in design after the Building Permit is issued	\$250.00
3.3	For change in ownership for an open Permit file	\$100.00
3.4	For each additional inspection in excess of the nine (9) inspections included in the fees paid under Schedule A-2	\$50.00
3.5	Land Title Office (LTO) Legal Notation/Covenant Registration or Discharge	All fees and disbursements incurred by the Regional District for the preparation of these documents plus a 15% administration charge
3.6	Return payment fee (NSF fee)	\$25.00

A-4 SECURITY DEPOSIT

4.1	For Permits where the Value of the Work is \$500,000.00 or more	\$3,500.00
4.2	For all other Permits	\$1,000.00
4.3	For provisional Occupancy Permits under Section 11(3)(b) of this Bylaw	150% of the Value of Work outstanding

Note: The fees and charges in this schedule do not include applicable taxes except for those fees marked with an asterisk (*).



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

Agriculture Land Reserve Exclusion Referral

To: ACRD Board of Directors

Meeting Date: April 28, 2021

File No.: AB21001

Owners: City of Port Alberni

Legal Description: LOT A, LOOP FARMS AND DISTRICT LOT 106, ALBERNI DISTRICT, PLAN VIP57991 EXCEPT THAT PART IN PLAN VIP65071

Location: 5633 Smith Road

Electoral Area: Area "B" (Beaufort)

Recommendation:

THAT the Board of Directors notify the Agricultural Land Commission that the ACRD supports the City of Port Alberni's ALC exclusion application for part of LOT A, LOOP FARMS AND DISTRICT LOT 106, ALBERNI DISTRICT, PLAN VIP57991 EXCEPT THAT PART IN PLAN VIP65071, noting that the current zoning is Park and Public Use (P2) District and the Official Community Plan Designation is "*Cultural Heritage Site (McLean Mill National Historic Site)*".

Applicant's Intention: The City of Port Alberni is applying to the Agricultural Land Commission to exclude a portion of the McLean Mill National Historic Site, which is owned by the City of Port Alberni. This application has been submitted, as recommended by the Agricultural Land Commission.

On November 2, 2020 the ALC notified the City of Port Alberni that the non-farm use application for the McLean Mill property was denied, however the ALC stated that "The Panel notes that it would accept the submission of an exclusion application for the Property for the Commission's consideration. Any such application would be considered by the Commission based on the application's merits and in the context of the Commission's mandate."

As a result of the ALC position that an exclusion application would be considered, the City submitted the attached exclusion application.

AB21001

Observations:

1. Legislated Role of the ACRD:

ALC Staff have outlined the following legislated requirements for the ACRD as set out in the *Agricultural Land Commission Act*.

“Legislated Requirements:

In the scenario where a local government owns lands within another local government’s jurisdiction, that local government owner is considered a ‘public body applicant’ as per s.29(1)(a) of the ALC Act. The City is a public body applicant in this instance, so they are responsible for the application requirements listed in [s.29\(2\) of the ALC Act](#) and [s.16 – 19 of the ALR General Regulation](#) [sign; notice of, hosting, and report of the public hearing]. Once the public body applicant submits the application to the local government where the property is located, the ACRD, as that local government, must review the application and forward it to the ALC.

The application processing requirements for the ACRD are listed in [s.29\(4\)](#) and [s.34.1\(2\)](#) of the ALC Act. As you previously indicated that the subject property is not zoned by bylaw to permit farm use and does not require an amendment to an official community plan (OCP), the ACRD is not required to pass a resolution to authorize the application to proceed to the ALC (s.29(4) ALC Act requirement).

That said, public body applications do require review by the local government as per s.34.1 (2) of the ALC Act. The definition of Local Government in the ALC Act is the elected body, so in the ACRD’s case, the Board. The local government Board must review the application and physically forward the application and any comments and recommendations of the local government respecting the application to the ALC through the ALC Application Portal (s.34.1 (2) ALC Act requirements). The ACRD must also add any public correspondence they receive about the application to the material forwarded to the ALC.

In addition to the public hearing that the public body applicant (the City) must hold, [s.19\(b\) of the General Regulation](#) permits the local government (ACRD) to hold a public information meeting with respect to that application, if they wish to do so. This is not a legislated requirement.

Once the local government (ACRD) forwards the application to the ALC, the ALC will begin its review process. The public will also be able to submit comments about the application directly to the ALC once the ACRD has forwarded the application. This material is all presented to the Commission decision makers.”

AB21001

ACRD staff note that the Board is only required to review this application and pass a motion to receive. Following the Board meeting, staff will forward the application, including the Board resolution and any public correspondence received to the ALC. The Board does have the option of making a recommendation, however, regardless of any motion passed by the Board, the application is still considered by the ALC. The Board also has the option to forward the application to the Agricultural Advisory Committee for comment and the Board could hold their own public information meeting.

2. Existing Planning Documents Affecting the Site:

- A. **Agricultural Land Reserve:** The property is located within the Agricultural Land Reserve. The Agricultural Land Commission (ALC) has stated that an exclusion application would be considered for this property.

In August 1992, the ALC issued Resolution #734/92 which allowed the subdivision of a 12.8 hectare parcel to be developed as a historic site. The approval was subject to consolidation of the remaining portion of the property with neighbouring timberland property. MacMillan Bloedel, the property owner at the time of the ALC application, opposed the consolidation of lands as a necessary condition of approval. In February 1993, the ALC issued Resolution #1323/92 which allowed the subdivision without the requirement to consolidate the remainder with neighbouring timberlands.

The ALC Resolutions only considered the subdivision of the property to create the parcel that was to be transferred to the City of Port Alberni and to “develop the 12.8 hectare parcel as a historic site”. While the intention was clear that the site was to be restored as a National Historic Site and developed as a forestry and mill interpretation centre, the ALC decisions did not specifically consider any potential non-farm uses associated with the site, such as tourism related food and gift services, campground and public events.

This application has been submitted by the City of Port Alberni as recommended by the Agricultural Land Commission.

- B. **Official Community Plan:** The Beaufort Official Community Plan designates the property as a Cultural Heritage Site. Objective 11.1.1 of the OCP provides a policy objective to “identify, protect and conserve archaeological and historical sites within the Plan area.”

This application complies with the policies and objectives of the Beaufort Official Community Plan. The current Beaufort OCP was adopted in October of 2012. The ALC was referred as part of the consultation process and the ALC did not note any concerns with the designation of the Mclean Mill property.

AB21001

- C. **Zoning:** The property is zoned Park and Public Use (P2) District. The P2 zone permits public assembly, cultural and recreational facilities, and historic sites. The zone also permits a dwelling unit for a caretaker and campgrounds located on land owned by a public agency. The property was rezoned from Heavy Industrial (M3) District to Park and Public Use (P2) District in 1999 to facilitate the development of the National Historic Site for public use. At the time of rezoning the ALC commented on the rezoning referral stating that “it is noted that the amendment is to accommodate a development in terms of resolutions #734/92 and 1323/92, in light of which we have no objection to the proposal.”

The current uses listed in the Park and Public Use (P2) District do not include agricultural uses. This property was rezoned to P2 in late 1999. The ALC referral response at the time was “it is noted that the amendment is to accommodate a development in terms of resolutions #734/92 and 1323/92, in light of which we have no objection to the proposal.”

Comments: The City of Port Alberni has operated the Mclean Mill National Historic Site and ancillary tourism uses in various arrangements at this site since 2000. The ACRD land use policies have supported the diversification of tourism uses over the years including the addition of the interpretive centre and kitchen facilities in 1997 with upgrades in 2017, the Five Acre Shaker Music Festival in 2017 and the seasonal campground in 2018.

Planning staff are supportive of the application as presented. The application represents a continuation of the current use of the property and the variety of tourism and heritage focused uses provide an economic and cultural benefit to the community. It is planning staff’s opinion that the continuation of existing uses at the Mclean Mill National Historic Site will have no negative impact on neighbouring agricultural uses.

Staff are recommending that the ACRD Board support the application and that it be forwarded to the Agricultural Land Commission for their consideration, noting that the existing uses in the application comply with the land use policies in the Beaufort OCP and Zoning Bylaw.

Options considered:

1. Receive the staff report and forward the application with no recommendation to the ALC.
2. Receive the staff report and forward the application with a recommendation to the ALC that the application be denied.
3. The Board table the staff report and refer the application to the ACRD Agricultural Advisory Committee for their review.

AB21001



Submitted by:

Mike Irg, MCIP, RPP
GM of Planning and Development



Approved by:

Douglas Holmes BBA, CPA, CA
Chief Administrative Officer

AB21001

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

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 62517

Application Status: Under LG Review

Applicant: City of Port Alberni

Agent: City of Port Alberni

Local Government: Alberni-Clayoquot Regional District

Local Government Date of Receipt: 03/31/2021

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Exclusion - An Improvement District (Local Government Act)

Proposal: To exclude lands that (1) have historically be used as a sawmill and are currently used as a National Historic Site, (2) have not previously been used for agricultural purposes, (3) are zoned by the Alberni Clayoquot Regional District for "park and public use/industrial" and are not within the City's plans to convert to agricultural use because of a National Historic Site designation (4) do not infringe on surrounding agricultural uses (i.e. near the edge of ALR lands and surrounding ALR is forested), and (5) have limited to no potential for soil-bound agriculture (i.e. significant development/ potential risk of contamination that wouldn't be feasible for conversion to agricultural uses) and would require substantial inputs for non soil bound agriculture (i.e. facilities on site are not fit for agricultural use, and significant improvements would be required) from the Agricultural Land Reserve.

Agent Information

Agent: City of Port Alberni

Mailing Address:

4850 Argyle Street

Port Alberni, BC

V9Y 1V8

Canada

Primary Phone: (250) 720-2823

Email: Twyla_Slonski@portalberni.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 018-572-871

Legal Description: L A LOOP FARMS & DL 106 ALBERNI DISTRICT PL VIP57991 EXC PT
IN PL VIP65071

Parcel Area: 12.8 ha

Civic Address: 5633 Smith Rd, Port Alberni, BC V9Y 8Z1

Date of Purchase: 01/07/1994

Farm Classification: Yes

Owners

1. **Name:** City of Port Alberni

Address:
4850 Argyle Street
Port Alberni, BC
V9Y 1V8
Canada
Phone: (250) 720-2823
Email: Twyla_Slonski@portalberni.ca

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

The McLean Mill National Historic Site (MMNHS) parcel is not currently used for any agricultural practices and has never been used for agriculture in the past.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

As the intended use of the parcel was for a mill site (industrial) and is now a National Historic Site, there have been no improvements to the site for agricultural purposes. A 1.3 ha portion of the property is proposed to remain in the ALR. That portion of land is currently used to support a fish hatchery.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Non farm uses currently taking place on the MMNHS include:

- 1. Operation of a steam-powered sawmill, a steam-powered logging demonstration, and other steam-powered heritage equipment.*
- 2. Operation of a heritage tourism rail service carrying visitors between the City and MMNHS.*
- 3. Occupancy by a live-in caretaker and caretakers immediate family*
- 4. Camping*
- 5. Food services*
- 6. Operation of a gift shop*
- 7. Operation of an interpretive center*
- 8. Tours*
- 9. Hosting of events, festivals, celebrations and programs within the permissible limits of the land use zoning and other regulating factors set by the local government (ACRD) and regulated by the local government*
- 10. Works necessary for preservation of heritage under the direction, or consistent with the guidance, of Parks Canada*
- 11. Works necessary to protect the environment*
- 12. Works necessary to protect built and natural assets*

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Privately management forest lands

East

Land Use Type: Agricultural/Farm

Specify Activity: Privately management forest lands

South

Land Use Type: Agricultural/Farm

Specify Activity: Privately management forest lands

West

Land Use Type: Agricultural/Farm

Specify Activity: Privately management forest lands

Proposal

1. How many hectares are you proposing to exclude?

11.5 ha

2. Does any land under application share a common property line with land in another Local or First Nation Government?

No

3. What is the purpose of the proposal?

To exclude lands that (1) have historically be used as a sawmill and are currently used as a National Historic Site, (2) have not previously been used for agricultural purposes, (3) are zoned by the Alberni Clayoquot Regional District for "park and public use/industrial" and are not within the City's plans to convert to agricultural use because of a National Historic Site designation (4) do not infringe on surrounding agricultural uses (i.e. near the edge of ALR lands and surrounding ALR is forested), and (5) have limited to no potential for soil-bound agriculture (i.e. significant development/ potential risk of contamination that wouldn't be feasible for conversion to agricultural uses) and would require substantial inputs for non soil bound agriculture (i.e. facilities on site are not fit for agricultural use, and significant improvements would be required) from the Agricultural Land Reserve.

4. Explain why you believe that the parcel(s) should be excluded from the ALR.

The McLean Mill National Historic Site (MMNHS) is owned and operated by the City of Port Alberni. The MMNHS is located in the Alberni Valley, outside of the boundaries of the City, within the jurisdiction of Alberni-Clayoquot Regional District (ACRD) and within the historical and unceded lands of both the Hupacasath and Tseshah First Nations (Attachment 1).

The MMNHS was designated as a national historic site in 1989. Subsequent to that designation the City and the Government of Canada entered into an agreement for the funding and operation of MMNHS in a manner consistent with national historic site standards. The MMNHS is located within the Agricultural Land Reserve.

The parcel of land upon which MMNHS is located was created through subdivision in 1993 (Attachment 2). The subdivision was supported by the ALC specifically to enable the creation and operation of a national historic site (Attachment 3). While the ALC's intent to enable creation and operation of a national historic site is evident, the documentation of that intent is limited. Furthermore, the City has recently discovered, that current ALC regulations are restrictive to the operation of the historic site (i.e. the City has received a letter from ALC dated February 6 2020 referencing activities at MMNHS that ALC regards as being non-permitted non-farm use).

The City is of the opinion that the ALC did/does not intend to impose extreme restrictions on the operation of the MMNHS. Although the MMNHS is unique and there are aspects to its operations that reflect that uniqueness, activities at the MMNHS are consistent with activities at other historic sites. The Report from the CAO dated November 3, 2020 (Attachment 4) identifies current and envisioned activities, and demonstrates that the same or similar activities commonly occur at national historic sites.

Due to almost a century of industrial activities, approximately 5.9 ha of the proposed exclusion area is

built up in buildings or developed with roads/filled area dating back to the 1920s. These areas present the potential for contamination. Contamination and Soil Remediation Assessments outline some historic contamination and remediation that occurred on the property (Attachments 5 and 6). There is also a more recent Stage 1 Investigation that outlines that there are 20 Areas of Environmental Concern on the property that should be assessed further (Attachment 7). The historic developments and potential contamination make it not feasible for the City to reclaim this parcel for agricultural use, and it is not within the City's current plans to do so.

In May, 2020, the City submitted an Application to the ALC for non-farm use on the MMNHS property (File 60615; Attachment 4). The application was rejected as the proposal did not aid in preserving agricultural land or support/benefit agriculture (Attachment 8). The ALC found that as long as the property remained within the ALR, it was not an appropriate use of ALR lands. However, the ALC would accept the submission of an exclusion application and considered an exclusion application to be more appropriate for the City's proposed uses.

With the intent of the ALR and the mandate of the ALC in mind, the City proposes to retain 1.3 ha of the 12.8 ha property within the ALR; minimizing the exclusion to areas with limited to no potential for agricultural use due to substantial historic development and potential contamination (Attachment 10). Note, the City proposes that the intended uses of the McLean Mill site (which were approved at time of subdivision and remain in force today) will remain in force for the portion of lands that will remain in the ALR.

The City also proposes to engage with the owner of adjacent properties to explore the installation of fencing or screening the excluded area to limit conflicts with neighboring ALR lands and to reserve the remaining included portion / protect it from decreasing its agricultural potential.

Applicant Attachments

- Agent Agreement-City of Port Alberni
- Proof of Signage-62517
- Proposal Sketch-62517
- Proof of Advertising-62517
- Other correspondence or file information-Attachment 3
- Other correspondence or file information-Attachment 1
- Other correspondence or file information-Attachment 2
- Other correspondence or file information-Attachment 4
- Professional Report-Attachment 5
- Professional Report-Attachment 6
- Professional Report-Attachment 7
- Other correspondence or file information-Attachment 8
- Other correspondence or file information-Attachment 9
- Other correspondence or file information-Attachment 10
- Report of Public Hearing-62517
- Site Photo-Proof of signage
- Certificate of Title-018-572-871

ALC Attachments

None.

Decisions

None.

VIRTUAL PUBLIC HEARING – REPORT
Tuesday, March 23, 2021 @ 6:00 PM
Zoom Webinar

PRESENT: Mayor S. Minions, Chair
Councillor R. Corbeil @ 6:10 pm
Councillor D. Haggard @ 6:01 pm
Councillor R. Paulson
Councillor H. Poon
Councillor C. Solda
Councillor D. Washington @ 6:01 pm

STAFF: T. Pley, Chief Administrative Officer
S. Smith, Director of Development Services/Deputy CAO
T. Slonski, Director of Corporate Services
W. Thorpe, Director of Parks, Recreation and Heritage
S. Darling, Deputy City Clerk

OTHER: R. Roycfort, Roycroft Consulting
S. Boczulak, Consultant

Gallery: 5

CALL TO ORDER & APPROVAL OF THE AGENDA

MOVED and SECONDED, THAT the agenda be approved as circulated.

CARRIED

Chair Minions read an opening statement pertaining to the process and conduct of the Public Hearing.

Applicant: City of Port Alberni

The Corporate Officer provided a summary of the application as follows:

The applicant is applying to exclude developed lands on McLean Mill Historic Site from the Agricultural Land Reserve.

1. Description of the Application

In response to receipt of a letter of Compliance from the ALC Enforcement Branch [February 2020], the City made an application to ALC for non-farm use [May 2020]. While the City's application was denied [November 2020], in the written reasons for decision, the ALC noted that the Panel would accept the submission of an exclusion application by the City noting that any such application would be considered by the Commission based on the application's merits and in the context of the Commission's mandate.

The City proposes to make an application to exclude land that ...

- *has historically been used as a sawmill and are currently used as a National Historic Site*
- *has not previously been used for agricultural purposes*
- *is zoned by the ACRD for 'park and public use/industrial' and are not within the City's plans to convert to agricultural use w/the exception of 1.3 hectares – fish hatchery and are consistent with ALR permitted uses because of a National Historic Site designation*
- *does not infringe on surrounding agricultural uses*
- *has limited to no potential for agricultural use [i.e., significant development/potential risk of contamination that wouldn't be feasible for conversion to agricultural uses] from the Agricultural Land Reserve*

As per ALC Exclusion Application Guidelines [dated for reference September 30, 2020] the City gave notice by posting a sign on the affected parcel; provided notice in two issues of the AV News [March 10 & 17, 2021] and provided copies of the City's exclusion application to the ACRD [General Manager of Administrative Services] for distribution and to the Tseshaht First Nation and Hupacasath First Nation.

2. Correspondence

The Corporate Officer summarized correspondence received.

- Email dated March 11, 2021 from Susan Roth commenting on the possibilities the McLean Mill property could offer.

3. Late Correspondence Regarding the Matter

The Corporate Officer summarized late correspondence received.

- Email dated March 21, 2021 from Scott Kenny on behalf of the Alberni Valley Enhancement Association [AVEA] requesting clarification on the boundary of the exclusion as it relates to the AVEA hatchery facility currently operated on-site.
- Email dated March 22, 2021 from John Adams expressing concern that the exclusion of McLean Mill from the ALR will negatively affect the surrounding properties.
- Email dated March 22, 2021 from Susan Roth providing information in response to the City's statement regarding current non-farm uses taking place at McLean Mill and former communications with Parks Canada.
- Letter dated March 23, 2021 from Roland Smith proposing alternate agricultural uses for the McLean Mill site.

4. Input from the Public regarding the Exclusion Application [The Chair acknowledged Rob Roycroft, Roycroft Consulting who assisted the City by facilitating this portion of the hearing].

Genevieve Huneault, Argyle Street, commented as follows:

- Has a background in food security and tourism management.
- Commends Council for facilitating the exclusion process.
- Agriculture is important for the community.

- Sees the site as a multi-dimension opportunity for both agriculture and tourism.
- If the site is developed responsibly and sustainably, development could extend beyond its current function as a cultural and historical site
- Supports the exclusion if done responsibly.
- Suggests the inclusion of strategic plan linking with First Nations in the development of the site.
- Consider the perspective of the local gardening population in development of the site.
- Growth can't happen if property remains in the ALR.

Anna Lewis, Hector Road, commented as follows:

- Grew up on dairy farm and frequented McLean Mill.
- Supports the exclusion application.
- Works for the ACRD as an Agricultural Support Worker and is aware that there is a large amount of agricultural land in the Valley that is not being utilized for farm use.
- Doesn't feel Mclean Mill has agricultural land value in its current state.

5. Closing Remarks by the Chair:

Before closing the Public Hearing, Chair Minions called three times for any further speakers on any of the matters contained in the proposed bylaws.

For the first time, Chair Minions asked for any further input from the public. There was none.

Chair Minions called for a second time for input from the public. Hearing none.

Chair Minions called for a third and final time.

There being no further speakers, I declare the Public Hearing closed.

6. Termination of the Public Hearing:

MOVED AND SECONDED, THAT this Public Hearing terminate at 6:26 pm
CARRIED

Twyla Slonski, Corporate Officer

RECEIVED

MAR 12 2021

CITY OF PORT ALBERNI

From: Susan Roth
Sent: Thursday, March 11, 2021 1:11 PM
To: Timothy Pley <timothy_pley@portalberni.ca>
Subject: Re: McLean Mill - March 23rd Meeting

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input type="checkbox"/> Agenda	<input type="checkbox"/> Other _____
File # _____	

PH - March 23 '21
3015-20-MM

Hi Tim:

I don't know who to send the following letter to to be included in the March 23rd meeting. Could you please pass it on.

Dear Mayor Minions and Council Members:

I am hoping that you will consider the following idea in your meeting on March 23rd about whether to put forward an application to exclude McLean Mill from the Agricultural Land Reserve (ALR).

From a realistic standpoint, it is unlikely that McLean Mill will ever operate again as "the only steam-powered sawmill in Canada." As you know, it is expensive to produce steam and a community this size simply cannot afford it. Without steam, the former lumber mill site is no longer unique. It is simply an old mill that requires expensive upkeep.

If I owned the Mclean Mill property, I would auction off the lumber mill, then fill the area with clean soil. I would also fill in the mill pond because as it stands now, it is highly contaminated and a danger to young children. As well, American Bullfrogs live in the pond - they are an invasive species that devour smaller frogs and fish that are native to the area. Then, I would remove all remnants of the mill from the site. I would bring it back to a time before the lumber mill existed.

As soon as the site was cleaned up, I would create a social enterprise - a revenue-generating organization whose objective is to have a social impact. I would build a tree nursery over the area where the sawmill once stood - one that was capable of supplying tree saplings to the forest companies that log in the surrounding valley and Vancouver Island. Water could easily be accessed from nearby Kitsuksis Creek.

I think the City should be looking at the historic site from an environmentally conscious perspective as well. As it stands now, the site has ongoing problems with contamination that exist because of its history as an industrial site. Removing the sawmill and creating a tree nursery would fit into the City's current strategic plan (section 4.2) where one of the goals is to ensure "city infrastructure is renewed in a sustainable and environmentally conscious manner."

Trees are a natural asset. A tree nursery would increase Port Alberni's natural assets. And in financial terms, it would be easy to place a dollar value on the trees, which in turn could become a line item on the city's Balance Sheet.

The City already employs qualified people that could manage/operate a tree nursery. The annual operating costs would be less than the subsidy that has been provided to the former mill site these past few years.

The issue at hand is whether to put forward an application to remove McLean Mill from the Agricultural Land Reserve (ALR). Tree nurseries and green housing are activities that are permitted within the ALR. And when it comes to the process of removing land from the ALR, neighbouring properties have a say in the matter. I think the surrounding neighbours would be pleased with agricultural type of activities taking place on the land. The current plan to host weddings, music festivals, and corporate retreats, does not fit well into the rural area where noise can disturb animals and livestock and trespassing can occur on the surrounding farms.

As for the buildings that are located at the entrance to Mclean Mill, the "office" and "store" could be moved to a different location, perhaps in an area close to the train station on Argyle Street where they could be utilized in tourism ventures.

The "hall" could remain at the site and be used as a learning center where small groups of children and visitors could learn about trees and long-term sustainability.

The train tracks could be turned into a pathway that connects everything: The Log Train Trail > The Look Out > and The Hole In the Wall.

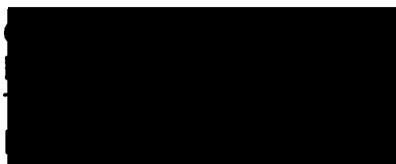
Local history is important to many people. McLean Mill has been well documented, and the information is easily accessed through the local library and Google. It is not necessary to hold onto and preserve the actual buildings themselves.

I request that you do not remove Mclean Mill from the ALR. It makes more sense to take care of the ongoing contamination problems at the site the best way possible and utilize the infrastructure in a sustainable and environmentally conscious manner.

Just thought I would plant the seed in your minds. I look forward to your response.

Best Regards

Susan E. Roth



RECEIVED

LATE ITEM
MARCH 23, 2021
PUBLIC HEARING
ITEM 3.a

MAR 22 2021

CITY OF PORT ALBERNI

- Council
 - Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other
- File # 0890-20-MM

From: Scott Kenny
Sent: Sunday, March 21, 2021 8:13 PM
To: Council <council@portalberni.ca>
Subject: Comments on the McLean Mill ALR Exclusion Documents

After reviewing the various documents I have the following comments for your consideration.
 Thank You

Scott Kenny
 Alberni Valley Enhancement Association
 Jake Leyenaar Hatchery
 Dave Chitty Resource Centre

- If I am reading all this correctly, excluding the 1.3 HA section of the site from the City ALR request would allow the AVEA hatchery facility and operations to continue as we have done for the last 2 decades. In addition to collecting broodstock and raising salmon, we would be permitted to continue with our partnership with local schools and the public through our education and interpretive programs at the site. Will the hatchery operations need to be included in revised permitted ALR uses as it was not included in the 1992 subdivision request?
- I am curious as to how the boundry for the hatchery excluded area was created. The proposal does not include our fish fence and pedestrian bridge area and forest trail section to the east leading to the barn. It also does not include the area downstream of the pond and fish ladder which is an area we have previously used for our Gently Down the Stream school program.
- **SK**
 I would suggest that the undeveloped forest area along the east side of the property between the Visitors Centre and the north-east corner of the property also remain in the ALR. I am concerned that this area would be developed in the future for additional camping or event area.

RECEIVED

MAR 22 2021

LATE ITEM
MARCH 23, 2021
PUBLIC HEARING
ITEM 3.6

- Council
- Mayor
- CAO
- Finance
- Corporate Services
- Agenda
- Economic Development
- Engineering/PW
- Parks, Rec. & Heritage
- Development Services
- Community Safety
- Other

Twyla Slonski

CITY OF PORT ALBERNI

From: john adams [REDACTED]
 Sent: Monday, March 22, 2021 6:10 AM
 To: Council
 Subject: Virtual Public Hearing, March 23@6:00 PM

File # PH - March 23, 2021
0890-20-MM

Madam Mayor @ Council. My name is John Adams and I live at [REDACTED]. My occupation is beef cattle farming, on 130 acres, approximately 900 feet from Mcleans Mill. I purchased this land 30 years ago. During that time the ACRD and the ALC have been very kind to the City. A large Farm; in the ALR, was subdivided into three parcels from the original two parcels. The ALC granted permission for the City to operate a National Historic Site on ALR land. The ACRD allowed zoning changes to better describe the land use. These adjustments are still in place and the City can operate as a National Historic Site.

During the past 30 years the City and others have invested close to 30 million dollars on this venture. Now that the train and the mill are not running; and will likely will never operate again, the City wishes to Exclude from the ALR.

Without the ALR regulations being applied the City can do as it pleases. This could impact the ver



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Twyla Slonski

- Council
- Mayor
- CAO
- Finance
- Corporate Services
- Economic Development
- Engineering/PW
- Parks, Rec. & Heritage
- Development Services
- Community Safety
- Other _____
- Agenda _____
- File # _____

From: john adams <[REDACTED]>
Sent: Monday, March 22, 2021 7:48 AM
To: Council
Subject: Virtual Public Hearing, March 23@6:00 PM

Continued:Page 2:This could impact the very concept of the ALR which is to promote large areas of land for farming. There are many of us in the ALR that don't wish to farm, but must adhere to rules so in the future, there is farmland. To allow Mclean Mill to be excluded would create a free zone in the middle of a large ALR zone with devastating results. Remember Mayor RB Mclean asked to have this property put in the ALR.

To conclude: Considering farming is done in greenhouses, barns, and even pots. Would it be cheaper to farm in this manner, rather than remediate soils to farm and/or park standards?

Before you forward application please consider. This property is too polluted to farm but is clean enough for our children to camp on.

John Adams

RECEIVED

MAR 22 2021

CITY OF PORT ALBERNI

LATE ITEM
MARCH 23, 2021
PUBLIC HEARING
ITEM 3.c

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input checked="" type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other

File # 0890-20-MM

From: Susan Roth
 Sent: Monday, March 22, 2021 1:21 PM
 To: Twyla Slonski <Twyla_Slonski@portalberni.ca>
 Subject: Re: March 23 Meeting - McLean Mill

Hi Twyla:

Is it possible to include the following as part of my previous submission? I just read the City's statement about current non-farm uses taking place at McLean Mill and there are inaccuracies and missing information in it that should be noted.

The City says:

Non farm uses currently taking place on the MMNHS include:

1. Operation of a steam-powered sawmill, a steam-powered logging demonstration, and other steam-powered heritage equipment. **This is a misleading statement. The lumber mill has not been in operation since 2016 due the high costs associated with making steam. And it is highly unlikely that the mill will ever run again as a "steam-powered sawmill."**

4. Camping. **Why would the City apply to remove the property from the ALR using an argument that the soil is too contaminated for agriculture, yet it's okay for children to sleep in tents on the same soil? That doesn't make sense.**

10. Works necessary for preservation of heritage under the direction, or consistent with the guidance, of Parks Canada. **Why does the City continue to include "Parks Canada" in their plans? Is it because it gives the illusion that McLean Mill is one of Parks Canada's National Parks? Mclean Mill National Historic Site is not a national park. Please correct me if I am wrong (but I know I am not wrong). The City of Port Alberni decides "the works that are necessary for preservation of heritage." Parks Canada does not have any jurisdiction.**

Best Regards

Susan E. Roth

From: Susan Roth
Sent: Monday, March 22, 2021 2:35 PM
To: Twyla Slonski <Twyla_Slonski@portalberni.ca>
Subject: Re: March 23rd Meeting

Hi Twyla

Thank you for helping me get information to the March 23rd meeting. Could you also attach the following email because it backs up the statement I made about Parks Canada's jurisdiction at McLean Mill.

Thank you

Susan Roth

From: CLMHC-HSMBC (PC) <pc.clmhc-hsmbc.pc@canada.ca>
Sent: 9-Apr-20 5:12 AM
To:
Cc: CLMHC-HSMBC (PC) <pc.clmhc-hsmbc.pc@canada.ca>
Subject: RE: Authority for which National Historic Sites must comply

Mr. Smith,

Thank you for contacting Parks Canada and the Historic Sites and Monuments Board of Canada (HSMBC) Secretariat housed at Parks Canada here in Gatineau, your email reached us well. I am the new Heritage Designations Programs Advisor, replacing Mr. Moore.

Regarding your question about a potential federal jurisdiction over McLean Mill National Historic Site, the answer Mr. Moore provided in October 2018, and that you copied below, saying that "The Historic Sites and Monuments Act does not provide legislative authority with respect to decisions of non-federal owners and no permissions are required from the federal government with respect to work or interventions at national historic sites." is still accurate, as the rest of the email you copied.

A designation of national historic significance is honorary in nature as federal designations do not impose any legal obligations on the owner or the property and does not place additional controls on a property or area. It provides communities with the opportunity to build awareness, understanding and support for their cultural heritage resources by making information on these resources available in an accessible format. For your convenience, I included the link to the Historic Sites and Monuments Act (HSMA): <https://laws-lois.justice.gc.ca/eng/acts/H-4/>

I can also add this piece of information, about the description of the McLean Mill National Historic Site, found in an earlier report produce about this place:

“ Historic Place

McLean Mill is representative of the large export mills of the 19th century and the smaller mills of the early to mid 20th century of the British Columbia Forest Industry which the HSMB [sic] has identified as crucial to Canada's economic growth in the twentieth century. Situated in the Alberni area of Vancouver Island which remains a centre of the forestry industry, it provided easy access to some of the best timberland on the west coast. Although outside the limits of Port Alberni, the mill's products could easily be transported to town and then shipped out for eventual export overseas. In establishing the mill, areas were created to permit the construction of buildings and facilities to harvest, process, and ship the lumber along with housing for the workers.

McLean Mill is typical in appearance and layout to that of other British Columbia mills. This typicality is a part of its significance. McLean Mill consists of more than 35 extant buildings. All of the structures at the site are utilitarian in design and materials with function dictating their location. The majority of the buildings are wood framed and clad although some, such as the mill itself, have corrugated steel roofing. The deliberate creation of zones of activity is still plainly visible. The different zones illustrate the fundamental elements of the forest industry deemed of importance by the HSMB [sic]. To the east of the mill pond is an area that is cleared of vegetation, giving prominence to a collection of garages, sheds and log dumps associated with the mill's logging operations. The northwest portion of the site, where the main mill and its outbuildings are located was where the logs were processed. The southern part of the site, contains residential and administrative buildings giving a village-like character to the area. The western most portion of the property was the shipping area, here a rail line linked the mill to Port Alberni and outside markets. In total, the site represents a rare extant example of an early to mid 20th century British Columbia logging and lumber operation.

Within each of the activity zones there is a wide variety of original machinery essential to the logging, milling and shipping functions of a mill. This equipment presents both the range of activities undertaken in the British Columbia Forestry Industry and depicts the impact of technological advances in the industry as a whole. Like other smaller mills, McLean Mill only gradually adapted to many of these changes. Throughout its history, the mill continued to be powered by steam.”

I trust this is useful. Should you have additional questions, please don't hesitate to contact us.

Thank you for your interest in the preservation of Canada's heritage.

Stay healthy,

Mélissa St-Onge, Heritage Designation Programs Advisor

Secrétariat

Commission des lieux et monuments historiques du Canada (CLMHC)

Parcs Canada / Gouvernement du Canada

30, rue Victoria, (P3-03-M), Gatineau (Québec) J8X 0B3

pc.clmhc-hsmbc.pc@canada.ca / Numéro sans frais : 1-855-283-8730 / Télécopieur: 819-420-9260

www.parcscanada.gc.ca

Secretariat

Historic Sites and Monuments Board of Canada (HSMBC)

Parks Canada / Government of Canada

30 Victoria Street, (P3-03-M), Gatineau, QC J8X 0B3

pc.clmhc-hsmbc.pc@canada.ca / Toll free number : 1-855-283-8730 / FAX: : 819-420-9260

www.parkscanada.gc.ca

De :

Envoyé : 2 avril 2020 21:49

À : CLMHC-HSMBC (PC) <pc.clmhc-hsmbc.pc@canada.ca>

Objet : Authority for which National Historic Sites must comply

April 2nd, 2020

Secretariat

Historic Sites and Monuments Board of Canada

Parks Canada Agency / Government of Canada

30 Victoria Street

3rd Floor, (PC-03-M)

Gatineau, QC J8X 0B3

To whom it may concern:

In October of 2018, a friend of mine contacted your office to determine whether or not the McLean Mill National Historic Site, owned by the City of Port Alberni in British Columbia, and located in the Alberni Clayoquot Regional District, also in B.C., would in any way fall under Federal jurisdiction with respect to a Federal Regulator - be it your office or another Federal agency, that would exercise their jurisdiction over commercial activities on the land, or towards any environmental, septic, land use or other regulatory issues that may arise at the National Historic Site. It is my understanding that this would not be the case, and the communication that follows below, appears to verify that jurisdiction over the land would fall under Provincial authority. Mr. Nicholas Moore, Advisor, Historic Sites and Monuments Board

of Canada, Heritage Designations and Programs Branch, Parks Canada replied to my friend with the following statement:

"The McLean Mill National Historic Site of Canada was designated in 1989 under the *Historic Sites and Monuments Act*. This national historic site is not owned by the Government of Canada. In Canada, protection of heritage property not owned by the federal government falls within the purview of provinces and territories in accordance with their respective heritage legislation. The *Historic Sites and Monuments Act* does not provide legislative authority with respect to decisions of non-federal owners and no permissions are required from the federal government with respect to work or interventions at national historic sites.

As mentioned in previous correspondence, in some instances, sites may be removed from the list of designated sites if their integrity is compromised, such as if the reasons for which the site was recognized to be of national historic significance can no longer be conveyed effectively to the public. Earlier this year, we were made aware that one of the buildings, the first aid shack, located on the McLean Mill site was demolished due to safety concerns. Since the building is not specifically mentioned as a character-defining element, we do not currently consider the site to have lost its commemorative integrity.

Parks Canada and the HSMBC encourage the protection of the commemorative integrity of a national historic site and trust that the site will be managed in accordance with sound cultural resource management principles and the *Standards & Guidelines for the Conservation of Historic Places in Canada*."

So I am contacting your office today to determine if the information provided by Mr. Moore in the autumn of 2018, stating that the McLean Mill Site does not fall under Federal Jurisdiction, remains the same, except for certain conditions required to be met by the City of Port Alberni in order to retain a National Historic Site designation on the land they own. At issue is that currently there are some land use concerns that have been brought forward to the attention of Provincial authorities. However, some local officials have declared that the Province has no authority on the land, because the land is designated a Federal National Historic Site. Their belief is that due to the National Historic Site designation, land use, or other concerns, are only in the purview of Federal jurisdiction.

Could the person who has received this email letter please clarify by return email message whether or not there is Federal Jurisdiction on the land the City of Port Alberni owns, and on which a portion of the land has an identified historic zone and a designation as a National Historic Site? Essentially, is there anything in Mr. Moore's communication that no longer applies, or is there information in addition to that provided by Mr. Moore that you may be able to provide regarding the status of Federal jurisdiction on this property, if such jurisdiction exists?

Of course, if the person who has received this message is not the correct person, could you kindly forward my request for information to a colleague or designate who can provide the answers?

Thank you very much for your time and consideration. I look forward to your reply at your earliest convenience.

Kind regards,

Roland Smith

Best Regards

Susan E. Roth

RECEIVED

MAR 23 2021

CITY OF PORT ALBERNI

LATE ITEM
MARCH 23, 2021
PUBLIC HEARING
ITEM 3.d

- Council
 - Mayor
 - CAO
 - Finance
 - Corporate Services
 - Agenda
 - Economic Development
 - Engineering/PW
 - Parks, Rec. & Heritage
 - Development Services
 - Community Safety
 - Other
- File # Pit- Mar 23, 2021
0890-20-MM

March 23, 2021

Attention: Mayor and Council for the City of Port Alberni

Following are some comments I have regarding the City’s application to the B.C. Agricultural Land Commission to have City owned land within the Agricultural Land Reserve be excluded from the A.L.R. The City has communicated its desire to have the McLean Mill land excluded from the A.L.R. in part because it is believed by the city that the land has limited to no potential for agricultural use (i.e., significant development/potential risk of contamination that wouldn’t be feasible for conversion to agricultural uses), and therefore, should be excluded. This notion, however, is really only applicable to soil-bound agriculture methods. There is no mention of the possibility of conducting non-soil-bound agricultural operations on the land, such as feed lots, buildings for poultry operations, or green houses for vegetable or fruit production.

That much of the land in question (the McLean Mill property) has been significantly altered over the years due to its industrial past, is without question. But this doesn’t mean that alternative methods of producing food on this land do not exist. Technological advances continue to provide more improved and efficient equipment for food production, further allowing for greater quantities and varieties of food produced at the local level, at an affordable price point, and with the benefit of reduced transportation costs for the distribution of locally produced food. One organization in the segment of the economy that is developing and growing this technology, is CubicFarms Systems, headquartered in Langley, British Columbia.

A review of the information at the links below will provide more information.

<https://cubicfarms.com/>

<https://cubicfarms.com/category/press-releases>

Informational video:

https://www.youtube.com/watch?v=QQ6fx1dpPw&ab_channel=CubicFarmSystems

Article on produce being grown with CubicFarms Systems equipment during winter in Canada:

<https://cubicfarms.com/cubicfarms-is-growing-again/>

Link to photo of an earlier version of a CubicFarms setup in Pitt Meadows, BC

https://www.google.ca/search?q=cubicfarms&prmd=nvis&sxsrf=ALeKk02_aYnh6q9cNSsEyOhmrgdDAjw9w:1616537990873&source=lnms&tbn=isch&sa=X&ved=2ahUKEwiUxtilucfvAhXkJzQIHc4IDEUQ_AUoA3oECAEQAw&biw=1920&bih=937#imgrc=oZs6rlbXYNesNM

Infrastructure such as that of CubicFarms Systems could easily be situated over top of the remediated oil spill area at McLean Mill, where crushed rock was used to fill the excavated pit of contaminated soil. This course rock, and a top layer of base material, once compacted would form a foundation for a setup similar to that shown in the photo at the link above. And there are other areas within the 12.8-hectare McLean Mill property which could be similarly prepared for this kind of non-soil-bound agricultural production.

One of the Standing Committees created by the previous council administration was the Food Security and Climate Disruption Committee, which was appointed by Council for the purpose of making recommendations to Council with respect to urban food security and climate change concerns affecting the community. Now, Council wants land the City owns, and which was set aside in the ALR for food production, to be removed from the protections of the ALR. That land could assist local food security, currently, and in the future.

The previous Council administration also created the McLean Mill Society, whose mandate was to operate McLean Mill. The M.M.S., who operated the Steam Pot Café which was located on the land that is the subject of the City's exclusion application, regularly extolled their objective to source food for their café by applying the 100-mile diet mantra. Three members of the previous council administration who serve on the current council administration, have knowledge of the previous.

Forward thinkers of the 1970s can be thanked for acting to protect certain lands in British Columbia from non-farm development. Some of that land is the McLean Mill property, and is owned by the City of Port Alberni. While crops of grains, vegetables and fruits, or grazing ungulates may not be suitable agricultural choices on the McLean Mill land in its current state, technology is available for the production of food on that land that is not based on soil-bound methods. Land and space will be required to situate the assets necessary in order to provide non-soil-bound local food production using methods such as those being developed by CubicFarms Systems, for example. And the fish hatchery on the McLean Mill land is also a non-soil-bound production facility that contributes to the aquatic ecosystem, and by extension, the food supply.

Forward thinkers of today would be wise to not give land and space away that is already designated for food production, on the basis that the soil is not suitable, without first considering the impacts that current and future technology has and will have on local food production capabilities. Empirical evidence shows us that technological evolution across all sectors of our lives, including how we produce our food, will continue to evolve in our future. If it is believed that over the next 50 years that our valley's population will grow, then so will the demand for food. The ability, with advancements in technology, to grow more food locally would mean that fresher, more nutritious products would be available to local residents, with less transportation costs and environmental impacts to get those items to local store shelves. But there needs to be designated spaces available for the build out of emerging, alternative food growing infrastructure, and the City of Port Alberni already owns some of that designated space.

There are some things that only governments can do. One of those things is that, on behalf of their citizens, governments at all levels can lead the way to protect land that is already designated for food production. The City of Port Alberni should be leading in the same manner.

Respectfully submitted,
Roland Smith

Date: March 24, 2021
 File No: 3015-20-MM
 To: Mayor & Council
 From: T. Pley, CAO
 Subject: ALC Exclusion Application | McLean Mill National Historic Site [MMNHS]

Prepared by: <i>T. SLONSKI</i> <i>Director of Corporate Services</i>	Supervisor: <i>T. PLEY</i> <i>CHIEF ADMINISTRATIVE OFFICER</i>	CAO Concurrence: <i>T. Pley, CAO</i>
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RECOMMENDATION[S]

THAT Council direct staff to forward the City’s application to exclude 11.5 ha of land located at 5366 Smith Road, Port Alberni and commonly known as the McLean Mill National Historic Site to the ALC for consideration.

PURPOSE

For Council to receive the Public Hearing report and to consider a resolution to forward or not forward the City’s exclusion application as it relates to the McLean Mill National Historic Site to the ALC for consideration.

BACKGROUND

In early 2020 the City was contacted by the ALC Compliance and Enforcement Branch regarding non-farming activities at MMNHS. The lands are within the ALR and therefore activities on site are subject to the authority of the ALC. On March 30, 2020 Council for the City of Port Alberni directed that an application be submitted to ALC seeking permissions for non-farm uses at the site. The City submitted its application to ALC for non-farm use in May 2020. During this time, the ALC Compliance and Enforcement branch agreed to not take any action against the City while the non-farm use application was being considered. In November 2020 the City received the decision of the ALC denying the City’s application. However, noted in that decision was a statement that the ALC would consider a submission of an exclusion application for the property for the Commission’s consideration.

At Council’s Regular meeting held December 14, 2020, Council resolved as follows:

MOVED and SECONDED, THAT Council authorize staff to proceed with the preparation and submission of an application to the Agricultural Land Commission to have the McLean Mill National Historical Site removed from the Agricultural Land Reserve. CARRIED | Res. No. R20-308

Given the decision of the ALC to deny the City’s non-farm use application, and subsequent direction from Council to proceed with an exclusion application, the ALC Compliance and Enforcement Branch again agreed to not take any enforcement action against the City while the City prepared its exclusion application. That said, the ALC Compliance and Enforcement branch identified a deadline date of April 1, 2021, for the City to complete its exclusion application and submit to ALC for consideration.

ALTERNATIVES/OPTIONS

1. That Council direct staff to forward the City’s exclusion application for the MMNHS to the ALC for consideration.
2. That Council direct staff to not forward the City’s exclusion application for the MMNHS to the ALC for consideration.
3. That Council provide other direction.

ANALYSIS

When preparing an application for exclusion of lands that are within the Agricultural Land Reserve, local governments are required to follow the exclusion application guidelines as prepared by the ALC and are summarized as follows:

- Step 1 | Local Government Fills out the Application
- Step 2 | Local Government Gives Notice of the Application
- Step 3 | Local Government Holds the Public Hearing
- Step 4 | Local Government Passes a Resolution on the Application
- Step 5 | Local Government Submits the Application
- Step 6 | Local Government Pays the Application Fee; and
- Step 7 | ALC Holds the Exclusion Meeting

As per ALC exclusion guidelines, the City held a virtual public hearing on Tuesday, March 23, 2021 at 6:00 pm in accordance with s. 465 of the *LGA*. Present at the Public Hearing were all members of Council, City staff, the City’s consultants and five members of the public. A written report of the Public Hearing is included with this report for Council’s information. Of the five members of the public in attendance, two elected to speak to the City’s application and both of whom expressed general support. Council also received five written submissions, and with the exception of one, written submissions received suggested other uses that would be consistent with ALR regulations and therefore, not require the City moving forward with its exclusion application.

In response to questions contained within the written submission received by Mr. Scott Kenny, Alberni Valley Enhancement Association, the City’s application speaks to the exclusion of 11.5 ha, and that 1.3 ha is proposed to remain within the ALR. This portion of land is currently used to support a fish hatchery and is a permitted use within the ALR. Mr. Kenny expressed concern that the 1.3 ha neglects to include the fish fence, pedestrian bridge and a section of forested trail and that an area of undeveloped forest land along the east side of the property should also remain within the ALR in order to prevent non-complaint uses ie., camping and/or events. Upon review, the fish fence, pedestrian uses are not impacted by the City’s application, nor does the City intend to expand camping and/or other events in the undeveloped forested area.

As previously noted, City consultants [Stacy Boczulak & Rob Roycroft] were also in attendance at the Public Hearing. Stacy Boczulak, an agrologist suggests that the City make one amendment to its draft application based on public submissions received as follows:

“To exclude lands that ... have limited potential for soil-bound agriculture [i.e., significant development/potential risk of contamination that wouldn’t be feasible for conversion to agricultural uses] and would require substantial inputs for non-soil bound agriculture [i.e., facilities on site are not fit for agricultural use, and significant improvements would be required] from the Agricultural Land Reserve.”

The draft application previously reflected ...

“To exclude lands that....have limited to no potential for agricultural use (i.e. significant development/potential risk of contamination that wouldn't be feasible for conversion to agricultural uses) from the Agricultural Land Reserve.”

IMPLICATIONS

As noted in the background section of this report, the City had been contacted by the ALC Compliance and Enforcement Branch regarding non-farming activities at the MMNHS. While the Compliance and Enforcement Branch have elected to not take any enforcement actions/measures against the City at this time, this non-action was done to allow the City time to make an application for non-farm use and now an exclusion application. Should the City not move forward with submitting its exclusion application to the ALC for consideration, the City will continue to be in non-compliance and therefore, the ALC Compliance and Enforcement Branch will likely move forward with enforcement measures against the City. At this time, the impact of these enforcement measures is unknown but anticipate that they would be financial in nature.

The City estimated costs to address its exclusion application in the amount of \$10,000. To date, approximately \$1,800 has been spent and while the City has yet to receive invoices relating to newspaper advertisement, final consultant fees and the ALC application fee, we will not exceed this amount.

COMMUNICATIONS

The City has met the requirements of the ALC as it relates to communicating the City’s intent to exclude lands from the ALR. No further communications are required on the part of the City.

BYLAWS/PLANS/POLICIES

Identified throughout the report.

SUMMARY

In early 2020 the City was contacted by the ALC Compliance and Enforcement Branch regarding non-farming activities at MMNHS. In response, the City made an application to the ALC for non-farm use. In November 2020 the City was advised that the City’s non-farm use application was denied. Noted in the ALCs decision to deny was a statement that the ALC would accept a submission of an exclusion application.

The City has been working through the exclusion application process and have concluded steps 1 through 3. Subject to Council direction today, the City will complete step 4. The Enforcement Branch has continued to not take any enforcement actions until the City completed its exclusion application, subject to an application to exclude being submitted to the ALC no later than April 1, 2021. In order to advance the City's application to the ALC for consideration, Council must pass a resolution to do so.

ATTACHMENTS/REFERENCE MATERIALS

- *Public Hearing Report dated March 23, 2021*
- *Draft Application [excluding attachments]*

C: *S. Smith, Director of Development Services/Deputy CAO*
W. Thorpe, Director of Parks, Recreation & Heritage



CITY OF PORT ALBERNI

City Hall
4850 Argyle Street,
Port Alberni, BC V9Y 1V8
Telephone: 250-723-2146
www.portalberni.ca

Fax: 250-723-1003

ALC Exclusion Application | McLean Mill National Historical Site

Certified Resolution of the City of Port Alberni Council

I, Twyla Slonski, Director of Corporate Services for the City of Port Alberni hereby certify the following is a true copy of the Resolution adopted by City of Port Alberni Council at its Special meeting held on Monday, March 29, 2021 regarding the City's application to the Agricultural Land Commission [ALC].

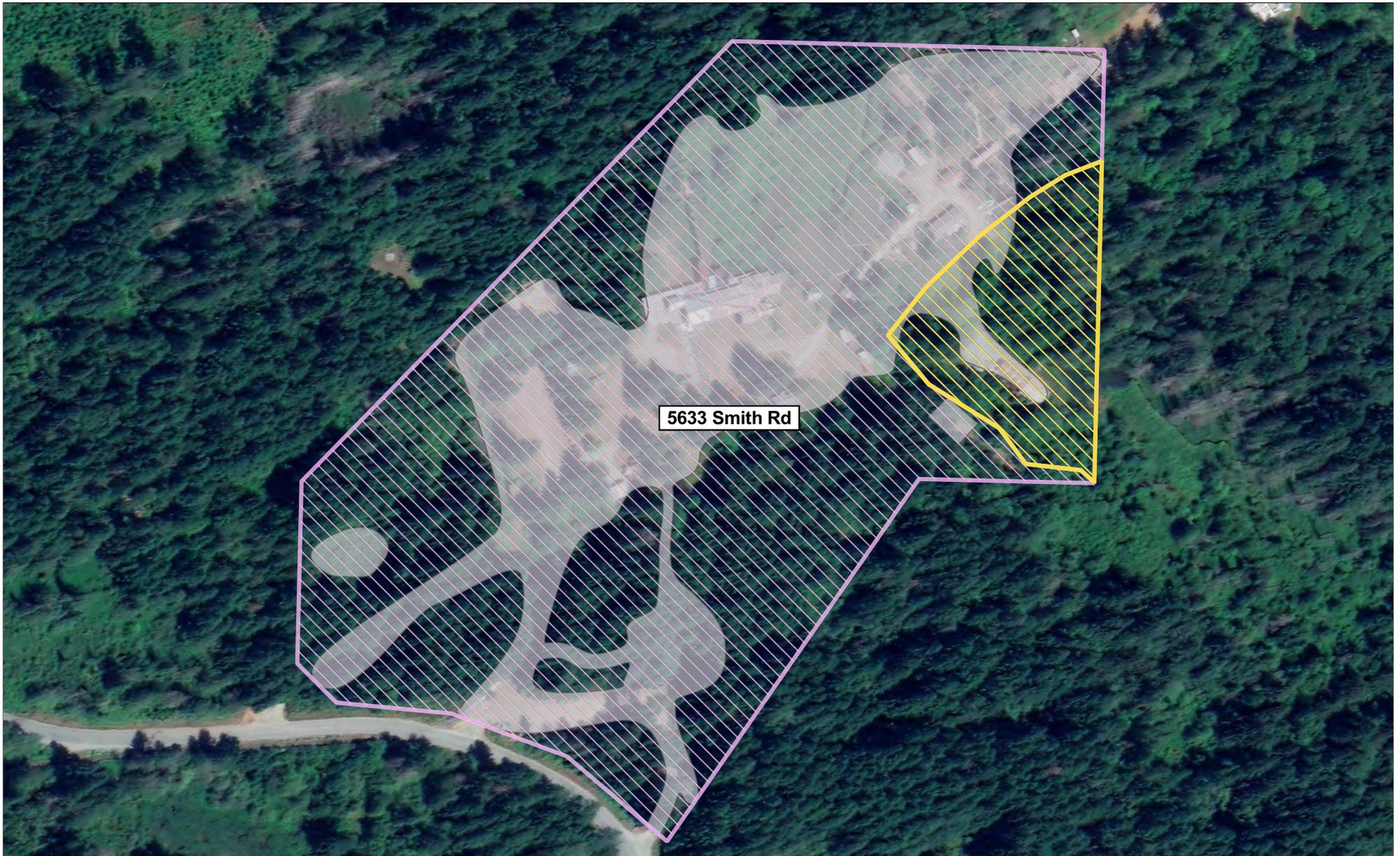
THAT Council direct staff to forward the City's application to exclude 11.5 ha of land located at 5366 Smith Road, Port Alberni and commonly known as the McLean Mill National Historic Site to the ALC for consideration.

Resolution No. SM21-81

The undersigned has affixed her signature and the corporate seal of the City of Port Alberni this 30th day of March, 2021.



Twyla Slonski
Director of Corporate Services
City of Port Alberni



CITY OF PORT ALBERNI

LEGEND

- Developed / Filled Areas
- Proposed ALR Exclusion
- Remaining ALR

0 25 50 75 100 m



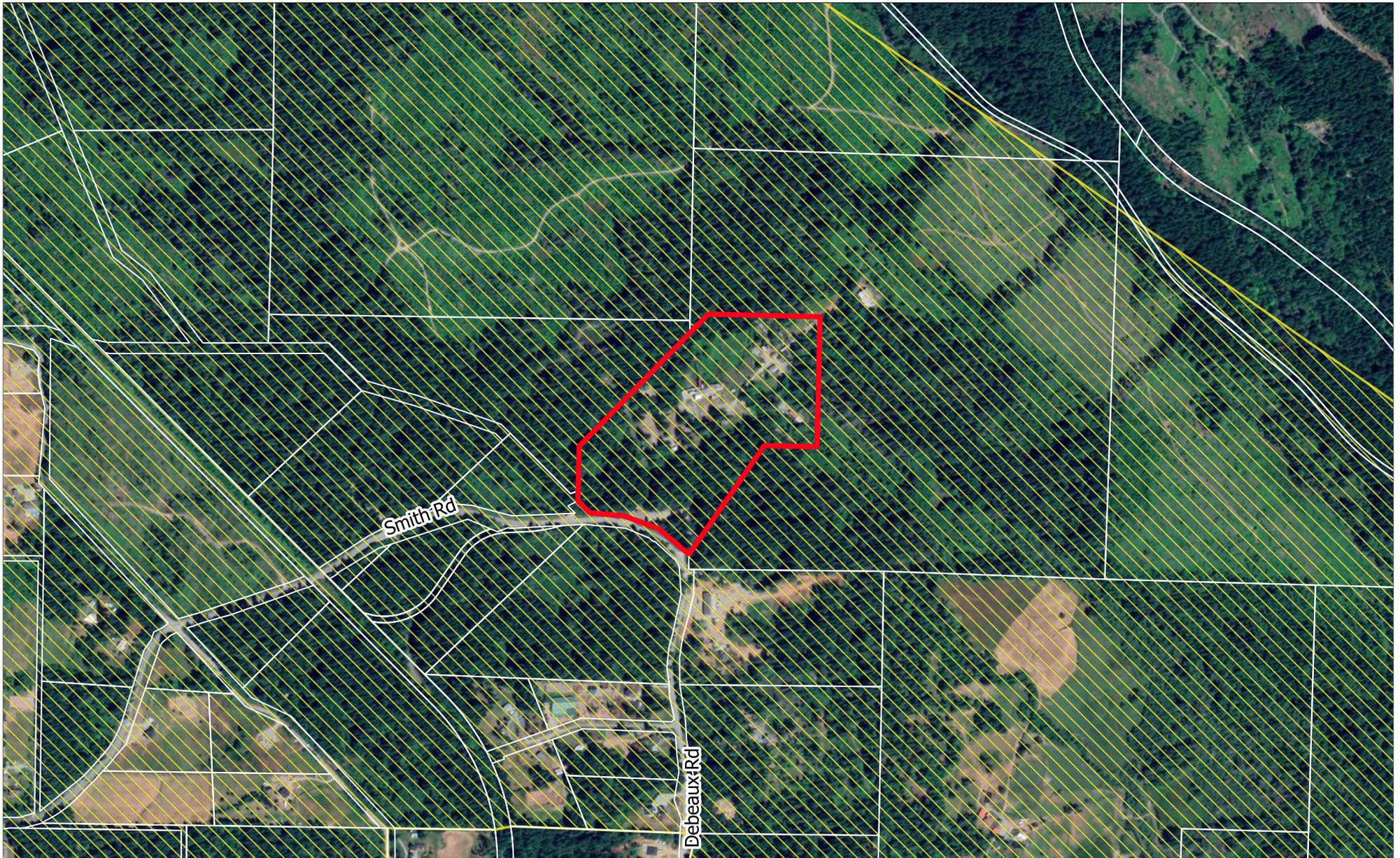
Coordinate system: NAD 1983 UTM ZONE 10N
Units: Meters

Date:03-Mar-2021

**MCLEAN MILL NATIONAL
HISTORIC SITE**

PROPOSED ALR EXCLUSION

FIGURE 2



CITY OF PORT ALBERNI

LEGEND

- McLean Mill NHS Property Boundary
- Agricultural Land Reserve (ALR) Boundary

0 100 200 300 400 m



Coordinate system: NAD 1983 UTM ZONE 10N
Units: Meters

Date: 02-Mar-2021

**MCLEAN MILL NATIONAL
HISTORIC SITE**

PROJECT LOCATION

FIGURE 129

From: [Wendy Thomson](#)
To: [Kathy McArthur](#)
Subject: FW: McLean Mill Exclusion Issue
Date: April 23, 2021 9:58:09 AM
Attachments: [ROTH_S_ACRD_McLean_Mill_2021_04-11.pdf](#)

From: Susan Roth [REDACTED]
Sent: April 11, 2021 11:01 AM
To: Wendy Thomson <wthomson@acrd.bc.ca>
Subject: Fwd: McLean Mill Exclusion Issue

I forgot to include the attachments to the letter :)

[5_ALC_DECISION.pdf](#) 

[6_McLean_Mill_Environmental_Review_2019_COMPRES...](#) 

Best Regards

Susan E. Roth

----- Forwarded message -----

From: Susan Roth [REDACTED]
Date: Sun, Apr 11, 2021 at 10:14 AM
Subject: Re: McLean Mill Exclusion Issue
To: Wendy Thomson <wthomson@acrd.bc.ca>

Good Morning Wendy:

Attached please find a letter about my concerns with the process that the City and ALC are using to remove land from the ALR. It also includes my position, which is a repeat of the letter I sent last week. Please ensure that Doug Holmes and the Agricultural Committee receive this information. I would also like it to be included in the board meeting when the issue is discussed and decided upon.

Best Regards

Susan E. Roth



Alberni-Clayoquot Regional District
Attention: Board of Directors
Doug Holmes, Chief Administrative Officer
Wendy Thomson, General Manager of Administrative Services
Agricultural Committee

April 11, 2021

Dear Alberni-Clayoquot Regional District:

Re: City of Port Alberni's application to remove McLean Mill from the Agricultural Land Reserve.

I am writing to you with hopes that you will take the following information into consideration when making your decision about whether to put forward an application to the Agricultural Land Commission (ALC) from the City of Port Alberni (City) to exclude McLean Mill National Historic site (McLean Mill) from the Agricultural Land Reserve (ALR). Please note the ALC's exclusion process has been difficult to follow. All of my questions are sincere.

On March 23, 2021, the City held a public hearing, via *Zoom* (online meeting software), noting that it was part of the required process to exclude McLean Mill from the ALR. All city council members were in attendance. Two people spoke at the meeting and four sent in a written submission. In the end, three people said they were against removing the land from the ALR, and two people were in favour of it. One person did not state whether they were for or against it. I provided one of the written submissions against the removal of the land from the ALR.

On March 29, 2021, the City voted unanimously to put forward an application to remove the land from the ALR. The City is the applicant so obviously they were in favour of moving the application forward. Why should anyone expect the City to be impartial in coming to their decision?

According to the BC government, "*public hearings allow affected citizens to provide their views to their elected representatives on the adoption of official community plan bylaws, zoning bylaws, phased development agreement bylaws and bylaws for the early termination of land use contracts.*" McLean Mill is located in Alberni-Clayoquot Regional District (ACRD). City council does not represent citizens in the ACRD. How is it possible that the City can create bylaws for the ACRD?

The City utilized the *Local Government Act, Part 14 Public Hearings on Planning and Land Use bylaws, Sections 464 Requirement for public hearing before adopting bylaw, Section 465 Public hearing procedures, and Section 466 Notice of Public Hearing* to support their March 23, 2021 public hearing. These sections lay out the requirements and process that must be followed in order to create bylaws. Although the City clearly does not have the power to create a bylaw for the ACRD, it seems that somehow in this case they can?

On March 30, 2021, I learned through an article published in *Alberni Valley News* that the City had until the following day to submit an application to the ALC to remove McLean Mill from the ALR. This caught me by

surprise because the ACRD was not involved in the process. At the time, I was waiting for the ACRD to post a notice about a public hearing so that those that live around Mclean Mill or may be impacted by the ALC's decision had an opportunity to voice their position.

In talking with other rural landowners, I learned that most were unaware that they had an opportunity to present their views and concerns. Many did not notice the advertisements in the local newspaper as they appeared to be directed to city residents. On a regular basis, the City posts notices in the newspaper using the same format, "City of Port Alberni Notice of Public Hearing," but those advertisements are always about land located within the city's jurisdiction. None of the previous ads were about land located in the ACRD...until now.

On April 2, 2021, I sent the following email to the ALC:

Overnight, I had time to think about the process used by the City of Port Alberni to form the basis of their application to remove McLean Mill from the Agriculture Land Reserve. It doesn't make sense that the City held a public hearing yet the land itself is not within their jurisdiction. McLean Mill is owned by the City, but it is located within the Alberni-Clayoquot Regional District (ACRD) which is outside of the City's boundary. Clearly, a conflict exists.

As you know, I have actively tried to address the issues surrounding Mclean Mill for some time now. I was taken by surprise when I learned that the ACRD may not be holding a public hearing because they are the local government body that is legislated to hear my voice and the voice of those living around the former mill site that may be impacted by the ALC's decision. When I participated in the City's meeting on April 23, 2021 (via a written submission), I fully expected the Mayor and City Council to reject my position because I do not live within the city boundary. When that didn't happen it made me wonder what was going on?

If the Agricultural Land Commission decides that the City of Port Alberni followed proper procedure, I will request an investigation by the Office of the Ombudsperson. It is very clear that the process was unfair and done in a manner that is not consistent with relevant policy, procedures, and laws.

The first step in the BC Ombudsperson's complaint process is to try to resolve the issues with the organization. I will give the ALC three weeks (21 days) to respond to the email that I sent yesterday before moving forward with a request to investigate.

On April 6, 2021, Steven Laing, a Compliance and Enforcement Officer at the ALC, kindly informed me, via email, that he believed "there was a misunderstanding in the initial application process" and that I was "correct the ACRD should be the local government submitting the exclusion application."

Although this was good news, it made me wonder if the City was following direction provided by the ALC. Please see the PEAK News report (at the end of this letter), dated November 16, 2020. According to the report, Jennifer Dyson, the Chairperson of the ALC, recused herself from this case, yet she took a position beside the City. When a decision-maker recuses themselves, they are usually doing so because of a potential conflict of interest or lack of impartiality. It was clear to me that Jennifer Dyson supported the City as she offered to help them through the exclusion process. In my mind, you cannot have it both ways. Either a possible conflict exists, or it does not

exist. From what I understand, the Chair of the ALC owns/operates a buffalo farm in Alberni Valley and her husband was a clerk (at a management level) at the City for many years. At the very least, a perceived conflict of interest exists. Nonetheless, it is damaging, and it has caused a high level of mistrust in the ALC's exclusion process.

On April 6, 2021, Steven Laing also informed me that "*the City of Port Alberni [was] in the process of having the ACRD review the requested exclusion information and begin the required process through the ACRD.*" When I read that comment it made me wonder about another possible conflict: Jennifer Dyson's husband was not only a high-level manager at the City, he was also the Chief Administrative Officer of the ACRD for many years.

A few days later, I learned that while the City must go through the ACRD to put forward their application to remove McLean Mill from the ALR, the ALC would accept the City's public hearing held on March 23, 2021. I also learned there isn't a further requirement for the ACRD to hold a public hearing on the matter. If the ALC continues to allow the City to step outside of its jurisdiction in order to forward their application, I will follow through with my request for an investigation by the *Office of the Ombudsperson*.

Most of the following information was previously sent to the ACRD Board of Directors (other than few small changes). It is included in this letter because it contains the reasons why Mclean Mill should remain within the ALR.

The *Agricultural Land Commission Act, Section 33 (2)(ii)*, provides an opportunity for the ALC to reconsider their November 2, 2020 decision to refuse the City's proposal to continue operating McLean Mill's ancillary commercial and tourism uses on the property (Resolution 527/2020) and possibly reverse or vary it. The City did not provide the most up-to-date information available about the contamination problems to the ALC when they applied for non-farm use at McLean Mill. Part of the ALC's decision was based on information that is no longer accurate. Please review the information below (in italics) that was provided to the ALC and City on March 31, 2021:

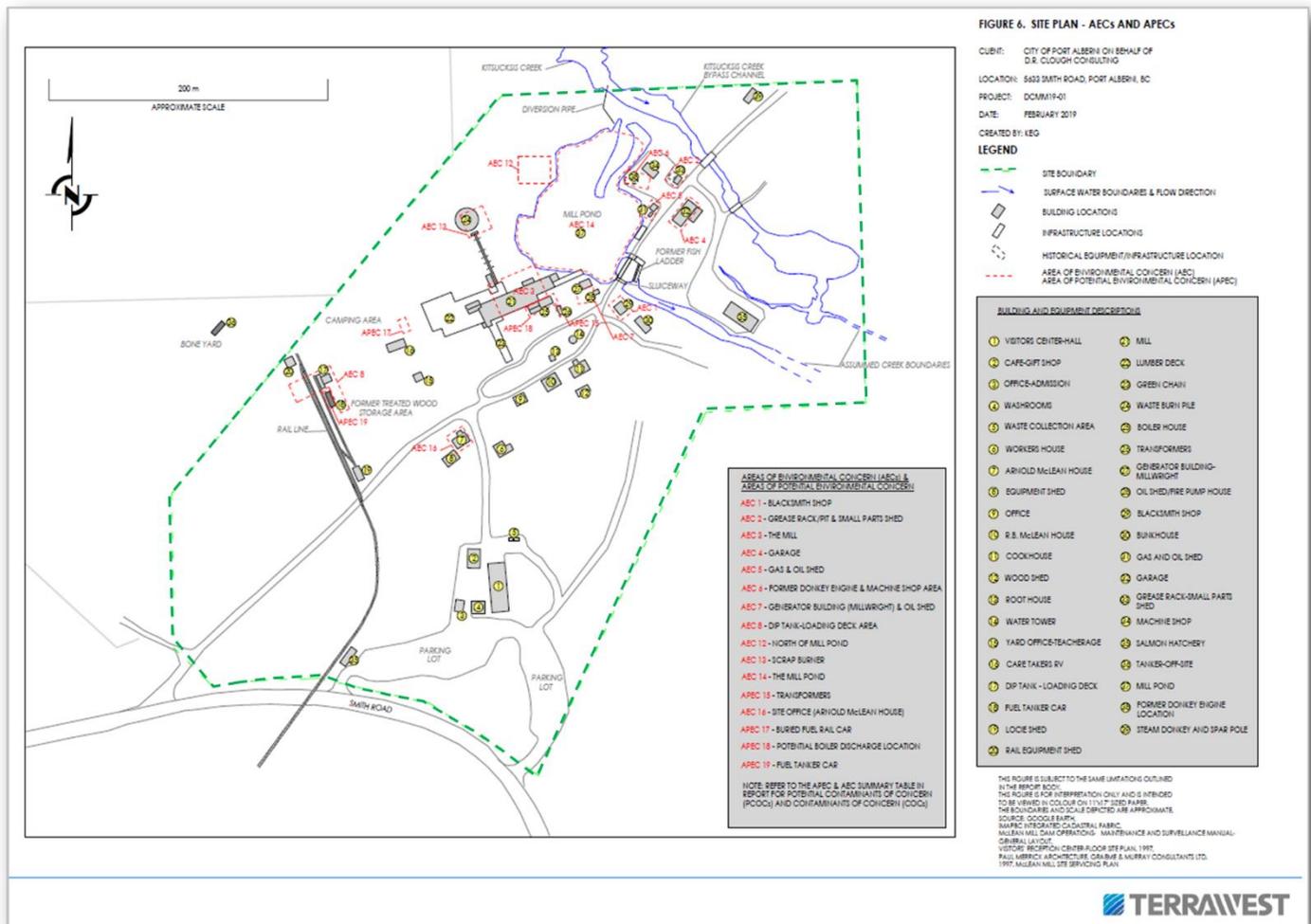
The ALC decision dated November 2, 2020 (File 60615) opened the door to the City's application to removed Mclean Mill from the ALR. The decision was based on outdated information – a report done in 1994 by Envirochem Special Projects Inc. The ALC's decision noted the following:

Based on the agricultural capability ratings, the Panel finds that the Property has mixed prime and secondary agricultural capability. However, after reviewing the Application material and conducting the Site Visit, the Panel finds that the Property's agricultural capability is significantly limited due to its historical use as a mill site, as a large portion of the Property is comprised of heritage buildings and equipment, the heritage rail and the fish hatchery. As such, the Panel finds there is limited area available on the Property for non-soil bound agriculture to occur. Further, based on the MMNHS Contamination Assessment prepared by Envirochem Special Projects Inc. in 1994, which accompanied the Application, the Panel finds that the land has been exposed to many years of soil contamination as a result of the mill operation and various other activities that occurred on the Property prior to its designation as a National Historic Site. The Panel finds that years of soil contamination from the Property's industrial and commercial uses have

disturbed the soil's nutrients and composition thereby limiting the Property's current and future potential for soil-bound agriculture.

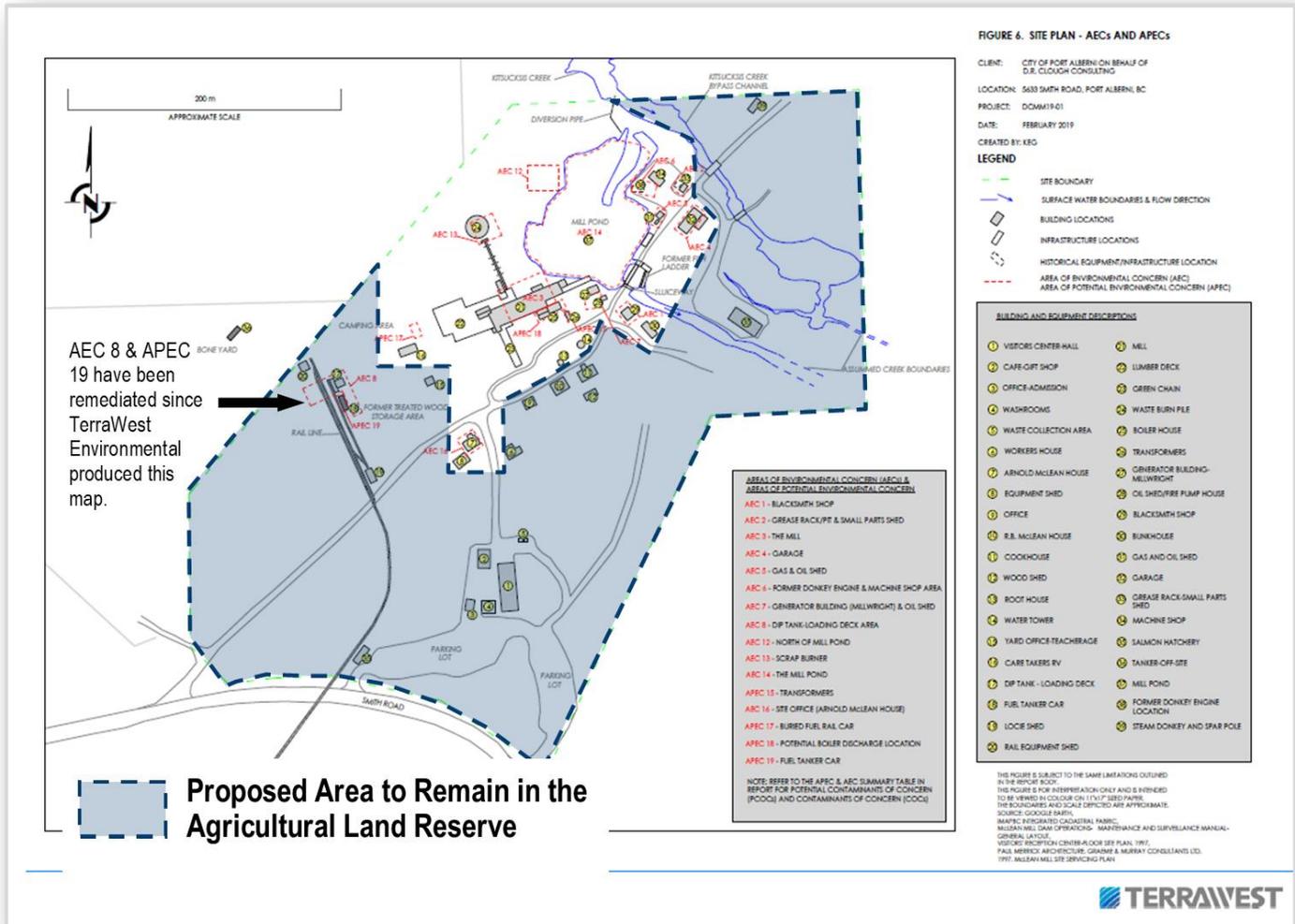
There is much more accurate information available – please see attached report. According to the report dated April 2019, completed by TerraWest Environmental Inc., that investigated contamination issues at McLean Mill, the historical buildings make up about 10% of the area (see page 36 of the report). The same 2019 report includes a map showing the “Areas of Environmental Concern (AEC)” and “Areas of Potential Environmental Concern (APEC)” and in total the areas that may be contaminated make up less than 5% of the land base (excluding the pond as it would not be under the ALR’s jurisdiction as it is a waterway). The remaining 95% is no different than the surrounding ALR land.

Since the beginning of 2021, the Areas of Environmental Concern have been reduced at McLean Mill. A large area on the west side of the property was remediated, due to an oil spill that occurred in October 2020. This resulted in the removal of the *Dip Tank Loading Deck* (shown as AEC 8 on the map below) and the *Fuel Tanker Car* (shown as APEC 19 on the map below). Now the total amount of land that contains “Areas of Environmental Concern” and “Areas of Potential Environmental Concern” (shown in the red dashed lines below) have been reduced to about 4% of the total land area.



The mill pond presents the greatest problem as this is how contaminants move to areas outside of McLean Mill. But that is an issue that must be dealt with through the *Ministry of Environment*. The ALC deals with agricultural land, not water.

The City's application to remove land from the ALR excludes an area that contains a fish hatchery. If the fish hatchery can be successfully "subdivided" from the City's proposal, why can't other areas? On the map below, I outlined an area (in blue) that is approximately 70% of the original size of the property and does not contain problems with contamination. At the very least, this area that should remain in the ALR.



Considering that two areas (AEC 8 and APEC 19) have been remediated in the past three months, this should tell you that the contamination problem can be resolved. I understand, the City has plans to remediate a third area in the next few weeks – AEC 5 *Gas and Oil Shed*. That means there will only be 13 areas left to address. I think the City should put together a 5-10 year plan to clean up these areas and bring them back to land with agriculture capability.

I hope you see that the latest investigation into the contamination issues on the property shows that McLean Mill's agricultural capability is not significantly limited due to its historical use as a mill site, as only 10% of the property is comprised of heritage buildings and equipment, the railway, and the fish hatchery. Most of the area at McLean Mill is available for non-soil bound agriculture to occur.

I also hope you see that the contamination problem does not spell an end to agricultural uses on the property. Although there is contaminated soil on the site, it is limited to less than 4% of the land base and those areas can be remediated. There is future potential for soil-bound agriculture in these areas as well as the rest of the site.

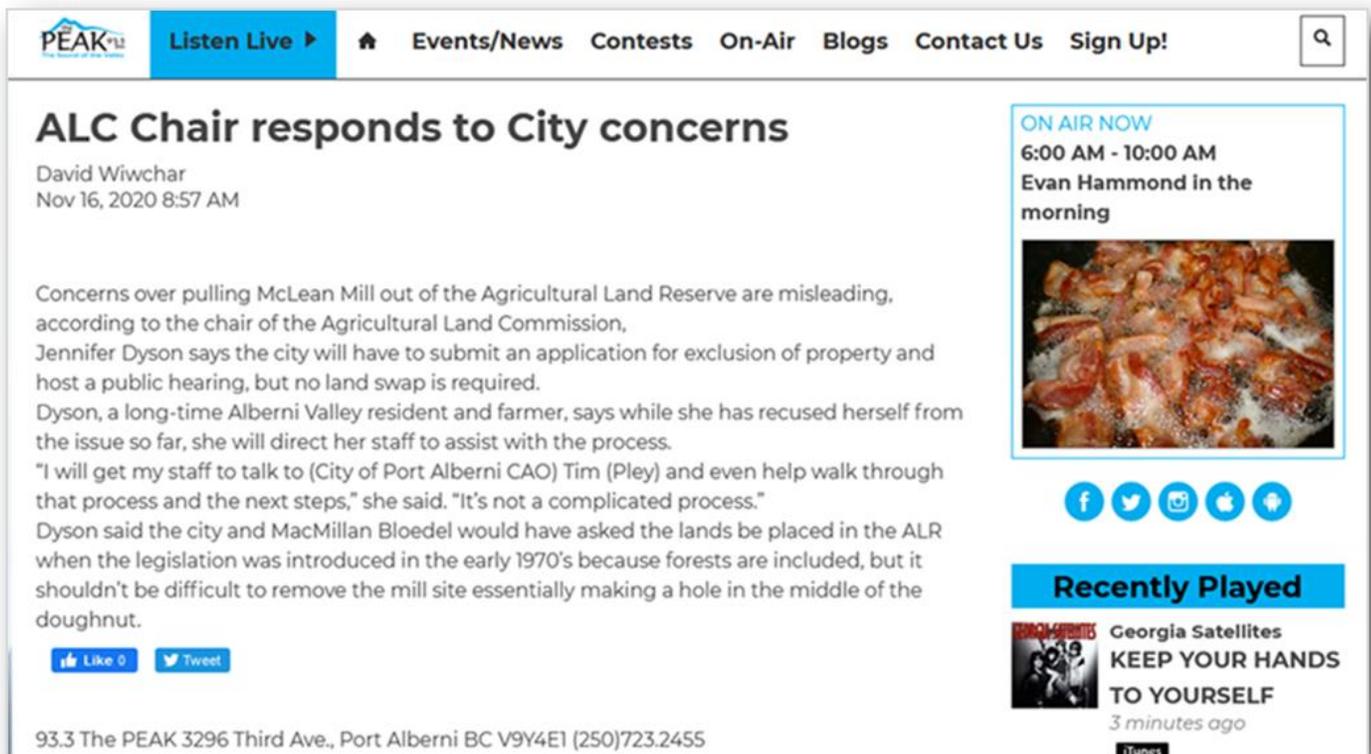
McLean Mill itself has not operated since 2016. I doubt it will ever run again. A walk around the lumber mill will show you that the wooden structure is deteriorating. Preserving agricultural land should have a higher standing than preserving the historic buildings at McLean Mill. The buildings and equipment will eventually be gone. A healthy environment and land that is capable of growing good food will always be needed.

Thank you for taking the time to read through this submission. I appreciate that you have a difficult task in front of you and hope that you do not move forward the City's application to remove McLean Mill from the ALR.

Best Regards,



Susan. E Roth



The screenshot shows a website for 'PEAK 102.1'. The navigation bar includes 'Listen Live', 'Events/News', 'Contests', 'On-Air', 'Blogs', 'Contact Us', and 'Sign Up!'. The main article is titled 'ALC Chair responds to City concerns' by David Wiwchar, dated Nov 16, 2020 at 8:57 AM. The article text discusses concerns about pulling McLean Mill out of the Agricultural Land Reserve, mentioning Jennifer Dyson, the chair of the Agricultural Land Commission. A sidebar on the right features 'ON AIR NOW' information for Evan Hammond and a 'Recently Played' section for 'Georgia Satellites - KEEP YOUR HANDS TO YOURSELF'. Social media sharing icons for Facebook, Twitter, Instagram, Apple, and YouTube are visible below the sidebar. The footer of the website provides the address: 93.3 The PEAK 3296 Third Ave., Port Alberni BC V9Y4E1 (250)723.2455.



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

November 2, 2020

ALC File: 60615

Timothy Pley
City of Port Alberni
DELIVERED ELECTRONICALLY

Dear Timothy Pley:

Re: Reasons for Decision - ALC Application 60615

Please find attached the Reasons for Decision of the Island Panel for the above noted application (Resolution #527/2020). As agent, it is your responsibility to notify the applicant accordingly.

Under section 33 of the *Agricultural Land Commission Act* (ALCA), a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. Please be advised however that on March 12th, 2020 the ALC Amendment Act ([Bill 15 – 2019](#)) was brought into force and effect, changing the reconsideration process.

A request to reconsider must now meet the following criteria:

- No previous request by an affected person has been made, and
- The request provides evidence not available at the time of the original decision that has become available, and that could not have been available at the time of the original decision had the applicant exercised due diligence, or
- The request provides evidence that all or part of the original decision was based on evidence that was in error or was false.

The amendments also propose a change to limit the time period for requesting a reconsideration to 90 days from the date of this decision – this change has not been brought into force and effect yet. As a result, a person affected by this decision will have one year from the date of this decision's release as per [ALC Policy P-08: Request for Reconsideration](#) to request reconsideration of the decision or 90 days from the date the legislative change takes effect (date unknown at this time), whichever comes sooner.

Please refer to the ALC's [Information Bulletin 08 – Request for Reconsideration](#) for more information.

Please direct further correspondence with respect to this application to ALC.Island@gov.bc.ca

Yours truly,

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

Page 1 of 2

Aimee McGowan, Land Use Planner

Enclosure: Reasons for Decision (Resolution #527/2020)

cc: Alberni-Clayoquot Regional District (File AB20001). Attention: Alex Dyer

60615d1



**AGRICULTURAL LAND COMMISSION FILE 60615
REASONS FOR DECISION OF THE ISLAND PANEL**

Non-Farm Use Application Submitted Under s.20(2) of the Agricultural Land Commission Act

Applicant City of Port Alberni

Agent: Timothy Pley, City of Port Alberni

Property: Parcel Identifier: 018-572-871
Legal Description: Lot A, Loop Farms and District
Lot 106, Alberni District, Plan VIP57991 Except That
Part In Plan VIP65071
Civic: 5633 Smith Road, Port Alberni, B.C
Area: 12.8 ha (12.8 ha within the ALR)

Panel: Linda Michaluk, Island Panel Chair
Honey Forbes
Rick Mumford

OVERVIEW

- [1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA).
- [2] The 12.8 ha Property is currently the McLean Mill National Historic Site (the “MMNHS”).
- [3] Pursuant to s. 20(2) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the “Commission”) to continue operating the MMNHS’s ancillary commercial and tourism uses on the Property; more specifically, the continuation of the following existing uses (the Proposal):
- operate a steam-powered sawmill and hold demonstrations of logging and other heritage equipment;
 - operate a heritage tourism rail service carrying visitors between the City and the MMNHS;
 - allow a live-in caretaker and their immediate family to reside on the Property;
 - operate a campground (24 tent sites and several RV sites);
 - provide food services;
 - operate a gift shop and an interpretive center;
 - conduct guided site tours;
 - host events, festivals, celebrations and programs permitted under the regulations of the Alberni-Clayoquot Regional District (the “ACRD”);
 - operate a not-for-profit fish hatchery, and associated activities and programs;
 - conduct works necessary for the preservation of the heritage site under the direction of Parks Canada; and,
 - conduct works necessary to protect the environment and built and natural assets.
- [4] The issue the Panel considered is whether the Proposal is an appropriate non-farm use on land within the ALR.

- [5] The Proposal was considered in the context of the purposes and priorities of the Commission set out in s. 6 of the ALCA:

6 (1) The following are the purposes of the commission:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest; and,
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

(2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:

- (a) the size, integrity and continuity of the land base of the agricultural land reserve;
- (b) the use of the agricultural land reserve for farm use.

EVIDENTIARY RECORD

- [6] The Proposal along with related documentation from the Applicant, Agent, local government and Commission is collectively referred to as the "Application." All documentation in the Application was disclosed to the Agent in advance of this decision.
- [7] Commissioner Linda Michaluk conducted a walk-around site visit on August 28, 2020 in accordance with the *ALC Policy Regarding Site Visits in Applications*, (the "Site Visit"). A site visit report (the "Site Visit Report") was prepared in accordance with the *Policy Regarding Site Visits in Applications*. The Site Visit Report was certified as accurately reflecting the observations and discussions of the Site Visit by the Agent on September 2, 2020.

BACKGROUND

- [8] The McLean Mill began its operation in 1926 and ceased operating as a working mill in 1965. In 1989 it was designated as a National Historic Site by the federal government (i.e. the MMNHS). At that time, an agreement was signed between the City of Port Alberni (the “City”) and Government of Canada to restore and operate the MMNHS in a manner consistent with National Historic Site standards.
- [9] In 1985, Application ID 19143 was submitted to the Commission to include properties into, and exclude properties from, the ALR as part of the ALC’s Alberni Fine-Tuning review. Several amendments were made to the areas to be included into, and excluded from, the ALR between 1985 and 1989. As a result of the fine-tuning review, portions of the Property’s two parent properties were included into the ALR. The application was approved by way of ALC Resolution #354/89 and was authorized by Order-In-Council No.1631 in 1990.
- [10] In 1991, ALC Application ID 26491 was submitted to the Commission to subdivide a 12.8 ha parcel (the Property) from two subject properties (previously included into the ALR under ALC Resolution #354/89). The purpose of the application was to develop the site as a historic sawmilling complex for educational and interpretive use by the public in partnership with the Province of British Columbia (Heritage Conservation Branch) and Environment Canada (Canadian Parks Service). The National Historic Site facilities would include a *“sawmill, various buildings including repair shops, residences, a cookhouse and, as well as display and operate as a forestry and milling interpretation centre for tourism.”* The Commission approved the subdivision for the purpose of developing the MMNHS by ALC Resolution #734/92, subject to the consolidation of the remaining 67.4 ha of the subject properties with an adjacent property (District Lot 161).
- [11] In 1992, the Commission received a request for reconsideration of ALC Resolution #734/92 from the City. Upon review, the Commission removed the consolidation conditions of ALC Resolution #734/92 by way of ALC Resolution #1323/92 and noted that

“the land referred to in the application continues to be subject to the provisions of the Act and regulations except as provided by this approval.”

- [12] In 1995, substantial restoration of the existing buildings on the Property began and in 2000 the MMNHS was opened to tourists in various capacities.
- [13] In 2020, the ALC received complaints about commercial activities occurring on the Property. On February 6, 2020, an ALC Compliance & Enforcement Officer advised the City that some of the current uses taking place on the Property were not permitted as specified in the ALC’s original decision (ALC Resolution #734/92), and the ALCA and its regulations, and that the City would be required to submit a non-farm use application to bring the uses into compliance.
- [14] In June 2020, the City subsequently submitted the current application (ALC Application 60615) to the Commission. The Application indicates that the intention of ALC Application 26491 was clear in that the Property was to be subdivided, and restored as a National Historic Site and a forestry and mill interpretation centre, although ALC Resolutions #734/92 and #1323/92 do not refer to any approval of non-farm use on the Property. For this reason, the Application was submitted with the purpose of clarifying the original intent of ALC Resolution #734/92, so as to determine whether the existing ancillary uses are permitted under the approval.
- [15] The Property currently contains the McLean Mill (operating since 1926), a mill pond, several restored historic buildings, interpretive centre facilities (constructed in 1997), a fish hatchery facility (constructed by the Alberni Valley Enhancement Association in 1999), a kitchen facility (constructed in 1997, upgraded in 2017) and several trails. A number of public events are hosted on the Property, including the Five Acre Shaker Music Festival, school programs, family events and weddings. A portion of the Property is forested.

EVIDENCE AND FINDINGS

[16] The Application was submitted on May 1, 2020 and was forwarded to the Commission by the Alberni Clayoquot Regional District (ACRD) on June 26, 2020. On March 12, 2020, the ALCA was amended and changes were made to its regulations. The Applicant was given an opportunity to make written submissions relating to the amendment of the ALCA and changes to its regulations as it relates to this application.

Issue: Whether the Proposal is an appropriate non-farm use on land within the ALR.

[17] To assess agricultural capability on the Property, the Panel referred to agricultural capability ratings. The ratings are identified using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability ratings applicable to the Property are Class 2, Class 3, Class 4 and Class 5, more specifically 50% (8:3TP 2:4T), 20% (6:3TP 4:O5W), 9% (7:3TP 3:O3W), 7% (7:3TP 3:O3W), 7% (8:3TP 2:4T) and 7% (5:2DC 5:2C).

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

The limiting subclasses associated with this parcel of land are C (adverse climate), D (undesirable soil structure), P (stoniness), T (topographic limitations) and W (excess water).

- [18] Based on the agricultural capability ratings, the Panel finds that the Property has mixed prime and secondary agricultural capability. However, after reviewing the Application material and conducting the Site Visit, the Panel finds that the Property's agricultural capability is significantly limited due to its historical use as a mill site, as a large portion of the Property is comprised of heritage buildings and equipment, the heritage rail and the fish hatchery. As such, the Panel finds there is limited area available on the Property for non-soil bound agriculture to occur. Further, based on the MMNHS Contamination Assessment prepared by Envirochem Special Projects Inc. in 1994, which accompanied the Application, the Panel finds that the land has been exposed to many years of soil contamination as a result of the mill operation and various other activities that occurred on the Property prior to its designation as a National Historic Site. The Panel finds that years of soil contamination from the Property's industrial and commercial uses have disturbed the soil's nutrients and composition thereby limiting the Property's current and future potential for soil-bound agriculture.
- [19] The Panel recognizes the historical use of the Property as a mill and acknowledges that no agricultural activity has ever occurred in the Property. The Panel also notes that the Property, due to its historical site classification, soil contamination, site buildings and related infrastructure has limited opportunities for agricultural use and therefore has no significant soil or non-soil bound agricultural potential. However, in considering an application for non-farm use, the Panel must consider factors such as whether the Proposal would aid in preserving agricultural land, or if it supports or benefits agriculture. Clearly, the Proposal does not contribute to these aims, and therefore, the Panel finds that so long as the Property remains in the ALR, it does not consider the Proposal to be an appropriate use of ALR land.
- [20] The Panel also acknowledges that funding for the preservation and restoration of the Property is provided by the City, grants from the ACRD and Parks Canada, and accumulated funds derived from a 10% heritage fee applied to bookings and purchases associated with the National Historic Site. However, the Panel finds that the financial benefit associated with the commercial and tourism activities occurring on the Property do

not justify them as appropriate non-farm uses in the ALR. The Panel finds that the activities support the historical site rather than agriculture and do not supplement a farmer's income and support agriculture as was intended by designated farm uses and permitted non-farm uses under the ALCA and its regulations. Therefore, the Panel finds that the Proposal is not an appropriate non-farm use in the context of the purposes of the Commission as set out in s. 6 of the ALCA and provides no benefit to agriculture.

[21] The Panel notes that it would accept the submission of an exclusion application for the Property for the Commission's consideration. Any such application would be considered by the Commission based on the application's merits and in the context of the Commission's mandate.

DECISION

[22] For the reasons given above, the Panel refuses the Proposal to continue operating the MMNHS's ancillary commercial and tourism uses on the Property.

[23] These are the unanimous reasons of the Panel.

[24] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(3) of the ALCA.

[25] Resolution #527/2020
Released on November 2, 2020



Linda Michaluk, Panel Chair
On behalf of the Island Panel



Alberni-Clayoquot Regional District

**Board of Directors Meeting Schedule
MAY 2021**

DATE	MEETING	TIME & LOCATION	ATTENDEES
Wednesday, May 5, 2021	Alberni Valley & Bamfield Services Committee Meeting	10:00 am – Via Zoom	Committee, Staff
	Electoral Area Directors Committee Meeting	1:30 pm – Via Zoom	Committee, Staff
Wednesday, May 12 th	Committee-of-the Whole <i>(Asset Management/Grant Allocations)</i>	10:00 am – Via Zoom	Committee, Staff
	Board of Directors Meeting	1:30 pm – Via Zoom	Directors, Staff
	Regional Hospital District Meeting	Immediately Following Board of Directors Meeting – Via Zoom	Directors, Staff
Wednesday, May 26 th	Committee-of-the Whole <i>(Meeting with ACRD Agricultural Committees re: Agricultural Initiatives)</i>	10:00 am – Via Zoom	Committee, Staff
	Board of Directors Meeting	1:30 pm – Via Zoom	Directors, Staff

April 23, 2021

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT BUILDING INSPECTOR'S REPORT
MARCH, 2021**

BUILDING TYPE	BAMFIELD		BEAUFORT		LONG BEACH		SPROAT LAKE		BEAVER CREEK		CHERRY CREEK		TOTALS	
	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE
Single Family							2	419,058			1	262,311	3	681,369
Mobile Homes							2	139,328					2	139,328
Multi-Family													0	0
Adds&Rens													0	0
Commercial													0	0
Institutional													0	0
Industrial							1	79,027	1	793,427			2	872,454
Miscellenaous					1	23,133	6	91,887			2	72,745	9	187,765
Totals	0	0	0	0	1	23,133	11	729,300	1	793,427	3	335,056	16	1,880,916

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT BUILDING INSPECTOR'S REPORT
MARCH, 2021 TO DATE**

BUILDING TYPE	BAMFIELD		BEAUFORT		LONG BEACH		SPROAT LAKE		BEAVER CREEK		CHERRY CREEK		TOTALS	
	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE	#	VALUE
Single Family	0	0	0	0	0	0	3	851,211	0	0	1	262,311	4	1,113,522
Mobile Homes	0	0	0	0	0	0	2	139,328	0	0	0	0	2	139,328
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Adds&Rens	0	0	0	0	0	0	0	0	1	50,000	0	0	1	50,000
Commercial	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Institutional	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial	0	0	0	0	0	0	1	79,027	1	793,427	0	0	2	872,454
Miscellenaous	0	0	0	0	2	73,133	6	91,887	0	0	3	112,745	11	277,765
Totals	0	0	0	0	2	73,133	12	1,161,453	2	843,427	4	375,056	20	2,453,069

	BAMFIELD	BEAUFORT/ BEAVER CREEK	LONG BEACH	SPROAT LAKE	CHERRY CREEK	TOTAL	YTD TOTAL
WOODSTOVE INSPECTIONS		1				1	3

	YEAR TO DATE		TOTAL YEAR			YEAR TO DATE		TOTAL YEAR	
2020	25	2,688,874	121	16,119,274					
2019	21	3,686,847	109	14,925,682					
2018	19	2,266,356	104	12,305,797					
2017	20	2,877,636	103	12,826,449					
2016	18	2,160,013	82	10,545,063					
2015	14	1,283,000	89	8,577,170					
2014	18	1,813,343	73	7,121,200					
2013	12	1,771,791	81	8,208,948					
2012	18	1,708,000	92	9,011,700					
2011	27	1,841,575	120	9,221,498					
2010	13	1,745,487	149	21,524,170					
2009	8	326,171	123	11,302,380	1999	9	785,830	80	3,348,092
2008	32	3,793,396	147	22,682,130	1998	18	779,980	75	3,320,890
2007	27	1,757,186	163	15,007,877	1997	20	862,866	104	10,025,166
2006	31	3,117,930	161	15,909,705	1996	21	1,693,000	128	9,050,554
2005	28	4,300,065	138	12,962,379	1995	23	1,506,000	116	9,641,300
2004	29	3,915,060	133	11,036,854	1994	34	1,972,000	151	7,915,500
2003	11	2,230,220	97	6,925,356	1993	36	2,603,000	167	10,864,000
2002	15	488,416	76	2,986,134	1992	33	1,724,000	173	11,192,500
2001	12	916,314	89	5,790,126	1991	16	829,520	126	7,155,120
2000	19	1,004,091	88	4,095,339	1990	22	1,644,300	118	6,323,900