

**CORPORATION OF THE CITY OF COURTENAY
COUNCIL MEETING AGENDA**

DATE: Monday, December 3, 2012
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt November 19, 2012 Regular Council Meeting Minutes and Committee of the Whole Minutes of November 26, 2012

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Inspector Blair McDonald – Officer in Charge – RCMP Comox Valley Detachment

4.00 COMMITTEE/STAFF REPORTS

(a) Community Services

- 1 1. Dawn to Dawn Lease Agreement
- 9 2. Lease of City Property – 656 Arden Road

(b) Corporate Services

- 17 3. Cancel December 31, 2012 Committee of the Whole Meeting
- 19 4. Alternative Approval Processes – Municipal Boundary Extensions
- 21 5. Notice of Title for 825-3rd Street

(c) Development Services

- 27 6. OCP Amendment – Regional Context Statement
- 47 7. Boundary Extensions

(d) Operational Services

- 91 8. 6th Street Cycling and Pedestrian Bridge

(e) Financial Services

- 95 9. 2013 Garbage and Recyclable User Fees
- 101 10. Audit Service Plan for 2012 Financial Audit

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

7.00 RESOLUTIONS OF COUNCIL

8.00 UNFINISHED BUSINESS

9.00 NOTICE OF MOTION

10.00 NEW BUSINESS

129 1. CVRD Municipal Directors and Voting Strength

131 2. C.V. Chapter Council of Canadians re: CETA

133 3. Appointment to the 2013 Vancouver Island Regional Library Board

11.00 BYLAWS

For First and Second Reading

135 1. "Official Community Plan Amendment Bylaw No. 2735, 2012"
(to include a regional context statement consistent with the RGS)

For First, Second and Third Reading

143 1. "City of Courtenay Fees and Charges Amendment Bylaw No. 2736, 2012"
(to set garbage user fees for 2013)

For Third Reading and Final Adoption

147 1. "Official Community Plan Amendment Bylaw No. 2714, 2012"
(Hospital Site from Parks and Recreation to Public/Institutional Uses)

149 2. "Zoning Amendment Bylaw No. 2715, 2012"
(Add Section 29 to Classification of Zones PA-4 and rezone 95 Lerwick Road from PA-2 to PA-4 and 235 Lerwick Road from PA-3 to PA-4 Hospital Site)

For Final Adoption

155 1. "Official Community Plan Amendment Bylaw No. 2719, 2012"
(Urban Residential to Multi-Residential Use, 932-5th Street)

157 2. "Zoning Amendment Bylaw No. 2720, 2012"
(Rezone from R-2 to R-4B, 932-5th Street)

FOR THIRD READING AFTER PUBLIC HEARING

- 159 1. "Official Community Plan Amendment Bylaw No. 2732, 2012"
(to create a new comprehensive development zone)

- 161 2. "Zoning Amendment Bylaw No. 2733, 2012"
(to create a new comprehensive development zone)

12.00 COUNCIL MEMBER ROUND TABLE

13.00 ADJOURNMENT

Please note that there is a Public Hearing scheduled for 5:00 p.m. in relation to Official Community Plan Amendment Bylaw No. 2732 and Zoning Amendment Bylaw No. 2733

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

FROM: Director of Community Services
Director of Legislative Services

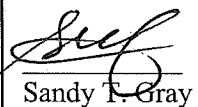
FILE #: 6140-026-01

DATE: November 28, 2012

SUBJECT: Dawn to Dawn Lease agreement

C.A.O. COMMENTS/RECOMMENDATIONS:

That the report from the Director of Community Services be accepted.



Sandy T. Gray

RECOMMENDATION:

That Council approve the attached lease agreement with Dawn to Dawn Action on Homelessness Society for the use of City lands located on Harmston Avenue (as indicated in Schedule A) for the purpose of a community garden; and

That the Mayor and Director of Legislative Services be authorized to execute the agreement on behalf of the City.

PURPOSE:

To enter into an agreement for the use of City property for use of a community garden.

BACKGROUND:

The Dawn to Dawn Action on Homelessness Society had a lease with the City of Courtenay from April to October 2012 for a pilot project for a community garden.

The Society has indicated the project has been successful and wishes to renew their lease agreement with the City of Courtenay for another year starting December 1, 2012.

DISCUSSION:

The Dawn to Dawn Action on Homelessness Society commenced a pilot project for a community garden to engage some of their clients and community members in urban food production, which could be used to feed the homeless and other persons facing poverty.

The project was deemed a huge success with over 800 volunteer hours estimated to be having contributed to the garden. Much of the produce was given to the Sunshine Club at St. George's United Church who serve meals to the homeless and people in need on a regular basis.

Over the summer, there were many people who dropped by to express interest in the program and community groups such as the Aboriginal Headstart Program also were involved. There were regular gatherings where food and gardening techniques were shared.

FINANCIAL IMPLICATIONS:

The City will provide water service and garbage cans and a port a potty over the summer months at a cost of approximately \$500.00 to come from regular operating budgets.

STRATEGIC PLAN REFERENCE:

3.4 Facilities- Work in partnership with community groups

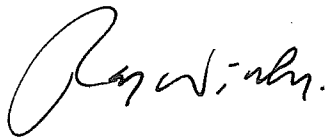
OCP SUSTAINABILITY REFERENCE:

N/A

REGIONAL GROWTH STRATEGY REFERENCE:

N/A

Respectfully submitted,



Randy Wiwchar
Director of Community Services



John Ward, CMC
Director of Legislative Services

DAWN TO DAWN COMMUNITY GARDEN AGREEMENT

THIS AGREEMENT made as of the 1st day of December, 2012

BETWEEN:

THE CORPORATION OF THE CITY OF COURTENAY, a municipal corporation incorporated under the *Community Charter* and having an address of 830 Cliffe Avenue, Courtenay B.C.

(the "City")

OF THE FIRST PART

AND:

DAWN TO DAWN ACTION ON HOMELESSNESS SOCIETY, a registered society with an address of Unit 6C-821 Shamrock Place, Comox, B.C.

(the "Society")

OF THE SECOND PART

WHEREAS:

- A. The Society has constructed certain improvements on lands owned by the City including raised garden beds and a drip irrigation system as shown on the sketch attached hereto as Schedule "A" (the "Lands"); and
- B. The City has agreed to allow the Society to use the Lands with these improvements (the "Improvements") on the terms and conditions set out herein.

NOW THEREFORE in consideration of the mutual covenants contained herein and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged by the parties), the parties agrees as follows:

USE OF LANDS AND IMPROVEMENTS

1. The City hereby grants the Society rights to use on a non-exclusive basis the Lands and the Improvements so long as they are being used for a community garden and other related activities (including garden demonstrations and educational events and community food and harvest gatherings) and for no other use (without the City's prior written consent which may be withheld in the City's sole discretion).
2. The Society will maintain the Lands and Improvements to the City's standards (to be established by mutual agreement between the Society and the City's Director of Community Services, it being understood that the Society will repair any damage, howsoever caused, including (without limitation) by acts of vandalism.
3. The Society will obtain the City's prior written consent before undertaking any further alterations to the Lands and the Improvements.

TERM, RENEWAL AND TERMINATION

4. The term of this Agreement is for a period of twelve (12) months commencing on December 1, 2012 and terminating on November 30, 2013.
5. This Agreement may be terminated by the Society or the City upon giving to the other party 30 days notice of its intention to terminate, such notice to be given in writing on the last day of any month.
6. Upon expiration of the term, all improvements on the Lands must be removed by the Society. This requirement may be waived by the City if the Society receives approval from City Council to continue the use of the property in the future.

INDEMNIFICATION OF CITY

7. The Society agrees to indemnify and save the City harmless from and against any loss or damage suffered by the City as a result of an action brought against the City by any person in connection with any activities on the Lands. For certainty, the reference to the City in this and the previous sections refers, where the context so allows, to the City's Councillors, officers, employees, agents, contractors, subcontractors and others for whom it is responsible in law. The indemnities contained in this Agreement will survive the expiration or earlier termination of the Term.

LIABILITY INSURANCE

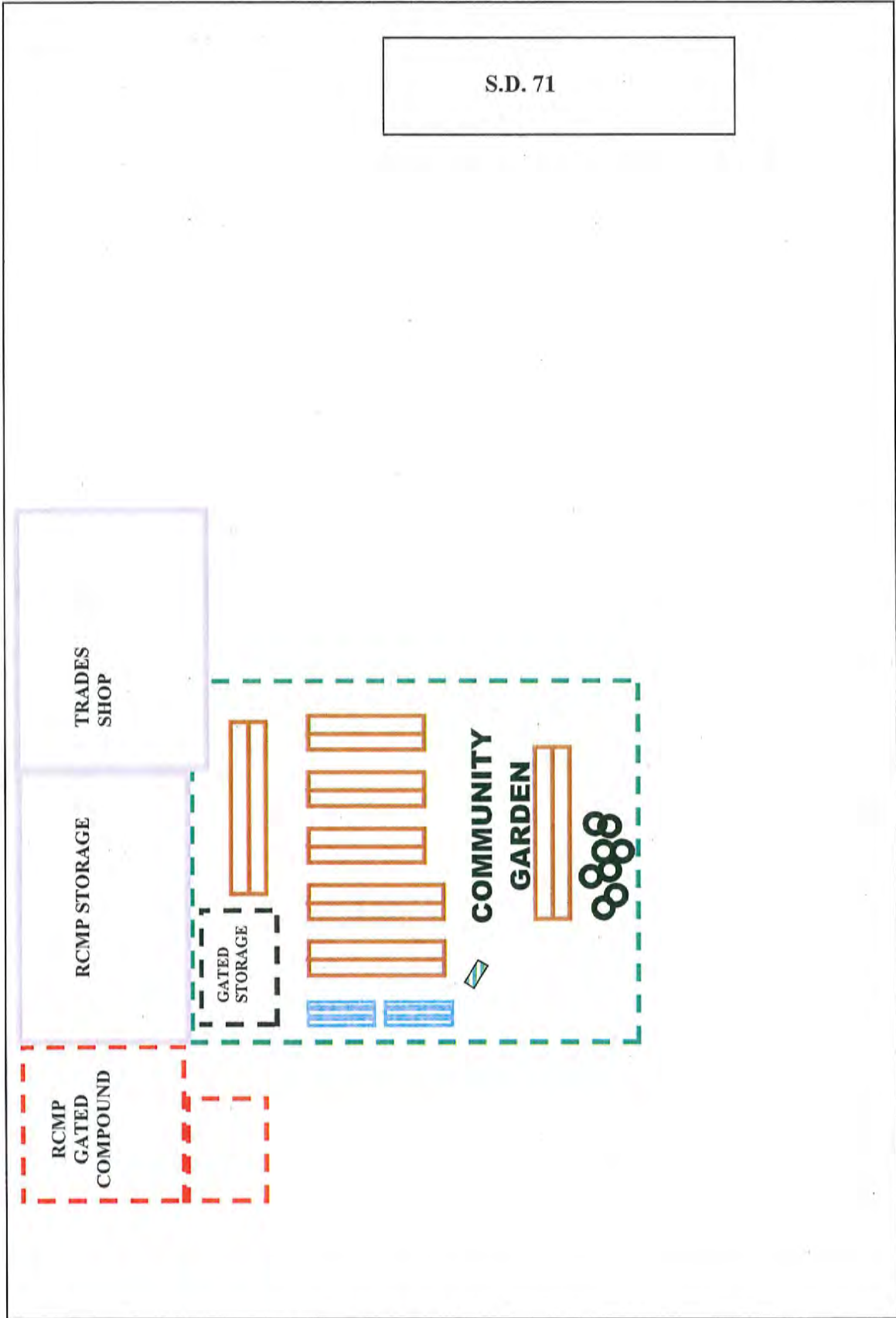
8. At its expense, the Society must provide and maintain throughout the Term:
 - (a) comprehensive general liability insurance to protect and indemnify itself and the City against claims for bodily injury, death, property damage, property loss, economic loss and other loss or damage occurring upon, in or about the Lands in an amount not less than TWO MILLION (\$2,000,000.00) DOLLARS per accident or occurrence or such greater amount as the City may stipulate from time to time; and
 - (b) property insurance against all risks, in a commercially prudent form, against loss or damage to any personal property located on the lands which insurance must be for replacement cost.

Those insurance policies must be in the standard form carried by the City, and approved through the City Representative. The policies must provide for 30 days notice to the City before cancellation and should a policy lapse or be cancelled, the City may, at the cost of the Society, place insurance as provided in this section.

CUMBERLAND ROAD

SCHEDULE A

GRANT AVE



HARMSTON AVENUE



SIXTH STREET



Dawn to Dawn

ACTION ON HOMELESSNESS SOCIETY

Unit 6C - 821 Shamrock Place, Comox, BC Canada V9M 3P6

November 01, 2012

Mr. R. Wiwchar
Director of Community Services,
City of Courtenay

Dear Mr. Wiwchar,

Re: Dawn to Dawn Community Garden

I am writing to request the renewal of the agreement between the City of Courtenay and Dawn to Dawn Action on Homeless Society for the operation of a community garden on part of the city-owned property at the corner of Grant and 6th St.

In spring of 2012, we commenced a pilot project to see if a community garden might be a way to engage some of our clients and other community members in urban food production, which could be used to feed the homeless and other persons facing poverty. We estimate that a total of more than 800 volunteer hours has been contributed to the garden over the spring, summer and fall seasons.

The garden has been a wonderful success. Our clients have learned about gardening and about food security. We have been able to provide fresh produce to the homeless and other members of the community and, as well, to the Sunshine Club at St George's Church.

As importantly, the garden has helped to improve understanding and communications between our clients and other residents of the community. Many community members have given of their time, their gardening expertise, seeds and seedlings to help make the garden successful. The initial support from the Home Depot foundation and their staff and others helped us get the garden up and growing.

However, we could not have done it without the wonderful support and collaboration from the City of Courtenay. The city's support has really helped make the garden the success it has been. We very much appreciate the opportunity we have had to try this pilot and the very cooperative working relationship with City of Courtenay staff.

We would like to extend this pilot project for an additional full year – so that we may experiment with a winter garden and have an even better summer garden drawing on what was learned this past summer. We therefore request that a new agreement be signed to cover the period from December 1, 2012 to November 30, 2013.

Sincerely,


Richard Clarke

President

Dawn to Dawn Society - **Annual General Meeting** – Oct. 24, 2012

COMMUNITY GARDEN REPORT: April to October 2012

Submitted by Judy Brooks, Board liaison for the project

Firstly, we can say that the Dawn to Dawn Community Garden was a success in this first year of the project. The idea came from our Outreach Worker, Grant Shilling. The Home Depot Foundation gave us a grant – “seed” money which also bought lumber to build the beds, buy tools, equipment and more. Other donations came from private donors and churches in the community, and local merchants – soil, a gate for a secure enclosure to store things, etc. The City of Courtenay gave us the use of the land behind the municipal building on Grant at Sixth Street. Additional support from the city included access to a water source, and a Port-a-Potty from August onward. We also received funding from the CVRD for our Recreation Program – the community garden is part of this program.

Our Garden Facilitator, Dianne MacLean, directed the planting and all the work that was done from April to October, keeping plants weeded, watered and harvested and many times, replanted. Dianne brought her diverse talent and experience to the garden, as well as a welcoming and inclusive approach to involve volunteers, garden users and members of the surrounding community. There were regular helpers who worked alongside throughout three seasons – Joan and Del to name but two. Dianne has submitted monthly reports to the Board since April, and has posted regular updates on our FaceBook page.

Produce from the garden included peas, beans, several varieties of lettuce and tomatoes, broccoli, herbs, carrots, strawberries, beets, squashes, onions and much more. Much of the produce was given to the Sunshine Club at St. George’s United Church who serve meals to the homeless and people in need on a regular basis. In addition, fresh produce was given to families and individuals who came to the garden and indicated their need.

Over the summer, many people dropped by to express interest in the progress of the garden or to spend time in this green space. Children and families from the Aboriginal HeadStart Program planted a bed featuring ‘The Three Sisters’; other people planted mini-gardens of their own to tend.

There were monthly Sunday afternoon social gatherings where food and gardening techniques were shared while others came to meet and learn. On September 24th, a Dawn to Dawn Harvest Celebration was held with many people enjoying the barbeque and the borscht. Following that, more than 50 people were served Thanksgiving dinner (donated from the community), on a sunny Sunday of the long weekend.

A winter crop has been planted and garden beds are being prepared for the colder months ahead. The City of Courtenay has said they will extend their agreement to allow us to continue the project into next year. We look forward to next spring!

THE CORPORATION OF THE CITY OF COURTENAY

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REPORT TO COUNCIL


FROM: Director of Community Services
Director of Legislative Services

FILE #: 2380-20 656 Arden Road
DATE: December 3, 2012

SUBJECT: Lease of City Property

C.A.O. COMMENTS/RECOMMENDATIONS:

That the report from the Director of Community Services be accepted.



Sandy T. Gray

RECOMMENDATION:

That subsequent to publication of notice, Council approve the attached lease for municipally owned property located at 656 Arden Road, Courtenay, BC known as Lot 1, Section 79, Comox Valley District, Plan 8249, Except Parcel A (DD6666JN).

PURPOSE:

To approve the lease for municipal property.

BACKGROUND:

The City has rented the above mentioned property for a number of years. The most recent tenant vacated the premises and the property is now sitting empty. A new tenant has requested to enter into a lease for the property.

DISCUSSION:

Prior to disposing of municipal property, including leasing, Council is required to publish notice outlining the details of such disposition in a newspaper for two consecutive weeks.

FINANCIAL IMPLICATIONS:

The City shall receive Nine hundred dollars per month or Ten thousand eight hundred dollars each year which is the fair market value rent.

STRATEGIC PLAN REFERENCE:

None.


OCP SUSTAINABILITY REFERENCE:

None.

REGIONAL GROWTH STRATEGY REFERENCE:

None.

Respectfully submitted,



Randy Wiwchar
Director of Community Services



John Ward, CMC
Director of Legislative Services

Residential Tenancy Agreement

THIS AGREEMENT made the 15th day of December, 2012

BETWEEN:

David Campbell and Kylee Abrahamson
656 Arden Road
Courtenay, B.C.
V9N 9K3

(hereafter, collectively referred to as "the Tenant")

AND:

The Corporation of the City of Courtenay
830 Cliffe Avenue
Courtenay, B.C. V9N 2J7
Tel: (250) 334-4441
Fax: (250) 334-4241

(hereafter referred to as "the Landlord")

GIVEN THAT:

- A. The Landlord is the registered owner of land and premises located at 656 Arden Road, Courtenay, British Columbia legally described as:

Lot 1, Section 79, Comox Valley District, Plan 8249, Except Parcel A (DD6666JN)
and Except those parts in Plans 8464M, 10254 and 38814.

(the "Land");

- B. The Tenant wishes to lease the mobile home on the Land (the "Leased Premises") and the Landlord wishes to lease the Leased Premises to the Tenant on the conditions contained herein; and
- C. Pursuant to the requirements of the *Residential Tenancy Act*, S.B.C. 2002, c. 78, the Landlord and Tenant wish to reduce to writing their agreement concerning the Tenant's occupation of the Leased Premises.

Landlord Initials	Tenant Initials

NOW THEREFORE THIS AGREEMENT is evidence that in consideration of the Leased Premises, rent and promises contained in this agreement the parties agree as follows:

Lease of Leased Premises

1. The Landlord hereby leases the Leased Premises to the Tenant for a fixed term (the "Term") commencing on December 15, 2012 ("Commencement Date") and ending on December 15, 2013 (the "Expiry Date"), unless terminated earlier pursuant to this Agreement and the provisions of the Residential Tenancy Act and its regulations.
2. On the Expiry Date this Agreement shall terminate and the Tenant shall vacate the Leased Premises in a clean, tenantable condition except for ordinary wear and tear and on termination the obligations of each party to the other will be at an end.

Renewal Options

3. The Landlord shall at the expiration of the Term upon the Tenant's written request delivered to the Landlord no later than three (3) months prior to the expiration of the Term, grant to the Tenant a further option to renew the Leased Premises for a term of one (1) year for a maximum of five (5) years, upon all the terms, covenants, agreements, and provisos contained in the Rental Agreement shall remain unaltered and in full force and effect during the Renewal Term the same with the exception of the Rent which shall be fixed and determined by the Landlord at the time of the renewal in accordance with the Residential Tenancy Act.

Rent

4. The Tenant agrees to pay the Landlord rent in the amount of nine hundred dollars (\$900) per month, which shall be payable by personal or certified cheque on or before the 1st day of each month. The first month's rent shall be payable on December 15, 2012. The rent is subject to the annual Allowable Rent Increase as deemed acceptable by the Residential Tenancy Act.

Other Occupants

5. The Tenant and Landlord agree that only one (1) family may occupy the Leased Premises.
6. The Tenant will inform the Landlord if a guest of the Tenant will be staying at the Leased Premises for longer than five consecutive days.
7. The Landlord will give twenty-four (24) hours notice of its intent to enter the Leased

Landlord Initials	Tenant Initials

Premises during reasonable hours. The Tenant may also consent to the Landlord's entry without such notice being given. The Landlord does not need to give notice in the event of an emergency.

Vacant Premises

8. The Tenant will notify the Landlord of an intended absence of more than seven days.

Utilities and Appliances

9. (a) Utilities will be paid by the parties as indicated below:

	Landlord	Tenant
Electricity		X
Water	X	
Telephone		X
Cable Vision		X
Garbage Removal	X	

- (b) Appliances will be supplied and maintained in working order as indicated below:

	Landlord	Tenant
Stove	X	
Refrigerator	X	
Washer		X
Dryer		X
Electrical Baseboard Heaters	X	
Hot water Heater	X	

Landlord Initials	Tenant Initials

Security Deposit

- 10. The Landlord acknowledges receipt from the Tenant of the sum of \$450.00 as a security deposit to secure the Tenant's performance of the obligations imposed by this agreement. The following terms shall apply to the deposit:

- 11. The Landlord will:
 - (a) keep the security deposit during the tenancy and pay interest on it in accordance with the *Residential Tenancy Act*; and
 - (b) return the security deposit together with accrued interest to the Tenant within 15 days of the end of the Agreement, unless
 - (i) the Tenant agrees in writing to allow the Landlord to keep an amount as payment for unpaid rent or damage, or
 - (ii) the Landlord applies for arbitration under the *Residential Tenancy Act* within 15 days of the end of this Agreement to claim some or all of the security deposit and interest.

The Tenant may not use the security deposit and interest on account of rent only.

State of Repair and Maintenance

- 12. The Landlord will provide and maintain the residential property in a reasonable state of decoration and repair in accordance with the *Residential Tenancy Act*.
- 13. The Tenant agrees to mow and water the lawn and to keep the lawn, flower beds, and shrubbery in good order and condition; to keep the sidewalk surrounding the Leased Premises free and clear of all obstructions; and to take due precautions against freezing of or stoppages within the water or waste pipes on the Leased Premises.
- 14. The Tenant is not required to make repairs to the Leased Premises that result from reasonable wear and tear, however the Tenant will be held responsible for the repair of damage that was caused by the actions or neglect of the Tenant or a person permitted on the residential property by the Tenant. Any repairs or alterations to the Leased Premises shall be carried out by the Landlord or its agents.

Landlord Initials	Tenant Initials

15. The Tenant shall not make or cause any structural alterations to be made to the Leased Premises. Painting and papering and decorating shall be done only with the prior written consent of the Landlord. The Tenant shall not install heavy appliances or equipment of any kind without written permission of the Landlord. Automobile and other repairs shall not be done on the Land.

Ending the Tenancy

16. The Tenant may end the tenancy by giving the landlord at least one month's written notice. A notice given the day before the rent is due in a given month ends the tenancy at the end of the following month.
17. The Landlord may end the tenancy only for the reasons and only in the manner set out in the Residential Tenancy Act.
18. The Landlord and tenant may mutually agree in writing to end this tenancy agreement at any time.

Over Holding

19. If the Tenant remains in possession of the Leased Premises after the last day of the Term, or after any other lawful end of the tenancy, the Landlord may claim for damages against the Tenant and the Tenant shall be liable for damages suffered by the Landlord. The Landlord may apply to the B.C. Residential Tenancy Office for an Order of Possession or a similar order from a court or an arbitrator and when such an order been obtained, eviction by the bailiff may follow.

Use of Premises

20. The Tenant and guests shall use the Leased Premises only for private residential tenancy and not for any unlawful purposes. No business or commercial advertising shall be carried out or placed on the Land or at the Leased Premises.
21. The Landlord retains the right to terminate this lease if the Tenant creates noise that significantly interferes with or unreasonably disturbs the neighbourhood.

No Assignment or Subletting

22. The Tenant shall not assign or sublet the premises without the Landlord's written consent.

Landlord Initials	Tenant Initials

Landlord's Use of Land

23. The Landlord is entitled to use a portion of the Land for highway improvements.

Compliance with Tenant Agreement

24. The Tenant covenants and agrees with the Landlord that it is a material term of this Agreement that the Tenant will observe, perform and otherwise comply with all covenants and other obligations that the Tenant is required to observe, perform and otherwise comply with under the Tenant Agreement.

Whole Agreement

26. This Agreement executed and delivered by or on behalf of the Landlord and the Tenant, sets forth the entire agreement between the parties concerning the Leased Premises and there are no warranties, representations, covenants, promises, agreements, conditions, or understandings either oral or written, express or implied, between the parties other than as set forth in this Agreement.

Severance

27. If any portion of this Agreement is held to be invalid by a court of competent jurisdiction, the invalid portion will be severed and the portion that is invalid must not affect the validity of the remainder of this Agreement.

Waiver or Non-Action

28. Waiver by the Landlord of any breach of any term, covenant or condition of this Agreement by the Tenant must not be deemed to be a waiver of any subsequent default by the Tenant. Failure by the Landlord to take any action in respect of any breach of any term, covenant or condition of this Agreement by the Tenant must not be deemed to be a waiver of such term, covenant or condition.

Time

29. Time will be of the essence of this Agreement.

Joint and Several Liability

30. The Tenant's liabilities under this Agreement are joint and several.

Landlord Initials	Tenant Initials

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THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

FROM: Director of Legislative Services


FILE #: 0570-01

DATE: December 3, 2012

SUBJECT: December 2012 Council Meeting Schedule

ADMINISTRATOR'S COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Legislative Services be accepted.


Sandy T. Gray

RECOMMENDATION:

That the Committee of the Whole meeting scheduled for December 31st, 2012 be cancelled.

PURPOSE:

To revise the Council meeting schedule for December 2012.

BACKGROUND:

For the past ten years Council has cancelled the meeting in the last week in December.

DISCUSSION:

The regular Council meeting schedule will resume on January 7th, 2013.

FINANCIAL IMPLICATIONS:

None.

STRATEGIC PLAN REFERENCE:

None.

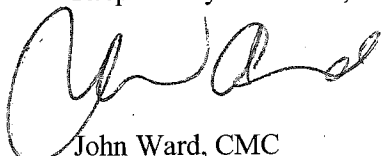
OCP SUSTAINABILITY REFERENCE:

None.

REGIONAL GROWTH STRATEGY REFERENCE:

None.

Respectfully submitted,


John Ward, CMC
Director of Legislative Services

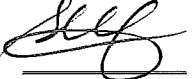
REPORT TO COUNCIL

FROM: Director of Legislative Services **FILE #:** 3720-20
DATE: November 27, 2012

SUBJECT: Alternative Approval Processes – Municipal Boundary Extensions

C.A.O. COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Legislative Services be accepted.


Sandy T. Gray

RECOMMENDATION:

That the report from the Director of Legislative Services with the results of the alternative approval processes for municipal boundary extensions be received for information.

PURPOSE:

To advise Council on the results of the alternative approval process regarding municipal boundary extensions.

BACKGROUND:

Pursuant to section 20 (3)(c) of the *Local Government Act*, Council must obtain the approval of the electors for proposed boundary extensions.

Council passed a resolution to seek the approval of the electors through separate alternative approval processes for four proposed boundary extensions.

DISCUSSION:

Separate alternative approval processes were conducted pursuant to section 86 of the *Community Charter*.

Below is a breakdown of elector responses received for each proposed boundary extension:

- 1. South Courtenay - 25
- 2. Beaver Meadows Farms/Beaver Meadows Cranberry Corporation - 36
- 3. Baptist Church on Lake Trail Road - 11
- 4. Lannan Lands – Crown Isle - 36

The deadline for responses was November 23rd, 2012 at 4:30 p.m.

Approval of the electors for each proposed boundary extension has been achieved since at least 10%, or 1878, of the electors did not indicate that Council must obtain the assent of the electors (referendum) before proceeding.

FINANCIAL IMPLICATIONS:

None.

STRATEGIC PLAN REFERENCE:

Not applicable.

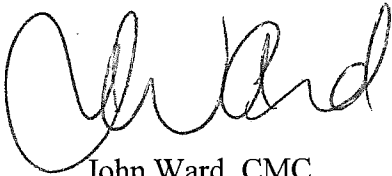
OCP SUSTAINABILITY REFERENCE:

Not applicable.

REGIONAL GROWTH STRATEGY REFERENCE:

Not applicable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Ward". The signature is fluid and cursive, with the first letter "J" being particularly large and stylized.

John Ward, CMC
Director of Legislative Services

G:\ADMIN\John Ward\REPORT\AAP Results Boundary Extensions Dec 2012.docx

5

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

FILE #: 3800-20

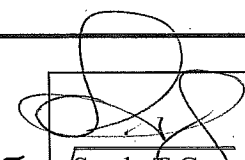
FROM: Director of Legislative Services

DATE: December 3, 2012

SUBJECT: Notice on Title for 825 3rd Street

C.A.O. COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Legislative Services be accepted.


For Sandy T. Gray

RECOMMENDATION:

That pursuant to section 57 (3) of the *Community Charter* Council direct the Corporate Officer to file a notice in the Land Title Office against the property legally described as P.I.D. 006-183-476, Lot 25, District Lot 127, Comox District, Plan 3661, located at 825 3rd Street which states:

- (a) a resolution relating to the lands has been made under section 57 of the *Community Charter*, and
- (b) further information about it may be inspected at the municipal hall.

PURPOSE:

To file a notice on the property located at 825 3rd Street.

BACKGROUND:

As outlined in the attached documentation from the Chief Building Inspector, work was performed on a building on the property without a building permit.

DISCUSSION:

Pursuant to section 57 of the *Community Charter*, upon request by a Building Inspector to place a notice on title, the Corporate Officer is required to give notice to the property owner and place the matter before Council.

The required notice has been provided to the property owner.

FINANCIAL IMPLICATIONS:

None.

STRATEGIC PLAN REFERENCE:

Enforcement in nature.

OCP SUSTAINABILITY REFERENCE:

None.

REGIONAL GROWTH STRATEGY REFERENCE:

None.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ward", written in a cursive style.

John Ward, CMC
Director of Legislative Services

G:\ADMIN\John Ward\REPORT\Notice against title 825 3rd Street December 2012.docx

THE CORPORATION OF THE CITY OF COURTENAY

MEMORANDUM

TO: John Ward, Director of Legislative Services **FILE #:** 3800-20
FROM: Dennis Mirabelli, RBO, Chief Building Inspector **DATE:** October 1, 2012

SUBJECT: Notice Against Title - S.57(1)(b)(i & ii) of the *Community Charter*
825 - 3rd Street - Lot 25, DL 127, Plan 3661 - PID 006-183-476

This memorandum is to inform the Director of Legislative Services that the Building Division is requesting that the City proceed with putting a Notice against Title pursuant to S.57(1)(b)(i & ii) of the *Community Charter*, for the property legally described as Lot 25, District Lot 127, Comox District, Plan 3661 at 825 3rd Street.

During the course of carrying out duties, the Building Inspector discovered that work was done with respect to the building that required a permit under Building Bylaw 2323, 2003. A building permit was not obtained.

Respectfully submitted,

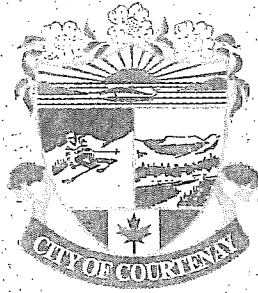


Dennis Mirabelli, RBO
Chief Building Inspector

DM/jk

THE CORPORATION OF THE CITY OF COURTENAY

Legislative Services Department
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7



Phone (250) 334-4441
Fax (250) 334-4241
jward@courtenay.ca

City File No.: 3800-20

November 20, 2012

Elwyn Robert Burch
825 – 3rd Street
Courtenay, B.C. V9N 1E9

HAND DELIVERED

Re: Notice of Action (Replaces notice of November 1, 2012)

Please be advised that pursuant to section 57 of the *Community Charter*, Council will be considering a recommendation relating to your property legally described as P.I.D. 006-183-476, Lot 25, District Lot 127, Comox District, Plan 3661, located at 825 3rd Street, Courtenay, B.C.

The recommendation Council will be considering is as follows:

That pursuant to Section 57 (3) of the Community Charter, the Corporate Officer file a notice in the Land Title Office against P.I.D. 006-183-476, Lot 25, District Lot 127, Comox District, Plan 3661, located at 825 3rd Street, Courtenay, B.C. stating that:

- (a) a Council resolution relating to that land has been made under this section; and*
- (b) further information about it may be inspected at the offices of the Municipality.*

This action is a result of work having been carried out on a building without a building permit.

Pursuant to section 57 (2) (a) of the *Community Charter* you are hereby notified of the recommendation, and advised that you have an opportunity to address Council on December 3rd, 2012 at 4:00 p.m. prior to Council considering the recommendation. Alternatively you may make a submission in writing prior to Thursday, November 29th, 2012 at 4:00 p.m. that will be presented to Council.

Please advise the undersigned at 250.334.4441 if you wish to make a submission to Council, prior to Thursday, November 29th, 2012 at 4:00 p.m.

Yours truly,

John Ward, CMC
Director of Legislative Services

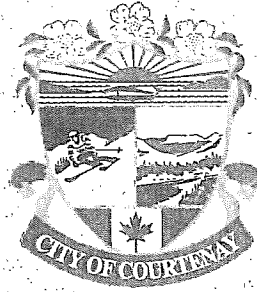
Pc: D. Mirabelli, Chief Building Inspector

Notice on Title 825 3rd Street Nov 2012 second owner revised.docx

THE CORPORATION OF THE CITY OF COURTENAY

*Legislative Services Department
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7*

*Phone (250) 334-4441
Fax (250) 334-4241
jward@courtenay.ca*



City File No.: 3800-20

November 20, 2012

Judith Diane Burch
825 – 3rd Street
Courtenay, B.C. V9N 1E9

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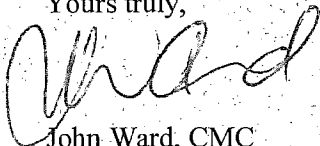
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Yours truly,



John Ward, CMC
Director of Legislative Services

Pc: D. Mirabelli, Chief Building Inspector

6

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

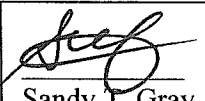
FROM: Development Services Department

FILE #: 6480-20-1206
DATE: November 29, 2012

SUBJECT: Official Community Plan Amendment
Regional Context Statement

C.A.O. COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Development Services be accepted.



Sandy T. Gray

RECOMMENDATION:

That Council approve the recommendations contained in this report to amend Section 3, Growth Management of the Official Community Plan and to include the addition of the Regional Context Statement as required pursuant to Part 25 of the Local Government Act.

That Official Community Plan Amendment Bylaw No. 2735, 2012 to amend Section 3 of Part 3, Growth Management, proceed to First and Second Reading;

That Council direct staff to schedule and advertise a statutory public hearing with respect to Official Community Plan Amendment Bylaw No. 2735, 2012 on January 14, 2012 at 5:00 p.m. in the City Hall Council Chambers.

PURPOSE:

To review an update to the City's Official Community Plan to include a regional context statement that is consistent with the Comox Valley Regional Growth Strategy (RGS) adopted in March 2011.

BACKGROUND:

Pursuant to Part 25, of the *Local Government Act*, Regional Growth Strategy (RGS), a municipality must update their Official Community Plan within two years of the adoption of the RGS to identify the relationship between the OCP and the context of the RGS, and if applicable, how the OCP and the RGS will be made consistent over time. The legislation establishes a horizontal relationship between the OCP and the RGS.

The RGS was adopted on March 29, 2011 following acceptance by the affected local governments and three Electoral Areas. It represents a consensus to work together to meet the collective regional planning goals, to conserve and enhance land, water and energy resources and to ensure a vibrant local economy and productive working landscape.

Successful implementation will depend on the actions of all of the participants of the RGS through the amendments to individual official community plans, zoning bylaws and policies to address the planning objectives of the RGS. The Regional Context Statement identifies the relationship for the municipalities between the RGS and the OCP and becomes an important implementation tool of the RGS.

The City's OCP adopted in February 2005, includes a section on 'Growth Management' which established the principal of managing growth. It established a strategy for the City to manage development and provide for environmental protection in a coordinated and integrated approval system.

It addressed growth management and the importance of designing the City's infrastructure and land uses for the future to make the best and more efficient use of these resources.

It also supports protecting the City's existing investment in infrastructure and to ensure a vibrant tax base.

It established the fundamental principle that there should not be further densification of land uses in the non-municipal areas on the fringes (within 5km) of the City's boundaries and it established conceptual boundaries for the City.

The RGS does support the principals and policies established in the City's OCP. The RGS is structured into five parts including:

1. Introduction
2. Context
3. Regional Policies
4. Managing Growth
5. Implementation and Monitoring

Part 2 outlines the major trends that were the basis for the RGS. The City's OCP supports the importance of major trends and addresses those in the City's objectives, policies and land use designations. The RGS projects a population increase of approximately 19,800 between 2010 and 2030 representing an annual growth rate of 1.6% and 500 residential units per year. The City's population in 2011 was 24,099 representing an annual increase of 1.88% from 2006.

Part 3 describes a vision for the region along with the eight principle policy areas. Part 4 establishes a strategy for managing growth and land use activities whereas Part 5 sets out the tools and partnerships to implement the RGS.

As such, the amendments to the City's OCP recommended in this report are minor in nature and do not change the principle of managing growth and infrastructure to protect the long term financial interests of the residents of the City.

Population projections can vary significantly given the numerous factors beyond the control of the greater area. The City's OCP provides for the consideration of a range of growth and the policies are established to address changes in growth rates. Part 2 of the City's OCP, Vision and Strategy, expresses the vision for the City and the goals that provide the foundation for the vision. Growth will occur through densification and the expansion of the City's boundaries which is supported in the RGS. The rate for both development and boundary expansions will be dependent on available, suitable lands and the provision of services through Council's approval.

The RGS states the City shall develop and grow consistent with its function as the Comox Valley's largest urban area. New development should provide for a wide diversity of housing and employment opportunities and allow for the highest densities within the Comox Valley. The City is achieving this through many of the recently approved housing and commercial projects and will continue to follow this strategy. It is also important for the OCP to anticipate and plan well into the future for growth and to coordinate this growth with the demands on all City services. It is also important to ensure future amendments to the RGS remain consistent with the fundamental principles in the City's OCP.

DISCUSSION

The goals, objectives and policies of the RGS bylaw as contained in Section 3 are organized into the following eight sections which are outlined below for the consistency of the City's OCP.

Goal 1: Housing:

Ensure a diversity of housing options to meet evolving demographics and needs.

The OCP supports the development of housing options and contains policies that examine ways to increase densities and to provide a balance between new and existing developments.

These principles include:

1. balance land uses to create a vibrant and diverse neighbourhood and community;
2. create neighbourhoods that will offer a variety of transportation choices;
3. preserve and enhance open spaces, greenways and environmentally sensitive areas;
4. encourage green buildings and infrastructure; and
5. lead in creating inclusive neighbourhoods for housing.

Goal 2: Ecosystems, Natural Areas and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems.

The OCP supports this goal beginning with a vision to have:

- an expanding parks, natural areas and greenways system, and
- a strategy to lead in environmental protection.

This is followed by goals and strategies to have:

- a system of Greenways to serve recreational needs
- parks and publicly accessible natural open space
- guidelines for sustainable development.

The City has and continues to put a great deal of effort into developing its parks and open space system. The OCP states the provision of parks and services as an essential contribution to the quality of life, environment and image of the City. The OCP contains extensive policy on the parks and greenways systems and environment. The Environmental Development Permit Area section of the OCP has been recently updated on the basis of new mapping and new information.

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Courtenay has long served as the economic centre of the greater Comox Valley and this is recognized in the RGS. The OCP's vision includes the City as being the centre of commerce for the Comox Valley. This is supported by designating five principle commercial areas within the City and to support the densification of these areas. It recognizes the distinct role of the Downtown as an integral part of the community's social and cultural life, its identity and its economy. The mix of uses supported for the commercial nodes and corridors reflect the policies of the RGS.

Goal 4: Transportation:

Develop an accessible, efficient and affordable multi-modal transportation network, that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

The City's OCP sets out specific goals and policies on the development of a transportation system that provides choices for different modes of travel. This system works towards reducing travel distances and congestion through the consideration of the long term impacts of all land use decisions. Selecting the correct location for land uses will ensure the right balance of new and existing growth which support the City's infrastructure.

Goal 5: Infrastructure:

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

The vision established in the City's OCP supports the efficient development of all infrastructure following complete land use and engineering analysis. The City has identified a number of sustainable practices and policies for new development.

The City has maintained a position that municipal services will not be extended beyond the municipal boundaries and this is supported through policy in the OCP allowing for the best management of the City's infrastructure, financial health and delivery of City services.

Goal 6: Food Systems:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is achieved through the established vision for the City which includes the support for a viable agricultural economy through the protection of agricultural lands. The OCP recognizes the important role of agricultural lands and supports the principle of preserving farmland and farming activities. The goals and policies promote the expansion and protection of the agricultural industry. It is also acknowledged that the BC Agricultural Land Commission regulates the use and subdivision of all lands within the ALR.

Goal 7: Public Health and Safety:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is supported through the City's vision statement which includes being:

- an inclusive, open and caring community
- commitment to continued excellence
- a strategy to lead in environmental protection
- committed to youth and seniors

This is further expanded upon in the OCP with a strategy to develop a system of greenways, protect and provide publicly accessible natural open space, design for sustainable development and support social equality.

Goal 8: Climate Change:

Minimize regional greenhouse gas emissions and plan for adaptation.

The City's OCP was amended in 2010 to include a section on "Planning for Climate Change". The City has developed and adopted policies consistent with provincial directions and targets and supports the climate change goals in the RGS.

The City also re-wrote the Environmental Development Permit Guidelines in 2011 which recognize and strengthens the protection of ecosystems and development with respect to changes as a result of climate change.

SUMMARY:

In summary, the City's OCP does address regional matters listed in the RGS consistent with *Section 850(2)* of the *Local Government Act*. It is recommended that the "Growth Management" Section in the City's OCP be amended to reflect the adoption of the RGS as outlined in this report and to strengthen the City's position in the importance of addressing growth management as contained in *Attachment No. 1*.

The *Local Government Act* also provides a process for entering into implementation agreements and a local government may enter into agreements respecting the coordination of activities relating to the implementation of an RGS. The OCP establishes the principles and policies to be followed by Council in the implementation of the RGS and the sharing of information with other jurisdictions occurs on a regular basis. It is considered that entering into an implementation agreement would be an unnecessary expense to the City and it would be redundant to existing practices of the City.

FINANCIAL IMPLICATIONS:

N/A

STRATEGIC PLAN REFERENCE:

- Provide proactive leadership for growth management
- Encourage regional partnerships

OCP SUSTAINABILITY REFERENCE:

N/A

REGIONAL GROWTH STRATEGY REFERENCE:

- Satisfies requirement

Respectfully submitted,



Peter Crawford, MCIP
Director of Development Services

Attachments:

- “No. 1”– Official Community Plan Amendment
 - 1. Section 3 Growth Management
 - 2. Section 3.1 Managing Growth
 - 3. Section 3.2 Regional Context Statement

Official Community Plan Amendment

Section 3.0 Growth Management

Section 3.1 Managing Growth

Section 3.2 Regional Context Statement

Section 3

GROWTH MANAGEMENT**Section 3.1****Managing Growth****Introduction**

The City has faced the issues of boundary extension, amalgamations or future municipal boundaries for many years. Boundary changes have proceeded primarily on an individual basis; however, there is a need for a coordinated and consistent approach to considering the future boundaries of the City. Adopting Growth Management Policies as outlined in this section will establish a strategy for the City in moving towards a workable and preferred boundary which will allow for the development and environmental protection in a coordinated system.

Throughout adoption of the Regional Growth Strategy in March 2011, the City's sought to have the concerns on urban fringe development addressed. Section 3A, Regional Context Statement further outlines the City's position on this topic.

Having a clear plan for the future expansion of the City remains one of the most effective land use management tools which will lead to the integration and seamless delivery of services in a more equitable manner in the Comox Valley. Municipal boundary extensions are a necessity in order to manage the future growth of the City and to solve existing urban fringe development problems. It will also help to prevent suburban sprawl that has consumed rural lands on the urban fringe, protect our natural environment and it will ensure urban growth occurs within urban boundaries. Rural sprawl comes at a considerable expense to the City and impacts on the services the City provides. The uncoordinated actions of the Regional District and provincial agencies with approving authority for subdivisions, septic systems, private wells, drainage, garbage, roads and taxes provides a regulatory system which has created the urbanization of the unincorporated areas around the City. The City has maintained a position that municipal services will not be extended beyond the municipal boundaries.

It is clearly evident that areas on the fringe of the City that have received a municipal service such as community water, results in creating residential areas that are too dense. This has led to environmental problems of failing septic systems and a lack of any stormwater management which impacts on the City.

In designing the City's transportation, water, sanitary sewer and storm drainage systems, the City follows good planning, financial and engineering practices and have provided for possible service extensions for areas presently outside the municipal boundaries, where applicable.

Growth management would be greatly enhanced if provincial regulations and approvals reflected the actual cost of development outside municipal boundaries.

Goals

1. provide for managed growth
2. ensure equitable taxation for services provided and received
3. support efficient infrastructure development
4. protect environmentally sensitive areas
5. support sustainable development practices

Policies

Council will:

1. in examining boundary extensions consider the following criteria:
 - continuity with existing boundary, topography, location of existing streams, parks, roads and forest land
 - proximity of existing municipal infrastructure and its capacity and elevation
 - condition of existing infrastructure in the area under consideration
 - effect of the change on any existing service areas
 - advising of any known issues within the existing area, i.e. failing septic system issues, stormwater
 - cost of servicing including any latecomer agreements, DCC's (City and CVRD), developer contributions to planned infrastructure, servicing costs and connection fees
 - subdivision opportunities and future infrastructure locations, i.e. sewage lift stations
 - advising of the phasing-in of City municipal taxes
 - frontage tax charges, when services are available to the property
 - utility user charges on tax notices only when services are connected
 - detailed servicing costs for potable water, sanitary sewer or storm drainage referencing to any grants, assist factors
 - method of payment of payment for proposed municipal services
 - payment in full prior to service connection being provided to property line
 - commuted payment by way of an annual parcel tax over and amortization period not greater than fifteen years
 - timing of the installation of municipal services
 - preparing a local area plan following the boundary extension
 - assessment/determination of potential capital works to be undertaken and to be considered in the future City budgets
2. work cooperatively with Comox Valley jurisdictions regarding the cohesive and complimentary development of land use regulation plans and strategies on the provision of services.
3. work to harmonize the delivery of services, and the streamlining of uniform application procedures with the jurisdictions within the Comox Valley and the provincial agencies.
4. not support the further densification of residential, commercial, industrial or institutional uses in the non-municipal areas within a 5 km. radius of the City's boundaries. Support retaining large parcel sizes within this area greater than 4 hectares.
5. only allow municipal water and/or sewer services to areas within municipal boundaries.
6. seek ways to ensure areas on the urban fringe pay equitably for services received including police, recreation, transportation, cultural and the mitigation of environmental problems.
7. position itself as the regional commerce centre of the Comox Valley promoting new and existing industries to expand economic opportunities for growth and development within the municipal boundaries. As such, the City will oppose commercial, industrial or institutional developments on its fringes, and along the Comox Valley Parkway, the Inland Island Highway, the Island Highway, Comox Road, Ryan Road or Cumberland Road where it leads to urban sprawl and the undermining of the existing tax base.
8. continue to lead efforts in storm water management, erosion and sediment control, water supply, garbage and sewage disposal to protect the environment.

9. support Transportation Planning Initiatives designed to match population growth to major destinations and centres of importance.
10. seek methods to continue to protect the Comox Lake Watershed.

Section 3.2

REGIONAL CONTEXT STATEMENT

On March 29, 2011, the Board of the Comox Valley Regional District adopted a Regional Growth Strategy being Bylaw No. 120, 2010.

The purpose of this document is to assist in guiding decisions on growth, change and development with the Regional District which includes the City of Courtenay.

The vision in the Regional Growth Strategy is that:

“The Comox Valley will continue to evolve as a region of distinct, well-connected and well designed urban and rural communities. As stewards of the environment, local governments, the K’omoks First Nation, public agencies, residents, businesses and community and non-governmental organizations will work collaboratively to conserve and enhance land, water and energy resources and ensure a vibrant local economy and productive working landscapes.”

The RGS does support the principals and policies established in the City’s OCP. The RGS is structured into five parts including:

1. Introduction
2. Context
3. Regional Policies
4. Managing Growth
5. Implementation and Monitoring

Part 2 outlines the major trends that were the basis for the RGS. The City’s OCP supports the importance of major trends and addresses those in the City’s objectives, policies and land use designations. The RGS projects a population increase of approximately 19,800 between 2010 and 2030 representing an annual growth rate of 1.6% and 500 residential units per year. The City’s population in 2011 was 24,099 representing an annual increase of 1.88% from 2006.

Part 3 describes a vision for the region along with the eight principle policy areas. Part 4 establishes a strategy for managing growth and land use activities whereas Part 5 sets out the tools and partnerships to implement the RGS.

As such, the amendments to the City’s OCP recommended in this report are minor in nature and do not change the principle of managing growth and infrastructure to protect the long term financial interests of the residents of the City.

Population projections can vary significantly given the numerous factors beyond the control of the greater area. The City’s OCP provides for the consideration of a range of growth and the policies are established to address changes in growth rates. Part 2 of the City’s OCP, Vision and Strategy, expresses the vision for the City and the goals that provide the foundation for the vision. Growth will occur through densification and the expansion of the City’s boundaries which is supported in the RGS. The rate for both development and boundary expansions will be dependent on available, suitable lands and the provision of services through Council’s approval.

The RGS states the City shall develop and grow consistent with its function as the Comox Valley’s largest urban area. New development should provide for a wide diversity of housing and employment opportunities and allow for the highest densities within the Comox Valley.

The City is achieving this through many of the recently approved housing and commercial projects and will continue to follow this strategy. It is also important for the OCP to anticipate and plan well into the future for growth and to coordinate this growth with the demands on all City services. It is also important to ensure future amendments to the RGS remain consistent with the fundamental principles in the City's OCP.

The goals, objectives and policies of the RGS bylaw as contained in Section 3 are organized into the following eight sections which are outlined below for the consistency of the City's OCP.

Goal 1: Housing:

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The OCP supports the development of housing options and contains policies that examine ways to increase densities and to provide a balance between new and existing developments.

These principles include:

6. balance land uses to create a vibrant and diverse neighbourhood and community;
7. create neighbourhoods that will offer a variety of transportation choices;
8. preserve and enhance open spaces, greenways and environmentally sensitive areas;
9. encourage green buildings and infrastructure; and
10. lead in creating inclusive neighbourhoods for housing.

Goal 2: Ecosystems, Natural Areas and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems.

The OCP supports this goal beginning with a vision to have:

- an expanding parks, natural areas and greenways system, and
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This is followed by goals and strategies to have:

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Goal 3: Local Economic Development:

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The mix of uses supported for the commercial nodes and corridors reflect the policies of the RGS.

Goal 4: Transportation:

Develop an accessible, efficient and affordable multi-modal transportation network, that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

The City's OCP sets out specific goals and policies on the development of a transportation system that provides choices for different modes of travel. This system works towards reducing travel distances and congestion through the consideration of the long term impacts of all land use decisions. Selecting the correct location for land uses will ensure the right balance of new and existing growth which support the City's infrastructure.

Goal 5: Infrastructure:

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

The vision established in the City's OCP supports the efficient development of all infrastructure following complete land use and engineering analysis. The City has identified a number of sustainable practices and policies for new development.

The City has maintained a position that municipal services will not be extended beyond the municipal boundaries and this is supported through policy in the OCP allowing for the best management of the City's infrastructure, financial health and delivery of City services.

Goal 6: Food Systems:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is achieved through the established vision for the City which includes the support for a viable agricultural economy through the protection of agricultural lands. The OCP recognizes the important role of agricultural lands and supports the principle of preserving farmland and farming activities. The goals and policies promote the expansion and protection of the agricultural industry. It is also acknowledged that the BC Agricultural Land Commission regulates the use and subdivision of all lands within the ALR.

Goal 7: Public Health and Safety:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is supported through the City's vision statement which includes being:

- an inclusive, open and caring community
- commitment to continued excellence
- a strategy to lead in environmental protection
- committed to youth and seniors

This is further expanded upon in the OCP with a strategy to develop a system of greenways, protect and provide publicly accessible natural open space, design for sustainable development and support social equality.

Goal 8: Climate Change:

Minimize regional greenhouse gas emissions and plan for adaptation.

The City's OCP was amended in 2010 to include a section on "Planning for Climate Change". The City has developed and adopted policies consistent with provincial directions and targets and supports the climate change goals in the RGS. The City also re-wrote the Environmental Development Permit Guidelines in 2011 which recognizes and strengthens the protection of ecosystems and development with respect to changes as a result of climate change.

Part 4 of the RGS establishes a strategy for managing growth. This includes 16 growth management principles which support the goals identified in Part 3. It includes identifying areas of existing development on the fringe of the City that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing health and environmental issues. The RGS also requires areas to be identified on the fringes of the City that should eventually be incorporated through boundary extension and provided with publicly owned water and sewer services in order to allow for new long term growth opportunities in a phased and orderly manner.

Traditionally urban boundaries have been extended in order to accommodate growth and urban forms of development and to provide services for failing infrastructure systems. It has also been considered to prevent urban uses and densities to continue and expand outside the City's boundaries. Boundary extensions will remain an effective tool for the management of land uses and infrastructure systems for the City. The City confirms its long term interest in extending municipal boundaries and supports the general areas for inclusion as identified as "Settlement Expansion Areas" in the RGS and the adjoining lands which would allow for logical expansion boundaries.

Part 5 of the RGS addresses implementation measures, monitoring, and amendment procedures. The OCP establishes the principles and policies to be followed by Council in the implementation of the RGS and the sharing of information within the Comox Valley Regional District occurs on a regular basis. It is concluded that entering into an implementation agreement would be an unnecessary expense to the City and it would be redundant to the existing practices of the City.

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2735

A bylaw to amend Official Community Plan Bylaw No. 2387, 2005

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2735, 2012**”.
2. That “Official Community Plan Bylaw No. 2387, 2005” be hereby amended as follows:
 - (a) That Part 3 Growth Management, of Official Community Plan Bylaw No. 2387, 2005 be hereby amended by deleting section 3.0 and replacing it with the following:

Section 3

3. GROWTH MANAGEMENT

Section 3.0

3.1 Managing Growth

3.1.1 Introduction

The City has faced the issues of boundary extension, amalgamations or future municipal boundaries for many years. Boundary changes have proceeded primarily on an individual basis; however, there is a need for a coordinated and consistent approach to considering the future boundaries of the City. Adopting Growth Management Policies as outlined in this section will establish a strategy for the City in moving towards a workable and preferred boundary which will allow for the development and environmental protection in a coordinated system.

Throughout adoption of the Regional Growth Strategy in March 2011, the City’s sought to have the concerns on urban fringe development addressed. Section 3A, Regional Context Statement further outlines the City’s position on this topic.

Having a clear plan for the future expansion of the City remains one of the most effective land use management tools which will lead to the integration and seamless delivery of services in a more equitable manner in the Comox Valley. Municipal boundary extensions are a necessity in order to manage the future growth of the City and to solve existing urban fringe development problems. It will also help to prevent suburban sprawl that has consumed rural lands on the urban fringe, protect our natural environment and it will ensure urban growth occurs within urban boundaries. Rural sprawl comes at a considerable expense to the City and impacts on the services the City provides. The uncoordinated actions of the Regional District and provincial agencies with approving authority for subdivisions, septic systems, private wells, drainage, garbage, roads and taxes provides a regulatory system which has created the urbanization of the unincorporated areas around the City.

The City has maintained a position that municipal services will not be extended beyond the municipal boundaries.

It is clearly evident that areas on the fringe of the City that have received a municipal service such as community water, results in creating residential areas that are too dense. This has led to environmental problems of failing septic systems and a lack of any stormwater management which impacts on the City.

In designing the City's transportation, water, sanitary sewer and storm drainage systems, the City follows good planning, financial and engineering practices and have provided for possible service extensions for areas presently outside the municipal boundaries, where applicable.

Growth management would be greatly enhanced if provincial regulations and approvals reflected the actual cost of development outside municipal boundaries.

3.1.2 Goals

1. provide for managed growth
2. ensure equitable taxation for services provided and received
3. support efficient infrastructure development
4. protect environmentally sensitive areas
5. support sustainable development practices

3.1.3 Policies

Council will:

1. in examining boundary extensions consider the following criteria:
 - continuity with existing boundary, topography, location of existing streams, parks, roads and forest land
 - proximity of existing municipal infrastructure and its capacity and elevation
 - condition of existing infrastructure in the area under consideration
 - effect of the change on any existing service areas
 - advising of any known issues within the existing area, i.e. failing septic system issues, stormwater
 - cost of servicing including any latecomer agreements, DCC's (City and CVRD), developer contributions to planned infrastructure, servicing costs and connection fees
 - subdivision opportunities and future infrastructure locations, i.e. sewage lift stations
 - advising of the phasing-in of City municipal taxes
 - frontage tax charges, when services are available to the property
 - utility user charges on tax notices only when services are connected
 - detailed servicing costs for potable water, sanitary sewer or storm drainage referencing to any grants, assist factors
 - method of payment of payment for proposed municipal services
 - payment in full prior to service connection being provided to property line
 - commuted payment by way of an annual parcel tax over and amortization period not greater than fifteen years
 - timing of the installation of municipal services
 - preparing a local area plan following the boundary extension
 - assessment/determination of potential capital works to be undertaken and to be considered in the future City budgets
2. work cooperatively with Comox Valley jurisdictions regarding the cohesive and complimentary development of land use regulation plans and strategies on the provision of services.

3. work to harmonize the delivery of services, and the streamlining of uniform application procedures with the jurisdictions within the Comox Valley and the provincial agencies.
4. not support the further densification of residential, commercial, industrial or institutional uses in the non-municipal areas within a 5 km. radius of the City's boundaries. Support retaining large parcel sizes within this area greater than 4 hectares.
5. only allow municipal water and/or sewer services to areas within municipal boundaries.
6. seek ways to ensure areas on the urban fringe pay equitably for services received including police, recreation, transportation, cultural and the mitigation of environmental problems.
7. position itself as the regional commerce centre of the Comox Valley promoting new and existing industries to expand economic opportunities for growth and development within the municipal boundaries. As such, the City will oppose commercial, industrial or institutional developments on its fringes, and along the Comox Valley Parkway, the Inland Island Highway, the Island Highway, Comox Road, Ryan Road or Cumberland Road where it leads to urban sprawl and the undermining of the existing tax base.
8. continue to lead efforts in storm water management, erosion and sediment control, water supply, garbage and sewage disposal to protect the environment.
9. support Transportation Planning Initiatives designed to match population growth to major destinations and centres of importance.
10. seek methods to continue to protect the Comox Lake Watershed.

Section 3.2

3.2 REGIONAL CONTEXT STATEMENT

Section 3.2

3.2.1 Introduction

On March 29, 2011, the Board of the Comox Valley Regional District adopted a Regional Growth Strategy being Bylaw No. 120, 2010.

The purpose of this document is to assist in guiding decisions on growth, change and development with the Regional District which includes the City of Courtenay.

The vision in the Regional Growth Strategy is that:

“The Comox Valley will continue to evolve as a region of distinct, well-connected and well designed urban and rural communities. As stewards of the environment, local governments, the K’omoks First Nation, public agencies, residents, businesses and community and non-governmental organizations will work collaboratively to conserve and enhance land, water and energy resources and ensure a vibrant local economy and productive working landscapes.”

The RGS does support the principals and policies established in the City's OCP. The RGS is structured into five parts including:

1. Introduction
2. Context
3. Regional Policies

4. Managing Growth
5. Implementation and Monitoring

Part 2 outlines the major trends that were the basis for the RGS. The City's OCP supports the importance of major trends and addresses those in the City's objectives, policies and land use designations. The RGS projects a population increase of approximately 19,800 between 2010 and 2030 representing an annual growth rate of 1.6% and 500 residential units per year.

The City's population in 2011 was 24,099 representing an annual increase of 1.88% from 2006.

Part 3 describes a vision for the region along with the eight principle policy areas. Part 4 establishes a strategy for managing growth and land use activities whereas Part 5 sets out the tools and partnerships to implement the RGS.

As such, the amendments to the City's OCP recommended in this report are minor in nature and do not change the principle of managing growth and infrastructure to protect the long term financial interests of the residents of the City.

Population projections can vary significantly given the numerous factors beyond the control of the greater area. The City's OCP provides for the consideration of a range of growth and the policies are established to address changes in growth rates. Part 2 of the City's OCP, Vision and Strategy, expresses the vision for the City and the goals that provide the foundation for the vision. Growth will occur through densification and the expansion of the City's boundaries which is supported in the RGS. The rate for both development and boundary expansions will be dependent on available, suitable lands and the provision of services through Council's approval.

The RGS states the City shall develop and grow consistent with its function as the Comox Valley's largest urban area. New development should provide for a wide diversity of housing and employment opportunities and allow for the highest densities within the Comox Valley.

The City is achieving this through many of the recently approved housing and commercial projects and will continue to follow this strategy. It is also important for the OCP to anticipate and plan well into the future for growth and to coordinate this growth with the demands on all City services. It is also important to ensure future amendments to the RGS remain consistent with the fundamental principles in the City's OCP.

3.2.2 Goals

The goals, objectives and policies of the RGS bylaw as contained in Section 3 are organized into the following eight sections which are outlined below for the consistency of the City's OCP.

Goal 1: Housing:

Ensure a diversity of housing options to meet evolving demographics and needs.

The OCP supports the development of housing options and contains policies that examine ways to increase densities and to provide a balance between new and existing developments.

These principles include:

1. balance land uses to create a vibrant and diverse neighbourhood and community;

2. create neighbourhoods that will offer a variety of transportation choices;
3. preserve and enhance open spaces, greenways and environmentally sensitive areas;
4. encourage green buildings and infrastructure; and
5. lead in creating inclusive neighbourhoods for housing.

Goal 2: Ecosystems, Natural Areas and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems.

The OCP supports this goal beginning with a vision to have:

- an expanding parks, natural areas and greenways system, and
- a strategy to lead in environmental protection.

This is followed by goals and strategies to have:

- a system of Greenways to serve recreational needs
- parks and publicly accessible natural open space
- guidelines for sustainable development.

The City has and continues to put a great deal of effort into developing its parks and open space system. The OCP states the provision of parks and services as an essential contribution to the quality of life, environment and image of the City. The OCP contains extensive policy on the parks and greenways systems and environment. The Environmental Development Permit Area section of the OCP has been recently updated on the basis of new mapping and new information.

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Courtenay has long served as the economic centre of the greater Comox Valley and this is recognized in the RGS. The OCP's vision includes the City as being the centre of commerce for the Comox Valley. This is supported by designating five principle commercial areas within the City and to support the densification of these areas. It recognizes the distinct role of the Downtown as an integral part of the community's social and cultural life, its identity and its economy. The mix of uses supported for the commercial nodes and corridors reflect the policies of the RGS.

Goal 4: Transportation:

Develop an accessible, efficient and affordable multi-modal transportation network, that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

The City's OCP sets out specific goals and policies on the development of a transportation system that provides choices for different modes of travel. This system works towards reducing travel distances and congestion through the consideration of the long term impacts of all land use decisions. Selecting the correct location for land uses will ensure the right balance of new and existing growth which support the City's infrastructure.

Goal 5: Infrastructure:

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

The vision established in the City's OCP supports the efficient development of all infrastructure following complete land use and engineering analysis. The City has identified a number of sustainable practices and policies for new development.

The City has maintained a position that municipal services will not be extended beyond the municipal boundaries and this is supported through policy in the OCP allowing for the best management of the City's infrastructure, financial health and delivery of City services.

Goal 6: Food Systems:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is achieved through the established vision for the City which includes the support for a viable agricultural economy through the protection of agricultural lands. The OCP recognizes the important role of agricultural lands and supports the principle of preserving farmland and farming activities. The goals and policies promote the expansion and protection of the agricultural industry. It is also acknowledged that the BC Agricultural Land Commission regulates the use and subdivision of all lands within the ALR.

Goal 7: Public Health and Safety:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is supported through the City's vision statement which includes being:

- an inclusive, open and caring community
- commitment to continued excellence
- a strategy to lead in environmental protection
- committed to youth and seniors

This is further expanded upon in the OCP with a strategy to develop a system of greenways, protect and provide publicly accessible natural open space, design for sustainable development and support social equality.

Goal 8: Climate Change:

Minimize regional greenhouse gas emissions and plan for adaptation.

The City's OCP was amended in 2010 to include a section on "Planning for Climate Change". The City has developed and adopted policies consistent with provincial directions and targets and supports the climate change goals in the RGS. The City also re-wrote the Environmental Development Permit Guidelines in 2011 which recognizes and strengthens the protection of ecosystems and development with respect to changes as a result of climate change.

7

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

FROM: Development Services Department

FILE #: 3720

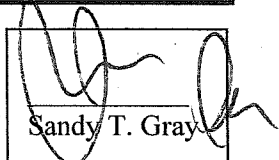
DATE: November 30, 2012

SUBJECT: BOUNDARY EXTENSIONS

1. SOUTH COURTENAY
2. BEAVER MEADOW FARMS/BEAVER MEADOW CRANBERRY CORPORATION
– ANDERTON ROAD
3. BAPTIST CHURCH – LAKE TRAIL ROAD
4. CROWN ISLE – LANNAN ROAD

C.A.O. COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Development Services be accepted.



Sandy T. Gray

RECOMMENDATION:

That Council proceed with the proposed boundary extension areas for:

1. South Courtenay
2. Beaver Meadow Farms/Beaver Meadow Cranberry Corporation – Anderton Road
3. Baptist Church – Lake Trail Road
4. Crown Isle – Lannan Road

That the City of Courtenay has obtained the assent of the electors to petition the Minister of Community and Rural Development to extend the boundaries of the City of Courtenay as it appeared in the Gazette under issue of August 30, 2012, and in the Comox Valley Echo newspaper as it appeared on August 31, 2012 and September 4, 2012 (refer to *Attachment No. 1*);

That the City of Courtenay has obtained the assent of the electors to petition the Minister of Community and Rural Development to extend the boundaries of the City of Courtenay as it appeared in the Gazette under issue of September 20, 2012, and in the Comox Valley Echo newspaper as it appeared on September 21, 2012 and September 25, 2012 (refer to *Attachment No. 2*);

That all relevant legislative requirements pertaining to a municipal boundary extension in the *Local Government Act* and Community Charter have been completed;

That the legal descriptions for the parcels for inclusion within the City of Courtenay are contained in *Attachment No. 3*;

That with respect to the South Courtenay Boundary Extension area, the City will agree to a three year phase in period for taxes to harmonize the non-municipal to municipal tax rates.

That the Director of Legislative Services be authorized to sign and submit the documentation to the Provincial Government.

PURPOSE:

To consider four separate proposals for municipal boundary extensions, following the referrals to government agencies and the required advertising.

BACKGROUND:

On August 20, 2012 and September 10, 2012, Council Directed staff to complete the required advertising and referrals to affected government agencies for four separate boundary extension proposals for:

1. South Courtenay
2. Beaver Meadow Farms/Beaver Meadow Cranberry Corporation – Anderton Road
3. Baptist Church – Lake Trail Road
4. Crown Isle – Lannan Road

In a staff report dated August 15, 2012 (see *Attachment No. 4*) the background and rationale for the subject boundary proposals was outlined for South Courtenay, Beaver Meadow Farms and the Baptist Church. In a further staff report dated September 6, 2012 (see *Attachment No. 5*) the background and rationale for the boundary extension was outlined for Crown Isle.

The required advertising was completed giving notice of the proposed municipal boundary extensions in the BC Gazette and a local newspaper. Referrals to government agencies seeking information were also completed. The City also completed the required notification and advertising through the alternative approval process for the extension of municipal boundaries.

Of the boundary extension applications under consideration, the applications for Beaver Meadow Farms, the Baptist Church and Crown Isle were initiated by the owners of these properties. The boundary extension for South Courtenay was initiated by the City as the result of the opportunity to connect to a sanitary sewer line to be installed by the developer of the Buckstone Development. Following an outreach program with the residents of this area that started in April 2011, a proposed boundary was determined and the City has proceeded with a reduced area to the initial study area. The developer of the Buckstone Development has now installed water and sanitary sewer lines from this development above the Comox Logging Road, down Beachwood Drive and along the Island Highway through the proposed South Courtenay Study Area.

As a result of the required advertising no new information was received of the residents' opinion on the boundary extensions and the South Courtenay Area has over 60% of the opinions expressed in support of inclusion into the City.

Referrals were sent to government agencies and eight First Nations. The pertinent comments are summarized below:

1. South Courtenay
 - information from Regional District on services and long range planning
2. Beaver Meadows Farms
 - no objections from the Agricultural Land Commission
 - information from Regional District on services and long range planning
3. Baptist Church – Lake Trail Road
 - information from Regional District on services and long range planning
4. Crown Isle – Lannan Road
 - no objections from Xwéma/Lkwa First Nation
 - no specific concerns from Kómoks First Nation
 - information from Regional District on services and long range planning

DISCUSSION:

As outlined in the City's Official Community Plan growth will occur through densification and the expansion of the City's boundaries. The rate of both development and boundary extensions will be dependent on available as well as suitable lands. The City follows the direction of the RGS in efforts towards in-fill development and will continue to do so. The RGS sets the direction for growth over the long term.

The policies provide for urban boundary extensions, which are determined by the municipality and the province, when required to meet urban development needs. In the case of the four applications before Council, all meet the needs of the municipality to manage growth and protect the environment for the betterment of the City. The applications are consistent with the City's policies outlined in the Growth Management Section of the OCP. Boundary extensions remain one of the most effective land use planning and management tools available to the City given the historic amounts of urban development that has occurred outside the City's boundaries

FINANCIAL IMPLICATIONS:

- No immediate impact.
- Servicing plans at the responsibility of owner/developer.

STRATEGIC PLAN REFERENCE:

- Demonstrate leadership in environmental management.
- Ensure infrastructure is sustainable.
- Provide leadership for growth management.

OCP SUSTAINABILITY REFERENCE:

Consistent with established goals in *Section 3.3.2 Growth Management* including:

- protect environmentally sensitive areas
- support sustainable development practices
- support efficient infrastructure development
- provide for managed growth

REGIONAL GROWTH STRATEGY REFERENCE:

- It is the intention of Local Governments in the Comox Valley that Settlement Expansion Areas shall become part of a Municipal Area through a boundary extension.
- Take actions to address public health and environmental issues as they are identified and, where possible, before they arise. **This applies to South Courtenay where there are identified areas of public concern due to failing septic systems. The provision of a public sanitary sewer system provides a solution to this environmental issue. As a result of the Buckstone Development, a sanitary sewer line has been installed along the Island Highway through the subject area. It would also respond to the statement in the RGS that "private wells, watercourse and the marine foreshore within the Comox Valley could be seriously compromised should a number of septic systems fail in the coming years prior to detection".**

- Identify areas of existing development on the fringes of *Municipal Areas* that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing public health and environmental issues.
- Given the number and density of private systems located on the fringe of *Municipal Areas*, there is a need to develop a long-term strategy to prevent public health concerns before they arise. Private wells, watercourses and the marine foreshore within the Comox Valley could be seriously compromised should a number of septic systems fail in the coming years prior to detection. As a result, it is the long-term intention of the growth management strategy that existing neighborhoods within designated *Settlement Expansions Areas* will eventually be provided with publicly owned water and sewer services. Such provision of services will be coincident with a boundary extension that incorporates the settlement expansion area into a municipal area, or a satisfactory servicing agreement, as detailed in the corresponding official community plan.
- Any growth in *Settlement Expansion Areas* will occur in phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development.
- Promote and support the overall economic viability of the municipal areas so that they can continue to provide primary base for residential, commercial and institutional activities

Respectfully submitted,



Peter Crayford, MCIP
Director of Development Services



The British Columbia Gazette

PUBLISHED BY AUTHORITY

Vol. CLII

VICTORIA, AUGUST 30, 2012

No. 35

MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT

PROPOSED BOUNDARY EXTENSION

Take notice that under section 20 of the *Local Government Act*, the Council of the Corporation of the City of Courtenay intends to petition the Minister of Community, Sport and Cultural Development, requesting the extension of the area of the municipality to include Lot A, District Lots 168 and 187, Comox District, Plan VIP88586, Lot A, District Lot 235, Comox District, Plan VIP87916, Lot B, District Lots 220 and 235, Comox District, Plan VIP87916, Lot B, District Lot 187, Comox District, Plan VIP88586, Lot 1, District Lots 235 and 236, Comox District, Plan VIP87332 and Lots 14 and 15, Both of District Lot 236, Comox District, Plan 3720, Except Part in Plan 2109R (Beaver Meadows Farm).

And further take notice that if a petition of at least one-tenth in number of the electors of the municipality is received by the undersigned within 30 days of the last publication of this notice in a newspaper, the question of the extension of the area of the municipality to include the aforesaid lands will be submitted for the assent of the electors.

And further take notice that any resident within the area herein described, having objection to the inclusion of his/her property within the municipality should notify the Ministry of Community, Sport and Cultural Development, Room 323, Parliament Buildings, PO Box 9056 Stn Prov Govt, Victoria, BC V8W 9E2, of his/her objections within 30 days of the last publication of this notice in a newspaper: —

And that this is the final publication of this notice.

— The Corporation of the City of Courtenay. Peter Crawford, MCIP, Director of Development Services. [au30]

PROPOSED BOUNDARY EXTENSION

Take notice that under section 20 of the *Local Government Act*, the Council of the Corporation of the City of Courtenay intends to petition the Minister of Community, Sport and Cultural Development, requesting the extension of an area referred to as 'South Courtenay' consisting of approximately 100 properties generally located from Fraser Road to Chinook Road along the Comox Harbour frontage.

And further take notice that if a petition of at least one-tenth in number of the electors of the municipality is received by the undersigned within 30 days of the last publication of this notice in a newspaper, the question of the extension of the area of the municipality to include the aforesaid lands will be submitted for the assent of the electors.

And further take notice that any resident within the area herein described, having objection to the inclusion of his/her property within the municipality should notify the Ministry of Community, Sport and Cultural Development, Room 323, Parliament Buildings, PO Box 9056 Stn Prov Govt, Victoria, BC V8W 9E2, of his/her objections within 30 days of the last publication of this notice in a newspaper. —

And that this is the final publication of this notice.

— The Corporation of the City of Courtenay. Peter Crawford, MCIP, Director of Development Services. [au30]

PROPOSED BOUNDARY EXTENSION

Take notice that under section 20 of the *Local Government Act*, the Council of the Corporation of the City of Courtenay intends to petition the Minister of Community, Sport and Cultural Development, requesting the extension of an area of the municipality to include Lot A, District Lot 134, Comox District, Plan 27596 (2695 Lake Trail Road).

And further take notice that if a petition of at least one-tenth in number of the electors of the municipality is received by

the undersigned within 30 days of the last publication of this notice in a newspaper, the question of the extension of the area of the municipality to include the aforesaid lands will be submitted for the assent of the electors.

And further take notice that any resident within the area herein described, having objection to the inclusion of his/her property within the municipality should notify the Ministry of Community, Sport and Cultural Development, Room 323, Parliament Buildings, PO Box 9056 Stn Prov Govt, Victoria, BC V8W 9E2, of his/her objections within 30 days of the last publication of this notice in a newspaper. —

And that this is the final publication of this notice.

— The Corporation of the City of Courtenay. Peter Crawford, MCIP, Director of Development Services. [au30]

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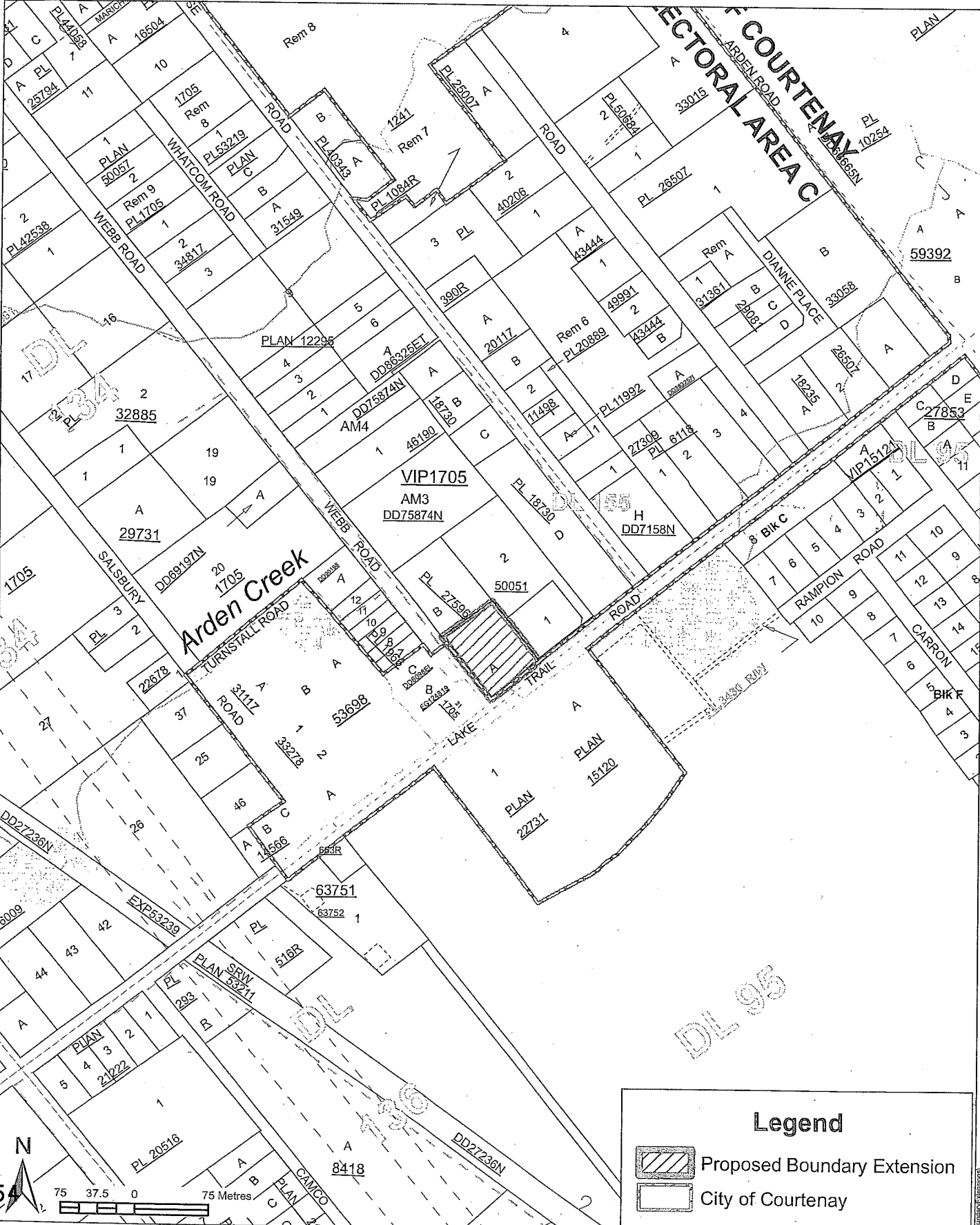
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MINISTRY OF ENERGY AND MINES

FILING REPORT

Take notice that Tim Hartnell, of Hartnell Shale Pit, has filed with the Chief Inspector of Mines pursuant to section 10 (1) of the *Mines Act*, RSBC 1996, c. 293, a proposed mine plan, together with a program for the protection and reclamation of the land and watercourses related to the Hartnell Shale Pit located at Part of NE Quarter, Section 8, Township 81, Range 14, W6M, Peace River Land District, PID 014-285-631.



Legend

	Proposed Boundary Extension
	City of Courtenay

P54

N

75 37.5 0 75 Metres

RESTORATION APPLICATION

Take notice that a restoration application will be made to the Registrar of Companies to restore **Seto Management Ltd.** (781869).

Dated at Victoria, BC, this 17th day of September 2012. — Gordon W. Benn, *Agent.* [se20]

RESTORATION APPLICATION

Take notice that an application will be made to the Registrar of Companies, on behalf of Harbans S Dhanje, to restore **Stop N Save Foods Ltd.** (528747) to the register of companies.

Dated at Abbotsford, BC, this 13th day of September 2012. — Harbans S Dhanje, *Director.* [se20]

RESTORATION APPLICATION

Take notice that a restoration application will be made to the Registrar of Companies to restore **Succes Solutions Consulting Ltd.** (715835).

Dated at Victoria, BC, this 18th day of September 2012. — Ben Smillie, *Director.* [se20]

RESTORATION APPLICATION

Take notice that a restoration application will be made to the Registrar of Companies to restore **Sutherland Development (Melville) Corp.** (687608) to the register of companies for a period of two years.

Dated at Vancouver, BC, this 18th day of September 2012. — Jasvinder S. Basran, *Solicitor.* [se20]

RESTORATION APPLICATION

Take notice that a restoration application will be made to the Registrar of Companies to restore **Synergy Works Inc.** (546471).

Dated at Vancouver, BC, this 13th day of September 2012. — Richard C. Ledding, *Solicitor.* [se20]

RESTORATION APPLICATION

Take notice that a restoration application will be made to the Registrar of Companies to restore **Uniland International Enterprise Ltd.** (612696).

Dated at Coquitlam, BC, this 15th day of September 2012. — John Zhu, *Director.* [se20]

RESTORATION APPLICATION

Take notice that a restoration application will be made to the Registrar of Companies to restore **Wildside Landscaping Limited** (800884).

Dated at Squamish, BC, this 14th day of September 2012. — Julie Tennock, *Owner/Operator.* [se20]

RESTORATION APPLICATION

Take notice that a restoration application will be made to the Registrar of Companies to restore **Win Lok Enterprises Ltd.** (491562).

Dated at Vancouver, BC, this 12th day of September 2012. — Keith Lo, *Solicitor.* [se20]

INCORPORATIONS

The Registrar of Companies hereby gives notice of the incorporation of the following cooperative:

September 11, 2012

CP-2156 Cowichan Co-operative Connections Association [se20]

INTENT TO DISSOLVE

The Registrar of Companies hereby gives notice the following cooperative may, at any time after the expiration of one month from the date of publication of this notice, unless cause is shown to the contrary, be struck off the register and dissolved under section 197 of the Cooperative Association Act and under section 257 of the *Company Act*:

September 20, 2012

CP-1116 Yew Street Housing Co-operative [se20]

MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT

PROPOSED BOUNDARY EXTENSION

Take notice that under section 20 of the *Local Government Act*, the Council of the Corporation of the City of Courtenay intends to petition the Minister of Community Services requesting the extension of the area of the municipality to include Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Lands).

And further take notice that if a petition of at least 10% of the electors of the municipality is received by the undersigned within 30 days of the last publication of this notice in a newspaper, the question of the extension of the area of the municipality to include the aforesaid lands will be submitted for the assent of the electors.

And further take notice that any resident within the area herein described, having objection to the inclusion of his/her property within the municipality should notify the Minister of Community Sport and Cultural Development, Room 323, Parliament Buildings, PO Box 9056 Stn Prov Govt, Victoria, BC V8W 9E2 of his/her objections within 30 days of the last publication of this notice in a newspaper.

And that this is the final publication of this notice. — Peter Crawford, MCIP, *Director of Development Services, The Corporation of the City of Courtenay.* [se20]

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MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS

LAND ACT:

NOTICE OF INTENTION TO APPLY FOR A DISPOSITION OF CROWN LAND

Take notice that **Infinity West Enterprises Inc.** of Langley, BC, has applied to the Ministry of Forests, Lands and Natural Resource Operations, West Coast Service Centre, for a Lease - Barge Facility situated on Provincial Crown Land located in Masset Inlet, DL 2910 Port Clements.

The Lands File Number that has been established for this application is 1414000. Written comments concerning this application should be directed to the Operations Manager, Ministry of Forests, Lands and Natural Resource Operations, 1229 Oceanview Drive, PO Box 39, Haida Gwaii, V0T 1S0, or emailed to: FrontCounterHaidaGwaii@gov.bc.ca.

Comments will be received by Ministry of Forests, Lands and Natural Resource Operations up to October 28, 2012. Ministry of Forests, Lands and Natural Resource Operations may not be able to consider comments received after this date. Please visit our website at <http://arfd.gov.bc.ca/ApplicationPosting/index.jsp> for more information.

Be advised that any response to this notice will be considered part of the public record. For information, contact the Freedom of Information Advisor, Colleen Gellein 250-559-6210. [se20]

MINISTRY OF HEALTH

MINISTERIAL ORDER

Take notice that under **Ministerial Order M190**, dated September 10, 2012, the Minister of Health has designated the Provincial Laboratory Information Solution (PLIS) Repository as a Health Information Bank under the *E-Health (Personal Health Information Access and Protection of Privacy) Act*. Further information regarding this Order may be obtained from the Personal Information Directory of the Ministry of Citizens' Services and Open Government, and/or the Order in Council Office.

Written comments concerning this application should be directed to: Director, Information Privacy and Legislation, Health Information Privacy, Security and Legislation Branch, Ministry of Health, Third Floor, 1483 Douglas Street, Victoria BC V8W 3K4; or by email to HealthInformationPrivacy@gov.bc.ca.

This Order becomes effective on the date of publication. [se20]

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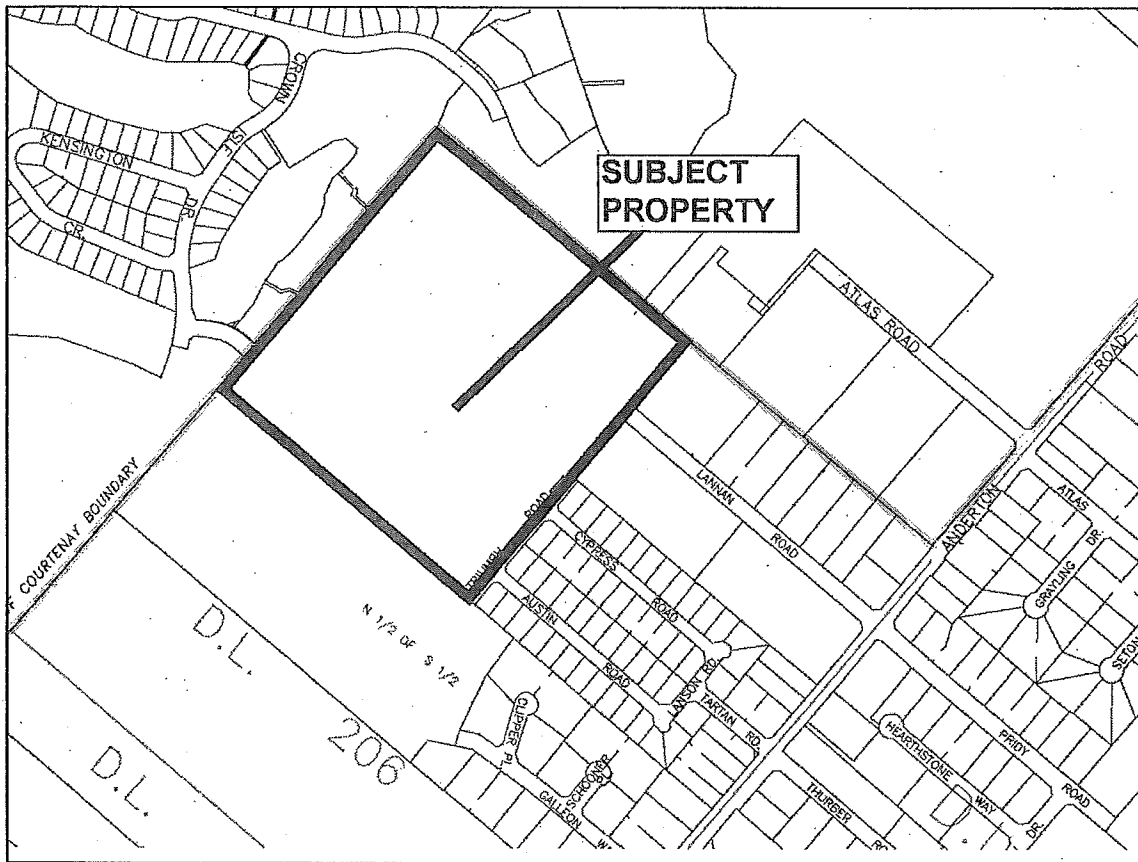
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THE CORPORATION OF THE CITY OF COURTENAY

PUBLIC NOTICE
PROPOSED EXTENSION OF BOUNDARIES

Take Notice That under section 20 of the *Local Government Act*, the Council of the City of Courtenay intends to petition the Minister of Community Services requesting the extension of the area of the municipality to include Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Lands), as shown on the map below.



And Further Take Notice That if a request of at least one-tenth in number of the electors of the municipality is received by the undersigned within 30 days of the last publication of this notice in a newspaper, the question of the extension of the area of the municipality to include the aforesaid lands will be submitted for the assent of the electors.

And Further Take Notice That any resident, or owner of land, within the area herein described, having objection to the inclusion of his/her property within the municipality should notify the municipality of his/her objections, if an objection has not been previously been submitted.

And That this is the second of two publications of this notice in a newspaper.

City of Courtenay
Peter Crawford, MCIP
Director of Development Services

Proposed Boundary Extension Legal Descriptions**Lannan Lands**

	Folio	Civic Address	Legal Description	P.I.D.
1.	03326.410	Lannan Road	Lot 1, Plan VIP76495, District Lot 206, Comox Land District	025-889-486

Lake Trail Road

	Folio	Civic Address	Legal Description	P.I.D.
1.	02215.110	2963 Lake Trail Road	Lot a, Plan 27596, District Lot 134, Comox Land District	025-146-568

Beaver Meadows Farm

	Folio	Civic Address	Legal Description	P.I.D.
1.	03702.050	Mission Rd	Lot 14, Plan 3720, District Lot 236, Comox Land District, Except Plan 2109R	000-295-833
2.	03702.050	Mission Rd	Lot 15, Plan 3720, District Lot 236, Comox Land District, Except Plan 2109R	000-295-841
3.	03702.075	1817 Anderton Rd	Lot 1, Plan VIP87332, District Lot 236, Comox Land District & PT DL235	028-112-032
4.	03700.025	Mission Rd	Lot A, Plan VIP87916, District Lot 235, Comox Land District	028-215-621
5.	03700.050	1821 Anderton Rd	Lot B, Plan VIP87916, District Lot 220, Comox Land District	028-215-630
6.	02951.000	2263 Anderton Rd	Lot A, Plan VIP88586, District Lot 168 & DL 187	028-425-499
7.	02951.050	Anderton Rd	Lot B, Plan VIP88586, District Lot 187, Comox Land District	028-425-502

South Courtenay

	Folio	Civic Address	Legal Description	P.I.D.
8.	00632.000	3350 Fraser Road	Lot C, Plan 15464, Section 42, Comox Land District, Except Plan 45828R	002-500-906
9.	02630.000	3391 Fraser Road	Lot 1, Plan 5314, District Lot 169, Comox Land District	005-960-002
10.	02638.000	Beachwood Road	Lot 5, Plan 5314, District Lot 169, Comox Land District	005-961-645
11.	02664.000	3443 Fraser Road	Lot 14, Plan 9508, District Lot 169, Comox Land District	005-328-888
12.	02659.000	4229 Buddington Road	Lot 8, Plan 9508, District Lot 169, Comox Land District	005-328-799

13.	02634.000	4219 Buddington Road	Lot 3, Plan 5314, District Lot 169, Comox Land District, PT Lying SW of Island Hwy Exc Plan 864R & Exc SE 1.74 Chains	005-960-908
14.	02635.000	3537 Island Hwy S	Lot 3, Plan 5314, District Lot 169, Comox Land District, SE 1.74 Chains Lying SW of Island Hwy	002-421-950
15.	02673.000	4207 Buddington Road	Lot 6, Plan 12192, District Lot 169, Comox Land District	005-019-702
16.	02672.000	4201 Buddington Road	Lot 5, Plan 12192, District Lot 169, Comox Land District	004-983-050
17.	02671.000	Beachwood Road	Lot 4, Plan 12192, District Lot 169, Comox Land District	005-328-799
18.	02685.000	3490 Beachwood Road	Lot B, Plan 15878, District Lot 169, Comox Land District	005-549-520
19.	02684.000	4199 Buddington Road	Lot A, Plan 15878, District Lot 169, Comox Land District	002-209-527
20.	02663.000	4255 Buddington Road	Lot 13, Plan 9508, District Lot 169, Comox Land District	005-328-853
21.	02663.000	Buddington Road	Lot 12, Plan 9508, District Lot 169, Comox Land District	005-328-845
22.	02662.000	4247 Buddington Road	Lot 11, Plan 9508, District Lot 169, Comox Land District	005-328-837
23.	02661.000	4241 Buddington Road	Lot 10, Plan 9508, District Lot 169, Comox Land District	002-076-683
24.	02660.000	4237 Buddington Road	Lot 9, Plan 9508, District Lot 169, Comox Land District	005-328-829
25.	02670.005	4200 Buddington Road	Parcel A, Plan 23331W, District Lot 169, Comox Land District, Of Lot 3, Plan 12192	000-189-286
26.	02689.010	3510 Beachwood Road	Lot 1, Plan 24959, District Lot 169, Comox Land District	000-189-502
27.	02689.020	3549 Island Hwy S	Lot 2, Plan 24959, District Lot 169, Comox Land District	000-141-232
28.	02683.000	4204 Buddington Road	Lot B, Plan 15454, District Lot 169, Comox Land District	004-144-252
29.	02682.000	3547 Island Hwy S	Lot A, Plan 15454, District Lot 169, Comox Land District	000-144-244
30.	02686.000	4210 Buddington Road	Lot A, Plan 18803, District Lot 169, Comox Land District	003-786-749
31.	02687.000	3541 Island Hwy S	Lot B, Plan 18803, District Lot 169, Comox Land District	000-414-417
32.	02666.000	4224 Buddington Rd	Lot A, Plan 11681, District Lot 169, Comox Land District	005-010-349
33.	02667.000	4228 Buddington Rd	Lot B, Plan 11681, District Lot 169, Comox Land District	005-010-357

34.	02658.000	4230 Buddington Rd	Lot 7, Plan 9508, District Lot 169, Comox Land District	005-328-781
35.	02657.000	4234 Buddington Rd	Lot 6, Plan 9508, District Lot 169, Comox Land District	005-328-764
36.	02656.000	4238 Buddington Rd	Lot 5, Plan 9508, District Lot 169, Comox Land District	005-328-756
37.	02655.000	4242 Buddington Rd	Lot 4, Plan 9508, District Lot 169, Comox Land District	005-199-646
38.	02642.000	4248 Buddington Rd	Lot 3, Plan 5482, District Lot 169, Comox Land District, Except Plan 1481R & 9508	005-974-895
39.	02679.000	3469 Fraser Rd	Lot A, Plan 14477, District Lot 169, Comox Land District, SW 73ft	004-422-279
40.	02678.000	3479 Fraser Rd	Lot A, Plan 14477, District Lot 169, Comox Land District, EXC SW 73ft	004-422-287
41.	02643.000	3509 Island Hwy S	Lot 3, Plan 1481R, District Lot 169, Comox Land District, Except Plan 14477, Pt Lot 3, Plan 5482	005-980-640
42.	02641.000	3513 Island Hwy S	Lot 2, Plan 5482, District Lot 169, Comox Land District	005-974-828
43.	02640.000	3515 Island Hwy S	Lot 1, Plan 5482, District Lot 169, Comox Land District	000-121-835
44.	02654.000	3521 Island Hwy S	Lot 3, Plan 9508, District Lot 169, Comox Land District	005-328-748
45.	02653.000	3523 Island Hwy S	Lot 2, Plan 9508, District Lot 169, Comox Land District	005-328-721
46.	02652.000	3525 Island Hwy S	Lot 1, Plan 9508, District Lot 169, Comox Land District	000-121-436
47.	02633.000	3527 Island Hwy S	Lot 3, Plan 5314, District Lot 169, Comox Land District, Except Plan 11681, Part of Lot 3 shown in Red on Plan 864R	005-964-555
48.	02633.000	3527 Island Hwy S	Lot 2, Plan 5414, District Lot 169, Comox Land District, Except Plan 11681, Part of Lot 2, Shown in Yellow on P1864R	005-960-363
49.	01059.002	3481 Beachwood Rd	Lot 13, Plan 10741, District Lot 82, Comox Land District	002-488-493
50.	01059.001	3487 Beachwood Rd	Lot 12, Plan 10741, District Lot 82, Comox Land District	005-312-141
51.	01059.000	3491 Beachwood Rd	Lot 11, Plan 10741, District Lot 82, Comox Land District	002-488-507
52.	01058.000	3495 Beachwood Rd	Lot 10, Plan 10741, District Lot 82, Comox Land District	005-312-124
53.	01057.000	3499 Beachwood Rd	Lot 9, Plan 10741, District Lot 82, Comox Land District	005-312-043
54.	01056.000	3501 Beachwood Rd	Lot 8, Plan 10741, District Lot 82, Comox Land District	005-312-027

55.	01055.000	3507 Beachwood Rd	Lot 7, Plan 10741, District Lot 82, Comox Land District	005-312-019
56.	01054.000	3511 Beachwood Rd	Lot 6, Plan 10741, District Lot 82, Comox Land District	005-312-001
57.	01053.000	3523 Beachwood Rd	Lot 5, Plan 10741, District Lot 82, Comox Land District	005-311-993
58.	01052.000	3561 Island Hwy S	Lot 4, Plan 10741, District Lot 82, Comox Land District	005-311-985
59.	01051.000	3565 Island Hwy S	Lot 3, Plan 10741, District Lot 82, Comox Land District	005-311-977
60.	01050.000	Island Hwy S	Lot 2, Plan 10741, District Lot 82, Comox Land District	005-311-969
61.	02648.000	3485 Millard Rd	Lot 2, Plan 7395, District Lot 169, Comox Land District	005-727-499
62.	02648.000	Millard Rd	Lot 1, Plan 7395, District Lot 169, Comox Land District	005-727-481
63.	02649.000	3491 Millard Rd	Lot 3, Plan 7395, District Lot 169, Comox Land District	000-822-396
64.	02650.000	3493 Millard Rd	Lot 4, Plan 7395, District Lot 169, Comox Land District	000-759-856
65.	02681.000	3495 Millard Rd	Lot B, Plan 14669, District Lot 169, Comox Land District	002-937-492
66.	02689.100	3501 Millard Rd	Lot 1, Plan 70295, District Lot 169, Comox Land District	024-720-160
67.	02689.105	3503 Millard Rd	Lot 2, Plan 70295, District Lot 169, Comox Land District	024-720-178
68.	02651.000	3509 Sandpiper Dr	Lot 7, Plan 7395, District Lot 169, Comox Land District	005-727-545
69.	02622.300	N/A	Plan 19977A, District Lot 169, Comox Land District	009-543-759
70.	02689.000	3512 Island Hwy S	Lot 2, Plan 19937, District Lot 169, Comox Land District	003-654-451
71.	02688.000	3508 Island Hwy S	Lot 2, Plan 19937, District Lot 169, Comox Land District	003-654-435
72.	02644.000	3516 Island Hwy S	Lot A, Plan 6212, District Lot 169, Comox Land District	003-416-569
73.	02675.000	3520 Island Hwy S	Lot 2, Plan 13197, District Lot 169, Comox Land District	004-416-112
74.	02674.000	3522 Island Hwy S	Lot 1, Plan 13197, District Lot 169, Comox Land District	004-728-599
75.	02689.115	3528 Island Hwy S	Lot 1, Plan VIP76414, LOT 1 PLAN VIP76414 DSTLOT 169 LNDDST 15	025-842-951
76.	02669.000	3534 Island Hwy S	Lot 2, Plan 12044, District Lot 169, Comox Land District	004-957-156

77.	02668.000	3536 Island Hwy S	Lot 1, Plan 12044, District Lot 169, Comox Land District	004-957-148
78.	02636.000	3540 Island Hwy S	Lot 3, Plan 5314, District Lot 169, Comox Land District, Except Plan 1123R, PT Lot 3 Lying E of Island Hwy	005-960-797
79.	02676.000	3544 Island Hwy S	Lot 2, Plan 14289, District Lot 169, Comox Land District	004-390-466
80.	02677.000	3546 Island Hwy S	Lot A, Plan 1447, District Lot 169, Comox Land District, Exc SW 73 Ft	004-422-287
81.	02637.000	3552 Island Hwy S	Lot 4, Plan 5314, District Lot 169, Comox Land District, Except Plan 12152, PT Lot 4 Lying NE of Island Hwy	005-961-513
82.	01044.000	Beachwood Rd	Lot D, Plan 2119, District Lot 82, Comox Land District, Exc Part Described on C of T 4252N	006-632-777
83.	01045.000	3541 Beachwood Rd	Lot D, Plan 74252N, District Lot 82, Comox Land District, Except Plan of 2119, Pt Lot D Shown on C of T 74252N	006-632-653
84.	01046.000	Island Hwy S	Parcel A, Plan 76511F, District Lot 82, Comox Land District, Of Lot E PL 2119	006-641-318
85.	01047.000	3575 Marriott Rd	Lot F, Plan 2119, District Lot 82, Comox Land District, Except Plan DD 3846821 PCL A	001-321-994
86.	01065.050	N/A	Lot 1, Plan 21744, District Lot 82, Comox Land District	003-447-685
87.	01065.010	3592 Island Hwy S	Lot B, Plan 17415, District Lot 82, Comox Land District	000-134-449
88.	01062.000	3594 Knappet Rd	Lot 1, Plan 15902, District Lot 82, Comox Land District	004-541-561
89.	01065.005	Marriott Rd	Lot A, Plan 17415, District Lot 82, Comox Land District	003-922-901
90.	01064.000	3567 Marriott Rd	Lot 1, Plan 16510, District Lot 82, Comox Land District	003-979-156
91.	01065.000	3569 Marriott Rd	Lot 2, Plan 16510, District Lot 82, Comox Land District	004-034-325
92.	01063.000	Marriott Rd	Lot A, Plan 16104, District Lot 82, Comox Land District	003-987-698
93.	01004.000	3598 Island Hwy S	Lot 3, Block 1, Plan 1878, District Lot 82 & 86, Comox Land District	004-891-023
94.	01063.100	3610 Island Hwy S	Lot 1, Plan 42438, District Lot 82, Comox Land District	001-650-106
95.	01063.105	3614 Island Hwy S	Lot 2, Plan 42428, District Lot 82, Comox Land District	001-650-114
96.	01063.110	3620 Island Hwy S	Lot 3, Plan 42428, District Lot 82, Comox Land District	001-650-157
97.	01063.115	Island Hwy S	Lot 4, Plan 42428, District Lot 82, Comox Land District	001-650-165

98.	01063.120	3640 Island Hwy S	Lot 5, Plan 42428, District Lot 82, Comox Land District	001-650-165
99.	01063.125	3650 Island Hwy S	Lot 6, Plan 42428, District Lot 82, Comox Land District	001-650-181
100.	01065.080	3620 Park Lane	Lot 6, Plan 31372, District Lot 82, Comox Land District	000-737-364
101.	01065.074	3623 Park Lane	Lot 3, Plan 31372, District Lot 82, Comox Land District	001-156-918
102.	01065.076	3627 Park Lane	Lot 4, Plan 31372, District Lot 82, Comox Land District	001-156-926
103.	01065.078	3631 Park Lane	Lot 5, Plan 31372, District Lot 82, Comox Land District	001-156-951
104.	01065.072	3669 Island Hwy S	Lot 2, Plan 31372, District Lot 82, Comox Land District	001-156-900
105.	01065.070	3667 Island Hwy S	Lot 1, Plan 31327, District Lot 82, Comox Land District	000-633-861
106.	01040.000	3660 Monaltrie Dr	Lot A, Plan 2119, District Lot 82, Comox Land District, Except Plan PCL A DD 4023081	006-627-579

.04

BNDY EXTENSIONS
S.COURTENAY
BEAVER MEADOWS
3720-20

AUG 20 2012



Moved by Ambler and seconded by Winchester that Council direct staff to complete the required advertising and referrals to affected government agencies for boundary extensions for the South Courtenay Area (Attachment No. 1), and Beaver Meadow Farms/Beaver Meadows Cranberry Corporation (Attachment No. 3).

Carried

Moved by Winchester and seconded by Ambler that staff proceed with the required advertising and referrals to affected government agencies for boundary extension of the Baptist Church on Lake Trail Road.

Carried

THE CORPORATION OF THE CITY OF COURTENAY

4

REPORT TO COUNCIL

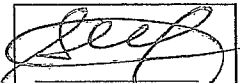
FROM: Development Services Department

FILE #: 3720
DATE: August 15, 2012

SUBJECT: BOUNDARY EXTENSIONS
1. SOUTH COURTENAY
2. BEAVER MEADOW FARMS/
BEAVER MEADOW CRANBERRY CORPORATION
- ANDERTON ROAD

C.A.O. COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Development Services be accepted.


Sandy T. Gray

RECOMMENDATION:

That Council direct staff to complete the required advertising and referrals to affected government agencies for boundary extensions for the South Courtenay Area (*Attachment No. 1*), and Beaver Meadow Farms/Beaver Meadows Cranberry Corporation (*Attachment No. 3*).

PURPOSE:

The purpose of this report is to provide information to Council for the consideration of municipal boundary extensions for firstly, the South Courtenay Area, and secondly, Beaver Meadow Farms/Beaver Meadow Cranberry Corporation lands on Anderton Road. There is also a discussion on the West Courtenay Area.

BACKGROUND:

The *Local Government Act (Section 20)* establishes the procedure for a municipality to follow for the approval of municipal boundary extensions. A municipal boundary extension transfers local government jurisdiction for a defined area from a regional district (electoral area) to the municipality. The municipality assumes responsibility for local services, governance, local roads, subdivision approving authority and property tax collection.

This report discusses two separate areas for the consideration of municipal boundary extensions and provides a background for the West Courtenay Areas.

1. South Courtenay

In April 2011, the City introduced a community outreach program to inform residents living in the area along the waterfront area south of the City about upcoming services (water and sewer) that were being extended to service the Buckstone Development. The program was directed towards approximately 175 landowners within Electoral Area 'A' who could consider options for obtaining sewer and water services from the City.

The City conducted community meetings on April 21, 2011, June 28, 2011 and June 28, 2012 providing residents with overviews of the project, extension of municipal boundaries, information on costs, construction and timing details and questions on land use. The timing of the last meeting was dependant on the developer (Buckstone) completing design work for services and to tender the construction work.

As a result of the information received from landowners following the last meeting held on July 12, 2012, where they have been given an opportunity to indicate their opinion, there is support to consider an area as shown on *Attachment No. 1* for a municipal boundary extension. The area contains 100 properties and includes the area at the south end of Park Lane (Island Highway) and the area north of the Chinook Road area.

There were 72 replies with 43 expressing an opinion on favour (60%) and 29 expressing an opinion of being opposed. The City offered a 3 year transitional period for adjustment in property taxes, a connection fee in the range of \$25,000 to \$30,000 for sewer service and financial options of up to 15 years to pay for the connection.

The majority of this area is within an area identified by the Ministry of Health as being a concern for public health due to failing septic systems (*Attachment No. 2*). The area consists of several larger parcels both developed and undeveloped and several urban residential subdivisions. Inclusion in the city provides the opportunity to connect to municipal services and to work towards resolving failing septic systems adjacent to Baynes Sound. It is an initiative that can protect environmentally sensitive areas. As the services being installed from the Buckstone Development to the City run through Electoral Area 'A', the proposed boundary extension would result in this infrastructure being entirely within the City and would allow for the most efficient management and control of these services. It would also help to rationalize and square up the City's boundaries in this area.

This boundary extension would be consistent with the goals and policies in the Growth Management Sections of the City's Official Community Plan.

The South Courtenay area under review is within the Settlement Expansion Area of the Regional Growth Strategy (RGS). The boundary extension would meet the goals of the growth management principals including:

- Take action to address public health and environmental issues as they are identified and, where possible, before they arise.
- Identify areas on the fringe of the Municipal Areas that should be eventually incorporated through boundary extensions.

The policy in the RGS states, "*it is the intentions of Local Governments in the Comox Valley that Settlement Expansion Areas shall become part of a Municipal Area through a boundary extension.*"

In summary, the inclusion of the subject areas into the City will provide the opportunity to address public health and environmental issues, allow the City to manage our infrastructure including storm water management that is not within the City and will permit the City to manage the future land uses in this area. These items are consistent with the City's Official Community Plan and Regional Growth Strategy and it is recommended that the required advertising and referrals proceed.

2. Beaver Meadow Farms/Beaver Meadow Cranberry Corporation

A request was received for a boundary extensions from the owners of Beaver Meadow Farms/Beaver Meadow Cranberry Corporation (see *Attachment No. 3*). This is an area adjoining the northern boundary of the City along Anderton Road.

This includes seven separate parcels with one parcel (27 hectares) along the northern boundary of the City (adjacent to the Crown Isle Development) being outside of the Agricultural Land Reserve and the remaining six parcels being within the Agricultural Land Reserve.

The owners are seeking inclusion into the City to allow for the “*full and proper management of the Quadra Sands Aquifer, storm water management and water resources of our properties may benefit from the policies and management now carried out by the City of Courtenay.*”

Similar to the rationale in considering the South Courtenay Boundary Extension area, this boundary extension provides the opportunity for the City to management future decisions on servicing, management of water resources and land use. Lands within the Agricultural Land Reserve fall within the same provisional legislation regardless of jurisdiction.

The property not within the Agricultural Land Reserve is within the Settlement Expansion Area of the Regional Growth Strategy.

The application would meet the goals established in the City’s Official Community Plan which include:

1. to ensure that agricultural lands are preserved for agricultural purposes and to enhance and protect the viability of agricultural activities within the City
2. to promote the expansion of the agriculture industry in the Comox Valley
3. to direct urban development away from the ALR to minimize conflicts between farm and non-farm uses
4. encourage agriculture operations to operate in an environmentally sustainable manner

Proceeding to the required advertising and referrals is recommended.

3. West Courtenay Area

Earlier this year, Council was approached by residents in the Arden Road Corridor area re-enforcing the need to have a Local Area Plan prepared for the Arden Road Corridor. These concerns were related to the overall impacts of development in this area.

The City embarked in May 2012 to prepare a Local Area Plan to address this request for comprehensive land use planning on our western boundaries. The area consists of a variety of housing types and has several notable environmental features including Piercy and Arden Creeks, their tributaries and associated wetlands. The Plan is being undertaken to avoid haphazard planning, to protect the natural systems in this area and to illustrate how best management practices can shape lands along this corridor.

This plan will study:

- Integration of natural systems into the neighbourhood fabric to enhance and preserve the natural features.
- The best forms of housing to serve the future needs of the City.
- Traffic impacts as the Arden Road Corridor builds out and to address mitigation strategies.
- Is the area best served by the current City boundaries and should new developments and existing development be integrated into the City’s sanitary sewer system network.

Public consultation meetings are being scheduled for September as part of the work in preparing this plan.

The City has also received a number of requests from residents in the area west of Arden Road for inclusion into the City (*Attachment No. 4*).

Although there are no recommendations at this time on boundary extensions for the overall area, it can be reviewed following the preparation of the Local Area Plan.

There are individual applicants seeking immediate approval to their request. The area west of the City contains pockets of urban levels of subdivision and much of the area has been identified by the Ministry of Health as being a concern for public health due to failing septic systems.

The area being reviewed through the Local Area Plan is within the Settlement Expansion Area of the Regional Growth Strategy.

FINANCIAL IMPLICATIONS:

- No immediate impact.
- Servicing plans at the responsibility of owner/developer.

STRATEGIC PLAN REFERENCE:

- Demonstrate leadership in environmental management.
- Ensure infrastructure is sustainable.
- Provide leadership for growth management.

OCP SUSTAINABILITY REFERENCE:

Consistent with established goals in *Section 3.3.2 Growth Management* including:

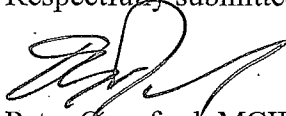
- protect environmentally sensitive areas
- support sustainable development practices
- support efficient infrastructure development
- provide for managed growth

REGIONAL GROWTH STRATEGY REFERENCE:

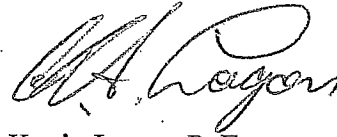
- Take actions to address public health and environmental issues as they are identified and, where possible, before they arise.
- Identify areas of existing development on the fringes of *Municipal Areas* that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing public health and environmental issues.
- Given the number and density of private systems located on the fringe of *Municipal Areas*, there is a need to develop a long-term strategy to prevent public health concerns before they arise. Private wells, watercourses and the marine foreshore within the Comox Valley could be seriously compromised should a number of septic systems fail in the coming years prior to detection. As a result, it is the long-term intention of the growth management strategy that existing neighborhoods within designated *Settlement Expansions Areas* will eventually be provided with publicly owned water and sewer services. Such provision of services will be coincident with a boundary extension that incorporates the settlement expansion area into a municipal area, or a satisfactory servicing agreement, as detailed in the corresponding official community plan.

- Any growth in *Settlement Expansion Areas* will occur in phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development.

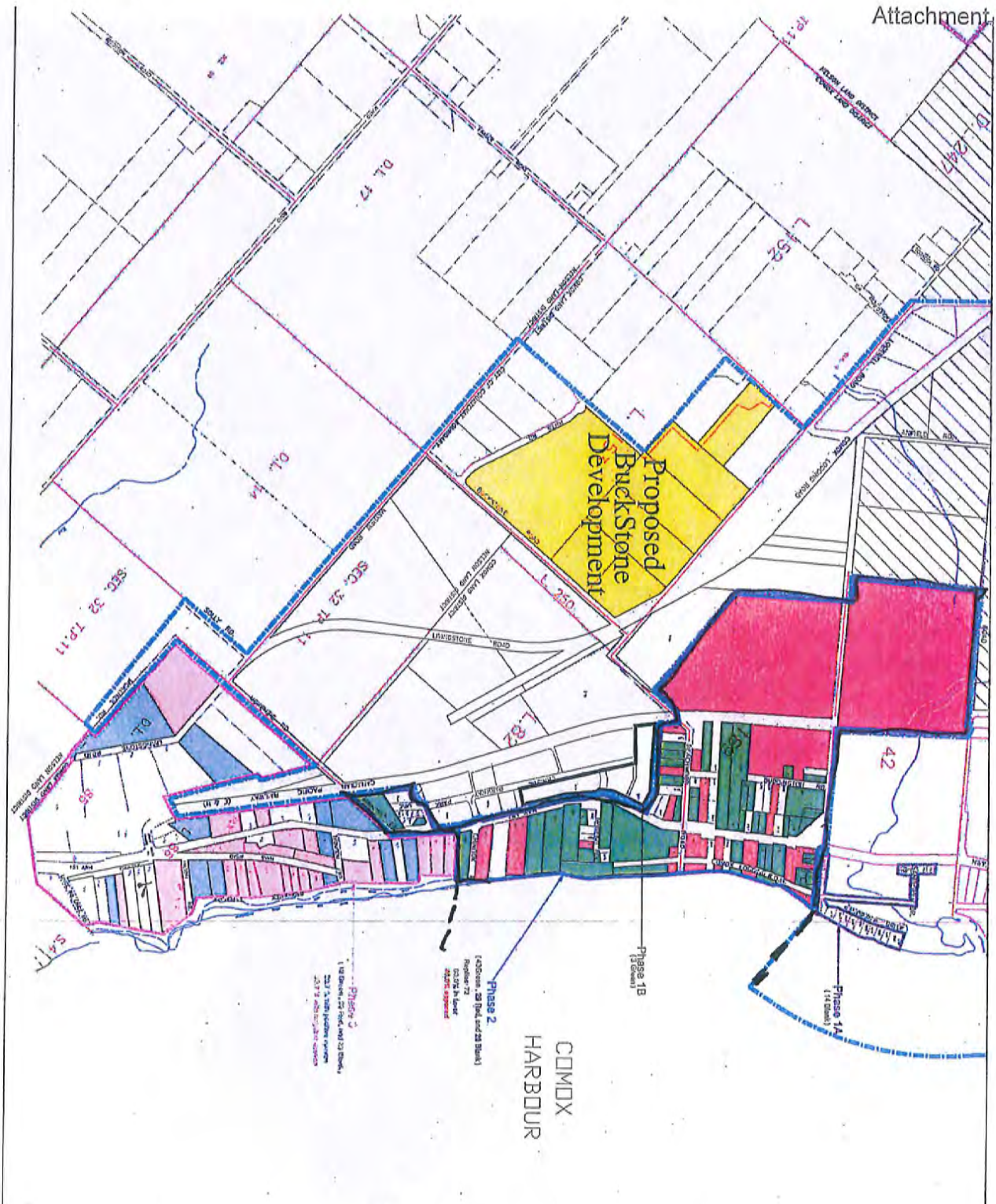
Respectfully submitted,



Peter Crawford, MCIP
Director of Development Services



Kevin Lagan, P. Eng.
Director of Operational Services



2011 City of Courtenay
Annexation Plan
Phased Sanitary Sewer
Servicing Proposal

CITY OF COURTENAY

LEGEND

- Two Stage Servicing
- Indicated "Yes"
- Indicated "No"
- Not Indicated

SCALE: Not To Scale

Phase 1A (14 lots)

Phase 1B (5 lots)

Phase 2 (10 lots, 20 lots and 20 lots)

Phase 3 (1 lot, 2 lots, 3 lots, 4 lots, 5 lots, 6 lots, 7 lots, 8 lots, 9 lots, 10 lots, 11 lots, 12 lots, 13 lots, 14 lots, 15 lots, 16 lots, 17 lots, 18 lots, 19 lots, 20 lots, 21 lots, 22 lots, 23 lots, 24 lots, 25 lots, 26 lots, 27 lots, 28 lots, 29 lots, 30 lots, 31 lots, 32 lots, 33 lots, 34 lots, 35 lots, 36 lots, 37 lots, 38 lots, 39 lots, 40 lots, 41 lots, 42 lots, 43 lots, 44 lots, 45 lots, 46 lots, 47 lots, 48 lots, 49 lots, 50 lots, 51 lots, 52 lots, 53 lots, 54 lots, 55 lots, 56 lots, 57 lots, 58 lots, 59 lots, 60 lots, 61 lots, 62 lots, 63 lots, 64 lots, 65 lots, 66 lots, 67 lots, 68 lots, 69 lots, 70 lots, 71 lots, 72 lots, 73 lots, 74 lots, 75 lots, 76 lots, 77 lots, 78 lots, 79 lots, 80 lots, 81 lots, 82 lots, 83 lots, 84 lots, 85 lots, 86 lots, 87 lots, 88 lots, 89 lots, 90 lots, 91 lots, 92 lots, 93 lots, 94 lots, 95 lots, 96 lots, 97 lots, 98 lots, 99 lots, 100 lots)

Phase 1A (14 lots)

Phase 1B (5 lots)

Phase 2 (10 lots, 20 lots and 20 lots)

Phase 3 (1 lot, 2 lots, 3 lots, 4 lots, 5 lots, 6 lots, 7 lots, 8 lots, 9 lots, 10 lots, 11 lots, 12 lots, 13 lots, 14 lots, 15 lots, 16 lots, 17 lots, 18 lots, 19 lots, 20 lots, 21 lots, 22 lots, 23 lots, 24 lots, 25 lots, 26 lots, 27 lots, 28 lots, 29 lots, 30 lots, 31 lots, 32 lots, 33 lots, 34 lots, 35 lots, 36 lots, 37 lots, 38 lots, 39 lots, 40 lots, 41 lots, 42 lots, 43 lots, 44 lots, 45 lots, 46 lots, 47 lots, 48 lots, 49 lots, 50 lots, 51 lots, 52 lots, 53 lots, 54 lots, 55 lots, 56 lots, 57 lots, 58 lots, 59 lots, 60 lots, 61 lots, 62 lots, 63 lots, 64 lots, 65 lots, 66 lots, 67 lots, 68 lots, 69 lots, 70 lots, 71 lots, 72 lots, 73 lots, 74 lots, 75 lots, 76 lots, 77 lots, 78 lots, 79 lots, 80 lots, 81 lots, 82 lots, 83 lots, 84 lots, 85 lots, 86 lots, 87 lots, 88 lots, 89 lots, 90 lots, 91 lots, 92 lots, 93 lots, 94 lots, 95 lots, 96 lots, 97 lots, 98 lots, 99 lots, 100 lots)

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Phase 1B (5 lots)

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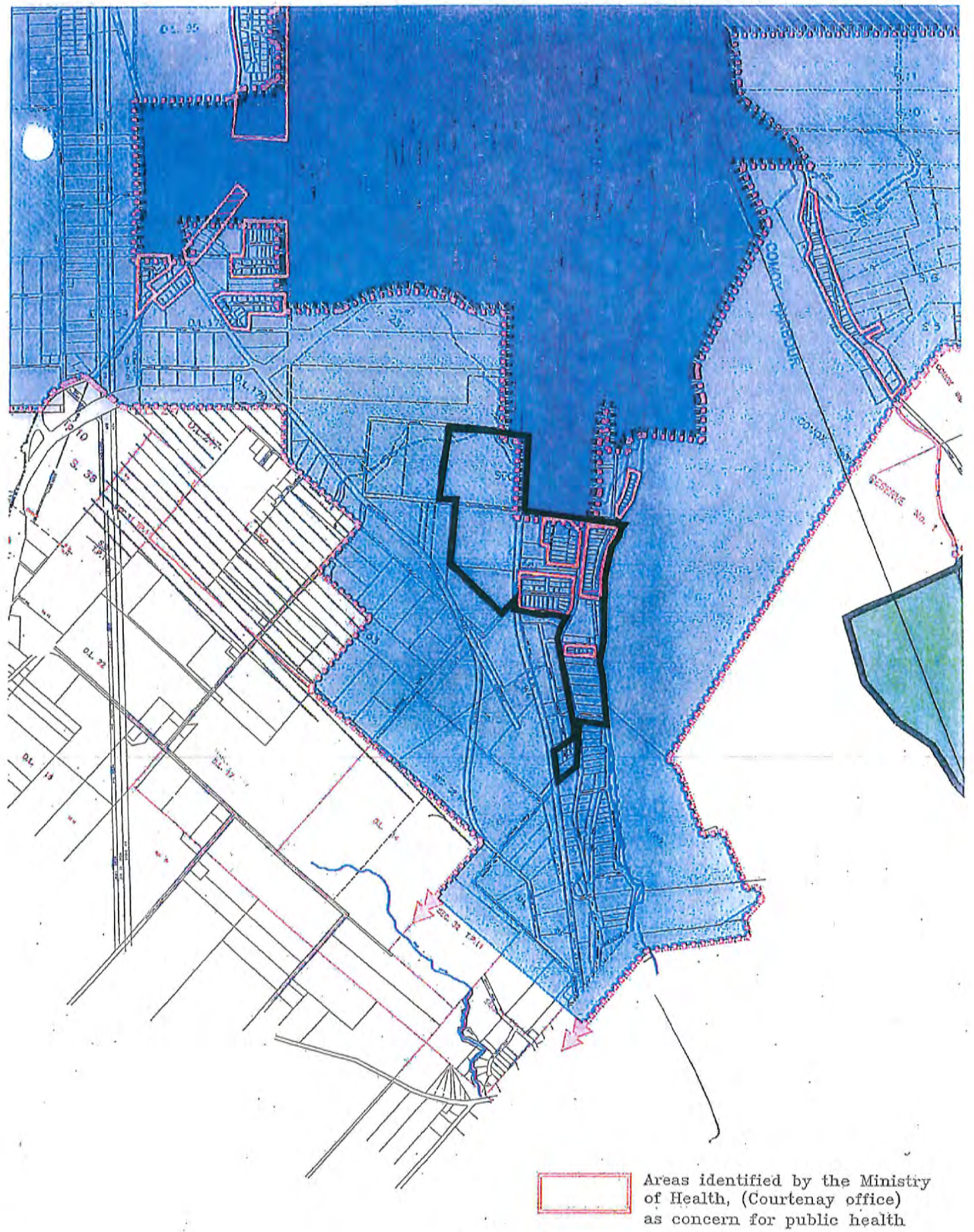
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City of Courtenay
Planning Services
880 Cliffe Ave
Courtenay BC V9N2J7

Attachment No. 3

1 of 3

July 18/2012
1821-E Arderton Rd
Comox BC V9M4B1

Dear Sirs:

Please accept our application for annexation within the City of Courtenay Boundaries, the enclosed properties of Beaver meadow Cranberry Corp and Beaver Meadow Farms (1971) Ltd. We are applying to the city so that full and proper management of the Quader Sands Aquifer, storm water management, and water resources of our properties may benefit from the policies and management now carried out by the City of Courtenay.

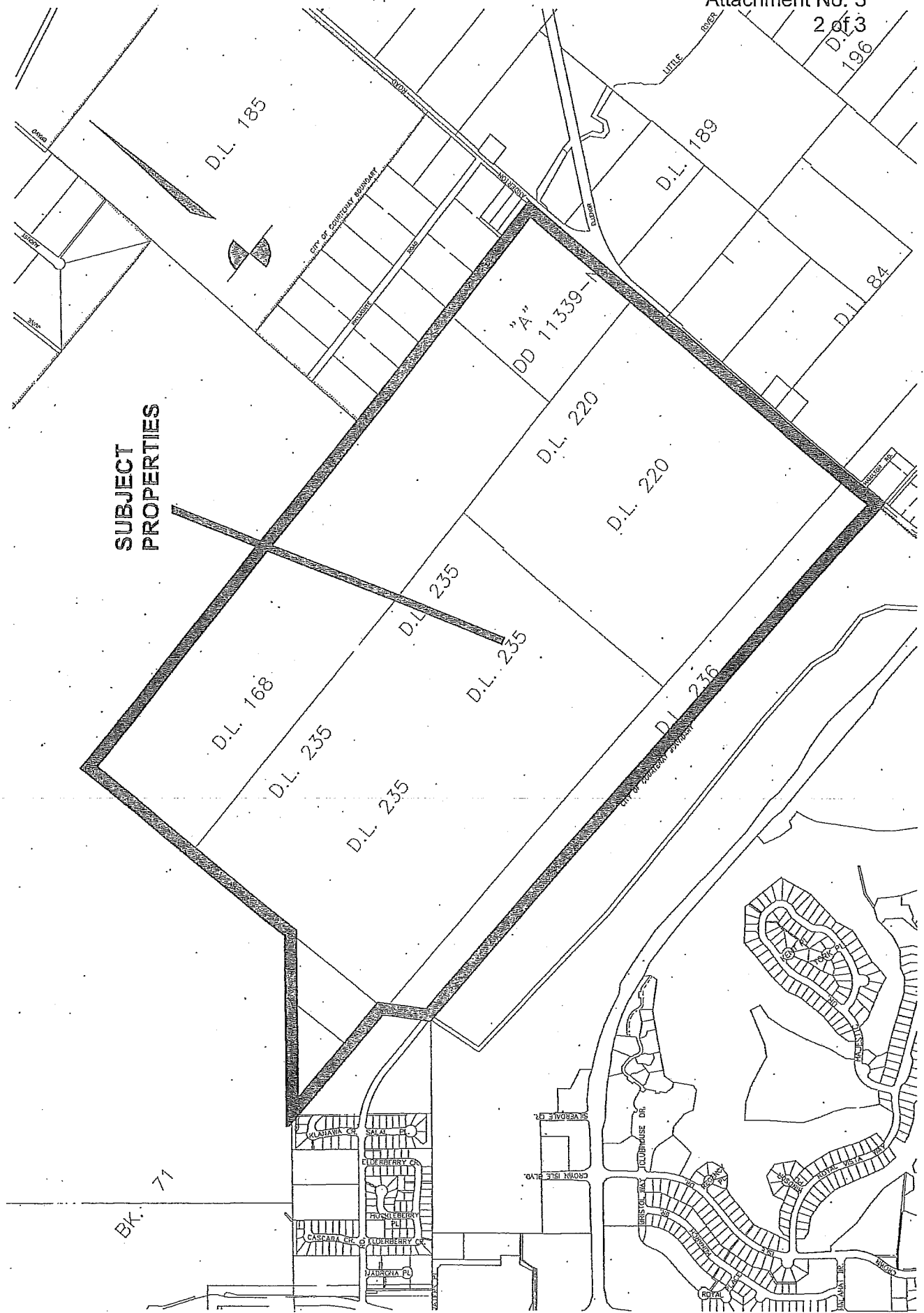
In addition we are satisfied that the correspondence as to the management of farm land and the practises carried out on farm land will be permitted as indicated in your letter to us. Since a major portion of the indicated property has no fire protection afforded to it, we feel it important to fall within the City's fire protection area.

RECEIVED
JUL 19 2012
CITY OF COURTENAY

Yours sincerely

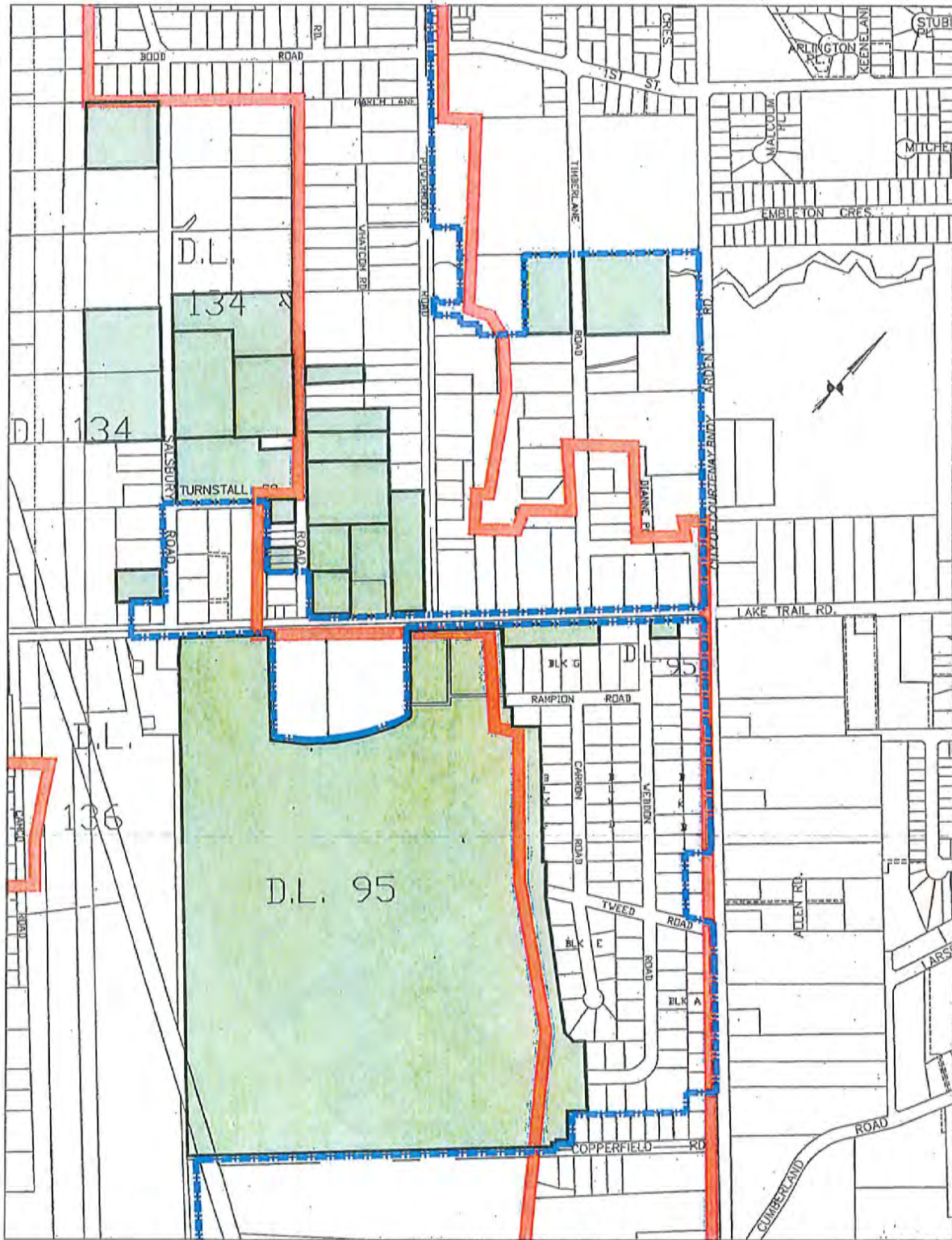
Edgar W Smith (P.S.)

Beaver Meadow Cran Corp.
Beaver Meadow Farms (1971) Ltd. P71





**SUBJECT
PROPERTIES**

BK. 71



LEGEND

	IN FAVOR OF ANNEXATION
	AREA OF CONCERN FOR PUBLIC HEALTH

S:\Eng\proj\Student\12005\PLANG\2005\SP_TIMBERLAKE_WEDGE_LAKE TRAIL_12 07 19
12 07 20 DAT

Repealed

(Rep) Jan 01/04 → 19. *Repealed.* [2003-52-170 (B.C. Reg. 465/2003)]

Extension of boundaries

- (Am) May 29/08 → 20. (1) On the recommendation of the minister, the Lieutenant Governor in Council may, by letters patent, extend the area of a municipality to include land not in a municipality.
- (Am) May 29/08 → (2) The Lieutenant Governor in Council may specify in the letters patent that, for the purpose of preparing, completing, returning, confirming and authenticating the assessment roll of land and improvements in the extended municipality, the land and improvements included by the extension are deemed, for a specified period before or after the extension, or both, to be included in or excluded from the municipality.
- (Sub) May 29/08 → (3) Before the minister makes a recommendation referred to in subsection (1),
- (a) the minister must
 - (i) notify the council of the proposed recommendation, or
 - (ii) have received from the council a request for the extension,
 - (b) the council must give public notice of the proposed extension once in the Gazette, and
 - (c) the council must obtain the approval of the electors of the municipality in relation to the proposed extension.
- (Rep) May 29/08 → (4) and (5) *Repealed.* [2008-42-46]
- (6) The minister may direct that a vote on the question of including an area in a municipality under this section be taken in that area in the form specified by the minister and, for these purposes, section 9 applies.

RS1979-290-22; 1993-54-7; 1994-52-45; 2008-42-46, 141.

Redefinition of boundaries

- (Am) May 29/08 → 21. (1) The Lieutenant Governor in Council may, by letters patent, redefine or alter the boundaries of a municipality if it appears to the satisfaction of the Lieutenant Governor in Council that any of the following circumstances apply:
- (a) the boundaries are uncertain;
 - (b) the boundaries do not follow legal property boundaries;
 - (c) the boundaries do not conform to those of an adjacent municipality;
 - (d) the whole or part of a highway on or adjacent to the boundary should be included or excluded;
 - (e) the whole or part of adjoining foreshore and any area below low water mark should be included or excluded;
 - (f) the whole or part of the adjoining foreshore along a river, stream or lake, or the foreshore and land covered by water, should be included or excluded;
 - (g) land adjacent to and owned by the municipality should be included.
- (2) Before exercising the powers of subsection (1), the Lieutenant Governor in Council may direct that a notice of intention to redefine or alter the boundaries of a municipality be given at municipal expense once in the Gazette and once in a newspaper.

RS1979-290-23; 1994-52-46; 2008-42-141.

Collection of taxes

- (Am) Jan 01/04 → 22. (1) If land is included in a municipality under section 13 (5), 20 or 21, all unpaid taxes previously imposed by the Provincial government or by another municipality on that land are taxes of the municipality in which the land is included, and that municipality may exercise all remedies under this Act and the *Community Charter* for the collection of those taxes.
- (2) The municipality in which the land referred to in subsection (1) is included,
- (a) for unpaid taxes previously imposed by the Provincial government, must pay the amount of those taxes to the Surveyor of Taxes by January 1 in the year following the year in which the land is included in the municipality, and

Sample Statutory AAP Public Notice

NOTICE TO ELECTORS OF CORPORATE NAME OF MUNICIPALITY OF AN ALTERNATIVE APPROVAL PROCESS FOR A PROPOSED EXTENSION OF BOUNDARIES

Notice is hereby given that under section 86 [Alternative approval process] of the *Community Charter* and section 20 of the *Local Government Act*, the Council of the (Corporate Name of Municipality) intends to petition the Minister of Community Development requesting an extension of the area of the municipality to include the following described lands:

(Insert map showing road network and parcels to be included in the boundary extension)

(Insert information regarding the rationale for the proposed extension and include any special features included in letters patent, as appropriate.)

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

And Further Take Notice That the municipality may proceed with the boundary extension request unless at least ten percent of municipal electors indicate that a referendum must be held by submitting a signed *Elector Response Form* to (Municipal) City Hall no later than (usual closing time) **4:30 p.m. on (date: dd/mm/yy)**. *Elector Response Forms* must be in the form established by the (Corporate Name of Municipality), and only those persons who qualify as electors of the municipality are entitled to sign *Elector Response Forms*.

Resident Elector – You are entitled to submit an *Elector Response Form* as a resident elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, and have been a resident of the (Corporate Name of Municipality) for the past 30 days or more.

Non-Resident Elector – You are entitled to submit an *Elector Response Form* as a non-resident property elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, have owned and held registered title to a property in the (Corporate Name of Municipality) for the past 30 days or more, and do not qualify as a resident elector. **NOTE:** Only one non-resident property elector may submit an *Elector Response Form* per property, regardless of how many owners there may be.

If less than ten percent (#) of municipal electors submit an *Elector Response Form*, the boundary extension request will be deemed to have the approval of the electors and the (Corporate Name of Municipality) may proceed to Cabinet for approval. For the purpose of conducting the alternative approval opportunity, the number of electors is calculated as #.

Elector Response Forms are available from City Hall, (provide: street address, phone number, email and operating hours).

And That this is the first of two publications of this notice in a newspaper. / This is the second and last publication of this notice in a newspaper.

Corporate Name of Municipality
Name of Administrator
Title of Administrator

.01
BOUNDARY EXT
LANNON PROP
3720

Moved by Winchester and seconded by Ambler that Council direct staff to complete the required advertising and referrals to affected government agencies for a boundary extension for Crown Isle for a 16 hectare undeveloped parcel on Lannon Road (Attachment No. 1).

SEP 10 2012 Carried with Councillor Leonard Opposed

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

FROM: Development Services Department

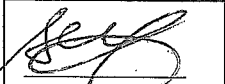
FILE #: 3720

DATE: September 6, 2012

SUBJECT: BOUNDARY EXTENSION
CROWN ISLE/LANNON ROAD

C.A.O. COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Development Services be accepted.



Sandy T. Gray

RECOMMENDATION:

That Council direct staff to complete the required advertising and referrals to affected government agencies for a boundary extension for Crown Isle for a 16 hectare undeveloped parcel on Lannon Road (*Attachment No. 1*).

PURPOSE:

The purpose of this report is to provide information to Council for the consideration of a municipal boundary extension for Crown Isle for a 16 hectare parcel of undeveloped land at Lannon Road.

BACKGROUND:

The *Local Government Act (Section 20)* establishes the procedure for a municipality to follow for the approval of municipal boundary extensions. A municipal boundary extension transfers local government jurisdiction for a defined area from a regional district (electoral area) to the municipality. The municipality assumes responsibility for local services, governance, local roads, subdivision approving authority and property tax collection.

The City has received a request for a municipal boundary extension from Crown Isle for a 16 hectare undeveloped parcel at Lannon Road. A detailed report with background information is included as *Attachment No. 1*.

This property being owned by Crown Isle would become part of the Crown Isle Development and develop under the land use management tools available to the City.

This boundary extension would be consistent with the goals and policies in the Growth Management Sections of the City's Official Community Plan.

This property under review is within the Settlement Expansion Area of the Regional Growth Strategy (RGS). The boundary extension would meet the goals of the growth management principals including:

- Take action to address public health and environmental issues as they are identified and, where possible, before they arise.
- Identify areas on the fringe of the Municipal Areas that should be eventually incorporated through boundary extensions.

The policy in the RGS states, “*it is the intention of Local Governments in the Comox Valley that Settlement Expansion Areas shall become part of a Municipal Area through a boundary extension.*”

In summary, the inclusion of the subject area into the City will provide the opportunity to manage our infrastructure including storm water management and will permit the City to manage the future land uses in this area. These items are consistent with the City’s Official Community Plan and Regional Growth Strategy and it is recommended that the required advertising and referrals proceed.

FINANCIAL IMPLICATIONS:

- No immediate impact.
- Servicing plans at the responsibility of owner/developer.

STRATEGIC PLAN REFERENCE:

- Demonstrate leadership in environmental management.
- Ensure infrastructure is sustainable.
- Provide leadership for growth management.

OCP SUSTAINABILITY REFERENCE:

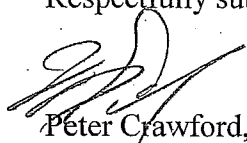
Consistent with established goals in *Section 3.3.2 Growth Management* including:

- protect environmentally sensitive areas
- support sustainable development practices
- support efficient infrastructure development
- provide for managed growth

REGIONAL GROWTH STRATEGY REFERENCE:

- Identify areas of existing development on the fringes of *Municipal Areas* that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing public health and environmental issues.
- Any growth in *Settlement Expansion Areas* will occur in phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development.

Respectfully submitted,



Peter Crawford, MCIP
Director of Development Services

CROWN ISLE

MUNICIPAL BOUNDARY EXTENSION REPORT- LANNAN LANDS

2012 August 24



Jordan Cook

Jordan Cook Associates 205 – 134 Abbott Street, Vancouver V6B 2K4
T: 604.689.8200 - F: 604.224.2497 – E: info@jordencook.com



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1 INTRODUCTION

Jorden Cook Associates has reviewed the property, commonly referred to as the Lannan Lands, and the municipal tasks required to permit a municipal boundary extension. This document outlines an approach to accomplish the objective of bringing the Lannan Lands into the City of Courtenay.

1.1 LOCATION

The subject property, referred to as the Lannan Lands, is legally defined as Lot 1 District Lot 206 Comox District Plan VIP76495. This property is situated between the Town of Comox and the City of Courtenay, abutting the latter municipality, within the jurisdiction of the Comox Valley Regional District.



SOURCE: JORDEN COOK ASSOCIATES

1.2 CONTEXT

Lannan Lands is approximately a 16 hectare parcel of land, currently zoned Rural Eight (RU-8), as shown on the Comox Valley Zoning Bylaw Map A, with a minimum lot size of 8 hectares. The parcel is flanked by Country Residential One

(CR-1) zoned land within the regional district, to the east and south. The CR-1 zone has a 2 hectare minimum lot size. Courtenay's CD-1 zone flanks Lannan Lands to the west and north.

Permitted uses within the RU-8 zone are generally consistent with resource management, such as wood processing, a permitted use on this parcel. Many of the uses permitted within an RU-8 site would be better suited to peripheral locations within the Comox Valley Regional District. Urban uses are planned for the parcel, with the Comox Valley Regional District - Regional Growth Strategy (RGS) and the City of Courtenay's Official Community Plan (OCP) both of which designate the parcel as a future expansion area, pending provision of municipal services.

1.2.1 COMOX VALLEY REGIONAL DISTRICT – REGIONAL GROWTH STRATEGY

Map 5 of the Comox Regional District – Regional Growth Strategy designates the subject property as a "Settlement Expansion" area, having "potential to accommodate future growth subject to boundary extensions and the provision of publicly-owned water or sewer services, provided that appropriate phasing policies are established, new development does not detract from compact growth options within Municipal Areas and that infrastructure capacity is available and financially sustainable."¹ The Settlement Expansion area designation of Lannan Lands is directly consistent with Growth Management Principle 10:

"Identify areas for new development on fringes of municipality areas that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to allow for new long-term growth opportunities in a phased and orderly manner."

1.2.2 CITY OF COURTENAY OFFICIAL COMMUNITY PLAN

Lannan Lands abuts the City of Courtenay's municipal boundary, and is included within the City's proposed annexation boundary, as shown on Map 1 of the OCP, Courtenay / Comox Conceptual Boundary Adjustment Area map. See Appendix 1 for Map 1.

Section 3 of Courtenay's OCP outlines the municipality's growth management goals and policies. These policies establish a strategy for the City to move towards a workable preferred boundary which will ensure the community continues to be well managed with future growth planned in a coordinated manner that protects community assets. Earlier development that occurred outside of Courtenay's boundary was often haphazard, undermining the ability to prepare effective long-term infrastructure planning for the region, specifically for the provision of well managed community sanitary systems, an important element to safe guard the

¹ Schedule A Comox Valley Regional Growth Strategy Bylaw No. 120, 2010, page 93.

region's natural environment, as it reduces the risk of failing private septic systems.

Further, the collection of capital required to advance the provision of infrastructure has also been undermined without a coherent regional long-term infrastructure plan.

Courtenay's policies for Growth Management include:

- Work cooperatively with Comox Valley municipalities and Regional District regarding the cohesive and complementary development of land contiguous to municipal boundaries along with the development of master plans and strategies on the provision of services.
- Seek ways to ensure areas on the urban fringe pay equitably for services received including police, recreation, transportation, cultural and the mitigation of environmental problems.

2 BOUNDARY EXTENSION RATIONALE

Extending the municipal boundary of the City of Courtenay to include the Lannan Lands is consistent with the planning policies and vision contained within the RGS and municipal OCP. Both planning documents envisage the subject property to become part of Courtenay.

Initiating a process to undertake a municipal boundary extension is timely and warranted. The Lannan Lands and Crown Isle share the same owner. Bringing the subject property into Courtenay would allow for efficient development phasing of the property once municipal services are extended to the site. Further, this would facilitate private impetus to advance comprehensive sanitary trunk solutions for north-east Courtenay and adjacent lands in the regional district.

Extending the boundary enhances the municipality's position to undertake financially viable planning for sanitary infrastructure in north-east Courtenay. Multiple sanitary options have been prepared with the objective of upgrading municipal services to north-east Courtenay. If a sanitary main were to be developed along Anderton Road south to Idiens Way, the natural topography of the area lends itself to a catchment area that could include the subject property and be serviced by an economical gravity sewer. Bringing these lands into Courtenay would help accelerate design of trunk servicing options of general benefit to Courtenay and the regional district.

2.1 PROPOSED ZONING

Given the size and location of the subject property, future development would be phased in sequence with the development of Crown Isle. As such it is reasonable to extend Courtenay's existing CD-1B zone to the subject property. Crown Isle supports simply extending the CD-1B zone with no increase in residential unit

provisions to facilitate planning and boundary extension approvals. Extending the CD-1B zone in tandem with the municipal boundary will further support the infrastructure planning process, as figures regarding unit type and household structure would be readily available.

2.2 PROPOSED PROCESS FORWARD

Following the recommendation of the minister, the Lieutenant Governor in Council may extend the area of a municipality, as noted in Section 20 of the Local Government Act of BC. Prior to this recommendation the municipal council must obtain the approval of the electors of the municipality in relation to the proposed extension. Section 86 of the Community Charter of BC allows for a simpler approach which we believe is much more appropriate in this instance for the following reasons: a) the recently adopted Regional Growth Strategy designates the subject property as a boundary extension parcel, following public and municipal consultation; b) this municipal extension is consistent with Courtenay's OCP; c) no one lives on these lands so no one is directly impacted. Section 86 includes requirements for public notification and if more than 10% of electors wish, then a full municipal wide vote is required.

Six main steps are required by the Ministry of Community and Rural Development prior to the approval of a municipal boundary extension. In summary they are as follows:

- 1 Council resolution confirming the municipality is willing to consider a boundary extension.
- 2 Municipality submits a municipal boundary extension proposal to the Ministry.
- 3 Ministry reviews municipal application, includes referral to MoTI.
- 4 Elector approval/ Section 86 Community Charter Process.
- 5 Provincial approval – Ministry prepares Letters Patent implementing the proposed boundary change.
- 6 Implementation – Municipality and regional district are responsible for implementing the transfer and coordination of services within the boundary extension area

3 CONCLUSION

Initiating a process to undertake a municipal boundary extension at this time is timely and warranted. This boundary extension is consistent with the RGS and Courtenay OCP. Neighbouring Crown Isle and Lannan Lands are registered under the same owner. Bringing the subject property into Courtenay would allow for efficient engineering designated development phasing. This would provide a private impetus to advance sanitary trunk solutions for north-east Courtenay and the regional district.

Extending the CD-1B zone in tandem with the municipal boundary will further support the infrastructure planning process, as Crown Isle unit types and household structure would be accurate and readily available. Standard detailed site design information will be required by municipal staff prior to a subdivision approval or development permit issuance.

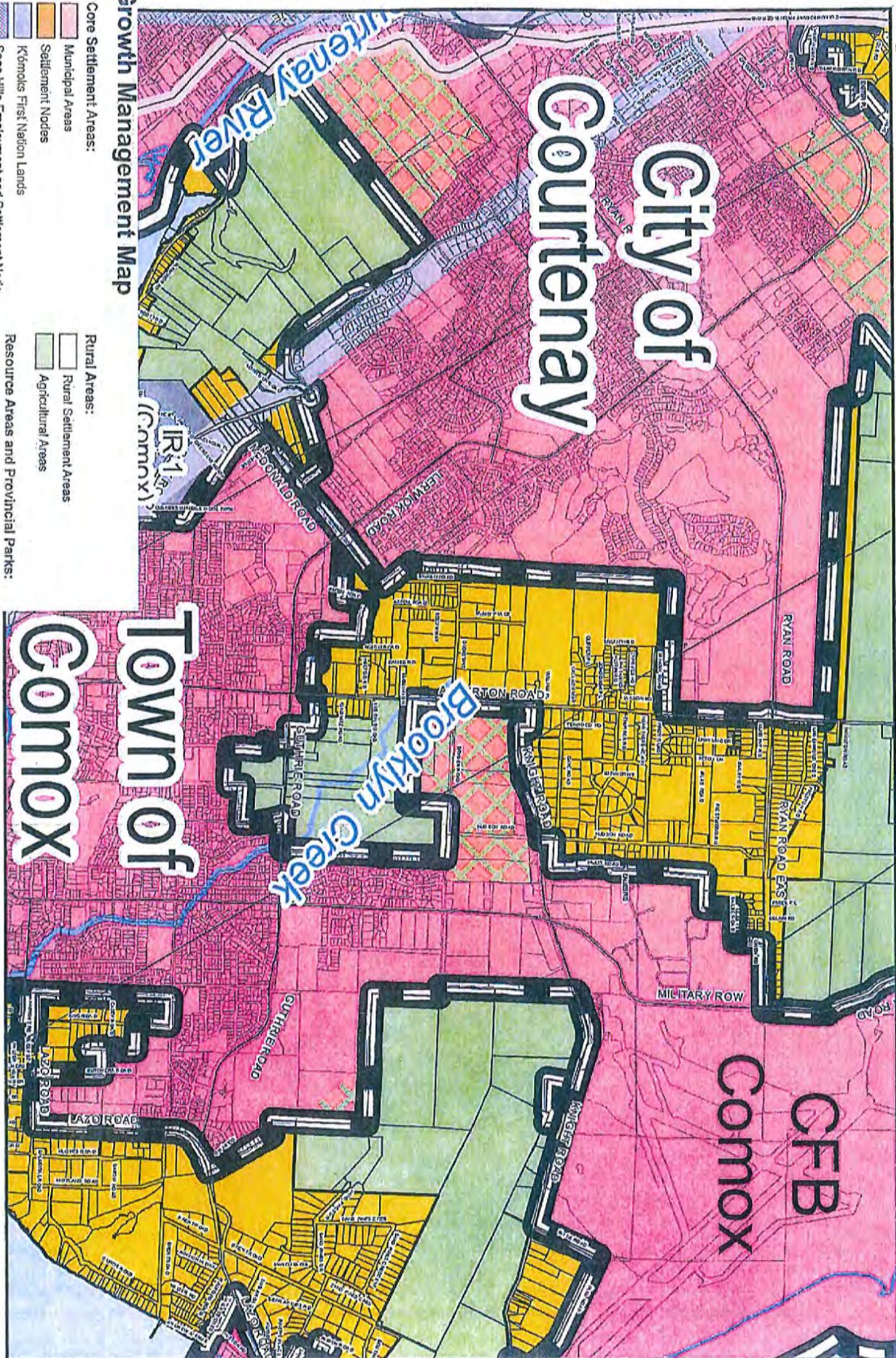
Section 20 of the Local Government Act and Section 86 of the Community Charter outline specific requirements of an approval. The approach outlined in Section 86 is well suited for this municipal extension as the recently adopted Regional Growth Strategy designates the subject property as a boundary extension parcel, following public and municipal consultation, and the OCP supports inclusion of these lands in Courtenay.



APPENDIX 1: MAPS

See Next Page.

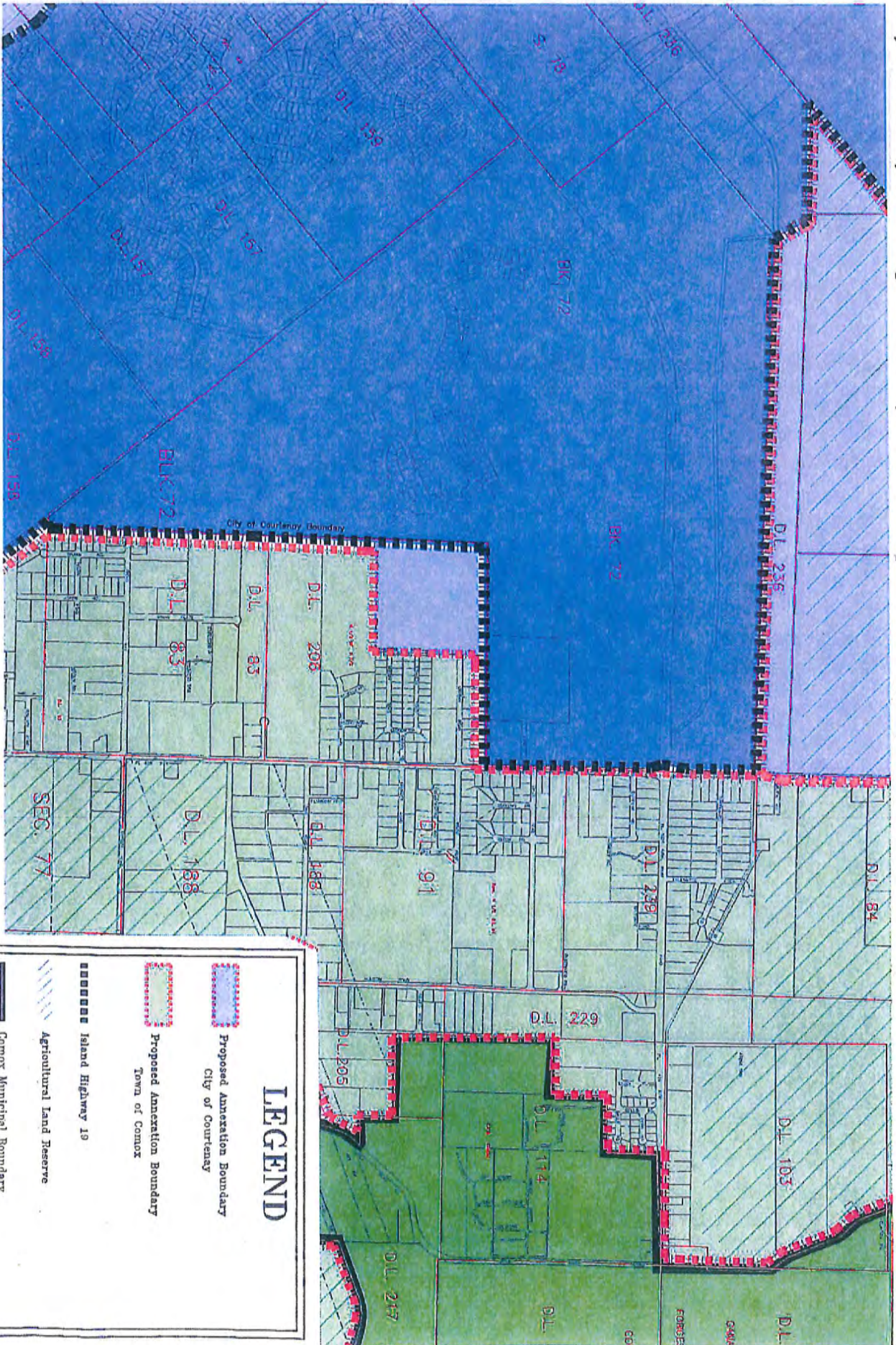
City of Courtenay









Growth Management Map

- Core Settlement Areas:**
- Municipal Areas
 - Settlement Nodes
 - Kómox's First Nation Lands
 - Sage Hills Employment and Settlement Node
 - Settlement Expansion Areas
 - Agricultural Areas within Municipal Areas
- Rural Areas:**
- Rural Settlement Areas
 - Agricultural Areas
- Resource Areas and Provincial Parks:**
- Resource Areas
 - Provincial Park

Town of Comox



LEGEND

-  Proposed Annexation Boundary
City of Courtenay
-  Proposed Annexation Boundary
Town of Comox
-  Island Highway 19
-  Agricultural Land Reserve
-  Comox Municipal Boundary
-  Courtenay Municipal Boundary

NOT TO SCALE

8

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL


FROM: Kevin Lagan, P. Eng
Director of Operational Services

FILE #: 5400-02 6th Street
Pedestrian Bridge
DATE: Dec 3, 2012

SUBJECT: 6th Street Cycling and Pedestrian Bridge

C.A.O. COMMENTS/RECOMMENDATIONS:

That the report from the Director of Operational Services regarding the status of the 6th Street Pedestrian Bridge be accepted.


Sandy T. Gray

RECOMMENDATION:

That Council receive the report on the Proposed Cycling and Pedestrian Wooden Frame Bridge at 6th Street from the Director of Operational Services;

PURPOSE:

To provide Council with a status update on the proposed 6th Street Cycling/Pedestrian Wooden Frame Bridge project.

BACKGROUND:

On April 16th, 2012 council passed the following resolution:

Moved by Hillian and seconded by Leonard that Council receive the report on the Fifth Street Bridge and the Proposed Cycling/Pedestrian Wooden Frame Bridge at 6th Street from the Director of Operational Services;

That Council approves the initial \$70,000 for the 6th Street Cycling/pedestrian bridge for survey, design, geotechnical, environmental and archaeological work and that this be funded from the City's New Works – Community Works Fund Reserve; That an application is made under the Gas Tax General Strategic Priorities Fund for \$1,750,000 for the recoating of the 5th Street Bridge; and

That an application is made under the Gas Tax Innovations Fund for \$1,900,000 for the construction of a wooden frame cycling/pedestrian bridge at 6th Street over the Courtenay River.

Carried with Councillors Theos, Winchester and Mayor Jangula opposed

The City of Courtenay made an application under the Gas Tax Innovation Funds for \$1,900,000 in May of 2012. To date the City has had no response to this application for funding.

In June of 2012, the City of Courtenay solicited proposals to undertake design works for the 6th Street Cycling and Pedestrian Bridge Project. In July of 2012, Associated Engineering Ltd was awarded the contract to undertake the preliminary design and prepare a feasibility report for the project. A draft report was submitted to the City in September of 2012.

DISCUSSION:

The draft "6th Street Pedestrian Bridge Feasibility Study", prepared by Associated Engineering, provided four separate conceptual designs for consideration. City staff, working with Associated Engineering and the Courtenay River People Bridge Steering Committee, are currently reviewing the options and focusing efforts to come up with one recommended conceptual design. A date of January 15th, 2013 has been set to receive the final report from Associated Engineering. A staff report outlining options can be expected in February of 2013.

FINANCIAL IMPLICATIONS:

Work to date has been completed within the \$70,000 budget.

STRATEGIC PLAN REFERENCE:

There are a number of references in the Strategic Plan which include:

- linking greenways with the bicycle network strategy for the City and for the region
- planning a transportation system that systematically offers more convenient choices and supports people using their personal vehicles less
- reduce emissions

OCP SUSTAINABILITY REFERENCE:

There are a number of references in the OCP:

- preserve and protect the downtown
- system of greenways to serve recreational needs
- community participation
- development of a transportation system that provides choices for different modes of travel including vehicles, transit, pedestrians, cycling and people with mobility impairment

REGIONAL GROWTH STRATEGY REFERENCE:

No reference.

Respectfully submitted,



Kevin Lagan, P. Eng.
Director of Operational Services

November 27, 2012

Mayor Larry Jangula and Councillors, City of Courtenay

Re: Sixth Street/ Courtenay River Pedestrian, Cycling Timber Frame Bridge (proposed)

Following the approval by Council this past April for funding s the initial design work, etc, our committee , along with the Timber Frame Guild (TFG), have corresponded and met with City Staff on several occasions to facilitate moving the project forward.

The Community at large continues to be very enthused about the project and are anxiously awaiting the outcome of the Grant application under the Gas Tax Refund Innovation program. Our followup to both the local M L A's and M P's offices assures us that that the decision of awarding the grants rests solely with UBCM and will be announced by them prior to year end.

We thank you for your continued support of what we feel will become a very special asset to the City of Courtenay and indeed the entire Comox Valley.

Sincerely,

Harry C. Holland, Chair
Courtenay River Timber Frame Bridge Steering Committee



TIMBER FRAMERS GUILD

Dedicated to the art and science of timber framing

November 28, 2012

Mayor Jangula and Councilors
City of Courtenay, BC

Thank you very much for your financial support and endorsement of the potential Pedestrian & Cycling Bridge across the Courtenay River at 6th Street downtown. The community steering committee has been quite active all year developing additional broad support for the initiative and our Guild looks forward to a very rewarding community-participation building event as soon as funding, design and approvals are in place.

This summer City staff has kept me apprised of activities related to the Feasibility & Design Study you requested in the spring. We welcome the information produced independently by Associated Engineering (AE) and are reassured about the prospect of a quality wooden bridge structure for the City. I did meet with AE during the work to describe the unique opportunities available to the City in this novel situation.

In the spring we assisted City staff in the writing and promotion of the Application for Gas Tax Refund Innovation Grant – the status of which we all await anxiously! With that, or other, funding we are prepared to mobilize quickly and continue being a strong partner to the City in this non-profit cooperative project. Our Membership is very interested in bringing our professional heavy timber construction skills to Courtenay and conducting a massive educational training event in conjunction with the creation of this important landmark structure for the City.

Thanks for your continued support of this project,

Randy Churchill, PhD
TFG Lifetime Member & President
Resident – Comox Valley, BC

Cc: Joel McCarty – TFG Executive Director
Harry Holland – Community Steering Committee President

THE CORPORATION OF THE CITY OF COURTENAY

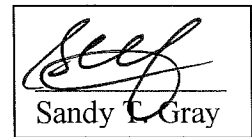
REPORT TO COUNCIL

FROM: Director of Financial Services/Deputy CAO FILE #: 1705-20
DATE: November 28, 2012

SUBJECT: 2013 Garbage and Recyclables User Fees

CAO COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Financial Services be accepted.



RECOMMENDATION:

That Council endorse the City of Courtenay Fees and Charges Amendment Bylaw No. 2736, 2012.

PURPOSE:

To consider and set the garbage user fees for 2013.

BACKGROUND:

Council sets the garbage user fee rate schedule by bylaw each year to ensure that costs for the provision of garbage, recyclables and yard waste collection services are fully recovered on a user fee basis. These services are not funded from the general property taxation levy.

DISCUSSION:

The City provides weekly curbside pickup of mixed garbage and yard waste, as well as bi-weekly pickup of recyclables. The fee charged for this service must cover:

- The costs of the contractor engaged to provide garbage/recyclables pickup and transport services.

The increase in the cost of the solid waste and recyclables collection contract is calculated using an agreed to weighted formula which takes into account the annual increase or decrease in Consumer Price Index Vancouver (weighted 45%), Price Index Canadian North American Heavy Trucks (weighted 40%), and the Price Index of Diesel in BC (weighted 15%).

Effective January 1, 2013 this blended formula results in a price index increase for the contractor which is projected to be in the range of 2.00. (2012 = 3.84%)

- The regional landfill fees for disposal of the mixed waste.

Effective January 1, 2013, the regional landfill tipping fee will be \$90 per tonne.(2012 = \$80 per tonne). This increases the cost of the disposal of mixed waste by 12.5% for 2013.

- The internal costs to deliver the utility service.

Internal cost recovery provides recovery of the cost of billing and collection, as well as of the administration of the service, and represents approximately 10% of the overall utility user fee.

FINANCIAL IMPLICATIONS:

The Bylaw Rates as established by Council in February of 2012 are, for the most part, sufficient to cover the projected 2% revenue increase required to cover the increase in the cost of delivering the garbage, recyclables, and yard waste pickup service.

As the bylaw rates for 2012 were given final approval by Council in mid-march, the actual user fee billed in 2012 was a composite of the 2011 and the 2012 rates. The actual 2012 bylaw rates as previously established by Council will be billed as the user fee for 2013, and will provide the increase in revenue required to balance the 2013 budget requirements. To illustrate:

	<u>2012</u> <u>Blended</u> <u>Rate</u>	<u>2012</u> <u>Bylaw</u> <u>Rate</u>	<u>Impact</u>	
Residential fee per unit – includes recyclables and yard waste pickup	\$156.55	\$160.00	\$3.45	2.20%

For the **2013** calendar year purposes, the bylaw has been updated and streamlined to include the following:

- An updated user fee rate for the recyclables toter container. This new toter program was launched for the DCBIA and for residential multi-family complexes in 2012. As with other commercial service fees set in the bylaw, and to enable the City to charge a unit fee based on the pickup schedule, it is necessary to establish a per toter per pickup for the DCBIA toter program. The existing residential recyclables pickup fee, as set in the bylaw, is sufficient to cover the cost of the toter program for muliti-family complexes.
- The number of bin sizes listed under the mixed, compactor, and cardboard categories has been reduced, and language has been added to enable staff to bill for any variety of container sizes. With the exception of some minor rounding, the per cubic yard fee remains unchanged from the 2012 per cubic yard value charged for these services.

STRATEGIC PLAN REFERENCE:

2009-2011 Strategic Plan

Role #2 *To be fiscally responsible and accountable in all decisions, with a commitment to being careful stewards of public monies.*

2012-2014 Strategic Plan – no specific reference

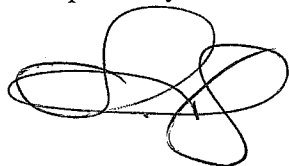
OCF SUSTAINABILITY REFERENCE:

n/a

REGIONAL GROWTH STRATEGY REFERENCE:

n/a

Respectfully submitted,

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line, positioned above the typed name.

Tillie Manthey, BA, CGA
Director of Financial Services/Deputy CAO

G:\FINANCE\Tillie\REPORTS\COUNCIL\2013 Garbage Utility Rates Bylaw.doc

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2736

A bylaw to amend City of Courtenay Fees and Charges Bylaw No. 1673, 1992

The Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as **“City of Courtenay Fees and Charges Amendment Bylaw No. 2736, 2012.”**
2. That “City of Courtenay Fees and Charges Bylaw No. 1673, 1992” be amended as follows:
 - (a) That Schedule of Fees and Charges, Section III, Appendix IV “Garbage Collection Fees” be hereby repealed and substituted therefore by the following attached hereto and forming part of this bylaw:

Schedule of Fees and Charges Section III, Appendix IV – Garbage Collection Fees

3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 3rd day of December, 2012

Read a second time this 3rd day of December, 2012

Read a third time this 3rd day of December, 2012

Finally passed and adopted this day of December, 2012

Mayor

Manager of Corporate Administration

SCHEDULE OF FEES AND CHARGES
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW NO. 2736
SECTION III, APPENDIX IV
GARBAGE COLLECTION FEES

- A. Dwelling Basis Fee per unit per year
 - includes recyclables & yard waste pickup \$160.00
- Extra Bag Ticket (50 litre) - each \$ 2.00
- B. Residential Multifamily, Apartment, Strata per unit per year
 (Fee for yard waste, recyclables not included) \$126.00
- Additional service fee:
- (a) Recyclables pickup (all container types)
 per unit per year \$ 17.00
- (b) Yard waste pickup, per unit per year \$ 17.00
- C. Trade Premises

Where mixed waste containers are determined to include recyclable materials, the fee imposed shall be two times the regular pickup fee.

	Per Pickup
Cans – mixed waste (contains no recyclable material)	
1 can or equivalent (1 can = 121 litres)	\$2.45
Every additional can or equivalent 121 litres shall be charged at the rate of	\$2.45
DCBIA – per unit/premise per year (includes two cans per week plus recyclables/cardboard pickup – this fee is charged to those units that are constrained by space and cannot implement a mixed waste bin or cardboard bin service)	\$275.00
DCBIA - Recycle Toter Bin, per bin	\$ 2.00

Containers - Mixed, Non-compacted (contains no recyclable material)	
2 cubic yard	\$15.00
3 cubic yard	\$22.50
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$7.50

Compactors – Mixed Waste (contains no recyclable material)	Per Pickup
27 cubic yard	\$354.00
40 cubic yard	\$480.00
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$12.00

Refuse to Recycling Centre (no tipping fees)	Per Pickup
Containers	
2 cubic yard	\$8.20
3 cubic yard	\$12.30
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$4.10
Compactors	Per Pickup
40 cubic yard	\$200.00
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$ 5.00

THE CORPORATION OF THE CITY OF COURTENAY

10

REPORT TO COUNCIL

FILE #: 1680-01

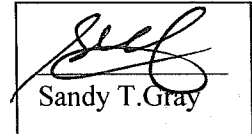
FROM: Director of Financial Services/Deputy CAO

DATE: November 28, 2012

SUBJECT: Audit Service Plan for 2012 Financial Audit

ADMINISTRATORS COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Financial Services/Deputy CAO be accepted.



Sandy T. Gray

RECOMMENDATION:

That Council receive the 2012 Audit Service Plan prepared by the firm of Meyers Norris Penny LLP.

PURPOSE:

In compliance with Section 5751 of the Canadian Institute of Chartered Accountants Assurance (CICA) Handbook, to receive and review the 2012 Audit Service Plan prepared by Meyers Norris Penny LLP.

BACKGROUND:

The CICA Assurance handbook, which sets the standards for auditing in Canada, requires that Auditors communicate the following with Council:

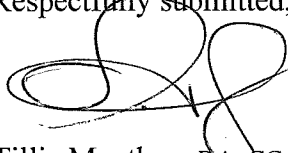
- (a) the audit and non-audit services that the auditor is providing to the City and its related entities;
- (b) the level of responsibility assumed by the auditor under generally accepted auditing standards; and
- (c) a summary of the audit approach.

DISCUSSION:

The City's appointed auditors, Meyers Norris Penny, have forwarded their 2012 Audit Service Plan to Council for information. Providing Council with this plan is a requirement under the auditing standards set out in the CICA Assurance Handbook.

The plan documents the overall approach and the general arrangements for the conduct of the fiscal 2012 audit and will assist Mayor and Council in understanding the approach to the audit.

Respectfully submitted,



Tillie Manthey, BA, CGA
Director of Financial Services/Deputy CAO



**THE CORPORATION OF THE CITY OF
COURTENAY
AUDIT SERVICE PLAN**

Year Ending December 31, 2012
For presentation to the Mayor and Council



November 6, 2012

Mayor and Council
The Corporation of the City of Courtenay
830 Cliffe Avenue
Courtenay, BC
V9N 2J7

Dear Mayor and Council:

We are pleased to put forward this report for discussion of our overall strategy and general arrangements for the audit of the consolidated financial statements of the Corporation of the City of Courtenay ("the City") for the year ended December 31, 2012. In this report, we cover those significant matters which, in our opinion, you should be aware of as Mayor and Council.

At MNP, we adhere to the highest level of integrity and professionalism. Our goal is to meet or exceed your requirements and ensure you receive outstanding service.

Our team of experienced professionals has been selected for this engagement because of their knowledge and understanding of the City. As a valued client of MNP, we look forward to working with you, your management team and employees over the course of our audit work.

We are dedicated to maintaining open channels of communication throughout this engagement. Please feel free to approach our team with any questions you may have about our upcoming audit, and to discuss any other matters that may be of interest to you.

Yours truly,

MNP LLP

MNP LLP

CV/dn

EXECUTIVE SUMMARY

To make strategic business decisions with confidence, your stakeholders and the Mayor and Council of the Corporation of the City of Courtenay need relevant, reliable and independently audited financial information. But that's not all. You need an audit team that can deliver insight beyond the numbers and enhance the Corporation of the City of Courtenay's strategic planning and implementation processes so you can embrace new opportunities while effectively managing risk. Our senior team members have extensive knowledge of your sector from many years of experience working with Local Government clients. Our audit strategy takes into account the limitations and opportunities you encounter each day, allowing our recommendations to be implemented with greater ease. Committed to your success, MNP delivers meaningful, reliable financial information to not only help you fulfill your compliance obligations, but also to achieve your key strategic goals.

Our audit service plan outlines the strategy we will follow to provide the Corporation of the City of Courtenay's Mayor and Council with our independent auditors' report on the December 31, 2012 consolidated financial statements.

There are no significant changes to the City's operations for 2012 which would require a change to our audit approach.

There are no significant changes to accounting and auditing standards impacting your City for 2012 and none are expected in the next few years.

We propose to use \$600,000 as overall materiality for audit planning purposes.

To meet your release requirement of final financial statements, we plan to present our audit findings to the Mayor and Council in April 2013.

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1. INTRODUCTION

We are pleased to continue our appointment as auditors of the Corporation of the City of Courtenay ("the City").

Our Audit Service Plan will:

- Document the overall audit strategy and the general arrangements for the conduct of our December 31, 2012 audit
- Assist the Mayor and Council and management in understanding the approach to the December 31, 2012 audit
- Illustrate our commitment to assisting you reach your engagement objectives and to demonstrate our expertise

2. TOPICS FOR DISCUSSION

We are committed to providing superior client service by maintaining effective two-way communication.

Topics for discussion include, but are not limited to:

- Changes to your business operations and developments in the financial reporting and regulatory environment
- Business plans and strategies
- The management oversight process
- Fraud:
 - How could it occur?
 - Risk of fraud and misstatement?
 - Actual, suspected or alleged fraud?
- Your specific needs and expectations
- Audit Service Plan
- Any other issues and/or concerns

3. KEY CHANGES AND DEVELOPMENTS

Based on our knowledge of the City and our discussions with management, we have noted the recent developments set out below. Our audit strategy has been developed giving consideration to these factors.

ISSUES AND DEVELOPMENTS	SUMMARY
ENTITY SPECIFIC	No significant changes in City operations for 2012.
REGULATORY	No significant changes for the 2012 year.
REPORTING: Current Accounting Standards	Handbook improvements (2012)
REPORTING: Future Accounting Standards	<i>December 31, 2013</i> Government transfers (PS 3410) Tax revenue (PS 3510) <i>December 31, 2014</i> Financial instruments (PS 3450) Financial statement presentation (PS 1201) <i>December 31, 2015</i> Liability for contaminated sites (PS 3260)
AUDITING STANDARDS	No changes to auditing standards for the 2012 year.

Detailed information on Key Changes and Developments are included as Appendix A.

4. KEY RESPONSIBILITIES

Effective discharge of the respective responsibilities of management, MNP and the Mayor and Council, and maintenance of strong working relationships and open communication between MNP as auditors, the management and the Mayor and Council of the City, is directed toward a common duty to provide appropriate and adequate financial accountability, and quality financial disclosure.

MANAGEMENT RESPONSIBILITIES

- Preparation and fair presentation of the consolidated financial statements, including the notes thereto, in accordance with Canadian Public Sector Accounting Standards
- Initial selection of and changes to significant estimates and accounting policies
- Disclosure of sufficient information about the extent and nature of events having an effect on the City
- Provide an adequate description of the selected applicable financial reporting framework
- Safeguarding of assets
- Establishment and maintenance of policies, financial reporting systems and controls (including those designed to prevent and detect fraud and misstatement)
- Ensuring compliance with applicable legislative authorities
- Provide and make available financial records and related data, copies of all minutes of Council meetings
- Provide information relating to any known or possible non-compliance with legislative or regulatory requirements, and laws and regulations
- Provide information about all related parties and related party transactions
- Allow access to staff and management, and other business associates (i.e., lawyers, bankers) as necessary
- Provide written confirmation of representations relating to significant and/or material financial reporting items and disclosures

MNP RESPONSIBILITIES

- Report whether the December 31, 2012 consolidated financial statements present fairly, in all material respects, the financial position, results of operations, change in net financial assets and cash flows of the City in accordance with Canadian Public Sector Accounting Standards
- Provide reasonable, but not absolute, assurance of detecting misstatements, fraud or non-compliance with laws and regulations having a material effect on the consolidated financial statements as a whole.
 - Absolute assurance cannot be provided due to inherent limitations of the audit including the possibility of intentional misstatements due to management override or collusion
- Conduct our audit in accordance with Canadian generally accepted auditing standards
- Obtain an understanding of the risk of material misstatement
 - Understand the environment
 - Evaluate internal controls (should we test internal controls, our assessments would not be sufficient to conclude on the effectiveness or efficiency of internal controls)
- Examine, on a test basis, evidence supporting the amounts and disclosures within the consolidated financial statements
- Assess the appropriateness of the accounting policies selected and their application, the significant estimates made by management, and the use of the going concern assumption

Detailed information on the Audit Process and the Audit Response to Identified Risk are included as Appendix B and Appendix C respectively.

MAYOR AND COUNCIL RESPONSIBILITIES

- Review and approve the consolidated financial statements
- Allocate responsibility between governance and management
- Maintain oversight of management to ensure the integrity of accounting and financial reporting systems
- Ensure that appropriate controls are in place, including those needed for monitoring risk, financial reporting, prevention and detection of fraud and misstatement, and compliance with relevant laws and regulations
- Consider the potential for management override of controls or other inappropriate influences, such as earnings management
- Prevention and detection of fraud and misstatement
- Creation and maintenance of a culture of honesty and high ethics
- Approval of policies and the monitoring of performance areas
- Provide information to assist MNP in updating its understanding of the entity and its environment, including internal control
- Provide information about the entity's objectives, strategies and related business risks that may give rise to material misstatements
- Provide information about significant communications with regulators
- Inform MNP of appropriate governance person(s) with whom to communicate
- Identify additional areas of concern for MNP to consider when undertaking the audit

5. DELIVERABLES

We are committed to providing you with the highest level of professional service. Based on our understanding of your needs and expectations, our planned service response includes:

- We will keep you informed of the effect and timing of relevant new and proposed financial reporting requirements
- We will assist you to plan for and implement relevant new financial reporting requirements
- We will communicate effectively, and in a timely manner, with the Mayor and Council. Our communications include this Audit Service Plan and, at the conclusion of our audit, the Audit Findings Report and our Management Letter
- We will attend and participate in Council meetings as appropriate
- We will assign an engagement team that understands the City, the environment in which it operates, and the accounting, tax and regulatory issues that affect your financial reporting
- We will provide ongoing business, taxation and accounting advice, including financial reporting recommendations on unusual transactions, business contracts and other business arrangements as they arise
- Upon completion of our audit, we will issue our independent auditors' report on your consolidated financial statements, prepared in accordance with Canadian Public Sector Accounting Standards



6. TIMETABLE

	DATE
Presentation of December 31, 2012 Audit Service Plan to the Mayor and Council	November 2012
Interim procedures	December 2012
Year-end procedures	March 18-22, 2013
Draft year-end consolidated financial statements to be discussed with management	early April 2013
Report of the December 31, 2012 Audit Findings to the Mayor and Council	mid April 2013
Mayor and Council approval for release of final year-end consolidated financial statements <ul style="list-style-type: none">• Issuance of independent auditors' report	mid April 2013
Issuance of Management Letter	mid April 2013

7. INDEPENDENCE

An essential aspect of all our services to the City is an independent viewpoint, which recognizes that our responsibilities are to the Mayor and Council. While the concept of independence demands a questioning and objective attitude in conducting our audit, it also requires the absence of financial or other interests in the City. In accordance with our firm's policy and the Rules of Professional Conduct which govern our profession, neither MNP nor any of its team members assigned to the engagement nor any of its partners are permitted to have any involvement in or relationship with the City that would impair independence or give that appearance. As auditors, we subscribe to the highest standards and are required to discuss our independence with the Mayor and Council on an annual basis. We will:

- Disclose to the Mayor and Council, in writing, all relationships between MNP and the City that in our professional judgment may reasonably be thought to bear on our independence;
- Confirm in writing that, in its professional judgment, MNP is independent within the meaning of the Rules of Professional Conduct of the Institute of Chartered Accountants of British Columbia; and,
- Discuss our independence with the Mayor and Council.

We are not aware of any relationships between our Firm and the City during the year that, in our professional judgment, may reasonably be thought to bear on our independence. We hereby confirm that we are independent auditors with respect to the City.

During the course of the audit, we will communicate any significant new matters that come to our attention that, in our professional judgment, may reasonably be thought to bear on our independence. At the completion of our audit, we will reconfirm our independence

8. AUDIT TEAM AND MNP RESOURCES

In order to ensure effective communication between the Mayor and Council and our firm, we briefly outline below the key members of our audit team and the role they will play.

The Corporation of the
City of Courtenay
December 31, 2012 Audit
Team

Cory Vanderhorst, CA
Engagement Partner

Alladin Versi, FCMA
Tax Partner

Alana Pearson
Senior Auditor

Chris Fyfe, CA
Concurring Partner

Fabien Gendron, CA
Kim Chretien, CA Student
Audit Team

In order to serve you better and meet our professional responsibilities, we may find it necessary to expand our audit team to include other MNP professionals whose consultation will assist us to evaluate and resolve complex, difficult and/or contentious matters identified during the course of our audit. Any changes to the audit team will be discussed with you to ensure a seamless process and that all concerned parties' needs are met.

9. FEES AND ASSUMPTIONS

Our audit fees for the year-ended December 31, 2012 are estimated to be the following, exclusive of applicable taxes and travel disbursements:

	2012 ESTIMATE	2011 ACTUAL
Base fee	\$34,425	\$33,750
Anticipated efficiency reduction – approx. 10%	(\$3,425)	
Total before disbursements and taxes	\$31,000	\$33,750

Our estimated audit fees above are based on our past experience and our knowledge of the City. These estimates rely on the following assumptions:

- No significant deficiencies in internal controls which cause procedures to be extended
- No major unadjusted misstatements or un-reconciled balances
- Significantly all adjusting entries are completed prior to trial balance and journal entries being provided to audit team
- All management and required staff are available as needed
- Information and working papers required, as outlined in our letter of fiscal year-end requirements, are provided in the mutually agreed form and timing
- There are no changes to the agreed upon audit timetable and reporting requirements

If any significant issues arise during the course of our audit work which indicate a possibility of increased procedures or a change in the audit timetable, these will be discussed with management by the engagement partner so a mutually agreeable solution can be reached.

Pursuant to our billing policy, we will issue interim bills as follows:

- a) On delivery of the audit service plan 50% of the estimated fee;
- b) At the start of year-end field work 25% of the estimated fee;
- c) At the completion of year-end field work 15% of the estimated fee;
- d) Upon the delivery of the final financial statements and independent auditors' report, the balance.

APPENDIX A: KEY CHANGES AND DEVELOPMENTS

NEW AND PROPOSED REPORTING AND AUDITING DEVELOPMENTS

Handbook improvements

In March 2012, the Public Sector Accounting Board (PSAB) issued these amendments to improve accounting standards for public sector entities in the Public Sector Accounting (PSA) Handbook. The main features of the proposed amendments are as follows:

- PS 2400 Subsequent events – Clarification of the meaning of the date of completion of the financial statements to be consistent with recent changes to Canadian assurance standards;
- PS 2500 Basic principles of consolidation – Clarification that unrealized gains or losses resulting from the derecognition of a financial asset or financial liability in the fair value category due to inter-governmental sales or transfers are eliminated from the consolidated statement of operations and reported in the consolidated statement of remeasurement gains and losses;
- PS 2510 Additional areas of consolidation – Clarification that other comprehensive income is included when accounting for a government business enterprise using the modified equity method;
- PS 3050 Loans receivable – Clarification that the grant portion of a loan with significant concessionary terms and the expense associated with concessions in a loan restructuring are reported in the statement of operations. Also amended to state that the effective interest method for amortizing the loan discount is required to be applied in the period PS 3450 Financial instruments is adopted;
- PS 3070 Investments in government business enterprises – Removal of the paragraph addressing the constructive retirement of a debt obligation as it is consistent with requirements to eliminate inter-governmental unit transactions and balances and derecognize liabilities;
- PS 3230 Long-term debt – Clarification that the disclosure requirements apply to all debt securities, including when a debt security is derecognized as required by PS 3450 Financial instruments;
- PS 3390 Contractual obligations – Clarification of the interaction of PS 3390 with PS 3450 Financial instruments.

The amendments are effective immediately upon release in the PSA Handbook.

Financial instruments (PS 3450)

In June 2011, the Public Sector Accounting Board (PSAB) issued new Section PS 3450 *Financial instruments*. The new standard establishes requirements for recognition, measurement, derecognition, presentation and disclosure of financial assets and financial liabilities, including derivatives. The main features of the new standard are:

- Financial instruments are classified into two measurement categories: fair value, or cost or amortized cost;
- Almost all derivatives, including embedded derivatives not closely related to the host contract, are measured at fair value;
- Portfolio investments in equity instruments quoted in an active market are measured at fair value;
- Other financial assets and financial liabilities are generally measured at cost or amortized cost;
- An entity may elect to measure any group of financial assets or financial liabilities (or both) at fair value when the entity has a risk management or investment strategy to manage those items on a fair value basis;
- Remeasurement gains and losses on financial instruments measured at fair value are reported in the statement of remeasurement gains and losses until the financial instrument is derecognized;
- Budget to actual comparisons are not required within the statement of remeasurement gains and losses;
- Financial liabilities are derecognized when, and only when, they are extinguished;
- Financial assets and financial liabilities are only offset and reported on a net basis if a legally enforceable right to set off the recognized amounts exists, and the entity intends to settle on a net basis or realize/settle the amounts simultaneously.

PS 3450 is effective for government organizations for fiscal years beginning on or after April 1, 2012. The effective date of PS 3450 for governments is for fiscal years beginning on or after April 1, 2015. The application of PS 3450 by governments will be reviewed by PSAB by December 31, 2013. Early adoption is permitted. In the period that a public sector entity applies PS 3450, it also applies PS 1201 *Financial statement presentation* and PS 2601 *Foreign currency translation*.

Financial statement presentation (PS 1201)

In June 2011, as a result of the issuance of PS 3450 *Financial instruments*, the Public Sector Accounting Board (PSAB) issued new Section PS.1201 *Financial statement presentation*, which revises and replaces Section PS 1200 *Financial statement presentation*. The main features of the new standard are:

- Remeasurement gains and losses are reported in a new statement: the statement of remeasurement gains and losses;
- Other comprehensive income arising when a government includes the results of government business enterprises and government business partnerships in its financial statements, is reported in the statement of remeasurement gains and losses;
- Accumulated surplus or deficit is presented as the total of the accumulated operating surplus or deficit and the accumulated remeasurement gains and losses.

The Section is effective in the same period PS 3450 is adopted. The effective date of PS 3450 for government organizations is for fiscal years beginning on or after April 1, 2012. The effective date of PS 3450 for governments is for fiscal years beginning on or after April 1, 2015. The application of PS 3450 by governments will be reviewed by PSAB by December 31, 2013. Early adoption is permitted.

Liability for contaminated sites (PS 3260)

In June 2010, new Section PS 3260 *Liability for contaminated sites* was included in the Public Sector Accounting Handbook (PSA Handbook). The section applies to all governments and government organizations that base their accounting policies on the PSA Handbook. The main features of this standard are as follows:

- A liability for remediation of contaminated sites should be recognized when:
 - An environmental standard exists;
 - The contamination exceeds the environmental standard;
 - The government is directly responsible or accepts responsibility for remediation of the contaminated site; and
 - A reasonable estimate of the amount can be made.
- If the criteria for the recognition of a liability in PS 3200, *Liabilities*, is met for a voluntary compliance with a non-authoritative policy or guideline, a liability may exist;
- If the existence of a contamination is uncertain, still required to determine whether a liability exists and recognize where appropriate;
- An assessment should be made based upon guidance in PS 3300, *Contingent liabilities*, if a government's responsibility for remediation of a contaminated site is uncertain;
- The liability for contaminated sites is comprised of the costs directly attributable to remediation activities, net of expected recoveries, based upon the information available at the financial statement date and an estimate of the settlement amount; and
- The liability should be assessed at each reporting date. Any changes in the liability are to be recognized when the revisions are made.

The standard is effective for fiscal years beginning on or after April 1, 2014. Earlier adoption is encouraged.

Government transfers (PS 3410)

In March 2011, the Public Sector Accounting Board (PSAB) issued new Section PS 3410 *Government transfers*, which revises and replaces existing Section PS 3410. The main features of the revised standard are as follows:

- A transferring government recognizes an expense when a transfer has been authorized and the recipient has met all eligibility criteria;
- Authorization by the transferring government may occur between the financial statement date and issuance date if the exercise of that authority occurred at the financial statement date;
- A prepaid asset may not be recognized by a transferring government if the transfer occurs prior to the recipient meeting eligibility criteria;
- A recipient government recognizes revenue when a transfer has been authorized, unless a liability is created as a result of the recipient not yet meeting eligibility criteria or the existence of stipulations in the transfer agreement;
- Authorization by the transferring government must be in place by the financial statement date in order for a recipient government to recognize revenue or a liability;
- When a recipient government has recognized a liability, revenue is recognized as the liability is settled.

The new PS 3410 applies to all governments and government organizations that base their accounting on the PSA Handbook and is effective for fiscal years beginning on or after April 1, 2012. Prospective or retroactive application of the revised standard is permitted. Earlier adoption is encouraged.

Tax revenue (PS 3510)

In February 2010, new Section PS 3510 *Tax revenue* was included in the Public Sector Accounting Handbook. The new standard is based on the tax revenue principles set out in International Public Sector Accounting Standard, IPSAS 23, *Revenue from non-exchange transactions (taxes and transfers)* for recognition, measurement and disclosure of tax revenue. The main features of this standard are as follows:

- Taxes are to be recognized as an asset and revenue when they meet the definition of an asset, they are authorized (a defined concept) and the taxable event occurs;
- Tax revenue would be recognized by the government imposing the tax, except in purely flow-through arrangements;
- A tax is considered authorized when the effective date of the tax has passed and the earlier of the following has occurred: the related legislation, regulations or by-laws have been approved, or, in the case of jurisdictions where the legal framework allows it, the ability to assess and collect tax has been provided through legislative convention;
- Assets acquired through a tax transaction are measured initially at realizable value;
- Tax revenue should not be reduced by transfers made through a tax system, or grossed up for the amount of tax concessions (which are often referred to as tax expenditures); and
- Guidance for identifying and distinguishing between tax concessions and transfers made through a tax system is provided.

The effective date is for fiscal years beginning on or after April 1, 2012. Earlier adoption is encouraged.

APPENDIX B: THE AUDIT PROCESS

OUR PLAN

Our overall audit strategy is risk-based and controls-oriented. Assessment and identification of risk is performed continuously throughout the audit process. We focus on the risks that have a potential impact on the financial accounting systems and subsequent financial reporting.

Our overall audit strategy does not, and is not intended to involve the authentication of documents, nor are our team members trained or expected to be experts in such authentication. Unless we have reason to believe otherwise, we accept records and documents as genuine. The subsequent discovery of a material misstatement resulting from fraud does not, in and of itself, indicate a failure to comply with Canadian generally accepted auditing standards.

AUDIT PROCEDURES

To meet our responsibilities in accordance with Canadian generally accepted auditing standards, our audit examination includes:

- Obtaining an understanding of the entity and its environment, including its controls, in order to identify and assess the risk that the consolidated financial statements contain material misstatements due to fraud or misstatement;
- Assessing the adequacy of and examining, on a test basis, the key controls over significant transaction streams and over the general organizational and computer environments;
- Assessing the systems used to ensure compliance with applicable legislative and related authorities pertaining to financial reporting, revenue raising, borrowing, and investing activities;
- Examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated financial statements;
- Assessing the appropriateness and consistency of accounting principles used and their application;
- Assessing the significant estimates used by management; and,
- Assessing the entity's use of the going concern assumption in the preparation of the financial statements.

As part of our planning process, we will also undertake to inform Mayor and Council of concerns relating to management's implementation and maintenance of controls, and the effects of any such concerns on the overall strategy and scope of the audit. These concerns might arise from the nature, extent and frequency of management's assessments of controls in place to detect fraud and misstatement, and of the risk that the consolidated financial statements may be misstated; from a failure by management to appropriately address significant deficiencies in controls identified in prior audits; and, from our evaluation of the City's control environment, and management's competence and integrity.

OVERALL RELIANCE

In general, there are three levels of reliance that we can place on controls, or the absence thereof:

Low/None – where we cannot rely on controls because they are weak or absent, or where it is deemed to be more efficient to carry out a high level of direct substantive tests of transactions and balances. Audit evidence is primarily obtained through detailed verification procedures and sufficient substantive tests of details and transactions.

Moderate – where there are some deficiencies in systems application or procedural controls, or where it is deemed to be inefficient to test systems application controls, but where we can test and rely on the management monitoring systems in place to detect and correct material misstatements in the financial reporting systems. Testing of controls is supplemented with a moderate level of substantive tests of details and transactions.

High – where a high degree of control is in place in the areas of management monitoring controls AND systems application and procedural controls. Our audit work focuses on testing both management monitoring and systems application and procedural controls, and is supplemented with a low level of substantive tests of details and transactions.

For the December 31, 2012 audit, we are planning to place moderate reliance on the City's accounting systems for purchases. This level of reliance is the same as in the prior year, and will also involve some substantive tests of transactions and balances. The amount of substantive work will be reduced for cycles where there are controls in place that MNP can test and rely on.

As part of our audit work we will update our understanding of the entity and its environment, including the controls relevant to our audit of the principal transaction cycles, sufficient to identify and assess the risks of material misstatement of the consolidated financial statements resulting from fraud or misstatement. This will be accomplished through enquiries with management and others within the entity, analytical procedures and observation and inspection. Furthermore, we will consider whether effective controls have been established to adequately respond to the risks arising from the use of IT or manual systems and test the operation of those controls to an extent sufficient to enable us to reduce our substantive work. Our review of the City's controls will not be sufficient to express an opinion as to their effectiveness or efficiency. Although we will provide the Mayor and Council with any information about significant deficiencies in internal control that have come to our attention, we may not be aware of all the significant deficiencies in internal control that do, in fact, exist.

AUDIT MATERIALITY

Materiality is an important audit concept. It is used to assess the significance of misstatements or omissions that are identified during the audit and to determine the level of audit testing that is carried out. Specifically, a misstatement or the aggregate of all misstatements in consolidated financial statements as a whole is considered to be material if it is probable that the decision of the party relying on the consolidated financial statements, who has reasonable understanding of business and economic activities, will be changed or influenced by such a misstatement or aggregate of all misstatements. The scope of our audit work is tailored to reflect the relative size of operations of the City and our assessment of the potential for material misstatements in the City's consolidated financial statements as a whole. In determining the scope, we emphasize relative audit risk and materiality, and consider a number of factors, including:

- The size, complexity, and growth of the City;
- Changes within the organization, management or accounting systems; and
- Concerns expressed by management.

Judgment is applied to determine a level of materiality appropriate to the audit of each set of consolidated financial statements. Determination of an appropriate level of materiality is affected by our perception of the financial information needs of users of the financial statements. In this context, it is reasonable to assume that users: understand that financial statements are prepared, presented and audited to levels of materiality; recognize uncertainties inherent in the measurement of amounts based on the use of estimates, judgment and consideration of future events; and make reasonable economic decisions based on the financial statements. The foregoing factors are taken into account in establishing the materiality level.

For your information, we propose to use \$600,000 as overall materiality for audit planning purposes.

INHERENT LIMITATIONS IN THE AUDITING PROCESS

An auditor cannot obtain absolute assurance that material misstatements in the consolidated financial statements will be detected due to factors such as the use of significant judgment regarding the gathering of evidence and the drawing of conclusions based on the audit evidence acquired; the use of testing of the data underlying the consolidated financial statements; inherent limitations of controls; and, the fact that much of the audit evidence available to the auditor is persuasive, rather than conclusive in nature.

Because of the nature of fraud, including attempts at concealment through collusion and forgery, an audit designed and executed in accordance with Canadian generally accepted auditing standards may not detect a material fraud. While effective controls reduce the likelihood that misstatements will occur and remain undetected, they do not eliminate that possibility. Therefore, the auditor cannot guarantee that fraud, misstatements and non-compliance with laws and regulations, if present, will be detected when conducting an audit in accordance with Canadian generally accepted auditing standards.

The likelihood of not detecting material misstatements resulting from management fraud is greater than for employee fraud, because management is in a position to manipulate records, present fraudulent information or override controls.

We will inform the appropriate level of management or the Mayor and Council with respect to identified:

- Misstatements resulting from errors, other than clearly trivial misstatements;
- Fraud, or any information obtained that indicates that fraud may exist;
- Evidence obtained that indicates non-compliance or possible non-compliance with laws and regulations, other than that considered inconsequential;
- Significant deficiencies in the design or implementation of controls to prevent and detect fraud or misstatement; and
- Related party transactions that are not in the normal course of operations and that involve significant judgments made by management concerning measurement or disclosure.

Our concern as auditors is with material misstatements, and thus, we are not responsible for the detection of misstatements that are not material to the consolidated financial statements taken as a whole.

APPENDIX C: AUDIT RESPONSE TO IDENTIFIED RISK

The response provided under the “Substantive Procedures” column is our intended approach to address each respective financial statement item identified. The following is a high-level description of the types of procedures we would perform under the different approaches listed under this column:

- Analytical procedures: Year-over-year comparison, comparison to budget, etc.
- Tests of details: Verification to supporting documentation, third party confirmation, etc.
- Combined procedures: Combination of the above procedures.

SIGNIFICANT ACCOUNTS OR DISCLOSURES	AUDIT ASSERTIONS*	RISK OF ERROR	RISK OF FRAUD	CONTROLS TESTING	SUBSTANTIVE PROCEDURES
Cash	Existence, completeness	Low	Moderate	No	Test of details
Term deposits	Existence, completeness	Low	Moderate		Test of details
Property taxes and utilities receivable	Existence, valuation	Moderate	Moderate	Yes	Test of details.
Accounts receivable	Existence, valuation	Moderate	Moderate	Yes	Test of details
Inter-fund balances	Completeness	Low	Low	No	Test of details
Accounts payable	Completeness	Moderate	Moderate	Yes	Test of details
Trust and other deposits	Completeness	Moderate	Moderate	No	Test of details
Deferred revenue	Completeness	Moderate	Moderate	No	Test of details
Long-term debt	Completeness	Low	Low	No	Test of details
Inventories	Existence, valuation	Moderate	Moderate	No	Test of details
Prepaid expenses	Existence, completeness	Moderate	Low	No	Combined procedures
Tangible capital assets	Existence, valuation	Moderate	Moderate	Yes	Combined procedures

Reserves	Completeness	Moderate	Moderate	Yes	Test of details
Revenue – taxes	Occurrence, completeness	Low	Low	Yes	Analytical procedures
Revenue – other	Occurrence, completeness	Moderate	Moderate	Yes	Combined procedures
Expenses	Completeness, occurrence, classification	Moderate	Moderate	Yes	Combined procedures
Payroll	Completeness, occurrence	Moderate	Moderate	Yes	Combined procedures
Allowance for doubtful accounts	Valuation	Moderate	Moderate	No	Analytical procedures
Amortization expense	Accuracy	Moderate	Moderate	No	Combined procedures
Accrued payroll liabilities	Completeness	Moderate	Moderate	No	Combined procedures

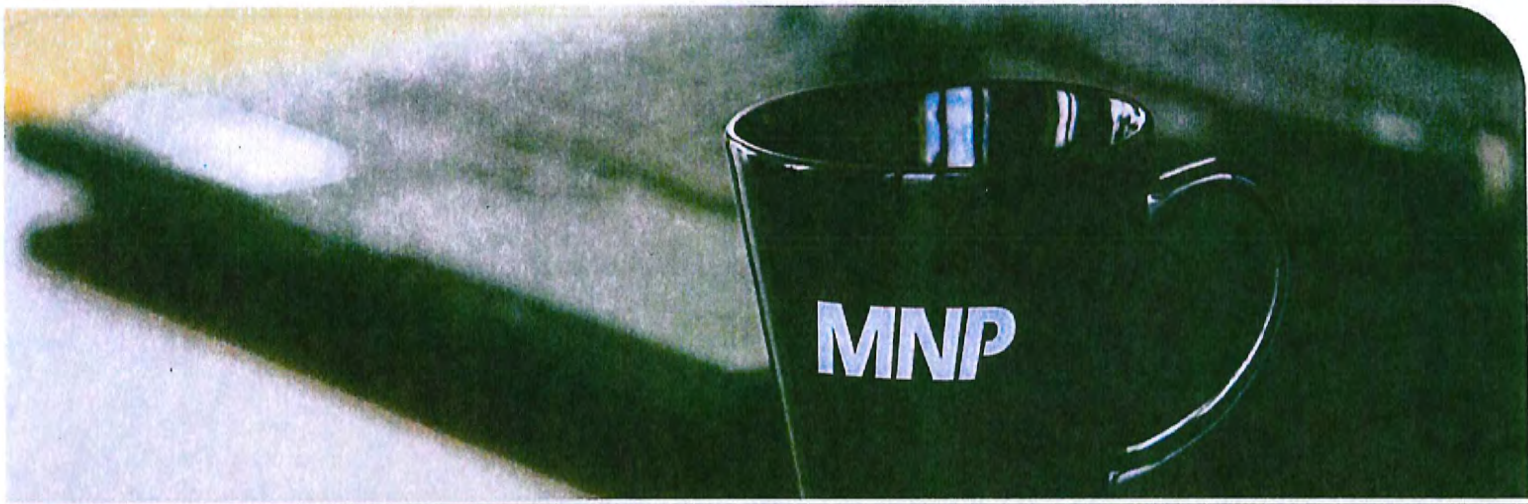
*Information about audit assertions is provided on the following page.

DEFINITION OF ASSERTIONS

ASSERTION	DESCRIPTION	SYMBOL
CLASSES OF TRANSACTIONS AND EVENTS		
COMPLETENESS	All transactions and events that should have been recorded have been recorded.	Cm (I/S)
CLASSIFICATION	Transactions and events have been recorded in the proper accounts.	Cl
CUT-OFF	Transactions and events have been recorded in the correct accounting period.	Co
ACCURACY	Amounts and other data relating to the recorded transactions and events have been recorded appropriately.	Ac
OCCURRENCE	Transactions and events that have been recorded have occurred and pertain to the entity.	Oc
FINANCIAL STATEMENT ACCOUNT BALANCES		
EXISTENCE	All assets, liabilities and equity interests exist.	Ex
VALUATION & ALLOCATION	Assets, liabilities and equity interests are included in the financial statements at appropriate amounts and any resulting valuation or allocation adjustments are appropriately recorded.	Va
COMPLETENESS	All assets, liabilities and equity interests that should have been recorded have been recorded.	Cm (B/S)
RIGHTS & OBLIGATIONS	The entity holds or controls the rights to assets, and liabilities are the obligations of the entity.	Ro
PRESENTATION & DISCLOSURE		
OCCURRENCE, RIGHTS & OBLIGATIONS	Disclosed events, transactions and other matters have occurred and pertain to the entity.	Or
COMPLETENESS	All disclosures that should have been included in the financial statements have been included.	Cm (P&D)
ACCURACY & VALUATION	Financial and other information are disclosed fairly and at appropriate amounts.	Av
CLASSIFICATION & UNDERSTANDABILITY	Financial information is appropriately presented and described, and disclosures are clearly expressed.	Cu

ADDITIONAL MATERIALS

As additional materials following this report we have included our engagement letter, which represents a formal written agreement of the terms of our audit engagement.



ABOUT MNP

MNP is one of the largest chartered accountancy and business consulting firms in Canada. For more than 65 years, we have proudly served and responded to the needs of our clients in the public, private and not-for-profit sectors. Through partner-led engagements, we provide a cost-effective approach to doing business and personalized strategies to help you succeed.

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November 26, 2012

Email only: jward@courtenay.ca

John Ward
Director of Legislative Services
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear John:

Re: CVRD Municipal Directors and Voting Strength

Thank you for your letter regarding CVRD directors and voting strengths for the City of Courtenay dated November 20, 2012.

Comox Valley water committee:

The CVRD requires that the City of Courtenay council pass a motion to distribute its seven votes amongst its four directors for the Comox Valley water committee. This is necessary as soon as possible, should a special meeting of the water committee be required in December after Councillor Anglin's appointment to the board takes effect.

The form of the motion, for your council's consideration, could read:

THAT the following distribution of weighted votes for City of Courtenay directors on the Comox Valley water committee for the remainder of 2012 be as follows:

- Director _____ - 2 votes
- Director _____ - 2 votes
- Director _____ - 2 votes
- Director _____ - 1 vote

AND FURTHER THAT this information be provided to the Comox Valley Regional District.

In addition, when the 2012 water consumption figures are tabulated early in 2013, I will send letters to the City of Courtenay and Town of Comox requesting council resolutions to distribute their weighted votes amongst their members, if required.

Sewage commission:

Also, I need to confirm the appointments that have been made to the sewage commission. Currently, the City of Courtenay has named directors Winchester, Theos and Ambler to the sewage commission, with Councillor Leonard named as an alternate. Please confirm whether this arrangement continues for 2013 or if there will be any changes made.

Sincerely,

J. Warren

James Warren
Corporate Legislative Officer

\ld

NEW BUSINESS

#104 1830 Riverside Lane
Courtenay, BC V9N 8C7
November 14, 2012

Mayor and Council
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mayor Jangula and Council,

We would like to raise new concerns around the Canada-European Comprehensive Economic and Trade Agreement (CETA).

The federal government has been telling provinces and municipalities that water services are already covered by Canadian trade agreements, and therefore the provinces do not need to take any additional protections in CETA. A legal opinion obtained from the Canadian Environmental Law Association (CELA) indicates that this is not the case.

There is a major difference between the style of sector commitment under GATS and CETA. GATS applies a positive-listing approach, meaning that only the sectors listed in each party's annexes are subject to the provisions of the agreement. On the other hand, CETA enlists a negative-listing approach, meaning that all sectors are committed except those listed. This latter style requires extensive foresight and careful drafting skills on behalf of negotiators in order to protect essential public services that may benefit from an exemption in the future.

The EUs GATS carve-out for public utilities is broadly worded to exclude all local services. Canada has no such carve-out and in fact lists sanitation services in its GATS commitments. Canada wants EU member states to have to list each and every service they want to exclude from CETA rules that would, among other things, ban local governments from bringing private services back into public hands.

We would hope that Canada's municipal governments would at least insist on the same broad wording in CETA as the EU traditionally puts into its trade agreements. Water services should be fully carved out of CETA along the lines proposed by the EU.

We would once again urge you to pass a resolution requesting a permanent exemption from CETA and to advise the provincial and federal ministers involved in the CETA negotiations of your concerns.

Sincerely,

Kathie Woodley
For the Comox Valley Chapter
Council of Canadians

<http://www.cela.ca/sites/cela.ca/files/808CETA-Report-Oct-14-2011.pdf>



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 CITY OF COURTENAY

New BUS

November 23, 2012

Mayor Larry Jangula
 City of Courtenay
 830 Cliffe Avenue
 Courtenay, BC V9N 2J7

Dear Mayor Jangula,

Re: Appointment to the 2013 Vancouver Island Regional Library Board

With the new year not too far off, it is time to consider your representation at the Board of Trustees of Vancouver Island Regional Library – the fourth largest library system in British Columbia that serves more than 410,000 residents on Vancouver Island, Haida Gwaii, and Bella Coola on the central coast. Vancouver Island Regional Library enhances lives through universal access to knowledge, lifelong learning, and literacy in the communities we serve.

As per the *British Columbia Library Act*, “each municipality and/or regional district that is party to the regional library district must, by resolution, appoint a representative and an alternate representative each December at the first meeting of the municipal council or regional district board. A member of the library board holds office for a term of one year, January 1 - December 31, 2013, or for the remainder of the year for which the appointment is made. A member is eligible for reappointment, but no member may serve for more than eight consecutive years. Reappointment of sitting members is encouraged in the interest of continuity...”

Provincial legislation requires certified resolutions to be submitted to Vancouver Island Regional Library by December 15, 2012. I enclose 2013 appointment forms for a Board member and alternate member to ensure we have accurate contact information.

VIRL Board of Trustees requires its members to complete a *Statement of Financial Disclosure* and, to that end, I enclose forms to be completed by your member and alternate member representatives. A copy of the form completed for municipal purposes is also acceptable.

Please complete the enclosed forms and return, along with a copy of the certified resolution, by December 15, 2012 to Heather Mink Zuvich: fax 250.758.2482 or email hminkzuvich@virl.bc.ca.

Thank you for your continuing support of Vancouver Island Regional Library!

Sincerely,

Rosemary Bonanno, BA, MLS
 Executive Director

Cc: Sandy Gray, CAO

Strong Libraries • Strong Communities

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2735

A bylaw to amend Official Community Plan Bylaw No. 2387, 2005

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2735, 2012**”.
2. That “Official Community Plan Bylaw No. 2387, 2005” be hereby amended as follows:
 - (a) That Part 3 Growth Management, of Official Community Plan Bylaw No. 2387, 2005 be hereby amended by deleting section 3.0 and replacing it with the following:

Section 3

3. GROWTH MANAGEMENT

Section 3.0

3.1 Managing Growth

3.1.1 Introduction

The City has faced the issues of boundary extension, amalgamations or future municipal boundaries for many years. Boundary changes have proceeded primarily on an individual basis; however, there is a need for a coordinated and consistent approach to considering the future boundaries of the City. Adopting Growth Management Policies as outlined in this section will establish a strategy for the City in moving towards a workable and preferred boundary which will allow for the development and environmental protection in a coordinated system.

Throughout adoption of the Regional Growth Strategy in March 2011, the City’s sought to have the concerns on urban fringe development addressed. Section 3A, Regional Context Statement further outlines the City’s position on this topic.

Having a clear plan for the future expansion of the City remains one of the most effective land use management tools which will lead to the integration and seamless delivery of services in a more equitable manner in the Comox Valley. Municipal boundary extensions are a necessity in order to manage the future growth of the City and to solve existing urban fringe development problems. It will also help to prevent suburban sprawl that has consumed rural lands on the urban fringe, protect our natural environment and it will ensure urban growth occurs within urban boundaries. Rural sprawl comes at a considerable expense to the City and impacts on the services the City provides. The uncoordinated actions of the Regional District and provincial agencies with approving authority for subdivisions, septic systems, private wells, drainage, garbage, roads and taxes provides a regulatory system which has created the urbanization of the unincorporated areas around the City.

The City has maintained a position that municipal services will not be extended beyond the municipal boundaries.

It is clearly evident that areas on the fringe of the City that have received a municipal service such as community water, results in creating residential areas that are too dense. This has led to environmental problems of failing septic systems and a lack of any stormwater management which impacts on the City.

In designing the City's transportation, water, sanitary sewer and storm drainage systems, the City follows good planning, financial and engineering practices and have provided for possible service extensions for areas presently outside the municipal boundaries, where applicable.

Growth management would be greatly enhanced if provincial regulations and approvals reflected the actual cost of development outside municipal boundaries.

3.1.2 Goals

1. provide for managed growth
2. ensure equitable taxation for services provided and received
3. support efficient infrastructure development
4. protect environmentally sensitive areas
5. support sustainable development practices

3.1.3 Policies

Council will:

1. in examining boundary extensions consider the following criteria:
 - continuity with existing boundary, topography, location of existing streams, parks, roads and forest land
 - proximity of existing municipal infrastructure and its capacity and elevation
 - condition of existing infrastructure in the area under consideration
 - effect of the change on any existing service areas
 - advising of any known issues within the existing area, i.e. failing septic system issues, stormwater
 - cost of servicing including any latecomer agreements, DCC's (City and CVRD), developer contributions to planned infrastructure, servicing costs and connection fees
 - subdivision opportunities and future infrastructure locations, i.e. sewage lift stations
 - advising of the phasing-in of City municipal taxes
 - frontage tax charges, when services are available to the property
 - utility user charges on tax notices only when services are connected
 - detailed servicing costs for potable water, sanitary sewer or storm drainage referencing to any grants, assist factors
 - method of payment of payment for proposed municipal services
 - payment in full prior to service connection being provided to property line
 - commuted payment by way of an annual parcel tax over and amortization period not greater than fifteen years
 - timing of the installation of municipal services
 - preparing a local area plan following the boundary extension
 - assessment/determination of potential capital works to be undertaken and to be considered in the future City budgets
2. work cooperatively with Comox Valley jurisdictions regarding the cohesive and complimentary development of land use regulation plans and strategies on the provision of services.

3. work to harmonize the delivery of services, and the streamlining of uniform application procedures with the jurisdictions within the Comox Valley and the provincial agencies.
4. not support the further densification of residential, commercial, industrial or institutional uses in the non-municipal areas within a 5 km. radius of the City's boundaries. Support retaining large parcel sizes within this area greater than 4 hectares.
5. only allow municipal water and/or sewer services to areas within municipal boundaries.
6. seek ways to ensure areas on the urban fringe pay equitably for services received including police, recreation, transportation, cultural and the mitigation of environmental problems.
7. position itself as the regional commerce centre of the Comox Valley promoting new and existing industries to expand economic opportunities for growth and development within the municipal boundaries. As such, the City will oppose commercial, industrial or institutional developments on its fringes, and along the Comox Valley Parkway, the Inland Island Highway, the Island Highway, Comox Road, Ryan Road or Cumberland Road where it leads to urban sprawl and the undermining of the existing tax base.
8. continue to lead efforts in storm water management, erosion and sediment control, water supply, garbage and sewage disposal to protect the environment.
9. support Transportation Planning Initiatives designed to match population growth to major destinations and centres of importance.
10. seek methods to continue to protect the Comox Lake Watershed.

Section 3.2

3.2 REGIONAL CONTEXT STATEMENT

Section 3.2

3.2.1 Introduction

On March 29, 2011, the Board of the Comox Valley Regional District adopted a Regional Growth Strategy being Bylaw No. 120, 2010.

The purpose of this document is to assist in guiding decisions on growth, change and development with the Regional District which includes the City of Courtenay.

The vision in the Regional Growth Strategy is that:

"The Comox Valley will continue to evolve as a region of distinct, well-connected and well designed urban and rural communities. As stewards of the environment, local governments, the K'omoks First Nation, public agencies, residents, businesses and community and non-governmental organizations will work collaboratively to conserve and enhance land, water and energy resources and ensure a vibrant local economy and productive working landscapes."

The RGS does support the principals and policies established in the City's OCP. The RGS is structured into five parts including:

1. Introduction
2. Context
3. Regional Policies

4. Managing Growth
5. Implementation and Monitoring

Part 2 outlines the major trends that were the basis for the RGS. The City's OCP supports the importance of major trends and addresses those in the City's objectives, policies and land use designations. The RGS projects a population increase of approximately 19,800 between 2010 and 2030 representing an annual growth rate of 1.6% and 500 residential units per year.

The City's population in 2011 was 24,099 representing an annual increase of 1.88% from 2006.

Part 3 describes a vision for the region along with the eight principle policy areas. Part 4 establishes a strategy for managing growth and land use activities whereas Part 5 sets out the tools and partnerships to implement the RGS.

As such, the amendments to the City's OCP recommended in this report are minor in nature and do not change the principle of managing growth and infrastructure to protect the long term financial interests of the residents of the City.

Population projections can vary significantly given the numerous factors beyond the control of the greater area. The City's OCP provides for the consideration of a range of growth and the policies are established to address changes in growth rates. Part 2 of the City's OCP, Vision and Strategy, expresses the vision for the City and the goals that provide the foundation for the vision. Growth will occur through densification and the expansion of the City's boundaries which is supported in the RGS. The rate for both development and boundary expansions will be dependent on available, suitable lands and the provision of services through Council's approval.

The RGS states the City shall develop and grow consistent with its function as the Comox Valley's largest urban area. New development should provide for a wide diversity of housing and employment opportunities and allow for the highest densities within the Comox Valley.

The City is achieving this through many of the recently approved housing and commercial projects and will continue to follow this strategy. It is also important for the OCP to anticipate and plan well into the future for growth and to coordinate this growth with the demands on all City services. It is also important to ensure future amendments to the RGS remain consistent with the fundamental principles in the City's OCP.

3.2.2 Goals

The goals, objectives and policies of the RGS bylaw as contained in Section 3 are organized into the following eight sections which are outlined below for the consistency of the City's OCP.

Goal 1: Housing:

Ensure a diversity of housing options to meet evolving demographics and needs.

The OCP supports the development of housing options and contains policies that examine ways to increase densities and to provide a balance between new and existing developments.

These principles include:

1. balance land uses to create a vibrant and diverse neighbourhood and community;

2. create neighbourhoods that will offer a variety of transportation choices;
3. preserve and enhance open spaces, greenways and environmentally sensitive areas;
4. encourage green buildings and infrastructure; and
5. lead in creating inclusive neighbourhoods for housing.

Goal 2: Ecosystems, Natural Areas and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems.

The OCP supports this goal beginning with a vision to have:

- an expanding parks, natural areas and greenways system, and
- a strategy to lead in environmental protection.

This is followed by goals and strategies to have:

- a system of Greenways to serve recreational needs
- parks and publicly accessible natural open space
- guidelines for sustainable development.

The City has and continues to put a great deal of effort into developing its parks and open space system. The OCP states the provision of parks and services as an essential contribution to the quality of life, environment and image of the City. The OCP contains extensive policy on the parks and greenways systems and environment. The Environmental Development Permit Area section of the OCP has been recently updated on the basis of new mapping and new information.

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Courtenay has long served as the economic centre of the greater Comox Valley and this is recognized in the RGS. The OCP's vision includes the City as being the centre of commerce for the Comox Valley. This is supported by designating five principle commercial areas within the City and to support the densification of these areas. It recognizes the distinct role of the Downtown as an integral part of the community's social and cultural life, its identity and its economy. The mix of uses supported for the commercial nodes and corridors reflect the policies of the RGS.

Goal 4: Transportation:

Develop an accessible, efficient and affordable multi-modal transportation network, that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

The City's OCP sets out specific goals and policies on the development of a transportation system that provides choices for different modes of travel. This system works towards reducing travel distances and congestion through the consideration of the long term impacts of all land use decisions. Selecting the correct location for land uses will ensure the right balance of new and existing growth which support the City's infrastructure.

Goal 5: Infrastructure:

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

The vision established in the City's OCP supports the efficient development of all infrastructure following complete land use and engineering analysis. The City has identified a number of sustainable practices and policies for new development.

The City has maintained a position that municipal services will not be extended beyond the municipal boundaries and this is supported through policy in the OCP allowing for the best management of the City's infrastructure, financial health and delivery of City services.

Goal 6: Food Systems:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is achieved through the established vision for the City which includes the support for a viable agricultural economy through the protection of agricultural lands. The OCP recognizes the important role of agricultural lands and supports the principle of preserving farmland and farming activities. The goals and policies promote the expansion and protection of the agricultural industry. It is also acknowledged that the BC Agricultural Land Commission regulates the use and subdivision of all lands within the ALR.

Goal 7: Public Health and Safety:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is supported through the City's vision statement which includes being:

- an inclusive, open and caring community
- commitment to continued excellence
- a strategy to lead in environmental protection
- committed to youth and seniors

This is further expanded upon in the OCP with a strategy to develop a system of greenways, protect and provide publicly accessible natural open space, design for sustainable development and support social equality.

Goal 8: Climate Change:

Minimize regional greenhouse gas emissions and plan for adaptation.

The City's OCP was amended in 2010 to include a section on "Planning for Climate Change". The City has developed and adopted policies consistent with provincial directions and targets and supports the climate change goals in the RGS. They City also re-wrote the Environmental Development Permit Guidelines in 2011 which recognizes and strengthens the protection of ecosystems and development with respect to changes as a result of climate change.

3.2.3 Managing Growth

Part 4 of the RGS establishes a strategy for managing growth. This includes 16 growth management principles which support the goals identified in Part 3. It includes identifying areas of existing development on the fringe of the City that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing health and environmental issues. The RGS also requires areas to be identified on the fringes of the City that should eventually be incorporated through boundary extension and provided with publicly owned water and sewer services in order to allow for new long term growth opportunities in a phased and orderly manner.

Traditionally urban boundaries have been extended in order to accommodate growth and urban forms of development and to provide services for failing infrastructure systems. It has also been considered to prevent urban uses and densities to continue and expand outside the City's boundaries. Boundary extensions will remain an effective tool for the management of land uses and infrastructure systems for the City. The City confirms its long term interest in extending municipal boundaries and supports the general areas for inclusion as identified as "Settlement Expansion Areas" in the RGS and the adjoining lands which would allow for logical expansion boundaries.

3.2.4 Implementation

Part 5 of the RGS addresses implementation measures, monitoring, and amendment procedures. The OCP establishes the principles and policies to be followed by Council in the implementation of the RGS and the sharing of information within the Comox Valley Regional District occurs on a regular basis. It is concluded that entering into an implementation agreement would be an unnecessary expense to the City and it would be redundant to the existing practices of the City.

2. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 3rd day of December, 2012

Read a second time this 3rd day of December, 2012

Considered at a Public Hearing this day of , 2012

Read a third time this day of , 2012

Finally passed and adopted this day of , 2012

Mayor

Director of Legislative Services

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2736

A bylaw to amend City of Courtenay Fees and Charges Bylaw No. 1673, 1992

The Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as **“City of Courtenay Fees and Charges Amendment Bylaw No. 2736, 2012.”**
2. That “City of Courtenay Fees and Charges Bylaw No. 1673, 1992” be amended as follows:
 - (a) That Schedule of Fees and Charges, Section III, Appendix IV “Garbage Collection Fees” be hereby repealed and substituted therefore by the following attached hereto and forming part of this bylaw:

“Schedule of Fees and Charges Section III, Appendix IV – Garbage Collection Fees”

3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 3rd day of December, 2012

Read a second time this 3rd day of December, 2012

Read a third time this 3rd day of December, 2012

Finally passed and adopted this day of December, 2012

Mayor

Director of Legislative Services

**SCHEDULE OF FEES AND CHARGES
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW NO. 2736
SECTION III, APPENDIX IV
GARBAGE COLLECTION FEES**

- A. Dwelling Basis Fee per unit per year
- includes recyclables & yard waste pickup \$160.00
- Extra Bag Ticket (50 litre) - each \$ 2.00
- B. Residential Multifamily, Apartment, Strata per unit per year
(Fee for yard waste, recyclables not included) \$126.00
- Additional service fee:
- (a) Recyclables pickup (all container types)
per unit per year \$ 17.00
- (b) Yard waste pickup, per unit per year \$ 17.00
- C. Trade Premises

Where mixed waste containers are determined to include recyclable materials, the fee imposed shall be two times the regular pickup fee.

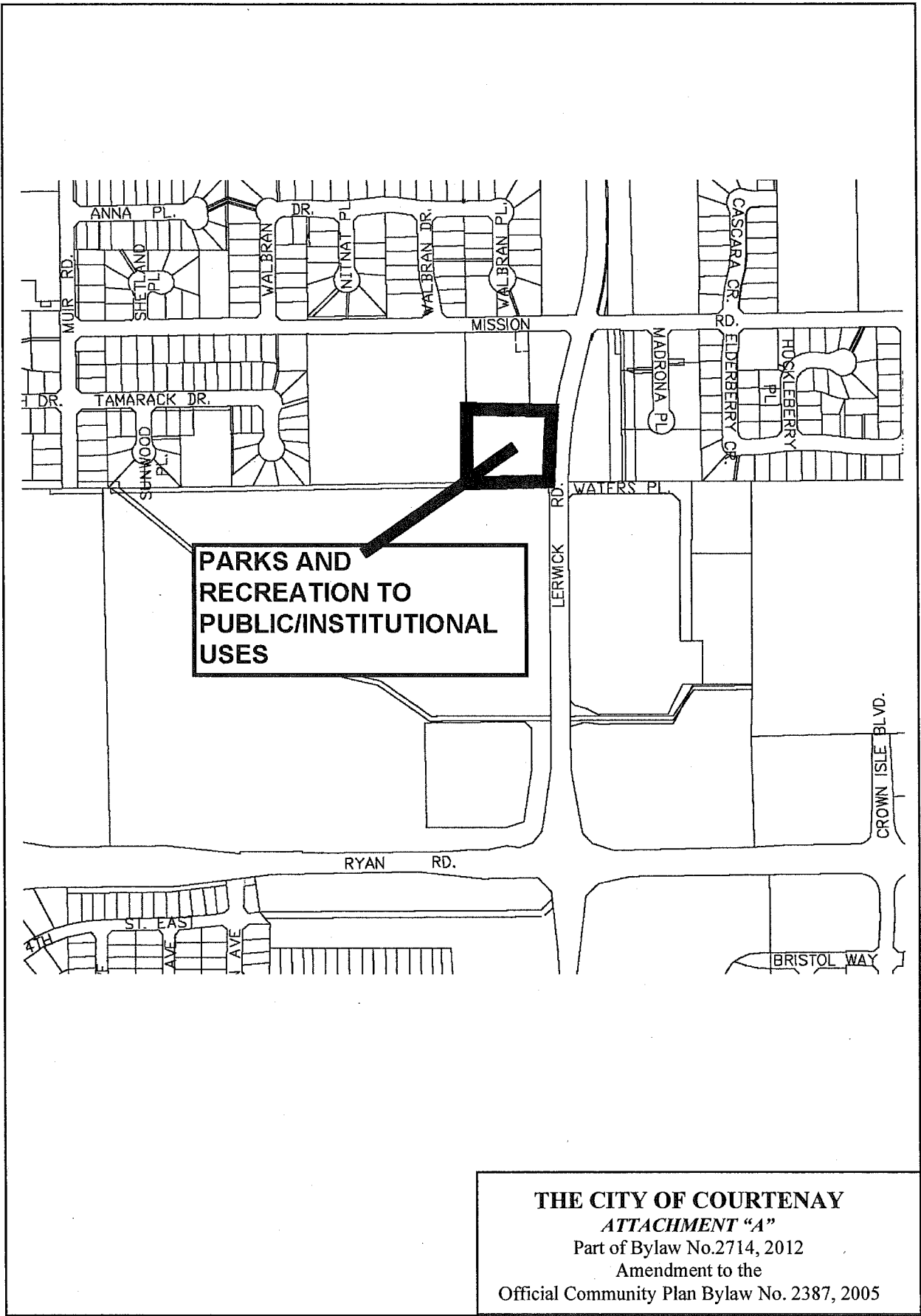
	Per Pickup
Cans – mixed waste (contains no recyclable material)	
1 can or equivalent (1 can = 121 litres)	\$2.45
Every additional can or equivalent 121 litres shall be charged at the rate of	\$2.45
DCBIA – per unit/premise per year (includes two cans per week plus recyclables/cardboard pickup – this fee is charged to those units that are constrained by space and cannot implement a mixed waste bin or cardboard bin service)	\$275.00
DCBIA - Recycle Toter Bin, per bin	\$ 2.00

Containers - Mixed, Non-compacted (contains no recyclable material)

2 cubic yard	\$15.00
3 cubic yard	\$22.50
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$7.50

Compactors – Mixed Waste (contains no recyclable material)	Per Pickup
27 cubic yard	\$354.00
40 cubic yard	\$480.00
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$12.00

Refuse to Recycling Centre (no tipping fees)	Per Pickup
Containers	
2 cubic yard	\$8.20
3 cubic yard	\$12.30
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$4.10
Compactors	Per Pickup
40 cubic yard	\$200.00
Sizes other than listed above charged at a rate per cubic yard per pickup of	\$ 5.00



**PARKS AND
RECREATION TO
PUBLIC/INSTITUTIONAL
USES**

THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No.2714, 2012
 Amendment to the
 Official Community Plan Bylaw No. 2387, 2005

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2715

A bylaw to amend Zoning Bylaw No. 2500, 2007

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2715, 2012**”.

2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:

(a) That “Zoning Bylaw No. 2500, 2007, Division 8, Classification of Zones” be amended by adding Section 29 as follows and renumbering the remainder of the bylaw accordingly:

<p>Part 29 – Public Use and Assembly Four Zone (PA-4) for VIHA/NIC Hospital Site</p>

8.29.1 Permitted Uses

In the PA-4 zone, the following uses are permitted and all other uses are prohibited except as otherwise noted in this Bylaw:

- (1) Hospital and related uses
- (2) *Care facilities*
- (3) *Hospital related commercial uses including but not limited to gift shop, confectionary store, coffee shop, pharmacy.*
- (4) Medical related education and training facilities
- (5) Parkade
- (6) Helipad

8.29.2 Minimum Lot Size

A lot shall have an area of not less than 2,500 m².

8.29.3 Minimum Lot Frontage

A lot shall have a frontage of not less than 45.0 m.

8.29.4 Lot Coverage

A *lot* shall not be covered by buildings and *accessory* buildings to a greater extent than forty percent (40%) of the total area of the *lot*.

8.29.5 Setbacks

Except as otherwise noted in this bylaw, the following minimum *setback* requirements shall apply:

- (1) *Front yard:* 7.5 m
- (2) *Rear yard:* 10.0 m
- (3) *Side yard:* 9.0 m

8.29.6 Height of Buildings

No *building* shall exceed a *height* of 40.0 m

8.29.7 Usable Open Space

Usable open space shall be provided for a *care facility* at 10.0 m² per unit.

8.29.9 Off-Street Parking and Loading

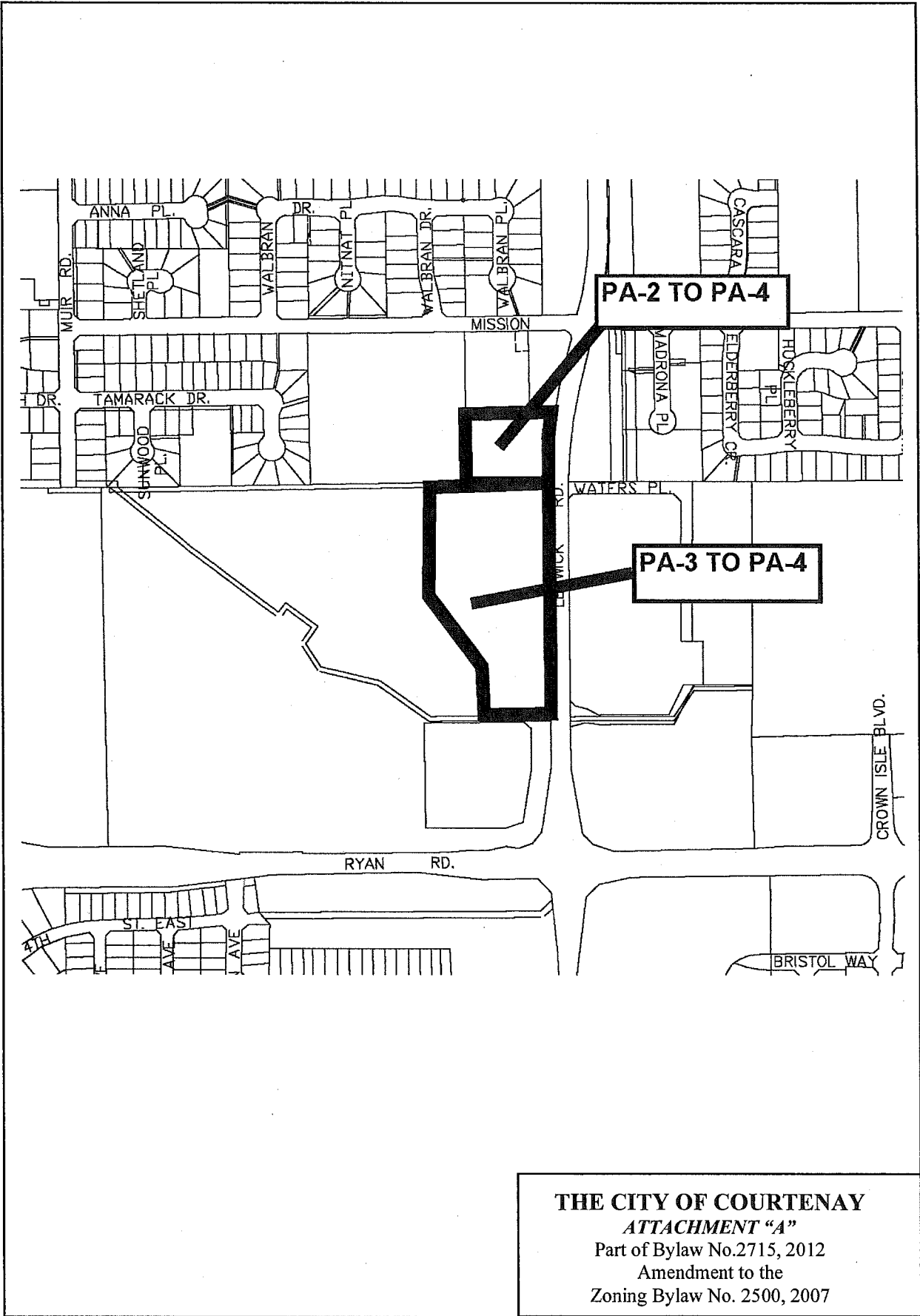
Off-*street* parking and loading shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw.

8.29.10 Landscaping and Screening

In addition to the Landscape Requirements identified in Part 13 of this bylaw, the following landscape requirements shall be met:

- (1) Where a *lot* adjoins a residential zone, a landscaped area of at least 7.5 m in width shall be provided along the inside of all affected property lines.
- (2) Where a *lot* adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property on the *street* shall be provided inside the property line.
- (3) Where a property is 2.0 ha. or larger, an average setback of 7.5 m landscaped area shall be provided along all property lines which are not adjacent to a street or residential zone, but in no case shall the landscape area be less than 3.5m. Retention of existing natural vegetation, including mature trees, is required and any trees which are removed or destroyed shall be replaced, provided however that a public access trail may be constructed within this buffer area;

- (b) That Lot 3, District Lot 236, Comox District, Plan VIP70439 be rezoned from Public Use and Assembly Two (PA-2) zone to Public Use and Assembly Four (PA-4) zone (95 Lerwick Road);



THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No.2715, 2012
 Amendment to the
 Zoning Bylaw No. 2500, 2007

(c) That Part of Section 78, Comox District, Except Parts in Plans 35641, VIP61717 and 2117RW as shown on Attachment "A" be rezoned from Public Use and Assembly Three zone (PA-3) to Public Use and Assembly Four (PA-4) (235 Lerwick Road);

(d) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.

3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 5th day of November , 2012

Read a second time this 5th day of November , 2012

Considered at a Public Hearing this day of , 2012

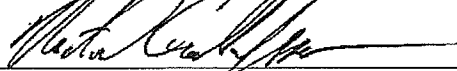
Read a third time this day of , 2012

Finally passed and adopted this day of , 2012

Mayor

Director of Legislative Services

Approved under S 52(3)(a) of the *Transportation Act*



Michael Goodhelpsen

As Sr. District Development Technician

**THE CORPORATION OF THE CITY OF COURTENAY
BYLAW NO. 2719**

A bylaw to amend Official Community Plan Bylaw No. 2387, 2005

WHEREAS the Council has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS, pursuant to Section 895 of the *Local Government Act*, the Council shall, by bylaw, establish procedures to amend a plan or bylaw or issue a permit;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2719, 2012**”.

2. That Official Community Plan Bylaw No. 2387, 2005 be amended as follows:
 - (a) by changing the designation of Amended Lot 5 (DD 40086N), Block 1, District Lot 127, Comox District, Plan 1951 as shown in bold outline on Attachment “A” which is attached hereto and forms part of this bylaw, from Urban Residential to Multi-Residential Use;

 - (b) That Map #2, Land Use Plan be amended accordingly as shown in bold outline on Attachment “A” which is attached hereto and forms part of this bylaw.

3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 5th day of November, 2012

Read a second time this 5th day of November, 2012

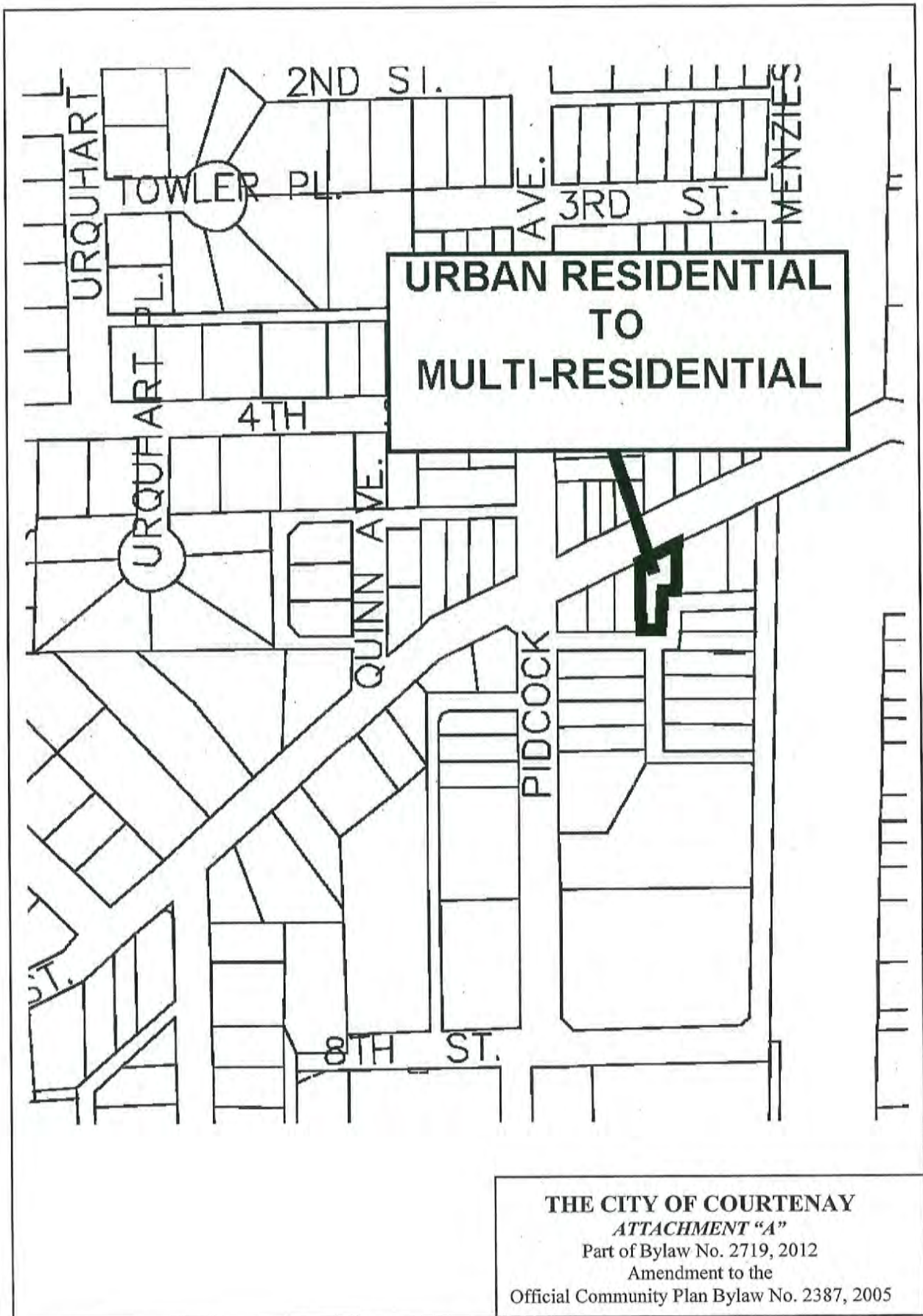
Considered at a Public Hearing this 19th day of November, 2012

Read a third time this 19th day of November , 2012

Finally passed and adopted this day of , 2012

Mayor

Director of Legislative Services



THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No. 2719, 2012
 Amendment to the
 Official Community Plan Bylaw No. 2387, 2005

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2720

A bylaw to amend Zoning Bylaw No. 2500, 2007

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2720, 2012**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Amended Lot 5 (DD 40086N), Block 1, District Lot 127, Comox District, Plan 1951, as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential Two Zone (R-2) to Residential Four B Zone (R-4B);
 - (b) That subsection 8.4.30(1) be removed from the Residential Four B zone (R-4B); and
 - (c) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly;
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 5th day of November, 2012

Read a second time this 5th day of November, 2012

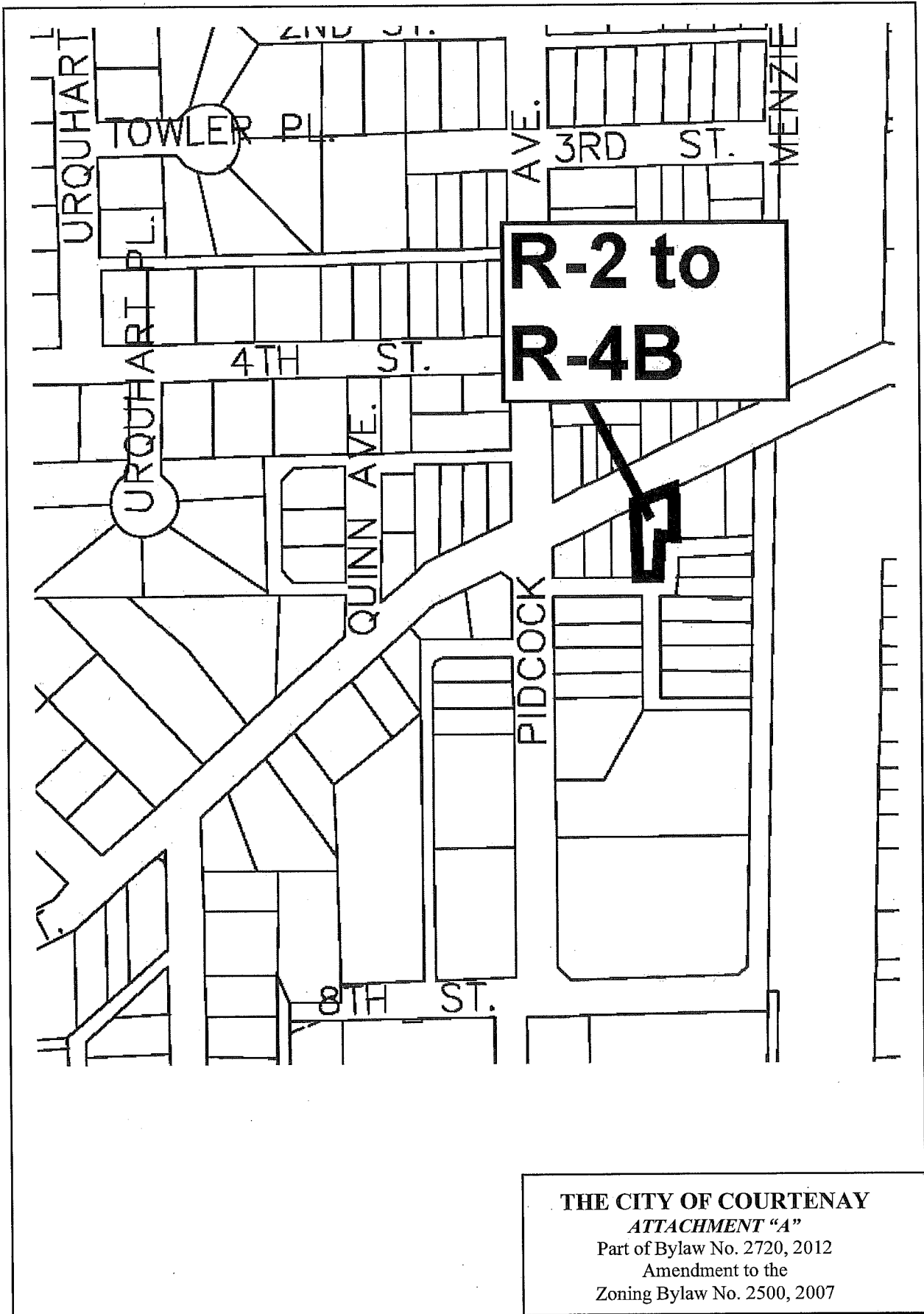
Considered at a Public Hearing this 19th day of November, 2012

Read a third time this 19th day of November, 2012

Finally passed and adopted this day of , 2012

Mayor

Director of Legislative Services



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2732

A bylaw to amend Official Community Plan Bylaw No. 2387, 2005

WHEREAS the Council has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS, pursuant to Section 895 of the Local Government Act, the Council shall, by bylaw, establish procedures to amend a plan or bylaw or issue a permit;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as **“Official Community Plan Amendment Bylaw No. 2732, 2012”**.

2. That Official Community Plan Bylaw No. 2387, 2005 be amended as follows:
 - (a) By changing the designation of part of Lot 2, District Lot 138, Comox District, Plan 14210; Lot 1, District Lot 138, Comox District, Plan 40239 and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239 from “Suburban Residential” to “Urban Residential” as outlined on the plan attached as Attachment “A”.

 - (b) That Map #2, Land Use Plan be amended accordingly.

3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 19th day of November, 2012

Read a second time this 19th day of November, 2012

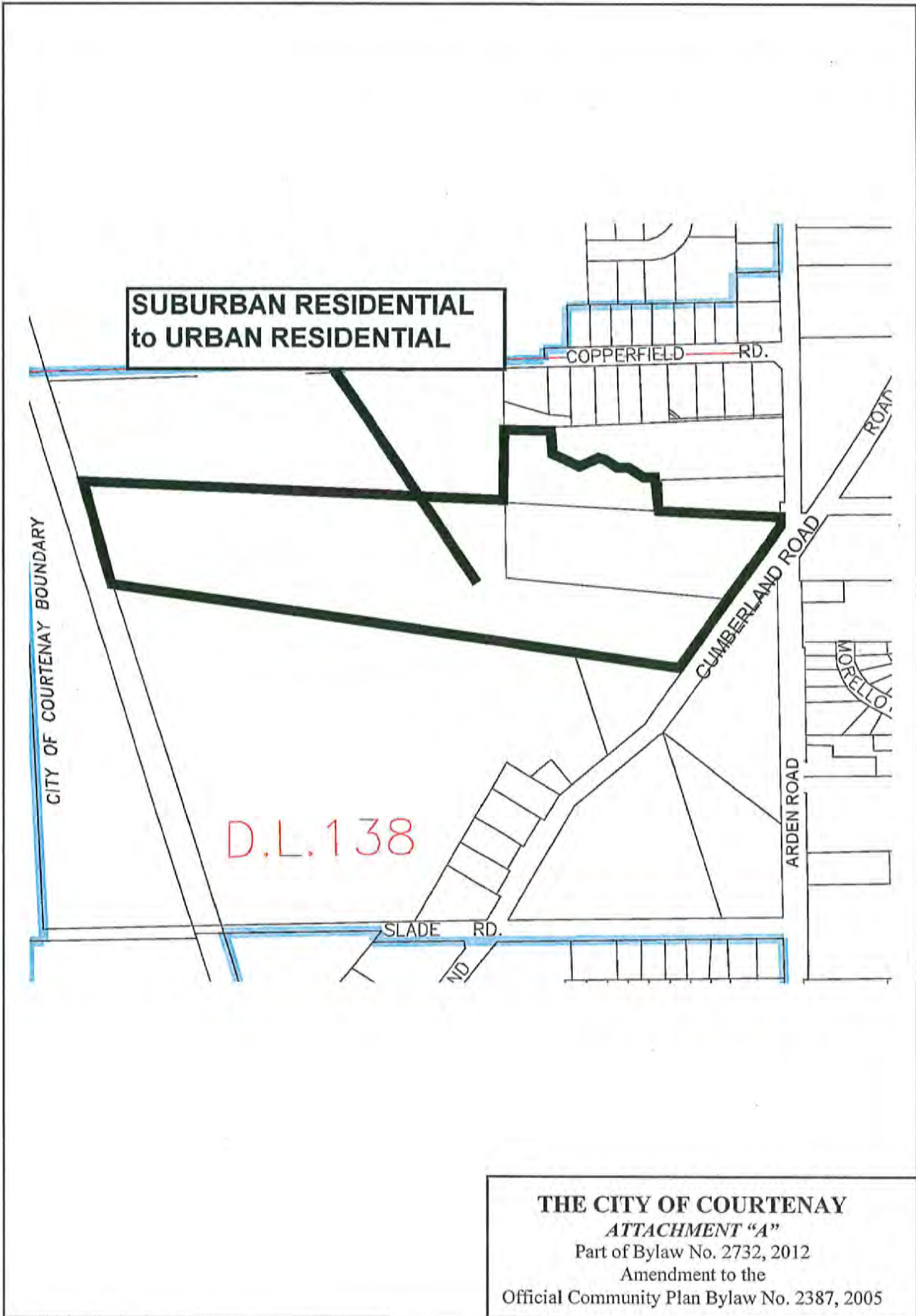
Considered at a Public Hearing this day of , 2012

Read a third time this day of , 2012

Finally passed and adopted this day of , 2012

Mayor

Director of Legislative Services



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2733

A bylaw to amend Zoning Bylaw No. 2500, 2007

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2733, 2012**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) That “Zoning Bylaw No. 2500, 2007, Division 8, Classification of Zones” be amended by adding Part 49 as follows:

<p><u>Part 49 - Comprehensive Development Twenty-Three Zone (CD-23) (1921, 1993 Arden Road & 2459 Cumberland Road)</u></p>

8.49.1 Intent

The CD-23 Zone is intended to accommodate a mixed use residential development on the properties legally described as part of Lot 2, District Lot 138, Comox District, Plan 14210, Lot 1, District Lot 138, Comox District, Plan 40239, and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239 and in general accordance with the plan attached as Schedule A.

8.49.2 CD-23A

(1) Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

1. *Single residential dwelling*
2. *Duplex residential dwelling*
3. *Accessory buildings and structures*
4. *Home occupation*

(2) Minimum Lot Size

- a) *Single Family Residential:* 500m²
- b) *Duplex:* 900m²

(3) Minimum Lot Frontage

A lot shall have a frontage of not less than 18.0m, except for a corner lot where the

frontage shall be not less than 20.0m.

(4) Minimum Lot Depth

A lot shall have a depth of not less than 30.0 m

(5) Lot Coverage

A lot shall not be covered by buildings to a greater extent than 40% of the total lot area.

(6) Setbacks

- a) Front Yard 7.5 metres
- b) Rear Yard 9.0 metres
- c) Side Yard The side yard setbacks shall total 4.5 m with a minimum side yard setback on one side of 1.5 m except where a side yard flanks a street in which case the minimum distance shall be 4.5 m.

(7) Height

The maximum height of a principle building shall not exceed 9 metres

8.49.3 CD-23B

(1) Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- 1. *Single residential dwelling with or without a secondary suite*
- 2. *Accessory buildings and structures*
- 3. *Home occupation*

(2) Minimum Lot Size

The minimum lot size for all lots in this area is 400m²

(3) Minimum Lot Frontage

A lot shall have a frontage of not less than 13.0m, except for a corner lot where the frontage shall be not less than 15.0m.

(4) Minimum Lot Depth

A lot shall have a depth of not less than 30.0 m

(5) Lot Coverage

A lot shall not be covered by buildings to a greater extent than 40% of the total lot area.

(6) Setbacks

- (a) Front Yard 4.5 metres
- (b) Rear Yard 7.5 metres
- (c) Side Yard 1.5 metres except where a side yard flanks a street in which case the minimum shall be 3.5 metres.

(7) *Height*

The maximum height of a principle building shall not exceed 9 metres

8.49.4 Accessory Buildings and Accessory Structures

- (1) Shall not exceed 4.5 m in *height*.
- (2) Shall have a total *building area* not exceeding 50 m² or 10% of the *rear yard*, whichever is greater.
- (3) Shall be permitted in the *side* and *rear yard* provided they shall conform to all relevant siting regulations of this bylaw.
- (4) Shall be permitted at the front of a principal *residence* provided they shall conform to all relevant siting regulations of this bylaw.
- (5) Shall not be located within 1.5 m from the side or rear *lot line* except where the side or *rear yard* flanks a *street*, excluding a lane, in which case the minimum *yard* distance shall be 4.5m. Within the CD-23B area the minimum interior side yard setback shall be 1.0 metres.

8.49.5 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw. No more than 50% of any *yard* area or frontage on a *street* or lane shall be used for off-*street* parking.

Schedule A



- (b) That part of Lot 2, District Lot 138, Comox District, Plan 14210; Lot 1, District Lot 138, Comox District, Plan 40239 and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239 be rezoned from Residential One A Zone (R-1A) to Comprehensive Development Twenty Three Zone (CD-23) and Public Use and Assembly Two Zone (PA-2) as outlined on the plan attached as Attachment A.
 - (c) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 19th day of November, 2012

Read a second time this 19th day of November, 2012

Considered at a Public Hearing this day of , 2012

Read a third time this day of , 2012

Finally passed and adopted this day of , 2012

Mayor

Director of Legislative Services

LEGEND

- PA-2
- CD-23A
- CD-23B
- ANTICIPATED ROAD DEDICATION AREA
- EXISTING PROPERTY LINES
- EXISTING CREEK
- PROPOSED PERVIOUS PEDESTRIAN TRAIL



THE CITY OF COURTENAY

ATTACHMENT "A"

Part of Bylaw No. 2733, 2012

Amendment to the

Zoning Bylaw No. 2500, 2007

