

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

**DATE:** Tuesday, July 2, 2013  
**PLACE:** City Hall Council Chambers  
**TIME:** 4:00 p.m.

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**1.00 ADOPTION OF MINUTES**

1. Adopt June 17, 2013 Council meeting minutes and June 24, 2013 Committee of the Whole Notes

**2.00 INTRODUCTION OF LATE ITEMS**

**3.00 DELEGATIONS**

Page #

1. Evangeline Mathura and Wendy Leblanc re: Isaac Leblanc Fundraising Efforts
- 3 2. Rick Waldhaus re: OCP and Zoning Amendment – 601 Crown Isle Boulevard and 3303 Ryan Road

**4.00 COMMITTEE/STAFF REPORTS**

**(a) Corporate Services**

- 1 1. Street Entertainers Regulation Bylaw

**(b) Development Services**

- 3 2. OCP and Zoning Bylaw amendments – 601 Crown Isle Boulevard and 3303 Ryan Road
- 21 3. Staff participation in Comox Valley Food Round Table

**(c) Operational Services**

- 25 4. Ryan Road and Lerwick Road intersection – Co-op Traffic Meeting Recommendations

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

- 29 1. Agricultural Advisory Committee Minutes
- 35 2. Response from the Federal Electoral Boundaries Commission
- 37 3. Letter of appreciation – VIPYRS Cycling Team

## **6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

## **7.00 RESOLUTIONS OF COUNCIL**

### **1. In Camera Meeting**

That notice is hereby given that a Special In-Camera meeting closed to the public will be held July 2, 2013 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (c) Labour relations or other employee relations;
- 90 (1) (g) Litigation or potential litigation affecting the municipality.

## **8.00 UNFINISHED BUSINESS**

## **9.00 NOTICE OF MOTION**

## **10.00 NEW BUSINESS**

### **39 1. Abbeyfield House Society request for Letter of Support**

#### **2. Councillor Ambler proposed resolution re: Wooden Bridge Project**

*WHEREAS a group of local citizens are actively seeking to build a landmark wooden bridge, using a community-based, cooperative approach to better enable foot, bicycle, stroller and scooter crossing of the Courtenay River;*

*AND WHEREAS the principle of better enabling all such traffic is congruent with Courtenay's stated strategic goals;*

*AND WHEREAS it is understood and previously agreed that while the City of Courtenay will not contribute financially to the project, it will provide other support;*

*THEREFORE BE IT RESOLVED that City staff will provide their expert support, within prudent limits set by the CAO, to this citizen's group to enable this project to proceed.*

#### **3. Councillor Ambler proposed resolution re: Local Government Conferences**

*WHEREAS there are several annual conferences for elected local government officials, which include AVICC, UBCM and FCM;*

*AND WHEREAS these groups are an effective voice for local governments, as proven by recent progress on the Gas Tax;*

*AND WHEREAS these conferences provide an excellent forum for City of Courtenay concerns to be raised to the higher levels of government, in concert with other communities;*

*AND WHEREAS these conferences provide an excellent forum for elected officials to learn about their role, to network with others facing similar challenges, and to learn of best practices in peer communities;*

*THEREFORE BE IT RESOLVED that Courtenay Council continue to send any Council member that is willing and able to participate to all such conferences.*

- 41 4. UBCM Convention Meeting Request with the Premier or a Cabinet Minister

## **11.00 BYLAWS**

### **For First and Second Reading**

- 43 1. “Official Community Plan Amendment Bylaw No. 2758, 2013”  
(To amend the OCP land designation for property located in Crown Isle)
- 47 2. “Zoning Amendment Bylaw No. 2759, 2013”  
(To amend the zoning for property located in Crown Isle)

### **For Second and Third Reading**

- 53 3. “Street Entertainers Regulation Bylaw No. 2749, 2013”  
(To regulate street entertainers in the City of Courtenay)

## **12.00 COUNCIL MEMBER ROUND TABLE**

## **13.00 ADJOURNMENT**

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

FROM: Director of Legislative Services

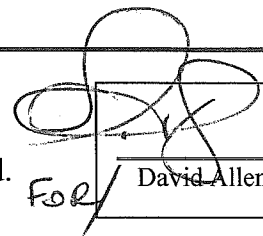
FILE # 3900-20

DATE: June 27, 2013

SUBJECT: Street Entertainers Regulation Bylaw

C.A.O. COMMENTS/RECOMMENDATIONS:

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

  
David Allen

RECOMMENDATION:

That "Street Entertainers Regulation Bylaw No. 2749, 2013" be amended to add audition provisions and other minor housekeeping items; and

That "Street Entertainers Regulation Bylaw No. 2749, 2013" proceed to second and third reading as amended.

PURPOSE:

To enact a new street entertainment (busker) bylaw.

BACKGROUND:

Street entertainers can be an excellent cultural benefit to downtown cores, and the City has seen an increase in street entertainers over the past few years.

Concerns regarding the number of entertainers and their performance locations have been raised by citizens as well the Downtown Courtenay Business Association (DCBIA).

In response to these concerns, staff drafted a bylaw based on bylaws currently in force in other municipalities. The draft bylaw was forwarded to the DCBIA for review, and subsequently given first reading by Council.

DISCUSSION:

Since first reading of the bylaw, the DCBIA has requested an amendment to require entertainers to audition prior to a street entertainer permit being issued.

This provision and some minor text amendments have now been included in the bylaw, and staff are recommending that the bylaw proceed to second and third reading.

Staff have received confirmation that the DCBIA is in support of the bylaw.

FINANCIAL IMPLICATIONS:

None.

**STRATEGIC PLAN REFERENCE:**

3. An open, inclusive and vibrant community
  - Support Downtown Courtenay.

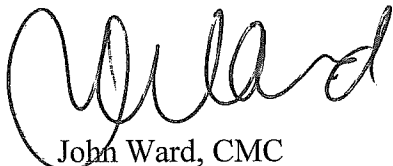
**OCP SUSTAINABILITY REFERENCE:**

N/A.

**REGIONAL GROWTH STRATEGY REFERENCE:**

N/A/

Respectfully submitted,

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

John Ward, CMC  
Director of Legislative Services

2

**THE CORPORATION OF THE CITY OF COURTENAY**

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**REPORT TO COUNCIL**

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**FILE #:** 6480-20-1301/3360-20-1304

**FROM:** Development Services Department

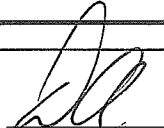
**DATE:**

June 24, 2013

**SUBJECT:** Application to Amend the City of Courtenay Official Community Plan Bylaw No. 2387, 2005 and the City of Courtenay Zoning Bylaw No. 2500, 2007 (Crown Isle)

**C.A.O. COMMENTS/RECOMMENDATIONS:**

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

  
David Allen

**RECOMMENDATION:**

That Council receive the application to amend *City of Courtenay Official Community Plan No. 2387, 2005* and *City of Courtenay Zoning Bylaw No. 2500, 2007*, for part of Lot A, Block 72, Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850, and for part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 and part of the Park dedication on Plan EPP10850 as shown in bold on Attachment No. 1;

That Bylaw No. 2758, 2013 to amend the Official Community Plan land use designation from Commercial and Commercial Shopping Centre to Mixed Use for part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 and from Mixed Use to Commercial for part of Lot A, Block 72, Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850 proceed to First and Second Reading;

That Bylaw No. 2759, 2013 to create a new Comprehensive Development One I (CD-1I) zone and to rezone part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 from Comprehensive Development One F (CD-1F) zone to Public Use and Assembly Two (PA-2) zone and CD-1I zone, to rezone part of the Park dedication on plan EPP10850 from PA-2 zone to CD-1I zone, and to rezone part of Lot A, Block 72, Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850 from Comprehensive Development One A (CD-1A) zone to CD-1F zone proceed to First and Second Reading;

That Council direct staff to schedule and advertise a statutory public hearing with respect to OCP Amendment Bylaw No. 2758, 2013 and Zoning Amendment Bylaw No. 2759, 2013 on July 15<sup>th</sup>, 2013 at 5:00 p.m. in City Hall Council Chambers; and

That Council authorize the Mayor and Director of Legislative Services to execute all legal documents necessary to affect the rezoning of the subject lands.

**PURPOSE:**

The purpose of this application is to amend the Official Community Plan and rezone the lands generally located behind Costco from CD-1F and PA-2 to a new CD-1I zone and PA-2 zone to

permit a new single family residential development. Additionally, the application proposes to transfer the equivalent commercial area from behind Costco to an expanded commercial area at the corner of Ryan and Anderton Roads. A conceptual lot layout for the proposed residential development is shown in Attachment No 2. Staff note that this layout and the road alignment are still being worked out and the final configuration may differ from what is presented.

In addition to the introduction of a new CD-II zone, the proposed bylaw will amend front and rear setbacks in the CD-1A zone as highlighted in the table below. As the CD-1A zoned areas of Crown Isle have not yet been developed these changes will not directly impact any existing residents and are supported by staff.

	Single Family		Duplex		Multi-Residential	
	Existing Setbacks	Proposed Setbacks	Existing Setbacks	Proposed Setbacks	Existing Setbacks	Proposed Setbacks
<b>Front Yard</b>	7.5 m	6.0 m	6.0 m	6.0 m	7.5 m	7.5 m
<b>Rear Yard</b>	9.0 m	7.5 m	9.0 m	7.5 m	10.0 m	7.5 m
<b>Side Yards</b>	1.5 m	1.5 m	1.5 m	1.5 m	4.5 m	4.5 m
<b>Exterior Side Yard</b>	3.0 m	3.0 m	3.0 m	3.0 m	4.5 m	4.5 m

**BACKGROUND:**

The lands between Costco and the residential properties on Elderberry Crescent and Salal Place are currently undeveloped and zoned CD-1F. This is the same zoning as Costco, the adjacent automobile dealerships and the Crown Isle shopping centre. This property is bordered on the north side by a 10m wide linear park which is intended to be developed as a walkway. The property was zoned CD-1F in 2009 to facilitate the Costco development.

The lands near the corner of Ryan and Anderton Roads are currently zoned CD-1A, a mixed residential zone that includes uses such as single family, duplex and multi family dwelling units. The area is undeveloped and is adjacent to an existing CD-1F commercial area at the corner of Ryan and Anderton, a gravel pit, and a strip of PA-2 zoned property to the north.

In general this application will “undo” some of the changes made in 2009 when residential uses were transferred from the Costco area to the Ryan and Anderton area and the commercial zoning was moved to the Costco area. Overall this application will not result in a net change to the amount of commercial floor space permitted, or in the residential unit count when compared to what is currently approved for the Crown Isle lands.

**DISCUSSION:**

Following the opening of Costco, the City has received regular noise complaints from some individuals on Elderberry Crescent related to Costco operations. Currently, the CD-1F zoning of the properties south of Elderberry Crescent and Salal Place permits additional commercial uses to be developed on these lands which may lead to increased noise complaints.

The development of residential homes in this area will act as a transitional buffer between the commercial development and the established residential area. While it is inevitable that there will be noise during the development stage of the subdivision, staff believe that once built out, the added homes and associated landscaping will further mitigate noise issues related to the Costco development.

It is important to note that the residents in the new subdivision, and particularly those on the west

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side of Crown Isle Boulevard, may be subject to noise disturbance from Costco. However, unlike the residents to the north, these new homeowners will be well aware of the existing commercial land uses when they purchase their properties. Furthermore, to assist in limiting the disturbance, the applicant will be required to extend the sound attenuation wall behind Costco from the west edge of the property to the intersection with Crown Isle Boulevard. Staff recommend that the portion of the wall on the east side of Crown Isle Boulevard be constructed when future commercial development to the south occurs.

One of the key components to the proposal is to relocate the existing 10m wide parkland dedication generally running east-west from behind the Elderberry and Salal residential properties to the south side of the development adjacent to the commercial properties. The intent of this exchange is to maintain, as much as possible, the existing trees within the area now designated as park. In this regard, the linear park is intended for a walkway to connect on the west side of the development through the Regional District water tower site to Waters Place. In order to construct the walkway in the existing park dedication, and provide adequate room for maintenance vehicles, much of the existing vegetation will need to be removed. If the amendments are approved and the parkland is relocated the existing vegetation will be protected with a restrictive covenant to prevent disturbance within the 10m strip. As noted in the attached correspondence, retention of these trees is an important issue for the residents. A conceptual plan is attached (Attachment No.3) demonstrating how the new park/trail area will be constructed.

In order to relocate the park a parkland exchange bylaw will be required. Pursuant to Section 27 of the *Community Charter*, this will involve an alternate approval process to obtain the assent of the electors, a process that will take a number of months to complete. In accordance with the provision of Section 4.4.1 of Zoning Bylaw 2500, 2007, parks may be located in any zone. Accordingly, rezoning the property in advance of consideration of the parkland exchange bylaw is recommended as it will not affect the future ability to retain the park if the parkland exchange bylaw is defeated.

The lots shown in the proposed conceptual plan are somewhat smaller than the typical Crown Isle lot. Although slightly narrower, they are consistent in size (550 to 750 square metre range) with those in the existing subdivision to the north. These smaller lots will allow Crown Isle to offer a different price point for the units on the north side of Ryan Road while still maintaining a high standard of design.

With regard to the proposed amendment near the intersection of Ryan and Anderton Roads, the surrounding area is largely undeveloped and the changes are not expected to have significant impact. At this point the applicant does not have specific plans for the site and as mentioned in the background section the intent is to have no net loss of currently permitted commercial area.

#### **PUBLIC INPUT:**

Minutes and correspondence from the applicant's neighbourhood information meeting are attached for information (Attachment No.4). The minutes indicate those in attendance were generally supportive of the change. Key issues identified were the noise from Costco and the desire to retain the vegetation in the existing parkland area. Staff recommend proceeding to public hearing to allow Council to formally hear representation from the community.

#### **FINANCIAL IMPLICATIONS:**

N/A

#### **STRATEGIC PLAN REFERENCE:**

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The proposed development supports the following Council Goals for the 2012-2014 term:

- Provide proactive leadership for growth management
- Advocate high standards of design and community aesthetics
- Support community initiatives and distinct neighbourhoods

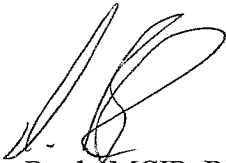
**OCP SUSTAINABILITY REFERENCE:**

The proposed development supports active transportation goals given it's proximity to commercial and recreational amenities. Adding residential uses in close proximity to a variety of current and future employment sources also provides an opportunity to assist in greenhouse gas reduction by providing an option for people to live within walking and cycling distance of work and school.

**REGIONAL GROWTH STRATEGY REFERENCE:**

The proposed development is consistent with the RGS goals and objectives to ensure a diversity of housing options to meet evolving demographics and needs, and to locate housing in core settlement areas close to existing services.

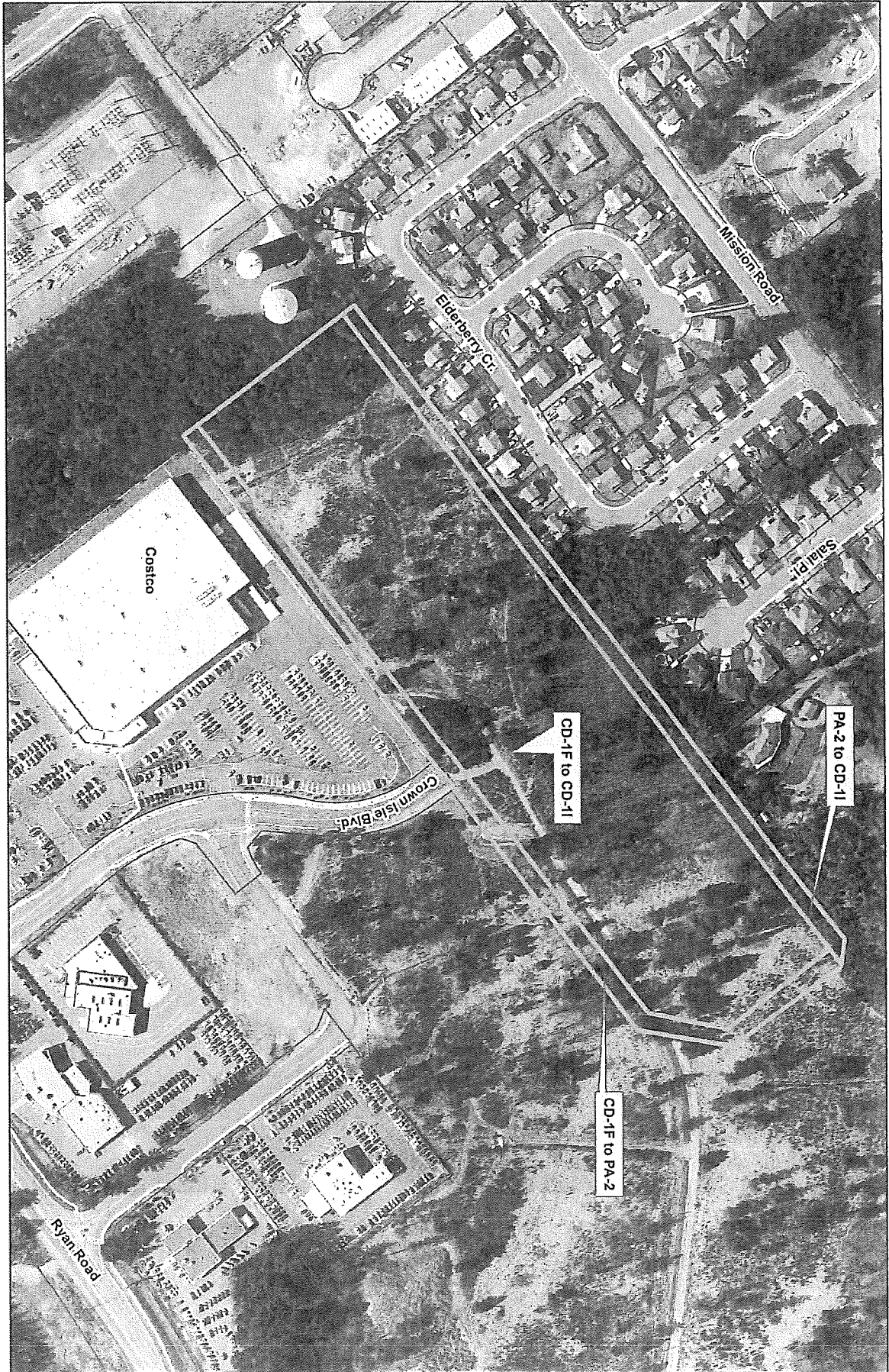
Respectfully submitted,

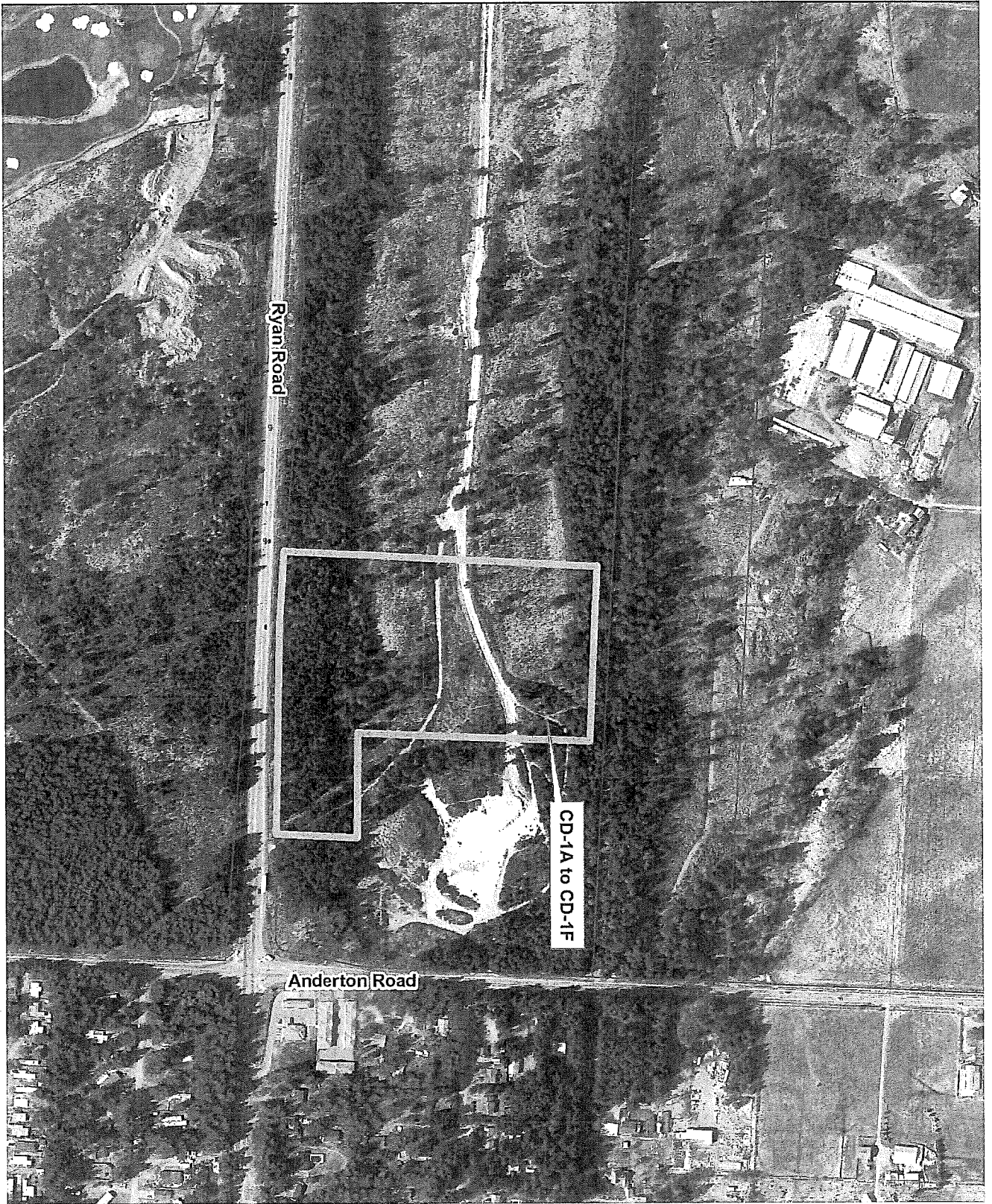


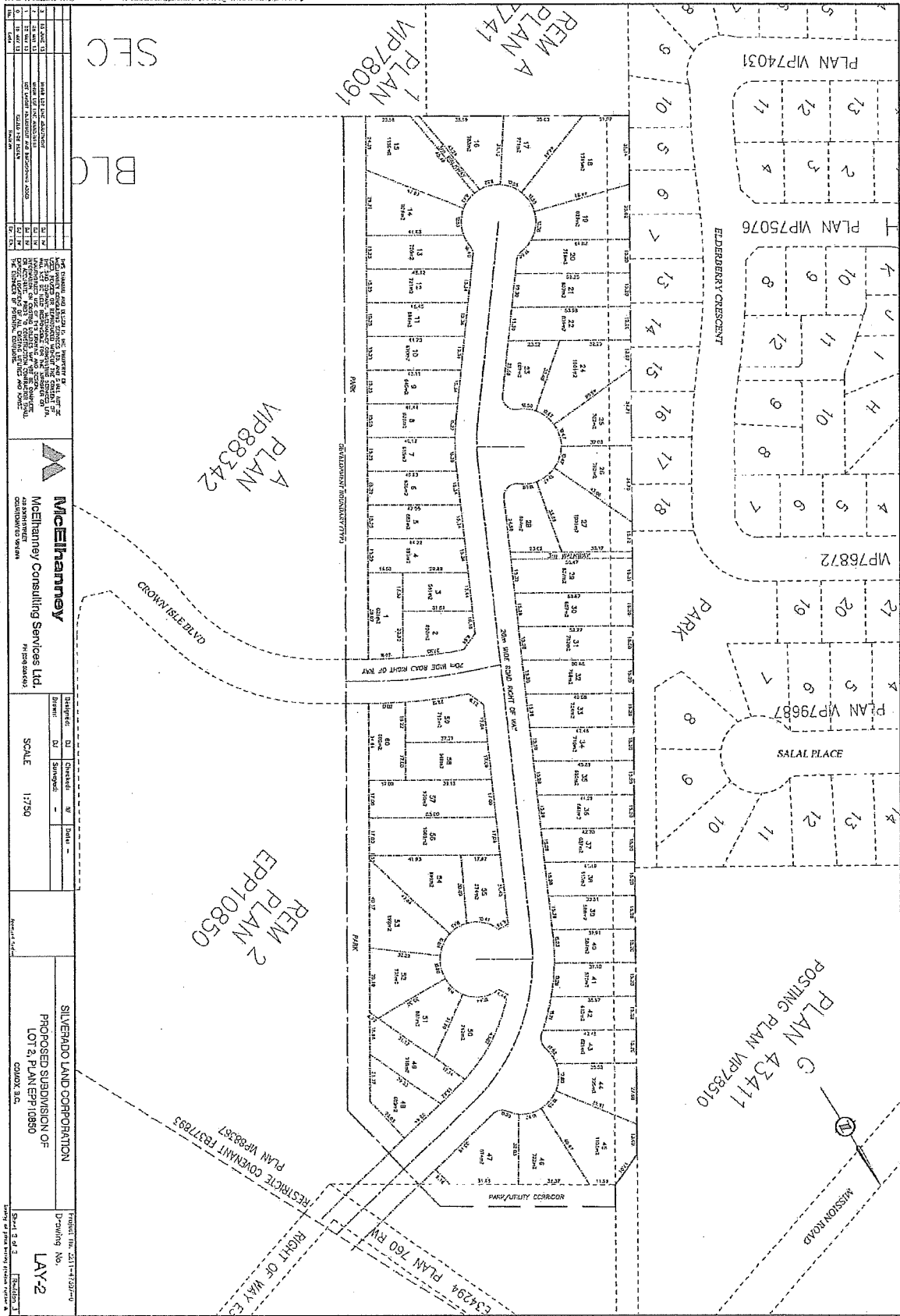
Ian Buck, MCIP, RPP  
Manager of Planning

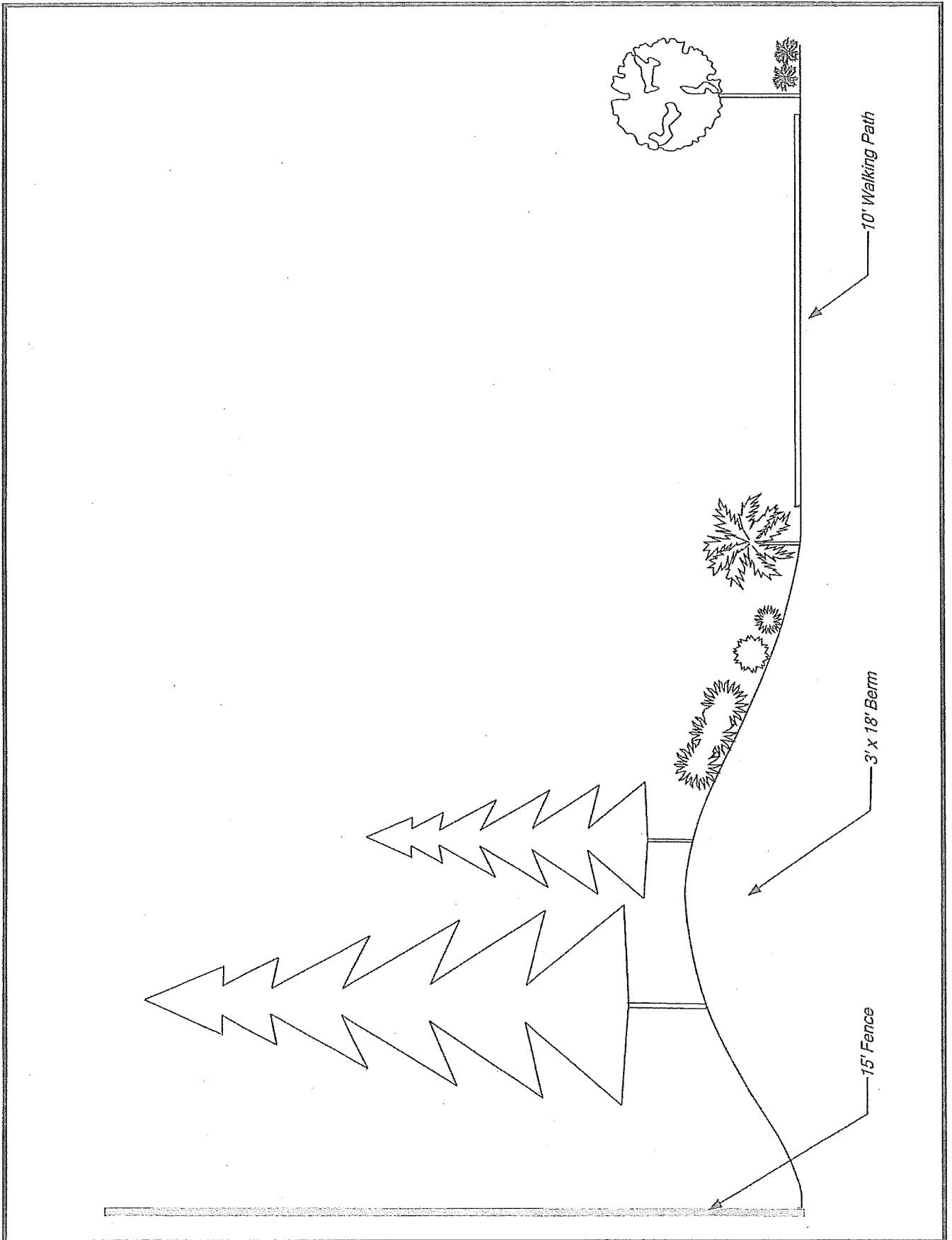


Peter Crawford, MCIP, RPP  
Director of Development Services









SILVER SAND LAND CORP.  
REPORT ON PUBLIC INFORMATION MEETING HELD ON JUNE 5, 2013  
RE: REZONING APPLICATION # 3360-20-1304

A public information meeting was held in the Copper Room at the Crown Isle Resort Clubhouse on June 5, 2013 from 6:00 - 7:00 PM.

The meeting was attended by a small group of residents (attendee lists attached) that were informed through a letter that was sent directly to a list of individual addresses provided by the City of Courtenay. Two large billboards were also erected at the end of the existing Crown Isle Blvd. roadway and on the north side of Ryan Road near Anderton Road.

Each individual residence was given a package that included the following:

OCP / Zoning Amendment Information Including:

1. Two maps outlining the areas relating to the re-zoning
2. Comment Sheet for further comment

Maps were displayed in the room and Crown Isle representatives provided information regarding the application and were available to answer questions from individuals present.

All of the attendees at the meeting were positive about the change to residential behind Costco. Shelly Leseprance-Farndon and her husband were in attendance and though generally positive about the change to residential use behind their property, explained her unhappiness over the noise coming from Costco. She provided a comment sheet prior to the information meeting and I believe some of her questions/concerns were addressed. We also received a comment sheet from Ron and Ginny Lowrie prior to the meeting and we were able to answer her questions.

## PUBLIC INFORMATION MEETING

Wednesday, June 5, 2013

# SIGN IN SHEET

FOR

## Rezoning Application

Legal Address: Lot A, Block 72, Plan 49168, Comox Land District  
and Lot 2, Block 72, Plan EPP10850, Comox Land District

Street Address: 3303 Ryan Road, Courtenay, BC  
and 601 Crown Isle Boulevard, Courtenay, BC

Name (Please Print)	Address
<del>Phil &amp; Michele Lemire</del>	<del>3301 Mission Road</del>
<del>William &amp; Lisa Greenwell</del>	<del>3301 Mission Road</del>
<b>SHELLY LEUPERANCE-FARNON</b>	<b>2949 ELDERBERRY</b>
Helen Scott	2969 " "
Dan Robson	2976 " "
<b>BOB LITTLE</b>	<b>2959 " "</b>
MYRNA HITTLE	2959 " "
WAL & PAM LEVESQUE	2984 " "

**PUBLIC INFORMATION MEETING**

Wednesday, June 5, 2013

**OCP / Zoning Amendment**

Legal Address: Lot A, Block 72, Plan 49168, Comox Land District  
and Lot 2, Block 72, Plan EPP10850, Comox Land District

Street Address: 3303 Ryan Road, Courtenay, BC  
and 601 Crown Isle Boulevard, Courtenay, BC

**COMMENT SHEET**

Name: DOUG FARINDON & STELLY LESPEANCE-FARINDON Email: Sheldou@telus.net  
Address: 2949 ELDERBERRY CREIL, COURTENAY BC Phone: (41) 897-0422

Silver Sand Land Corp. has applied to the City of Courtenay for an ocp / zoning amendment for part of Lot A, Block 72, Plan 49168, Comox Land District, and Lot 2, Block 72, Plan EPP10850, Comox Land District. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

PLEASE SEE THE ATTACHED  
3 PAGES.

Please return your comments by Friday, June 7, 2013

Comment sheets can be submitted by one of the following methods:

1. Hand your comment sheet in tonight.
2. Drop your comment sheet off at the front desk in the Clubhouse at Crown Isle (Attn: Rick Waldhaus).
3. Email your comment sheet to [rwaldhaus@crownsisle.com](mailto:rwaldhaus@crownsisle.com)



June 5, 2013

**COMMENTS AND QUESTIONS TO CROWN ISLE – RE: PROPOSED HOUSING DEVELOPMENT BETWEEN ELDERBERRY AND COSTCO**

Sound Attenuation and Noise from Costco: With the proposed housing development there are plans to put a berm with trees alongside Costco but what other sound attenuation is going to be done to make the future homes marketable? The noise from Costco starts daily anytime from 4:50 a.m. onwards and into the evenings; breaching the Nuisance Bylaw (a.k.a. Noise Bylaw) daily. Residents in the area have been voicing complaints about the noise from Costco since the store opened.

To describe just a bit of what we hear daily:

- Unloading semi-trailers, it honestly sounds like forklift loads are being dropped and not placed down.
- It sounds like forklifts are attempting to be driven through the Costco walls when semi-trucks are being unloaded with the banging the thumping. Wine glasses and dishes rattle in our cupboards and we feel the insides of our stomachs shaking.
- Semi-trucks revving up and down (engine noise), we hear the trucks coming off Ryan Road, onto Crown Isle Blvd and into Costco's loading dock area. The trucks make a big u-turn, screeching brakes, back-up beepers, honking horns, airbrakes blasting air as the brakes are released.
- The bread door for deliveries crashes and bangs (it used to be daily before 7:00 a.m.) but now they try to not use the door until 7:00 a.m.
- The garbage and cardboard compactors are not shrouded in and make a high level of noise.
- The HVAC system is better with the fans having variable speeds now and not full throttle all the time, however, there are times when the HVAC system is revving still full throttle and the sound just travels right off Costco's roof and spreads over the area and into our once quiet residential area.
- Then add in other noise, such as: when the garden centre is built and/or dismantled, snow ploughs, street sweepers, weekly pickups of the cardboard and garbage bins (banging, scraping, crashing and banging), and car alarms going off, etc....

We know the described noise will impact the future housing development as well and there is NO ESCAPING THE NOISE. This isn't noise from a random homeowner mowing their lawn, this is noise from a massive warehouse store with loading docks and compactors facing right towards a residential area. The Bylaw against unwanted noise (no noise before 7:00 a.m. or

after 8:00 p.m.) is not being enforced; does Crown Isle have the ability to create change regarding this ongoing problem?, if not the future homeowners are going to be moving into a noisy area?

**Having A True Understanding Of The Noise:** Unless a person actually lives in our area there is NO WAY someone can actually comprehend the amount of noise produced by Costco. We live on Elderberry Crescent. There needs to be a substantial buffer. Our house doesn't buffer our neighbours who live across from us; the residents who live on Huckleberry (the side of the Huckleberry Street closest to us) don't buffer their neighbours who live across from them = 4 rows of houses hear noise from Costco. Noise travels through, around, up and over and the unwanted noise just fans out because there is NO buffer between Costco and Elderberry. The Sound Study that Costco had done by Wakefield Acoustics explained for sound attenuation there needs to be sound attenuation at the issuing end of the noise and also at the receiving end. Basically describing in the Sound Study, if you can see what is creating the noise then you will hear the noise; the line of sight needs to be blocked/obstructed to block out noise.

**Building Houses Around Commercial Properties and Businesses:** As another example of noise, the Nissan Dealership uses an overhead paging system to call their staff to the phone or reception area. We hear this from our home and we live approximately 1200 + feet away from the dealership. If staff are behind Costco (even behind the "sound attenuation" wall) and are talking (just talking, not yelling) we hear the conversations when we are in our yard. The noise and sounds travel in our direction with the wind and breezes.

**Property Lines:** Where exactly does the property line start and stop for the proposed development.

1. Behind Elderberry?
2. The side facing the Hydro Substation – where is the property line?

**Proposed Fire Hall and Training Academy:** There is an eventual plan for a new Fire Hall and Fire Training Academy to be built behind the Hydro Substation off Waters Place road (off Lerwick) across from the Hospital site which means mature trees will be coming down for the development. This will open up traffic noise from Lerwick and also noise from the Hospital. With the trees coming down it will give an open view to/from the Fire Hall and Training Academy to/from the proposed housing development. This will not be too visually pleasing to the future homeowners and the development will be impacted by noise pollution. With more development more green spaces are being removed and green spaces are appealing to most

homeowners. What is the plan around this? Will future homeowners for the proposed houses be informed that the landscape will be changing with more trees coming down; it is only a matter of time before the City develops that land and it will no longer be green with trees.

**What Exactly Is Proposed To Be Built:** Are the homes single family OR single family with also secondary suites, or with carriage houses as rentals?

From Shelly Lesperance-Farndon and Doug Farndon  
2949 Elderberry Crescent  
Courtenay BC V9N 9W8  
Phone 897-0422

**PUBLIC INFORMATION MEETING**

Wednesday, June 5, 2013

**OCP / Zoning Amendment**

Legal Address: Lot A, Block 72, Plan 49168, Comox Land District  
and Lot 2, Block 72, Plan EPP10850, Comox Land District

Street Address: 3303 Ryan Road, Courtenay, BC  
and 601 Crown Isle Boulevard, Courtenay, BC

**COMMENT SHEET**

Name: RON + GIVNY LOWRIE Email: Lowrie@telus.net  
Address: 3201 MISSION ROAD Phone: 250-335-9464

Silver Sand Land Corp. has applied to the City of Courtenay for an ocp / zoning amendment for part of Lot A, Block 72, Plan 49168, Comox Land District, and Lot 2, Block 72, Plan EPP10850, Comox Land District. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions? 1. WHAT IS THE DIFFERENCE BETWEEN  
CDI-H AND CDI-IA ZONING?

2. WILL THERE BE A RAIL STATION  
FOR SUBDIVISION + WHERE?

Please return your comments by Friday, June 7, 2013

Comment sheets can be submitted by one of the following methods:

1. Hand your comment sheet in tonight.
2. Drop your comment sheet off at the front desk in the Clubhouse at Crown Isle (Attn: Rick Waldhaus).
3. Email your comment sheet to [rwaldhaus@crownsle.com](mailto:rwaldhaus@crownsle.com)



Rick Waldhaus <[rwaldhaus@crownisle.ca](mailto:rwaldhaus@crownisle.ca)>

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## OCP/Zoning Amendment Comment Sheet

1 message

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W Levesque <[wallew@shaw.ca](mailto:wallew@shaw.ca)>

Thu, Jun 6, 2013 at 5:35 AM

To: [rwaldhaus@crownisle.com](mailto:rwaldhaus@crownisle.com)

Good Day Rick: Thank you and to Jason for hosting the public info mtg yesterday evening and the opportunity to address concerns and questions with respect to Block 72 zoning amendment. Most folks realize that this rezoning will have a positive effect on many of the their current issues and welcome this rezoning proposal. This particularly after seeing the draft development scheme presented at the mtg coupled with Crown Isle's vision for the future. With the transfer of the 10m Greenway over to Costco fence line we hope that a concerted effort is made to continue with the retention and densification of that same area with mature trees including meeting the requirements of Tree Protection Area as stipulated in City regulations. Sincerely, Walt & Pam Levesque / 2989 Elderberry Cr. / 250-898-8492

**Buck, Ian**

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**From:** Crawford, Peter  
**Sent:** June-11-13 12:26 PM  
**To:** Buck, Ian  
**Subject:** FW: Block 72 rezoning Costco/Elderberry

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

**From:** W Levesque [<mailto:wallew@shaw.ca>]  
**Sent:** June-11-13 12:12 PM  
**To:** Jangula, Larry; Allen, David; Ward, John; Crawford, Peter  
**Cc:** Anglin, Bill; Hillian, Doug; Ambler, Jon; mtheos@courtenay; ca; Leonard, Ronna-Rae; Winchester, Starr  
**Subject:** Block 72 rezoning Costco/Elderberry

Good Day Mayor, City Council and Staff:

Thank you in advance for receiving input into development proposals adjacent to our properties. After careful review and neighbourhood consultation it is apparent most folks welcome the rezoning to residential from current commercial. Draft scheme as presented by Crown Isle at public meeting indicates moving 10m greenway from our fence line to Costco to provide landscaping, trail-way and buffering.

Looking at the model that Crown Isle and Sobey's Developments along with the City Engineering Dept' has already effectively implemented between Thrifty and Somerset Lane. Would the Engineering Dept' recommend a concept capturing those qualities with the exception of high concrete fencing within the PARK area as defined on the survey plan?

To surmise, a 10m Tree Protection Area with additional densification of mature trees, no trail-way, semi-public, essentially a green corridor that would emulate the one at Thrifty and Somerset Lane.

Once again, thank you and have a great and safe summer to all at City Hall. Sincerely, Walt & Pam Levesque

**Buck, Ian**

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**From:** Crawford, Peter  
**Sent:** June-11-13 8:17 AM  
**To:** Buck, Ian  
**Subject:** FW: Park and Protected Trees behind Elderberry Residents

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**From:** Little Robert [mailto:bob\_myrnalittle@shaw.ca]  
**Sent:** June-10-13 7:38 PM  
**To:** Anglin, Bill; Allen, David; Hillian, Doug; Ambler, Jon; Ward, John; Jangula, Larry; Theos, Manno; Crawford, Peter; Leonard, Ronna-Rae; Winchester, Starr  
**Cc:** [sheldou@telus.net](mailto:sheldou@telus.net); Maren and Steve; [wallew@shaw.ca](mailto:wallew@shaw.ca); Tasha Robson; Sally and Karl  
**Subject:** Park and Protected Trees behind Elderberry Residents

City Council:

The neighborhood has continually encouraged and backed Shelly's communications with City Hall....and yes, even thanked her for her selfless effort. One voice backed by all.

The neighborhood is requesting that the strip of land behind the Elderberry residents remain "park and protected trees". We decided to become proactive and not expect everything to be done for us. We have planted 72 trees.

So many changes have occurred behind our homes that are out of our control but the strip of trees would give us some noise control and help restore our property values.

The construction on Ryan / Lerwick Roads that has occurred since the completion of Costco have had proper sound attenuation in place during construction so with respect and appreciation we ask that the park land and trees behind our homes remain as park and protected.

Thank You,  
Bob and Myrna Little

3

THE CORPORATION OF THE CITY OF COURTENAY

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REPORT TO COUNCIL

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FILE #: 0400-20

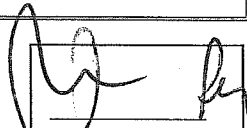
FROM: Director of Development Services

DATE: June 24, 2013

SUBJECT: Staff participation in Comox Valley Food Round Table

**C.A.O. COMMENTS/RECOMMENDATIONS:**

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



David Allen

**RECOMMENDATION:**

That Council appoint the Environmental Planner to the Comox Valley Food Round Table and that staff recommend to the Comox Valley Food Round Table that they liaise with the Agricultural Advisory Committee.

**PURPOSE:**

To inform Council of staff's recommendation regarding staff involvement in the recently formed Comox Valley Food Round Table in follow up to the Council motions (dated April 15, 2013):

*"That the request from Lush valley Food Action Society asking for City representation on the Comox Valley Food Round Table be received for information," and*

*"That staff provide a report to Council regarding the Comox Valley Food Round table request."*

**BACKGROUND:**

The Comox Valley Food Round Table (CVFRT) formed early this year with the objectives of carrying out a holistic community food assessment, creating a communication strategy, identifying community events that the Round Table can engage community members, and creating educational events.

A number of projects are currently being worked on by the CVFRT including:

- Food security gap analysis for the Comox Valley;
- Land inventory and barriers to land access in the Comox Valley;
- Development of the Vancouver Island Health Region Food Charter and Action Plan;
- Plans to conduct a series of capacity building workshops in the fall on how the various sectors of the Valley who have a role in food security might work strategically together.

Council recently adopted a motion to submit a grant to the BC Healthy Communities Capacity Building Fund in support of a series of capacity building workshops on local approaches to food security. If granted, these funds would be provided to CVFRT so that they could conduct a series of meetings to work with all relevant governments, businesses, farmers and community partners. Guiding this work are the Food Security related policies within the Regional Growth Strategy and the Comox Valley Sustainability Strategy.



CVFRT is meant to serve as a strategic body that can liaise with governments on a range of food security issues. Staff support a staff person being appointed to the CVFRT so that the City can remain current of on-going community work in this area.

**DISCUSSION:**

The City's involvement would include providing input on land use incentives and zoning implications of increased food production within the City limits including long-term policy directions in the OCP, identifying suitable public lands for potential community garden plots and exploring edible landscaping policies.

The CVFRT conducts monthly 1.5h meetings. Staff involvement will be agenda specific. Mayor and Council members are always welcome to the meetings.

*How does the CVFRT relate to the Agricultural Advisory Committee?*

The City currently has appointed an Agricultural Advisory Committee (AAC) which is intended to "provide advice to City staff and Council in regards to applications to the Agricultural Land Commission and other development applications which may impact agricultural lands within the City." Staff currently meet with the AAC as needed, generally only when pertaining to development applications. Recently, the AAC has requested that staff meet with them at a minimum bi-annually to maintain communication.

To date The AAC has not yet been involved in the CVFRT. As a body that the City already liaises with, staff recommend that the CVFRT involve the AAC to further collaborative efforts between the two bodies. Staff recognize that the two bodies are distinct in that the AAC is an advisory body to Council that advises on development applications specifically, and the CVFRT aims to serve a more holistic function looking at food security from a multi-disciplinary approach such as health, cost, economic development, education, environmental implications, and more urban approaches to food production.

**FINANCIAL IMPLICATIONS:**

N/A

**STRATEGIC PLAN REFERENCE:**

"Encourage regional partnerships", "Develop accessible, convenient, usable parks and green space", and "Promote healthy lifestyles".

**OCP SUSTAINABILITY REFERENCE:**

"The City will support food security actions within the community including ensuring that sufficient land and incentives exist to encourage the growth of local food processing facilities and industries", and "The City will encourage the provision of private garden plots in multi-residential buildings."

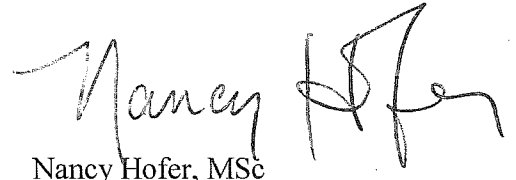
**REGIONAL GROWTH STRATEGY REFERENCE:**

"Support and encourage organizations in promoting the Comox Valley as a good place to enter the farming industry"; "Support the 'value chain' of agriculture through development of agricultural policies and uses in OCPs, to encourage food processing plants, storage and local markets"; "Support the development of a coordinated regional food security strategy".

Respectfully submitted,



Peter Crawford, RPP  
Director of Development Services



Nancy Hofer, MSc  
Environmental Planner

S:\PLANNING\Nancy Hofer\Community Groups\LUSH\Report to Council - Food Round Table.docx



4

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

**FROM:** Lesley Hatch, P. Eng.  
Municipal Engineer, Engineering Division  
Operational Services Department

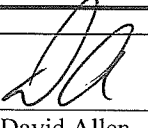
**FILE #:** 5460-05

**DATE:** June 27, 2013

**SUBJECT:** Ryan Road and Lerwick Road Intersection – Outcome of May 28 Co-operative Traffic Meeting with Ministry of Transportation and Infrastructure, RCMP and ICBC

**C.A.O. COMMENTS/RECOMMENDATIONS:**

Barring continuation with the status quo (Alternative 3), I encourage Council to Support Alternative 1, as this will have the least impact on the City's staff and financial resources, while allowing for an evaluation period following the implementation of the proposed changes.



David Allen

**RECOMMENDATION:**

1. That this report from the Municipal Engineer Ryan Road and Lerwick Road Intersection discussions be received; and
2. That Council endorse and direct staff to pursue one of the following actions relating to the intersection:

Alternative 1: MoTI Proposed Upgrades

Proceed with proposed intersection upgrades, as recommended by the Ministry of Transportation and Infrastructure (MoTI), to install a protected left turn signal on Ryan Road (east and westbound) understanding that the signal modification may add 20 – 30 seconds to the intersection signal timing cycle (MoTI will undertake, administer and cover all costs of this upgrade project).

AND

Obtain a written commitment from MoTI to review the function of this modification and report back to the City within 1-year of the operational change, i.e. MoTI's satisfaction of the operating levels of the intersection, and commentary on the need for any further intersection timing adjustments to optimize this turning movement and the associated Level of Service.

AND

Work with ICBC on an educational campaign to promote safe driving habits. ICBC has committed to provide promotional materials and support staff in coordinating public engagement opportunities.

### Alternative 2: Consultant Safety Review

Engage an independent consultant at the City's expense to undertake a safety review of the intersection. A budget amendment is required to re-allocate funds to undertake this project as it is not currently listed in the 2013 Capital Budget. Staff priorities will also have to be re-assessed to accommodate this unplanned work.

### Alternative 3: Status Quo

Council is satisfied with the intersection function as it stands today. No further action required.

## **PURPOSE:**

This report is in response to Council's resolution on May 6, 2013:

*"Moved by Winchester and seconded by Ambler that Council request a staff report regarding the intersection of Lerwick Road and Ryan Road, subsequent to the upcoming Co-op Traffic Meeting"*

## **BACKGROUND:**

The intersection of Ryan Road and Lerwick Road is under the control and authority of the Ministry of Transportation and Infrastructure (MoTI). Only the Ministry can approve changes to the operation and design of the intersection, despite it being geographically located within City limits. In order to maintain communication and coordination of initiatives throughout the City, staff meets bi-monthly with Ministry, RCMP and ICBC representatives to discuss upcoming projects and review concerns observed from our respective operations (i.e. "Co-op Traffic Meeting").

This past spring, the City received a number of citizen inquiries seeking action by the City to improve this intersection. These inquiries were triggered by a recent vehicle collision at the intersection and supported by a history of collisions over the years.

In early May and in response to these inquiries, staff met with MoTI and RCMP representatives to gauge an understanding of the collisions RCMP had observed first hand and to collaborate on a meaningful solution. Various opportunities were discussed and it was determined that MoTI would investigate the merits a protective left turn signal on Ryan Road because of the speeds observed on Ryan and the potential for a more serious collision as a result of the turning movement conflict. A protected left turn only permits this movement to occur from Ryan Road onto Lerwick Road when the signal is green and all other traffic is stopped; no left turns permitted when traffic is travelling straight through the intersection.

At the end of May, in the Co-op Traffic Meeting, MoTI reported back on their analysis of installing this new signal operation. The analysis showed that the majority of the traffic movements through the intersection have negligible or no impact by this change during peak periods. The most significant change is the delay created by the left turn movement on Ryan Road.

As a result of being protected, the level of service of this left turning movement transitions from a "B" to a "D"; with *Level of Service (LoS)* being the measure of the volume of traffic to the capacity of the vehicle movement. It has a 6 – letter range from A (best) to F (worst) and typically represents the delay a driver will experience at an intersection. It is desirable to operate in the "B", "C" and/or "D" level of service range, as "A" reflects an over-design of the intersection with no delays and at "E" the intersection is beginning to reach its capacity. It is also important to note that each LoS has an acceptable range of the criteria through which it operates. It is not a finite trigger, and even at a "D" level of service, the turning movement has additional capacity within which to operate and maintain this level.

The protected left turn will result in an overall increase for the current signal timing of 20 – 30 seconds.

## **DISCUSSION:**

Ministry of Transportation is recommending the installation of the protected left turn movement on Ryan Road at Lerwick Road with an additional recommendation to review the function of this improvement once in effect. In endorsing this recommendation, the City is accepting that the signal timing at the intersection will increase by 20 – 30 seconds from current conditions and delays will be felt from the left turning movements from Ryan Road onto Lerwick Road.

This proposed protected turning movement is also reflective of the recommendations that resulted from the 2011 Traffic Impact Study for the Sobeys/Thrifty's Development, and the safety review undertaken for the Ryan/Lerwick intersection as part of this report. Safety improvements instituted as part of this site development included:

- A longer section of two lanes southbound on Lerwick Road (west side of Lerwick from Ryan to beyond Thrifty's signal)
- Longer left turn lane on the south leg (i.e. northbound Lerwick Road to westbound Ryan Road)
- Raised median on the east leg (i.e. Ryan Road, east of Lerwick Road)

In addition, ICBC representatives have identified an opportunity for City staff to partner with them on their 2013 educational campaign. This Road Safety Campaign focuses on driver awareness topics such as intersection/high risk driving, impairment, and distractions. With the support of ICBC, specific messaging around the Ryan/Lerwick corridor will be developed and rolled out to the public over the next few months.

There has been a significant amount of commentary around the potential for a round-about at this intersection. Conversion of the intersection to this format was not part of the solutions discussed with MoTI at the Co-op traffic Meeting for several reasons:

- City staff had confirmed with industry traffic engineers that the traffic volumes at this location border on the need for a 3-lane round-about. Lerwick Road is an arterial corridor for the City that supports cycling and pedestrian links in addition to vehicle traffic. A 3-lane round-about no longer permits pedestrian crossing at the intersection due to the width of the approaching travel lanes. Dedicated pedestrian crossing facilities would be required. Cycling route modifications would need to be implemented to divert cyclist around the intersection which is a key access point to the College, recreational facilities and the future hospital site, as well as several local commercial facilities. This is counter intuitive to the public's desire for multi-modal transportation options within the Valley and the City's desire to encourage such alternatives.
- The round-about would require additional land acquisition on all four corners of the intersection to construct the centre infrastructure as well as the approaches. The intersection is approximately 80 metres wide (i.e. considering it as a box with 4 corners/ the widest part of the intersection representing the available land). The basic turning movements and surface infrastructure for a 3-lane round-about has a diameter of approximately 90 metres, but it's closer to 100m across with boulevards and sidewalks. This doesn't consider widening of the approaches to the intersection where the roadway is currently much narrower or the extent of the new road right-of-way that would be necessary to accommodate those works.
- This corridor contains several signalized intersections within a few kilometres of each other in both north-south and east-west directions. Traffic safety is paramount in intersection design; having a consistent level of expectation of the road layout and function, supports drivers in navigating the road. Setting a round-about amid a series of signals could be problematic for drivers.

- Over the past few years a significant amount of money has been invested by the City, on behalf of the taxpayers, and by the development community in upgrading the signalized intersection and adjacent road infrastructure including additional safety improvements as noted above. Most of this surface work would be lost in a retrofit of the intersection as geometric changes are needed to accommodate a round-about. Consideration would also need to be given to the relocation of existing underground utilities in the intersection to maintain reasonable access.

The proposal for the protected left-turn signals on Ryan Road is endorsed by MoTI traffic engineers and supports increased safety for this turning movement. Staff is seeking Council's endorsement for this alternative.

**FINANCIAL IMPLICATIONS:**

No financial implications for Alternative 1 or 3. Financial implications for Alternative 2 are unknown at this time.

**STRATEGIC PLAN REFERENCE:**

No direct reference on this subject.

**OCP SUSTAINABILITY REFERENCE:**

No direct reference on this subject.

**REGIONAL GROWTH STRATEGY REFERENCE:**

No direct reference to this subject.

Respectfully submitted,



Lesley Hatch, P.Eng.,  
Municipal Engineer

**Minutes of City of Courtenay Agricultural Advisory Committee  
held June 12, 2013 at 10:30 a.m. in the Engineering Meeting Room**

FOR  
INFO.

**Present: Andrea Burch, John Grayson (Chair), George Hamilton, Gerry McClintock,  
Wendy Prothero,**

**Regrets: Sandra Mark**

**Staff: Peter Crawford, Director of Development Services**

CALL TO ORDER           The meeting was called to order at 10:30 a.m.

BEAVER MEADOW FARMS   The Committee was updated on the boundary extension which occurred in March 2013 for the Beaver Meadow Farm properties.

The Committee discussed:

- Impact of development in the vicinity of Ryan and Lerwick Roads on the lower farm lands
- Source water for agricultural lands needs to be examined and protected
- Mapping of the Quadra Sands would be helpful

APPLICATION FOR REZONING - CVRD

The Committee was updated on the Comox Valley Regional District's application for rezoning to allow a recycling centre as a permitted use on publicly owned lands at 4795 Headquarters Road (Comox Valley Fairgrounds). Attached are three separate letters from members of the Agricultural Advisory Committee outlining reasons for opposition to the request for rezoning.

The Committee also expressed concern over:

- Anti-agricultural use
- Unsightly
- Conflicts with other uses on this property
- Will detract from the Farmer's Markets
- Not suitable for land in the ALR
- Location does not follow sustainable land use objectives

Motion:

The Agricultural Advisory Committee recommends denial of the application for rezoning from the CVRD at 4795 Headquarters Road as the subject lands are not appropriate for the location of a recycling depot.

**Carried Unanimously**

LOCAL PLANS FOR LOCAL FOODS

The Committee discussed:

- Means to encourage more initiatives for food production
- Valued added food processing, examine provisions of zoning bylaw to be more permissive
- Smaller lots for farming is not the way forward
- There is a strong history of supporting local growers in the Comox Valley
- Want to anticipate agricultural needs
- Provide support and voice to other Agricultural Advisory Committees



- Look into bringing in a speaker on provincial initiatives regarding agriculture and what local groups can do
- Location of Farmer's Market
- Review application fees as it pertains to development for the agricultural industry

OTHER

The consensus of the Committee was to have two meetings a year ideally in May and November to review applications or matters on agriculture.

ADJOURNMENT

Meeting was adjourned at 11:45 a.m.



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Peter Crawford, MCIP, RPP  
Director of Planning Services

To: Corporation of the City of Courtenay  
830 Cliffe Ave., Courtenay BC V9N 2J7

May 24, 2013

From: George Hamilton  
1814 Greive Ave., Courtenay B.C. V9N 2W7

Re: Planning Referral File 3360-20-1305é3060-20-1305 – Non Farm Use Headquarters Road.

This is personal commentary on the above as requested. Further commentary may result if an Agriculture Advisory Committee is called.

The application should not be approved

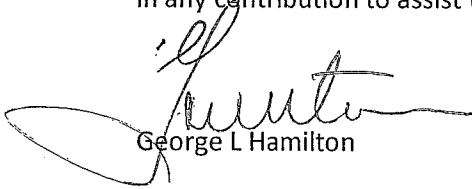
Firstly: The soils of the subject property are one of the highest in the valley and enjoy a favourable climatic conditions from location and elevation.

Secondly: The present scale of the site provides for alternate agricultural uses. This not only relates to soils, size, and services, but its central location to meet marketing product conditions.

Thirdly: The intended usage has little advantage to the agricultural community. The needs of agriculture in terms of conditions on biomass material and agriculture waste products, such as plastics, is not presented, and does not exist in the existing public recycling depots.

In principal the use is intended to meet the needs of population that is marginally agriculture. In effect the type of use proposed probably should be located in the areas that provide the main reason for its usage.

Fourthly: The concept of converting agriculture lands to an obvious higher economic use is not reflected in any contribution to assist the agriculture land and operational base.



George L Hamilton

PLANNING  
CITY OF COURTENAY

City of Courtenay  
by email

May 28, 2013

**Re: Planning referral RZ1305 & DP1305 4795 Headquarters Road**

I would like you to be aware of my opinion that this application be turned down at the city and not forwarded to the Land Commission for the following reasons:

1. The site sits on some of the best agricultural land in the Comox Valley that could in the future be reclaimed for ag use if required. We personally have done so on 2 sites that we have acquired and added to our operation.
2. It would set a precedent of local government viewing unused ALR land as a cheap solution for an urban problem.
3. The site is currently used by the Farmers' Market for their Saturday market parking from April-Sept. and would reduce available parking and increase congestion with non-market goers and those dropping off recyclables. It would also affect the Fall Fair; both of which are ag uses of the property.
4. The Regional District has never supported recycling of ag waste (i.e. binder twine, silage plastic) so it would be no benefit to the farm community.
5. Its location would attract scavengers from the local area which would not be attractive to market patrons.
6. It would cause more carbon dioxide emissions as the residential users of the bins would all have to drive out of town to use it. It is not a green location.

I think the bins should be sited in some commercial zoned property central to the urban population who are the target users.

Yours truly,

Gerry McClintock

Andrea Burch  
Agric. Advisory Committee  
3499 Dove Creek Rd.  
Courtenay BC V9J 1P3

May 23, 2013

Re: Planning Referral RZ1305 & DP1305-4795 Headquarters Rd. Proposed Recycling facility

Attention: Susan Blamire

After reviewing the proposal for a recycling depot on that parcel, I have concluded that the application for the parcel to be used for non-farm use in the ALR should be denied for the following reasons: The parcel applied for continues to have excellent potential for agriculture purposes: good soil, access to water and proximity to markets and services. The parcel in application is adjacent to land being used for both primary agriculture and land uses that support agriculture; the Farmer's Market, the CV Exhibition grounds and the Compost Education Centre. A recycling depot does not support or complement any of these activities. It will detract from the existing beauty of the parcel.

With the removal of the Regional District office from the site, the potential of the site to further support agriculture in the valley was recognized. The location of the Compost Education Centre is a beginning. The recycling depot, a light industrial activity, will be a detriment to the land rather than an enhancement for agriculture.

The parcel itself and the surrounding area are heavily used at peak times of the years, April to October. Adding additional traffic and strain to the land in the ALR does nothing to further agriculture and agriculture supporting activities in the area. Current uses of adjacent land could not continue without negative effects with a recycling depot beside them. The CV Fall Fair, the Farmer's Market and Compost Education would suffer unnecessary inconvenience and competition for space. The space for the above events is already limited and strained.

The site is in close proximity to the Tsolum River, a river that is slowly being restored after years of polluting activity. A recycling depot would detract from the beauty of the river and surroundings as well as do nothing to contribute to the river's continued restoration.

Mostly, using ALR for a recycling depot is highly unnecessary with more appropriate sites for recycling available. Both commercial or light industrial parcels, not suitable for agriculture, nor in the ALR, readily accessible to the public are far better suited for a recycling depot. I encourage the CVRD to look for a parcel outside the ALR for a recycling depot.

**\*ALR parcels within the city, with potential for agriculture are of course, extremely rare. The need to preserve them should therefore, be a priority for the city. These ALR parcels are of great importance to the current and future population, a vibrant economy, the sustainability of farming and beauty of the region.**

Sincerely,  
Andrea Burch



**Ward, John**

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**From:** Commission office - BC-CB [BC-CB@rfed-rcf.ca]  
**Sent:** June-18-13 10:14 AM  
**To:** Ward, John  
**Subject:** Federal Electoral Boundaries Commission

FOR  
INFO.

Dear Mr. Ward,

The Commission has received the letter dated June 12, 2013 from the Legislative Services Department of the Corporation of the City of Courtenay. Unfortunately, the time for public submissions ended in October 2012.

The Commission is required to follow the process set out in the *Electoral Boundaries Readjustment Act*. More information on this Act and the redistribution process can be found on our website: [www.federal-redistribution.ca](http://www.federal-redistribution.ca)

The Commission received a large number of submissions throughout the summer and fall of 2012 and heard presentations from hundreds of people at public hearings. There was a public hearing held in Courtenay on October 15, 2012. The Commission carefully considered these submissions and presentations and tabled a report on electoral boundaries in Parliament in January 2013.

The Commission is currently considering MP objections to these proposed boundaries.

The Commission expects to finalize its report on boundaries by early July. After translation by Elections Canada, the report will be tabled in Parliament. As soon as the final report has been tabled, it will be available on our website, with maps and legal descriptions of the new federal electoral boundaries which will be in place for the next federal election.

Best regards,  
Susan McEvoy

Secretary  
Federal Electoral Boundaries  
Commission for British Columbia

Secrétaire  
Commission de délimitation des  
circonscriptions électorales fédérales  
pour la Colombie-Britannique





for info

VANCOUVER ISLAND PERFORMANCE YOUTH RACING SQUAD

June 12, 2013

Via Electronic Mail

City of Courtenay,  
Mayor and Council

On behalf of the VIPYRS Cycling Team and indeed the sport of cycling in British Columbia, I wish to convey our sincere thanks to you for supporting this key youth racing initiative in our province.

Over the past several years, youth cycling in this province has been in a steady state of decline. Your generous support has made it possible to set a new standard for youth only racing in our province that we anticipate will spread to other communities in the future.

In particular, I would like to thank the City of Courtenay Public Works and Engineering departments for their technical support that lead to a very smooth running Criterium race in Downtown Courtenay. The athletes and coaches were extremely impressed with the layout of the course and the superior road surfaces. Keir, Richard, Terri and Wendy were a pleasure to work with and very thorough.

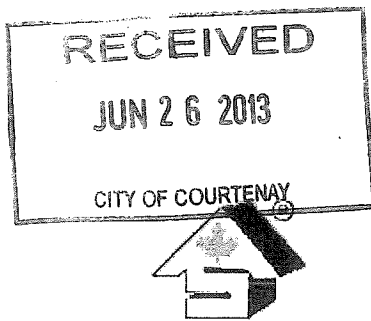
Once again, thank you for recognizing the significance of this event and sharing our vision together with the rest of our very proactive community.

Yours truly,

Steve Grant  
Race Director  
President, VIPYRS  
(250) 337-1997  
[shgrant@telus.net](mailto:shgrant@telus.net)







*NEW BUSINESS*

**St. John the Divine Abbeyfield House Society**  
994 8th Street, Courtenay, BC V9N 9G1  
Tel. (250) 338-6311

BC Registered Society No. S-27511  
Charitable Reg. No: 89000 1662 RR0001

June 25, 2013

Abbeyfield House is submitting an application for funding from the New Horizons for Seniors Program. Abbeyfield House was built in 1997. The kitchen is the heart of the house and after 16 years of intense use it requires renovation. Our grant application is for funding for the renovation of the kitchen and the installation of new flooring.

One requirement of the grant application process is to include letters of support from community groups. We are hoping that you would be willing to provide a letter of support for us. The timelines on this grant application is very tight and if you are willing to provide a letter we would need to receive it by July 5. If possible please email your letter to our Board Chair, Mary-Ann McCrea. [maryann158@live.ca](mailto:maryann158@live.ca)

Here is some information about Abbeyfield that you might find helpful:

- The sole purpose of our Society is to provide affordable supportive housing for seniors.
- Abbeyfield House provides seniors who are relatively well but who no longer feel comfortable living alone, with a supportive, family-style living situation where each individual's basic needs are met and loneliness and isolation are prevented. The residence typically operates at full capacity with a waiting list.
- The home is centrally located allowing the residents access to activities in the city of Courtenay.
- Abbeyfield House is not a care facility, and we do not receive any form of government funding from either the provincial or federal government.
- The monthly charge per resident is \$1650 per month, which includes all meals, lodging, utilities and full cable TV. The only additional cost to our residents is for telephone.
- Abbeyfield House opened its doors in 1997 and served over 70 residents and their families
- In addition, Abbeyfield is sensitive to the needs of lower income seniors. When a suitable applicant for a vacancy is clearly unable to afford the standard rent, the Society will provide a subsidy to address the needs. Currently we are subsidizing one resident in this way.

Sincerely, 

Mary-Ann McCrea  
[maryann158@live.ca](mailto:maryann158@live.ca)





New  
B.C.

June 26, 2013

Dear Mayors and Regional District Chairs:

As we prepare for the upcoming UBCM Convention at the Vancouver Convention Centre in September, I wanted to let you know that my caucus colleagues and I are looking forward to listening to the discussions around the issues and initiatives that affect your communities. We will review and consider all of your recommendations with regard to provincial government matters and incorporate them into our discussions.

As governments at every level face difficult economic times, the theme of the 2013 Convention, *Navigating the Local Landscape*, and the symbol of *The Compass*, are good metaphors. Together you will identify the best course of action to navigate through the global economic downturn. Your discussions will guide you and your successes will be instructive.

If you would like to request a meeting with me or a Cabinet Minister on a specific issue during this year's convention, please fill out the online form at <http://www.fin.gov.bc.ca/UBCM/>. The invitation code is MeetingRequest2013 and it is case sensitive.

I look forward to seeing you at the 2013 UBCM Convention. If you have any questions, please contact my UBCM Meeting Request Coordinator, Tara Zwaan, at 604-775-1600.

Sincerely,

A handwritten signature in black ink that reads "Christy Clark".

Christy Clark  
Premier



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2758

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. 2758, 2013**”.
2. That Official Community Plan Bylaw No. 2387, 2005 be amended as follows:
  - a) By changing the land use designation of part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 from Commercial and Commercial Shopping Centre to Mixed Use as shown on Attachment A attached hereto and forming part of this bylaw;
  - b) By changing the land use designation of part of the Park dedication on Plan EPP10850 from Commercial to Mixed Use as shown on Attachment A attached hereto and forming part of this bylaw;
  - c) By changing the land use designation of part of Lot A, Block 72, Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850 from Mixed Use to Commercial as shown on Attachment B attached hereto and forming part of this bylaw; and
  - d) That Map #2, Land Use Plan be amended accordingly;
2. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 2<sup>nd</sup> day of July, 2013

Read a second time this 2<sup>nd</sup> day of July, 2013

Considered at a Public Hearing this            day of            , 2013

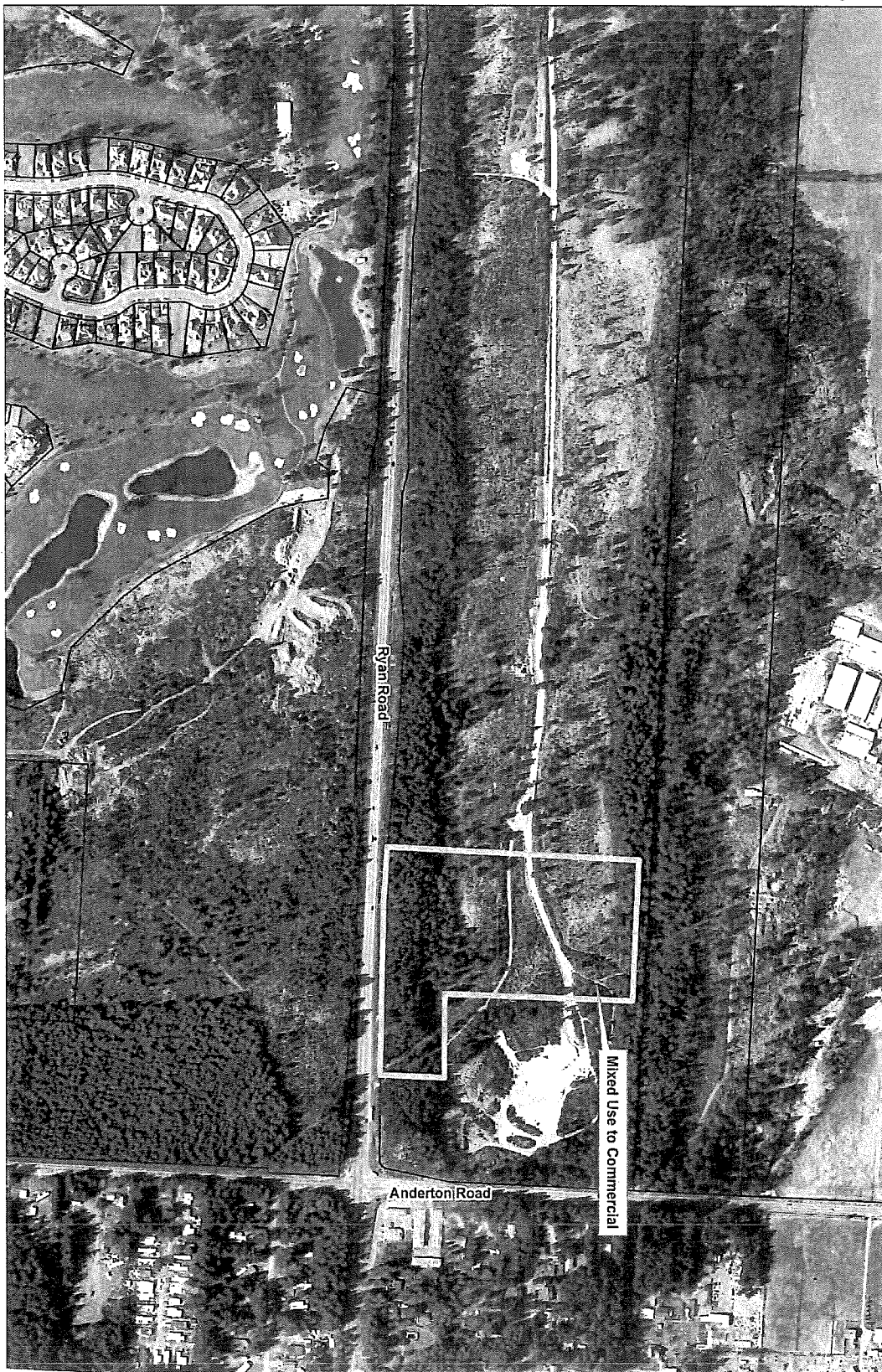
Read a third time this            day of            , 2013

Finally passed and adopted this            day of            , 2013

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Legislative Services









THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2759

A bylaw to amend Corporation of the City of Courtenay 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. 2759, 2013**”.
2. That Part 31 – Comprehensive Development One Zone (CD-1) of “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - (a) by amending Section 8.32.2 by adding the following:

“(7) Within the portion of Block 72 identified as Area I on the CD-1 Zone

    - (a) Single residential dwellings
    - (b) Multi residential dwellings
    - (c) Accessory buildings and structures
    - (d) Boarding
    - (e) Home occupation”;
  - (b) by amending Section 8.32.3 (1)(a) to read “Single residential dwellings: 418 dwelling units within 39.5 hectares”;
  - (c) by amending Section 8.32.3 to add the following:

“(7) Within Area I:

    - (a) Approximately 59 single family and multi residential dwellings within 5.81 hectares”;
  - (d) By amending Section 8.32.6 to add the following:

“(8) Area I: 465m<sup>2</sup> for single family residential  
1600m<sup>2</sup> for multi residential”;
  - (e) by replacing the Table in Section 8.32.9 (1) as follows:

<i>Type of Building</i>	Front Yard	Rear Yard	Side Yard	Exterior Side Yard
<b>AREA A</b>				
<i>Single residential lot</i>	6.0 m	7.5 m	1.5 m	3.0 m
<i>Duplex lot</i>	6.0 m	7.5 m	1.5 m	3.0 m
<i>Multi residential</i>	7.5 m	7.5 m	4.5 m	4.5 m
<b>AREAS B - F</b>				
<i>Single residential lot</i>	7.5 m	9.0 m	1.5 m	3.0 m
<i>Duplex lot</i>	6.0 m	9.0 m	1.5 m	3.0 m
<i>Townhouse dwelling</i>	7.5 m	7.5 m	4.5 m	4.5 m
<i>Care facility</i>	7.5 m	10.0 m	4.5 m	4.5 m
<i>Multi residential</i>	7.5 m	10.0 m	4.5 m	4.5 m
<i>Commercial</i>	6.1 m	1.75 m	0	4.5 m
<i>Light industrial</i>	6.0 m	12.0 m	3.0 m	4.5 m
<i>Clubhouse</i>	7.5 m	7.5 m	7.5 m	7.5 m
<b>AREA G</b>				
<i>Single residential lot</i>	6.0 m	7.5 m	1.5 m	3.0 m
<i>Duplex lot</i>	6.0 m	7.5 m	1.5 m	3.0 m
<i>Townhouse dwelling</i>	7.5 m	7.5 m	4.5 m	4.5 m
<b>AREA H-I</b>				
<i>Single residential lot</i>	6.0 m	7.5 m	1.5 m	3.0 m
<i>Multi residential</i>	7.5 m	7.5 m	4.5 m	4.5 m

- That part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 be rezoned from Comprehensive Development One F (CD-1F) zone to Public Use and Assembly Two (PA-2) zone and Comprehensive Development One I (CD-1I) zone as shown on Attachment A attached hereto and forming part of this bylaw.

4. That part of the Park dedication on plan EPP10850 be rezoned from Public Use and Assembly Two (PA-2) zone to Comprehensive Development One I (CD-1I) zone as shown on Attachment A attached hereto and forming part of this bylaw.
5. That part of Lot A, Block 72, Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850 be rezoned from Comprehensive Development One A (CD-1A) zone to Comprehensive Development One F (CD-1F) zone as shown on Attachment B attached hereto and forming part of this bylaw.
6. That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.
7. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 2<sup>nd</sup> day of July, 2013

Read a second time this 2<sup>nd</sup> day of July, 2013

Considered at a Public Hearing this            day of            , 2013

Read a third time this                            day of            , 2013

Finally passed and adopted this            day of            , 2013

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Legislative Services

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

\_\_\_\_\_  
Larry Park







# THE CORPORATION OF THE CITY OF COURTENAY

## BYLAW NO. 2749

### A bylaw to regulate Street Entertainers in the City of Courtenay

WHEREAS Council recognizes that the arts, which include talented Street Entertainers, contribute to a vibrant and healthy urban environment;

AND WHEREAS Council wishes to provide for a regulatory scheme that is designed to encourage performance by talented Street Entertainers under conditions that minimize the potential for conflict and nuisance to the public and other people living and working in areas where Street Entertainers perform;

AND WHEREAS Council is authorized, under the *Community Charter*, to regulate business and the use of highways and other public places within the City of Courtenay;

AND WHEREAS Council is authorized, under the *Community Charter*, to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community.

THEREFORE BE IT RESOLVED that the Council of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Street Entertainers Regulation Bylaw No. 2749, 2013**”

#### INTERPRETATION

2. In this Bylaw, unless the context otherwise requires:

“**City**” means the City of Courtenay.

“**Dangerous props**” means items used by a Street Entertainer or Street Entertainer Group during a performance that could constitute a threat to public safety or cause injury to members of the public including but not limited to swords, knives, fire and chainsaws.

“**DCBIA**” means Downtown Courtenay Improvement Association.

“**Peace Officer**” includes a member of the Royal Canadian Mounted Police and a Bylaw Enforcement Officer appointed from time to time by resolution of Council.

“**Restricted Entertainer Location**” means a location where music or noise from any performance, amplified or not, that creates sound audible beyond 75 metres from that location is prohibited. Restricted Entertainer Locations are set out on the Street Entertainers location maps attached to this bylaw as Schedule “A”.



**“Special Event”** means, where permitted verbally or in writing by the City or , an activity or event undertaken in a public place including, but not limited to, a festival, concert, carnival, sport or other competition, tournament, derby, wedding, group picnic, group celebration, procession, performance, exhibition, ceremony, organized gathering or social, recreational event, convention, workshop, meeting, sales event, kiosk or concession.

**“Street Entertainer”** includes a musician or performer who entertains the public in or adjacent to a highway or other place open to the public and who receives or has an expectation of receiving a gratuity or other donation from one or more members of the public.

**“Street Entertainment Group”** includes two or more Street Entertainers who entertain the public as a group in or adjacent to a highway or other place open to the public and who receives or has an expectation of receiving a gratuity or other donation from one or more members of the public.

**“Street Entertainment Permit”** means a permit issued under Permit Requirements in this bylaw to a Street Entertainer or Street Entertainment Group.

**“Unrestricted Entertainer Location”** means a location where music or noise from any performance, amplified or not, that creates sound audible beyond 75 metres from that location is permitted. Unrestricted Entertainer Locations are set out on the Street Entertainers location maps attached to this bylaw as Schedule “A”.

### **APPROVAL PROCESS - AUDITION**

3. Prior to a permit being issued, street entertainers are required to perform at an audition conducted by representatives of the DCBIA. Street Entertainer Permits will only be issued with the approval of the DCBIA subsequent to an audition. Video auditions will be accepted.

### **PERMIT REQUIREMENTS**

4. Street Entertainer Permits shall be issued to individuals or, in the case of a Street Entertainment Group, to one individual of that group.
5. Each permitted Street Entertainer and each individual in a Street Entertainment Group will be issued an identification badge which must be clearly displayed to the public while the Street Entertainer or Street Entertainment Group is performing.
6. Each Street Entertainment Group will have all group members endorsed on the permit.
7. Each Street Entertainment Group may only entertain when two or more individuals endorsed on the permit are performing together.
8. A Street Entertainer Permit will be valid for twelve (12) months from the date of issue.

9. Each Street Entertainer or Street Entertainment Group shall pay Street Entertainer Permit fees as prescribed in Schedule "B" attached to and forming part of this bylaw.
10. Despite any Street Entertainer Permit issued or anything in this bylaw, the Director or a Peace Officer may, at any time, with or without written notice, require a Street Entertainer or Street Entertainment Group to vacate an entertainer location to accommodate:
  - (a) A Special Event; or
  - (b) Operational or emergency activities or works related to services or lands of the City such as, but not limited to, maintenance, closures, repairs, installations or construction or other safety or emergency planning activities carried out by the City of Courtenay.
11. As a condition of issuing a Street Entertainer Permit, each Street Entertainer or Street Entertainment Group must take part in an orientation, to be conducted by the City, of the Street Entertainer Locations and their use.
12. The Director may impose conditions on a Street Entertainment Permit for continuing to hold a Street Entertainment Permit where such conditions are related to the interference with or obstruction of vehicular or pedestrian traffic or any other public safety manner.

## **REGULATIONS**

### **Permits Required**

13. No person, Street Entertainer or Street Entertainment Group shall perform:
  - (a) as a Street Entertainer without first obtaining a valid Street Entertainer Permit;
  - (b) as part of a Street Entertainment Group without being endorsed on the permit;
  - (c) as an individual if endorsed on a Street Entertainment Group, unless holding an individual Street Entertainer Permit;
  - (d) without displaying the identification badge issued to the Street Entertainer or Street Entertainment Group;
  - (e) while their Street Entertainer Permit or Street Entertainer Group Permit has been suspended.

### **Locations**

14. No person, Street Entertainer or Street Entertainment Group shall perform:
  - (a) in any location on public property within the City of Courtenay except those Entertainment locations identified in Schedule "A" of this bylaw;
  - (b) in any restricted Entertainment Location where the human voice or musical instrument is audible beyond 75 meters.

## **Times of Performances**

15. No person, Street Entertainer or Street Entertainer Group shall perform:
- (a) in any Entertainment Location before 10:00 a.m. or after 10:00 p.m. seven days a week;
  - (b) in any Entertainment Location for a single continuous time exceeding two (2) hours per day;
  - (c) in any Entertainment Location on the same day where the same Street Entertainer or Street Entertainment Group has already performed or has vacated the location;

## **Amplification**

16. No person, Street Entertainer or Street Entertainer Group shall perform:
- (a) with any amplification except with non-acoustical instruments;
  - (b) with more than one amplifier;
  - (c) with any amplification other than with battery operated amplifiers that do not exceed 15 watts;
  - (d) with any amplification that utilized more than one speaker at any restricted or unrestricted location;
  - (e) with any amplification of the human voice at any restricted or unrestricted location;
  - (f) with any amplification that is audible beyond 75 metres from any restricted entertainer location.

## **General**

17. No person, Street Entertainer or Street Entertainer Group shall perform:
- (a) unless in compliance with all provisions of this bylaw;
  - (b) without removing all litter and/or garbage generated by the performance;
  - (c) if obstructing the free passage of pedestrian or permitted bicycle traffic in any way as determined by a Peace Officer;
  - (d) if soliciting for money, verbally or otherwise, in any way other than having an open container for donations at the entertainer location;
  - (e) and sell any recordings or other depictions of their own performance unless doing so during a performance at an entertainer location;
  - (f) or continue to perform when directed by the Director or a Peace Officer to vacate an entertainer location;
  - (g) at any entertainer location during or for the duration of any event that has been scheduled to take place by the City or any organization that has been permitted by the City to hold an event or rent a park, unless permitted to do so by the City or event organizer;
  - (h) using profanity;
  - (i) while consuming alcohol or illegal drugs or while under the influence of alcohol or illegal drugs during performances;

- (j) using props in a manner that could injure or cause damage to a member of the public; or
- (k) using dangerous props.

### **Suspension or Cancellation of Permit**

- 18. The Director is authorized to suspend or cancel the Street Entertainment Permit of any Street Entertainer or Street Entertainer Group where there is reasonable cause.
- 19. The Director is authorized to suspend or cancel the Street Entertainer Permit of any Street Entertainer or Street Entertainer Group who fails to comply with this bylaw or a condition of the Street Entertainer Permit on two occasions or more within any single twelve month period.
- 20. A Street Entertainer Permit issued to a Street Entertainment Group may be suspended or cancelled where one or more persons endorsed in that Street Entertainer Permit fails to comply with this bylaw or a condition of the Street Entertainer Permit on two occasions or more within any single twelve month period.
- 21. Street Entertainers and Street Entertainment Groups must pay all outstanding fines levied under this bylaw before a suspended Street Entertainer Permit will be reinstated.
- 22. If a Street Entertainer Permit is cancelled, a new application will not be accepted until after one year from the date of cancellation of the previous permit held by that Street Entertainer.
- 23. If a Street Entertainer Permit is cancelled, a new application will not be accepted until all outstanding fines levied under this bylaw are paid in full.

### **ENFORCEMENT AND PENALTIES**

#### **Designation of Bylaw**

- 24. This Bylaw is designated under Section 264 of the *Community Charter* as a bylaw that may be enforced by means of a Municipal Ticket Information in the form prescribed.

#### **Designation of Enforcement Officers**

- 25. Peace Officers and Bylaw Enforcement Officers are designated to enforce this bylaw by means of a Municipal Ticket Information under Section 264 of the *Community Charter*.

#### **Ticketing for Offences**

- 26. The words or expressions listed in Schedule "C" in the 'description of offence' column are authorized to be used on a ticket issued under Section 264 of the *Community Charter* to designate an offence against the respective section of this bylaw appearing opposite in the section column. The amounts appearing in the MTI fine column are the fines set

pursuant to Section 264 of the *Community Charter* for contravention of the respective section of the Bylaw appearing opposite in the section column.

27. A person or persons who contravenes, violates or fails to comply with any provision of this bylaw, or who suffer or permits any act or thing to be done in contravention or violation of this bylaw, or who fails to do anything required by this bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$10,000.00 and not less than the fines prescribed in Schedule "C" of this bylaw, the cost of prosecution and any other penalty or order imposed pursuant to the Community Charter (British Columbia) or the Offence Act (British Columbia) as amended from time to time. Each day that an offence against this bylaw continues or exists shall be deemed to be a separate and distinct offence.

#### **Schedules**

28. The schedules in this bylaw form part of the bylaw and are enforceable in the same manner as the bylaw.

#### **Severability**

28. If any section or provision of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the validity of the remainder of the bylaw shall not be affected.
29. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 10<sup>th</sup> day of June, 2013

Reconsidered, amended and read a second time this 2<sup>nd</sup> day of July, 2013

Read a third time this 2<sup>nd</sup> day of July, 2013

Finally passed and adopted this    day of        2013

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Mayor

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Director of Legislative Services

Schedule A to bylaw No. 2749, 2013



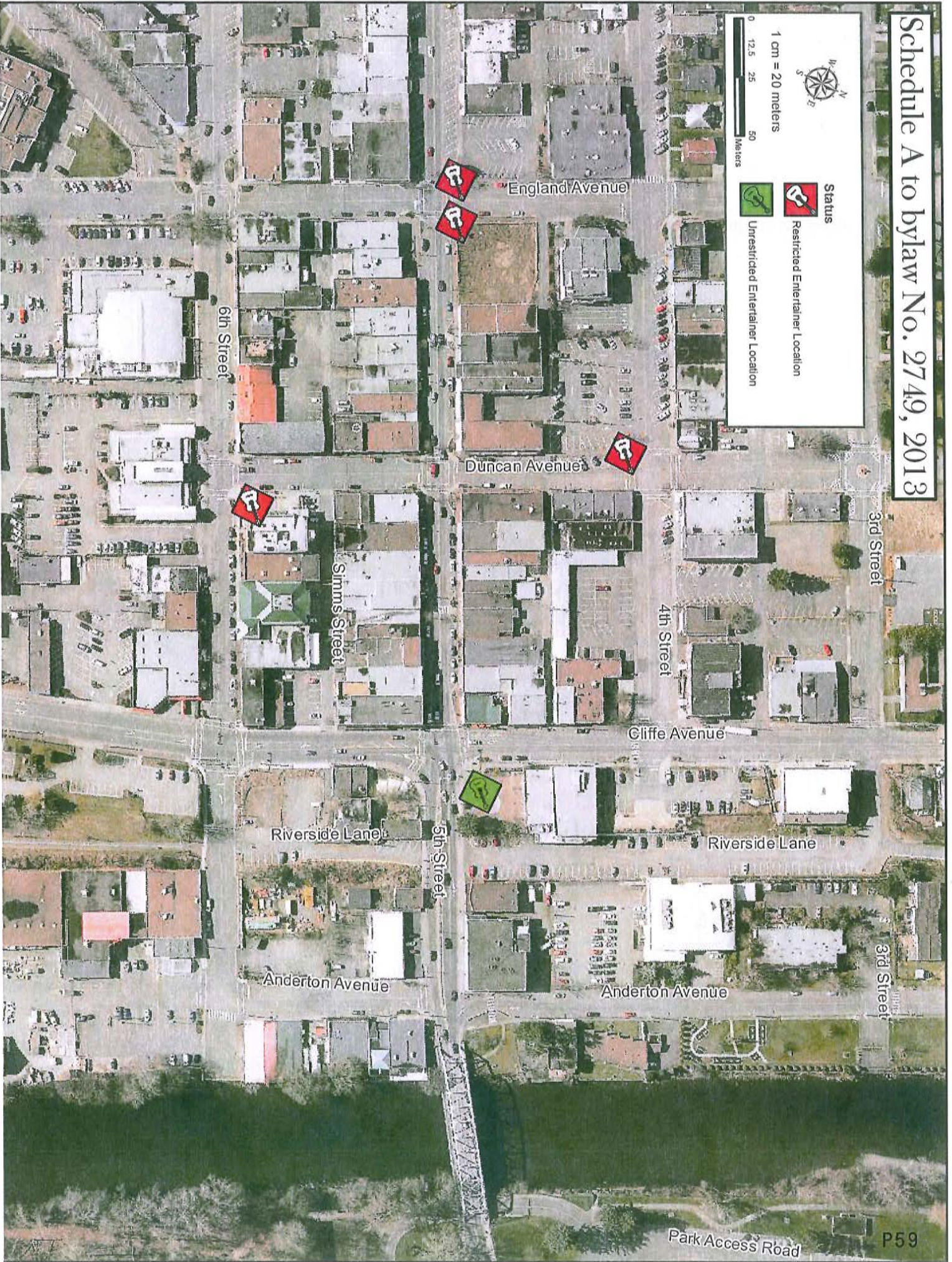
1 cm = 20 meters



Restricted Entertainer Location



Unrestricted Entertainer Location



**Street Entertainers Regulation Bylaw No. 2749, 2013**

**SCHEDULE "B"**

**FEE SCHEDULE**

Street Entertainer or Street Entertainment Group Permit	\$25.00
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**Street Entertainers Regulation Bylaw No. 2749, 2013**

**SCHEDULE "C"  
FINE SCHEDULE**

DESCRIPTION OF OFFENCE	BYLAW SECTION	MTI FINE
Perform without a Street Entertainer Permit	12 (a)	\$75.00
Perform without endorsement on permit	12 (b)	\$50.00
Perform as individual from Street Entertainer Group	12 (c)	\$50.00
Perform without displaying badge	12 (d)	\$50.00
Perform when permit is suspended	12 (e)	\$75.00
Perform in unauthorized location	13 (a)	\$50.00
Noise audible beyond 75 metres from a restricted location	13(b)	\$50.00
Perform during prohibited time	14 (a)	\$50.00
Perform exceeding two hours	14 (b)	\$50.00
Perform in same location when prohibited	14 (c)	\$50.00
Perform in more than one location on same day	14 (c)	\$50.00
Amplify an acoustical instrument	15 (a)	\$50.00
Perform with more than one amplifier	15 (b)	\$50.00
Use amplifier that is not battery operated or is more than 15 watts	15 (c)	\$50.00
Amplify more than one speaker	15 (d)	\$50.00
Amplify voice during a performance	15 (e)	\$50.00
Amplification audible 75 meters from a restricted location	15 (f)	\$50.00
Fail to comply with bylaw	16 (a)	\$50.00
Fail to remove litter or garbage	16 (b)	\$50.00
Obstruct pedestrian or bicycle traffic	16 (c)	\$50.00
Solicit for money	16 (d)	\$50.00
Sell recordings other than at performance	16 (e)	\$50.00
Perform when directed to vacate	16 (f)	\$50.00
Perform during event where prohibited	16 (g)	\$50.00
Perform using profanity	16 (h)	\$50.00
Perform while using or under the influence	16 (i)	\$50.00
Perform in a dangerous manner	16 (j)	\$50.00
Perform with dangerous props	16 (k)	\$50.00



