

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

DATE: October 17, 2016
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt October 3, 2016 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

Pg #

4.00 STAFF REPORTS/PRESENTATIONS

(a) Development Services

- 1 1. Appointment of Approving Officer and Deputy Approving Officer

(b) Engineering Services

- 5 2. Acadia on the Walk Development – Latecomer Agreement
- 19 3. Project Watershed Simms Millennial Park Fish Habitat Enhancement

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 23 1. Green Communities Committee re: Corporate Greenhouse Gas Emissions
- 27 2. Heritage Advisory Commission Minutes

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 29 1. Memorandum re: Annual Volunteer Appreciation Dinner

7.00 REPORTS FROM COUNCIL MEMBERS REGARDING CITY RELATED ACTIVITIES INCLUDING REPORTS FROM COUNCIL AND EXTERNAL COMMITTEES

8.00 RESOLUTIONS OF COUNCIL

In Camera Meeting:

That notice is hereby given that a Special In-Camera meeting closed to the public will be held October 17, 2016 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 31 1. The Salvation Army request to waive DCC's
- 33 2. CVRD-Utility collaboration report – standing committee on potable water, wastewater, rainwater and drainage

Recommendation: That Council direct staff to prepare a discussion paper, for consideration at the October 31, 2016 Committee of the Whole meeting

12.00 BYLAWS

For Third Reading and Final Adoption

- 37 1. “Official Community Plan Amendment Bylaw No. 2856, 2016”
(change land use at 963 Webb Road from Suburban Residential to Commercial)
- 39 2. “Zoning Amendment Bylaw No. 2857, 2016”
(rezone 963 Webb Road from Residential One A to Multiple Use One Zone)

13.00 ADJOURNMENT



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3000-01

From: Chief Administrative Officer

Date: October 17, 2016

Subject: Appointment of Approving Officer and Deputy Approving Officer

PURPOSE:

The purpose of this report is to rescind the appointments of the current Approving Officer and Deputy Approving Officer and appoint a new Approving Officer and Deputy Approving Officer.

CAO RECOMMENDATIONS:

That based on the October 3, 2016 staff report "Appointment of Approving Officer and Deputy Approving Officer" Council approve Option 1 and:

1. Rescind the appointment of Graham Savage as the City's Approving Officer and Rich Feucht as the City's Deputy Approving Officer; and
2. Appoint Rich Feucht as the City's Approving Officer and Ian Buck as the City's Deputy Approving Officer.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Section 77 of the Land Title Act states:

- (1) For land within a municipality, the municipal council must appoint a person as an approving officer.
- (2) An approving officer appointed under this section must be
 - (a) the municipal engineer,
 - (b) the chief planning officer,
 - (c) some other employee of the municipality appointed by the municipal council, or
 - (d) a person who is under contract with the municipality.

DISCUSSION:

Mr. Rich Feucht, P.Eng was hired by the City as Development Engineer in October 2015 following the restructure of the Development Services Department to include the Subdivision and Development Servicing function. At that time Mr. Feucht completed the School for Statutory Approving Officers course through the Municipal Administration Training Institute (MATI) and has spent the last year gaining a solid understanding of the legislative and administrative requirements required for subdivision approval. During the past year Mr. Graham Savage has been in the role of Approving Officer with Mr. Feucht acting as the Deputy. Over that last few months however, the City’s reliance on Mr. Savage has diminished substantially and Mr. Feucht has all but in title taken on the role of Approving Officer.

Mr. Ian Buck, Director of Development Services completed the MATI Approving Officer course in 2010 and has previously acted in both the Deputy and Approving Officer role for the City of Campbell River.

Staff is confident the in house expertise exists and that contracting the Approving Officer position to an external contractor is no longer necessary. It is recommended that Mr. Feucht be appointed Approving Officer and Mr. Buck be appointed Deputy Approving Officer.

FINANCIAL IMPLICATIONS:

In 2016 the City budgeted \$12,000 for the contract Approving Officer function. With Mr. Feucht taking on the majority of the work only \$1,855 has been spent to date. With the appointment of Mr. Feucht and Mr. Buck to the Approving Officer and Deputy positions there will no longer be a need to contract out this function. However, with the added responsibilities there will be slight wage increases which have yet to be determined.

ADMINISTRATIVE IMPLICATIONS:

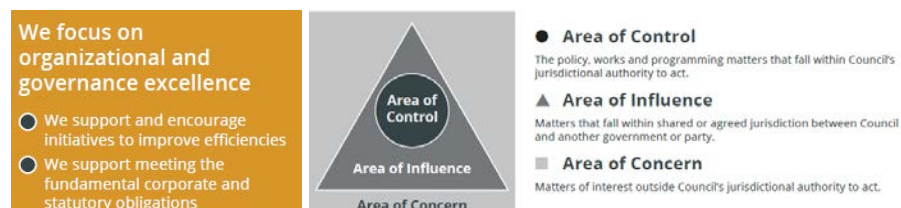
The role of Approving Officer is statutory in nature. The time commitment associated with this role is proportional to the quantity of subdivision applications received and is incorporated into the duties of the Development Engineer.

ASSET MANAGEMENT IMPLICATIONS:

The approving officer role is responsible for accepting new City infrastructure through the approval of new development. Once approved these assets are turned over to Public Works and Services as in-service assets that require ongoing maintenance and repair.

STRATEGIC PRIORITIES REFERENCE:

Appointment of the Approving Officer Function to in-house staff aligns with Council’s Strategic Priority to focus on organizational and governance excellence. This is within Council’s area of control and will support improving efficiencies in the subdivision approval process in addition to meeting the fundamental statutory obligations of the Land Title Act.



OFFICIAL COMMUNITY PLAN REFERENCE:

Not specifically referenced.

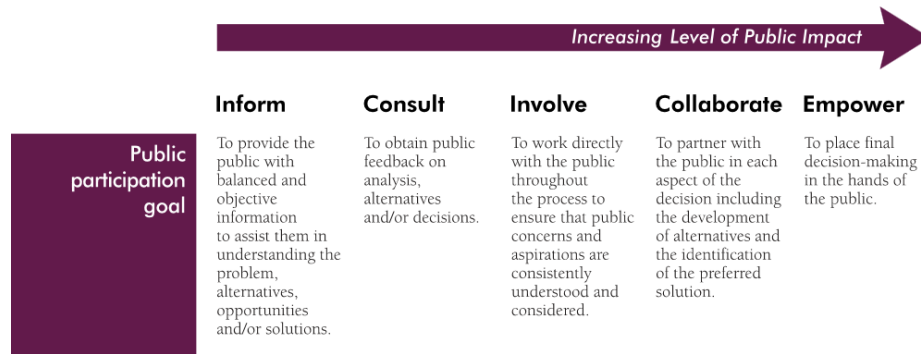
REGIONAL GROWTH STRATEGY REFERENCE:

Not specifically referenced.

CITIZEN/PUBLIC ENGAGEMENT:

Staff will inform the public based on the IAP2 Spectrum of Public Participation:

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf



OPTIONS:

- Option 1: Rescind the appointment of Graham Savage as the City's Approving Officer and Rich Feucht as the City's Deputy Approving Officer; and
Appoint Rich Feucht as the City's Approving Officer and Ian Buck as the City's Deputy Approving Officer. (**recommended**)
- Option 2: Maintain the current contracted Approving Officer and Deputy Approving Officer
- Option 3: Request staff report back with alternative options for the Statutory Approving Officer function.

Prepared by:

Ian Buck, MCIP, RPP
Director of Development Services



STAFF REPORT

To: Mayor and Council

File No.: 3320-30-LA1501

From: Chief Administrative Officer

Date: October 17, 2016

Subject: Acadia on the Walk Development – Latecomer Agreement LA1501 (Sewer Service)

PURPOSE:

The purpose of this report is for Council to consider a latecomer agreement with the developer of Acadia on the Walk apartment (Anfield Road) for the cost recovery of upgrading a portion of the sewer improvements constructed as part of the servicing requirements for this development.

CAO RECOMMENDATIONS:

That based on the October 17th, 2016 staff report entitled, “Acadia on the Walk Development – Latecomer Agreement LA1501 (Sewer Service)” Council approve option 1 authorizing the Mayor and Director of Legislative Services to sign all documentation relating this latecomer agreement.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

In 2015, Veyron Properties Group Ltd. (Inc. No. BC0924064) constructed the Acadia on the Walk apartment complex on the corner of Cliffe Avenue and Anfield Road. The building permit requirements for servicing this development included upgrading a portion (98 metres) of the City’s existing sanitary sewer system between the development and the Mansfield Drive sewage lift station. This utility improvement included sufficient capacity for future development in the south Courtenay area. Therefore, under Division 11 section 508 of the Local Government Act, the developer is entitled to enter into a Latecomer Agreement with the municipality to recover the costs incurred for the excess or extended services.

DISCUSSION:

The additional sewer capacity installed through the Veyron Properties’ development will benefit approximately eight parcels of land in South Courtenay, including lands along Christie Parkway and future phases of the Ridge Development. Through the Latecomer Agreement, those parcels that develop over the next 15 years will pay their proportionate share of the initial sewer installation cost to the City. The City will transfer these sums back to Veyron Properties.

The Latecomer Agreement has a term of 15 years. Development that occurs after this period will no longer be subject to the latercomer fee.

FINANCIAL IMPLICATIONS:

All costs incurred to establish the agreement have been paid by the developer.

ADMINISTRATIVE IMPLICATIONS:

City staff will administer this latecomer agreement and are responsible for collecting and remitting the fees to the developer in accordance with the terms of the agreement. Staff' time to undertake this work is part of the City's regular course of business and is considered statutory.

STRATEGIC PLAN REFERENCE:

None.

OFFICIAL COMMUNITY PLAN REFERENCE:

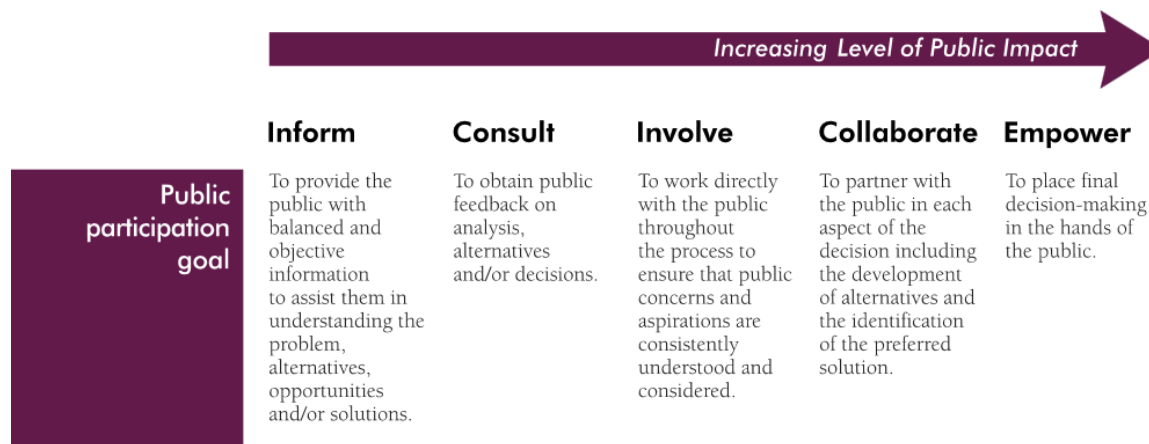
None.

REGIONAL GROWTH STRATEGY REFERENCE:

None.

CITIZEN/PUBLIC ENGAGEMENT:

Through a Notice on Title, staff will **inform** those land owners affected by the established latecomer agreement. The inform level of engagement is based on the IAP2 Spectrum of Public Participation: http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf



OPTIONS:

- Option 1 Council authorize the Mayor and the Director of Legislative Service to sign the documentation relating to the Latecomer Agreement LA1501 (**Recommended**)
- Option 2 Council does not authorize the Mayor and the Director of Legislative Service to sign the documentation relating to the Latecomer Agreement LA1501

Prepared by:



Lesley Hatch, P.Eng.
Director of Engineering Services

Attachment(s):

1. *Attachment No. 1 : Latecomer Agreement LA1501*

LATECOMER AGREEMENT – LA1501

THIS AGREEMENT dated for reference the 30 day of May, 2016.

BETWEEN:

THE CORPORATION OF THE CITY OF COURTENAY

having its municipal offices at
830 Cliffe Avenue
Courtenay, BC V9N 2J7

(the "Municipality")

OF THE FIRST PART

AND:

VEYRON PROPERTIES GROUP LTD. (Inc. No. BC0924064)

7120 Gold River Highway
Campbell River, B.C., V9H 1P1

(the "Owner")

OF THE SECOND PART

GIVEN THAT:

- A. The Owner has applied to the Municipality to provide works in a Statutory Right of Way east of Cliffe Avenue in accordance with the Municipality's subdivision and development bylaw and in particular to provide sanitary sewer facilities that will serve the Benefiting Lands defined in this Agreement;
- B. A portion of the sanitary sewer facilities (herein defined as Excess or Extended Services) will also serve the Benefiting Lands herein defined;
- C. The Municipality considers that its costs to provide the Excess or Extended Services in whole or in part are excessive, and requires the Owner, as owner of the Lands, and the owners of the Benefiting Lands to pay the cost of the Excess or Extended Services;
- D. The Municipality is authorized to enter into this agreement under section 507 of the *Local Government Act*;
- E. The Council of the Municipality has by way of Bylaw No. 2005, set the rate of interest referred to under section 508(4) of the *Local Government Act* and in paragraph 4 of this Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the mutual covenants and agreements made by each of the parties to the other as set out in this Agreement, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Municipality and the Owner covenant and agree as follows:

Interpretation

1. In this Agreement
 - a. "Benefiting Lands" means each of the lands shown on Exhibit "B" attached hereto which lands may be connected to the Excess or Extended Services after Completion of the Excess or Extended Services;
 - b. "Completion" means the date of the Substantial Completion on the Construction Completion Certificate signed by the Municipality's Development Engineer certifying that the Excess or Extended Services have been completed to the standards and specifications set out in the bylaws of the Municipality, such that the Excess or Extended Services have been fully tested, are functional, and can be used for their intended purpose when the system becomes operational, all to the satisfaction of the Municipality's Director of Engineering & Public Works, in the form attached hereto as Exhibit "C";
 - c. "Excess or Extended Services" means that portion of the sanitary sewer main and related appurtenances installed by the Owner in the Statutory Right of Way located east of Cliffe Avenue more particularly described in Exhibit "A" attached hereto, that serves the Benefiting Lands;
 - d. "Lands" means those certain lands owned by the Owner and legally described as PARCEL A (BEING A CONSOLIDATION OF LOTS 1 TO 4, SEE CA3699181) SECTION 67 COMOX DISTRICT PLAN 9900, EXCEPT PART IN PLAN EPP5358653586; and
 - e. "Latecomer Charges" means charges imposed by the Municipality under section 508 of the *Local Government Act* in respect of the Benefiting Lands, in the amounts set out in respect of each parcel of the Benefiting Lands in the fifth column of Exhibit "B" under the heading "Latecomer Charge".

Charges for Latecomer Connections or Use

2. The Municipality must pay the Latecomer Charges to the Owner, in respect of the Excess or Extended Services only if and to the extent the charges are paid by the owners of Benefiting Lands and collected by the Municipality during the period commencing on Completion, up to and including 15 years subsequent to Completion.
3. If any payment under section 2 is returned to the Municipality unclaimed by the Owner, then the Municipality shall hold all monies collected until the expiry of this Agreement. After the expiry of this Agreement, all such unclaimed funds shall be retained by the Municipality with a claim being made thereto by the Owner or any of its successors.

Interest

4. There shall be included in the Latecomer Charges imposed on the owners of Benefiting Lands, interest calculated annually at a rate prescribed by Bylaw No. 2005, payable for the period commencing on Completion, up to the date that the connection is made, and if paid by the owners of Benefiting Lands and collected by the Municipality during the period referred to in paragraph 2, the interest shall be paid to the Owner.

Assignment or Transfer of Owner's Rights

5. In the event of the assignment or transfer of the rights of the Owner voluntarily, or by operation of law, the Municipality's Financial Officer may pay any benefits accruing under this Agreement, after notice, to such successor of the Owner as the Municipality's Financial Officer, in his judgment, deems entitled to such benefits. In the event of conflicting demands being made on the Municipality for benefits accruing under this Agreement, then the Municipality may at its option commence an action in interpleader joining any party claiming rights under this Agreement, or other parties which the Municipality believes to be necessary or proper, and the Municipality shall be discharged from further liability on paying the person or persons whom the court having jurisdiction over such interpleader action shall determine, and in such action the Municipality shall be entitled to recover its reasonable legal fees and costs, which fees and costs shall constitute a lien upon all funds accrued or accruing pursuant to this Agreement.

Indemnity

6. The Owner covenants not to sue the Municipality, its administrators, successors, assigns, directors, officers, agents, employees, servants, tenants, solicitors, consultants, and anyone else for whom the Municipality is in law liable, by reason of or arising out of or in any way connected with any error, omission, or conduct of the Municipality in relation to the Excess or Extended Services, including, without limiting the generality of the foregoing, a failure of the Municipality to pass a resolution, enact a bylaw, enter into an agreement, impose a charge, calculate a charge correctly, or collect a charge under Section 508 of the *Local Government Act*.

Termination

7. This Agreement shall expire and shall be of no further force and effect for any purpose on the earlier of:
 - (a) the payment of the Latecomer Charges by the Municipality to the Owner for all the Benefiting Lands under paragraph 2 of this Agreement; and
 - (b) 15 years subsequent to Completion.

and thereafter the Municipality shall be forever fully released and wholly discharged from any and all liability and obligations under this Agreement, or howsoever arising pertaining to the Excess or Extended Services, and whether arising before or after the expiry of this Agreement.

8. Paragraphs 5 to 17 shall survive the termination of this Agreement.

Owner Representation and Warranty

9. The Owner represents and warrants to the Municipality that the Owner has not received, claimed, demanded, or collected money or any other consideration from the owners of the Benefiting Lands for the provision, or expectation of the provision of the Excess or Extended Services, other than as contemplated and as provided for under this Agreement; and further represents and warrants that the Owner has not entered into any agreement with the owners of the Benefiting Lands for consideration in any way related to or connected directly or indirectly with the provision of the Excess or Extended Services.

Miscellaneous

10. Time is of the essence.
11. Any notice required by this Agreement will be sufficiently given if delivered by courier or registered mail to the parties at the addresses first above written.
12. This Agreement will ensure to the benefit of and be binding on the parties hereto and their respective successors and assigns.
13. The laws of the Province of British Columbia shall govern this Agreement.
14. This Agreement constitutes the entire agreement between the Municipality and the Owner with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations, and discussions, whether oral or written of the Municipality with the Owner.
15. No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement. Waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
16. A reference in this Agreement to the Municipality or the Owner includes their permitted assigns, heirs, successors, officers, employees and agents.
17. The Owner represents and warrants to the Municipality that:
 - (a) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into and performance of this Agreement;

- (b) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and binding contractual obligation of the Owner;
- (c) neither the execution and delivery, nor the performance, of this Agreement breaches any other agreement or obligation, or causes the Owner to be in default of any other agreement or obligation, respecting the Lands; and
- (d) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

IN WITNESS WHEREOF the parties have set their hands and seals on the day and year first above written.

SIGNED by the authorized signatories of)
THE CORPORATION OF THE)
CITY OF COURTENAY)

_____)
Mayor: Larry Jangula)

_____)
Director of Legislative Services: John Ward)

SIGNED by the authorized signatory of)
VEYRON PROPERTIES GROUP LTD.)
(Inc. No. BC0924064))



_____)
Brett Cameron Giese)

Exhibit "A" – Excess or Extended Services

PROJECT LOCATION: Statutory Right of Way east of Cliffe Avenue

LOCATION OF FRONTENDER SERVICES BENEFITTING LANDS OUTSIDE FRONTENDER (EXTENSION WORKS):

Approximately 98 metres of 250mm diameter PVC sanitary sewer main, and appurtenances, located east of Cliffe Avenue south of Mansfield Drive.

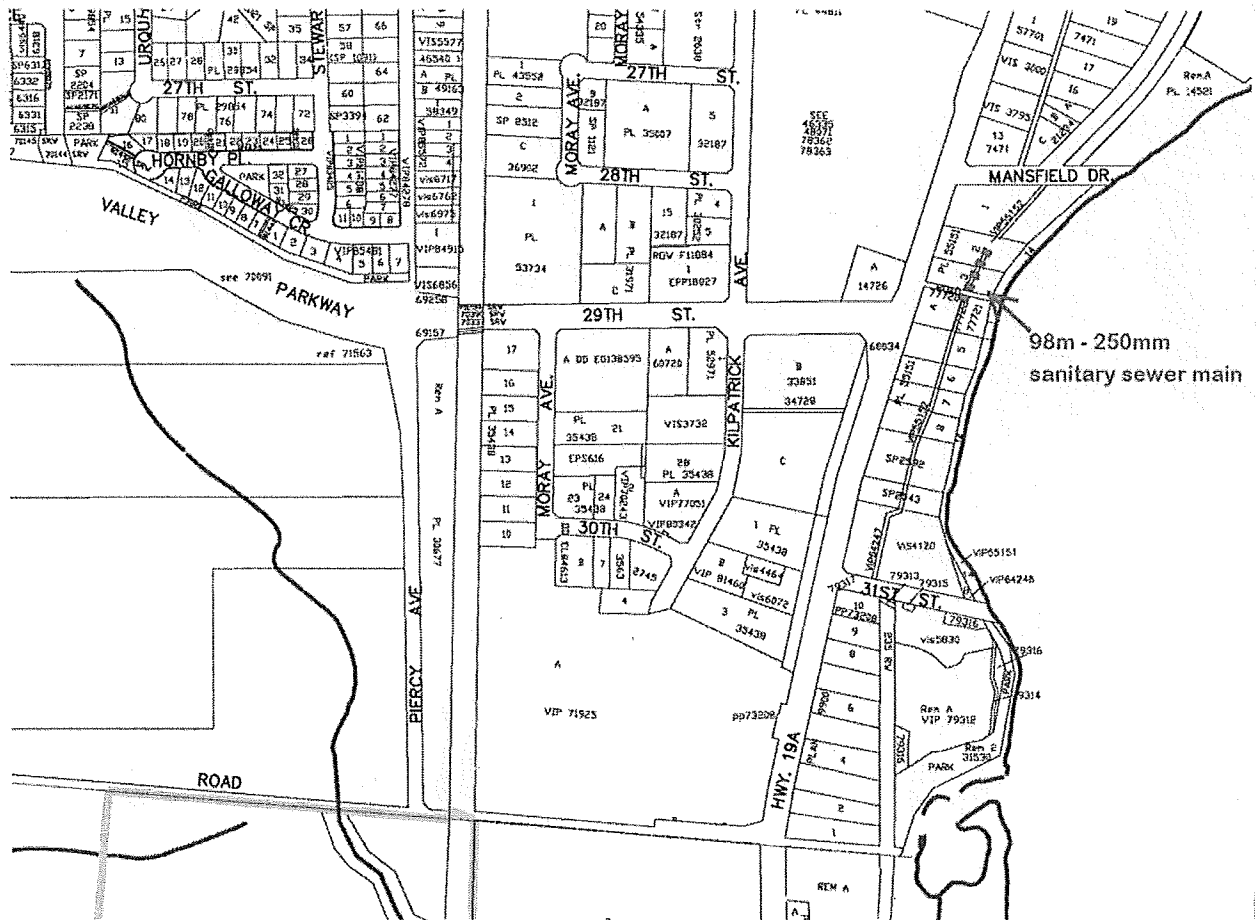


Exhibit "B" – Benefitting Lands

Exhibit "B-1" Plan Reference	Legal Description	Registered Property Owner(s)	Area (ha.)	Latecomer Charge	Parcel Identifier Number
1	LOT D, DISTRICT LOT 82, COMOX DISTRICT, PLAN 2119, EXCEPT THOSE PARTS DESCRIBED AS COMMENCING AT A POINT IN THE NORTH WESTERLY BOUNDARY OF SAID LOT DISTANT 157 FEET FROM THE MOST WESTERLY CORNER OF SAID LOT, THENCE SOUTH EASTERLY AT RIGHT ANGLES A DISTANCE OF 80 FEET, THENCE NORTH EASTERLY AND PARALLEL TO THE SAID NORTH WESTERLY BOUNDARY TO AN INTERSECTION WITH HIGH WATER MARK OF COMOX HARBOUR, THENCE NORTH WESTERLY ALONG THE SAID HIGH WATER MARK TO AN INTERSECTION WITH THE SAID NORTH WESTERLY BOUNDARY, THENCE SOUTH WESTERLY ALONG THE SAID NORTH WESTERLY BOUNDARY AND PRODUCTIONS THEREOF TO THE POINT OF COMMENCEMENT	1148613 Alberta Ltd. 2451 34 Avenue NW Calgary, Alberta, T2L 0V3	2.040	\$3,862.90	006-652-777
2	LOT 1, DISTRICT LOT 82, COMOX DISTRICT, PLAN 10741	Buckley Bay Beachcombers Ltd., Inc No. 0264792 6854A Buckley Bay Frontage Road Fanny Bay, BC V0R 1W0	1.465	\$2,774.09	000-085-014
3	LOT A, DISTRICT LOT 82, COMOX DISTRICT, PLAN VIP57837 EXCEPT THAT PART IN PLAN VIP66485	Upper Island Development Ltd. 504 – 580 Raven Woods Drive North Vancouver, B.C., V7G 2T2	3.200	\$6,059.45	018-563-074

4	LOT E, DISTRICT LOT 82, COMOX DISTRICT, PLAN VIP57837	Patrick Tracy Clair 4660 Western Road Courtenay, B.C., V9N 3T2	0.415	\$785.83	018-563-112
5	LOT D, DISTRICT LOT 82, COMOX DISTRICT, PLAN VIP57837	HAI-FAM Holdings Ltd. Inc. No. BC0549779 1810 Cumberland Road Courtenay, B.C., V9N 2E9	0.849	\$1,607.65	018-563-104
6	LOT 1, DISTRICT LOT 82, COMOX DISTRICT, PLAN VIP54185	SCG Resources Ltd. Inc. No. BC0826774 8415 Armstrong Road Langley, B.C., V1M 3P5	6.746*	\$12,774.08	017-775-744
7	LOT A OF DISTRICT LOT 82 COMOX DISTRICT AND OF SECTION 32 TOWNSHIP 11 NELSON DISTRICT PLAN VIP69422	SCG Resources Ltd. Inc. No. BC0826774 8415 Armstrong Road Langley, B.C., V1M 3P5	9.075*	\$17,184.22	024-582-433
8	LOT B DISTRICT LOT 153 COMOX DISTRICT PLAN EPP19353	Buckstone Investments Ltd. Inc. No. BC0822663 519H 5 th Street Courtenay, B.C., V9N 1K2	19.800	\$37,492.84	028-861-680
9	PARCEL A (BEING A CONSOLIDATION OF LOTS 1 TO 4, SEE CA3699181) SECTION 67 BLOCK 1 COMOX DISTRICT PLAN 9900, EXCEPT PART IN PLAN EPP53586	VEYRON PROPERTIES GROUP LTD., INC.NO. BC0924064 7120 GOLD RIVER HIGHWAY CAMPBELL RIVER, BC V9H 1P1	0.810	\$1,533.80 No Latecomer Payment	Frontender's Lands
Total:			44.400	\$84,074.86	

* Denotes 75% of gross land area assumed developed

Exhibit "B-1" – Reference Plan

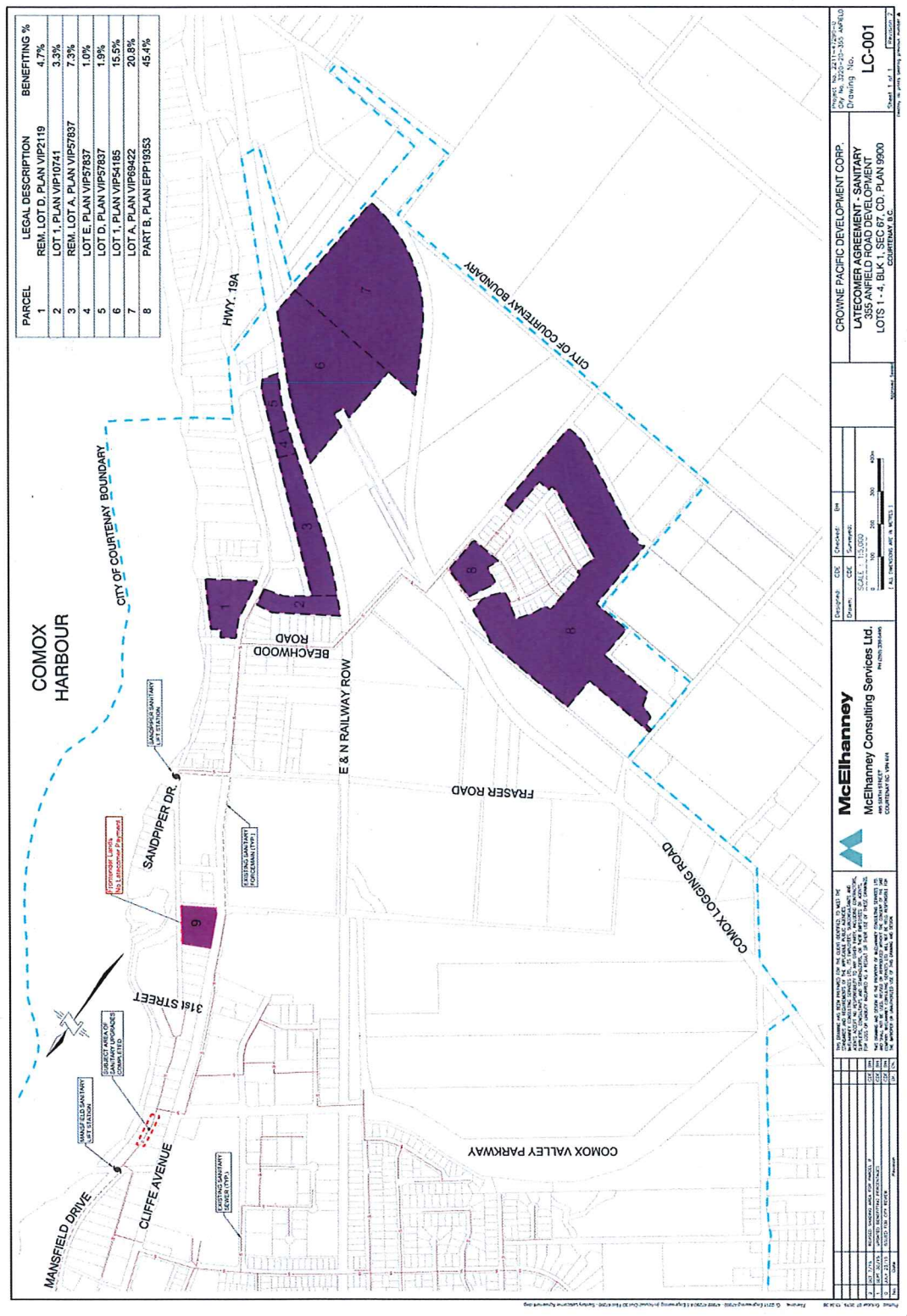


Exhibit "C" – Construction Completion Certificate

WORKS: Construction of approximately 98 metres of 250mm diameter PVC sanitary sewer main, and appurtenances.


OWNER: VEYRON PROPERTIES GROUP LTD. (Inc. No. BC0924064)

CONTRACTOR: Leighton Contracting (2009) Ltd.

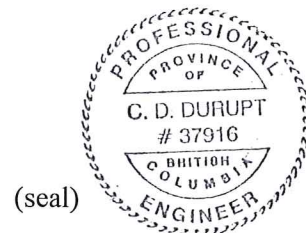
This Construction Completion Certificate does not constitute a certification of any work not in accordance with the applicable requirements of the Subdivision Control Bylaw No. 1401 and Amendments thereto whether or not such deficiency or defect could have been observed or discovered during construction.

I, Chris Durupt, P.Eng. of McElhanney, certify to the best of my knowledge, information and belief that the works referred to above have been installed substantially in compliance with the design drawing which were accepted by the City of Courtenay and are complete as far as can be practically ascertained. I recommend these works for acceptance by the municipality. I have provided detailed "as-constructed" drawings of these works and have signed and affixed my professional seal to these drawings.


Dated this Sept. 30th, 2016 in the City of Courtenay, B.C.



Chris Durupt, P.Eng.



Accepted on behalf of the City of Courtenay this October 12, 2016.



Lesley Hatch, P.Eng.
Director of Engineering Services

The Maintenance Periods Expires on October 16, 2016. 

For the purpose of Latecomer Agreement LA1501 the works were Substantially Completed on the 16th day of October, 2015.



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Mayor and Council

File No.: 0400-90-01

From: Chief Administrative Officer

Date: October 17, 2016

Subject: Project Watershed Simms Millennial Park Fish Habitat Enhancement – Request for Support

PURPOSE:

The purpose of this report is for Council to consider Project Watershed's request for support in advancing the Simms Millennial Park Fish Habitat Enhancement project as presented by the Project Watershed delegation on October 3, 2016.

CAO RECOMMENDATIONS:

That based on the October 17th, 2016 staff report entitled, "Project Watershed Simms Millennial Park Fish Habitat Enhancement – Request for Support" Council approve option 1 and direct staff to prepare a letter of support from Council endorsing the project AND

That Council authorizes in-kind staff support for communications, design coordination and construction fencing to an upset limit of \$3,500 in staff time and supplies.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Since 2010, Project Watershed has been working on a project to enhance salmon habitat in the Courtenay River Estuary. This project was originally supported by Courtenay City Council in 2011, but experienced funding challenges in progressing in the 4 years subsequent. In 2015, Project Watershed received grant funding to refocus the project to improve water quality specifically in the Courtenay river channels that pass through Simms Millennial Park for the purpose enhancing refuge areas for fish passage.

DISCUSSION:

At the October 3, 2016 Council meeting, Project Watershed attended as a delegation to re-introduce the salmon habitat enhancement project to Council. The project includes improvements to channel crossings on the Simms Park trail network including a larger culvert crossing and a new pedestrian bridge crossing, removing sediment from the throat of the channel inlet, creating some new water pools within the channel and planting shrubs and trees to diversify shoreline vegetation.

Project Watershed is preparing to apply for a grant to fund the project construction at the end of October. They have requested a letter of support for the project from Council to accompany their application. In addition, they ask for the in-kind support of City staff for:

- Preparation of public notifications
- Project coordination
- Supply and installation of temporary fencing or barriers to delineate the construction area and separate the area from the public
- Design review

Staff has attended a preliminary meeting with the Project Watershed team to understand the project and provided cursory comments.

FINANCIAL IMPLICATIONS:

The financial implications of in-kind staff support for this project are based on an estimated number of hours required to support the request and amounts to approximately \$1,500. This cost would be covered by the City’s operating budget.

Materials such as road side barriers are readily available at the Public Works yard for loan at no cost. If fencing is required to section off areas of the park, orange snow fencing would cost approximately \$2,000. This cost would be allocated to the Simms Park operating budget.

ADMINISTRATIVE IMPLICATIONS:

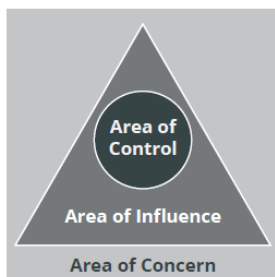
Estimated staff time to support the in-kind request is demonstrated in the table below:

Description	Department	No. of Hours
Council Report Preparation	Engineering, CAO office	2 hours
Public notification and communications support	Legislative Services	2 hours
Fence/barrier set up and take down	Public Works	4 hours
Meetings and design review	Engineering, Public Works, Rec & Culture	6 hours
Total:		14 hours

STRATEGIC PLAN REFERENCE:

We invest in our key relationships

- We value and recognize the importance of our volunteers
- We will continue to engage and partner with service organizations for community benefit



● **Area of Control**

The policy, works and programming matters that fall within Council’s jurisdictional authority to act.

▲ **Area of Influence**

Matters that fall within shared or agreed jurisdiction between Council and another government or party.

■ **Area of Concern**

Matters of interest outside Council’s jurisdictional authority to act.

OFFICIAL COMMUNITY PLAN REFERENCE:

None.

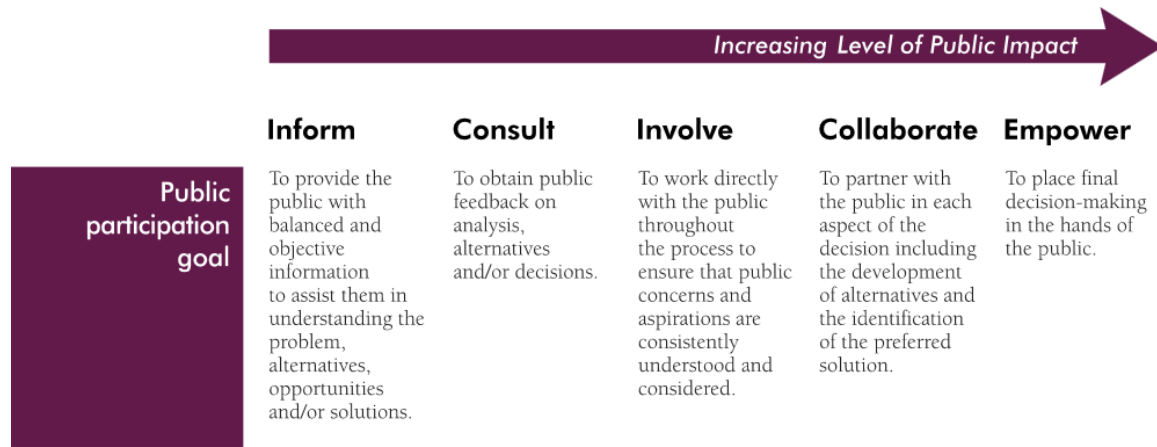
REGIONAL GROWTH STRATEGY REFERENCE:

None.

CITIZEN/PUBLIC ENGAGEMENT:

The project notices and other communications materials produced for the project will **inform** the public of construction. Inform is described in the IAP2 Spectrum of Public Participation as:

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf



OPTIONS:

Option 1 Council directs staff to prepare a letter of support for the Project Watershed Simms Millennial Park fish habitat enhancement project AND

Council authorizes the in-kind support of staff time and materials to advance the construction of the project to the upset limit of \$3,500 in staff time and supplies.

Option 2 That Council direct staff to not spend any more time on this initiative.

Prepared by:

Lesley Hatch, P.Eng.
Director of Engineering Services



E-MAILED
*to council
staff*

September 21, 2016

Ref: 168781

His Worship Mayor Larry Jangula
and Members of Council
Mayor
City of Courtenay
830 Cliffe Ave
Courtenay, V9N 2J7

Dear Mayor Jangula and Councillors:

On behalf of the joint Provincial-Union of British Columbia Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our congratulations for your successful efforts to measure and reduce your corporate greenhouse gas emissions for the 2015 reporting year.

As a signatory to the Climate Action Charter, you have demonstrated your commitment to work with the Province of British Columbia and UBCM to take action on climate change and to reduce greenhouse gas emissions in your community and corporate operations.

The work that local governments are undertaking to reduce their corporate emissions demonstrates significant climate leadership and sets the stage for broader climate action in the community. With the recent release of the B.C. Climate Leadership Plan, your leadership and commitment continues to be essential to building on progress already made and ensuring the achievement of our collective climate action goals. For more information about B.C.'s Climate Leadership Plan, please go to: <https://news.gov.bc.ca/releases/2016PREM0089-001501>.

The GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is again recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is enclosed for your reference.

As a Charter signatory who has achieved Level 1 recognition and additionally completed a corporate carbon inventory for the 2015 reporting year and demonstrated familiarity with the Community Energy and Emissions Inventory, you have been awarded Level 2 recognition – 'Measurement.'

.../2

In recognition of your achievements, the GCC is very pleased to provide you with climate action community branding for use on official websites and letter heads. An electronic file with the 2015 logo will be provided to your Chief Administrative Officer. Also enclosed is a 2015 Climate Action Community window decal, for use on public buildings.

Congratulations again on establishing your corporate emissions inventory and your overall progress. We wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality and your efforts to reduce emissions in the broader community.

Sincerely,



Tara Faganello
Assistant Deputy Minister
Local Government Division



Gary MacIsaac
Executive Director
Union of British Columbia Municipalities

Enclosures



GCC Communiqué on the Climate Action Recognition Program

B.C. local governments continue to play a critical role in reducing GHG emissions across the province. In acknowledgment of the ongoing efforts of local leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to be continuing the Climate Action Recognition Program for B.C. local governments for the 2015 reporting year. This is a multi-level program that provides the GCC with an opportunity to review and publicly recognize the progress and achievements of each Climate Action Charter (*Charter*) signatory.

Recognition is provided on an annual basis to local governments who demonstrate progress on their *Charter* commitments, according to the following:

Level 1: Progress on Charter Commitments

All local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments will receive a letter from the GCC acknowledging their accomplishments.

Level 2: Measurement

Local governments who achieve Level 1 recognition, have completed a corporate carbon inventory for the reporting year, and demonstrate that they are familiar with the Community Energy and Emissions Inventory (CEEI) will receive a 'Climate Action Community 2015' logo, for use on websites, letter head and similar.

Level 3: Achievement of Carbon Neutrality

Local governments who achieve Level 1 and Level 2 recognition and achieve carbon neutrality in the reporting year will receive a 'Climate Action Community – Carbon Neutral 2015' logo, for use on websites, letter head and similar.

To be eligible for this program, local governments will need to complete a Climate Action Revenue Incentive Program (CARIP) Climate Action/Carbon Neutral Progress Survey and submit it online to the Province in accordance with the program guidelines. Determination of the level of recognition that each community will receive will be based on the information included in each local government's annual CARIP report. Additional information on CARIP reporting is available online at: www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm .

Minutes of a City of Courtenay Heritage Advisory Commission meeting held June 22, 2016 at 10:00 a.m. at the City of Courtenay.

For Info.

Present: L. Burns J. Hagen J. Fortin C. Piercy L. Grant
R. Ireson E. Ferguson (staff)

Absent: D. Griffiths R. Dingwall R. Smith

MINUTES

Moved by J. Hagen and seconded by C. Piercy that the May 26, 2016 minutes be adopted as circulated.

Carried

OLD BUSINESS

40 HOUSES

E. Ferguson to look at remaining budget. L. Burns to contact new Parks Manager about plaque location.

MEMORIAL CAIRNS PROJECT

Judy is still doing investigation.

TRAIN STATION

No further developments.

WEBSITE

E. Ferguson to work on developing heritage planning content.

CONFERENCE

A. Ireson provided further account of Annual Heritage BC Conference

WORKSHOPS

Workshops to be held over the summer regarding the completion of the building inventory for commercial buildings within the downtown core.

FREIGHT SHED

Director of Development Services has the letter drafted by the HAC. E. Ferguson to follow-up.

MUSEUM REPORT

Watershed Moments received third prize in the BCHF Historical Writing Competition.

NEW BUSINESS

ANNUAL REPORT

To be prepared in Fall season for presentation to Council.

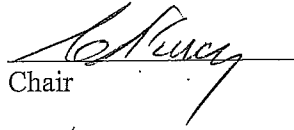
CORRESPONDENCE

Open House on the draft Tree Bylaw was held on June 16, 2016. No specific mention of protection for Heritage Trees or Significant Trees in this update but it is something the City will continue to consider for future updates.

ADJOURNMENT

Next Meeting: September 28 2016 at 10 a.m.

The meeting adjourned at 12.00 pm.


Chair



THE CORPORATION OF THE CITY OF COURTENAY

MEMORANDUM

To: Council
From: Chief Administrative Officer
Subject: Annual Volunteer Appreciation Dinner

File No.: 7710-01
Date: September 26, 2016

ISSUE:

The volunteer appreciation dinner that is often scheduled in the fall has been postponed. Staff will consult with elected officials to determine a new time for the event as well as consider an approach and invitation list that would effectively acknowledge volunteers.

BACKGROUND:

A volunteer appreciation dinner is held annually as an opportunity for Mayor and Council to show that they value the community volunteers. The event has evolved several times in the past, and may be due for another structural change. Over time this event has grown in scope and the invitation list now regularly includes organization heads rather than volunteers. In the summer of 2016 the Mayor asked staff to consider changes to the event approach so that it is more effective in recognizing volunteers.

KEY CONSIDERATIONS:

- The event has been postponed for 2016 pending a staff report to council and a discussion on the best approach to acknowledging Courtenay's volunteers.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

Prepared by,

Dave Snider, MBCSLA
Director of Recreation and Cultural Services



1580 Fitzgerald Ave
Courtenay, BC
Phone 250.338.8221
Fax 250.338.8209

Attention Mayor and Council;

The Salvation Army's mission is to meet human needs and be a transforming influence here in the Comox Valley. A large part of fulfilling this mission lies within the operations of the Pidcock Shelter, housing those experiencing homelessness. You may be aware that we are currently in the process of renovating the shelter to better serve our people. We are inviting you to join us in a financial way:

We received this letter from the City of Courtenay;

Please see below for the cost estimate sheet from our Development Engineering department.

Your project is just large enough to require the 8" storm service due to the amount of impermeable surface on your lot. As this size is not dictated by a predetermined rate and is based on the actual costs of the installation, it was felt that this may serve as the more economical option. If the installation is less than the \$3000.00 the difference will be refunded.

As for the DCC's under the City's bylaw No 2840, only places of worship and renovations under \$50,000 are exempted from DCC's.

We are requesting these fees be waived to help us serve the community most efficiently. If there are other related fees, we would ask that they be waived as well.

Thank you for considering our request.

Kevin Elsasser (Captain)
Co-Executive Director
Comox Valley Ministries
Kevin_Elsasser@can.salvationarmy.org

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 0540.01

July 27, 2016

Sent via email only: dallen@courtenay.ca

David Allen
Chief Administrative Officer
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear David:

**Re: Utility collaboration report –
standing committee on potable water, wastewater, rainwater and drainage**

Please find attached Comox Valley Regional District (CVRD) staff report titled “Utility collaboration report - standing committee on potable water, wastewater, rainwater and drainage”. The report was prepared in response to a request from the board for information regarding the possible creation of a standing committee to consider matters relating to potable water, wastewater, rainwater and drainage across the entire Comox Valley.

The CVRD committee of the whole received this report at its July 12, 2016 meeting and subsequently directed that staff forward the report to the chief administrative officers of the Village of Cumberland, the Town of Comox, the City of Courtenay and to the K’ómoks First Nation, for review, comments and constructive input.

The committee has directed that it would like to consider the matter further at the October 18, 2016 committee of the whole meeting. If you could please review the attached report, consider constructive input at both the operational and policy levels, and provide any comments or feedback by October 7, 2016 it would be appreciated.

The resolution approved by the CVRD board is as follows:

THAT staff forward the report dated July 6, 2016 titled “Utility collaboration report - standing committee on potable water, wastewater, rainwater and drainage” to the chief administrative officers of the Village of Cumberland, the Town of Comox, the City of Courtenay and to the K’ómoks First Nation, for review, comments and constructive input to be brought back for consideration at the October 18, 2016 committee of the whole meeting.

Sincerely,

A handwritten signature in black ink that reads 'T. Ian Smith'. The signature is fluid and cursive, with the first name 'T.' being a simple initial and 'Ian Smith' written in a more elaborate script.

T. Ian Smith
Acting Chief Administrative Officer

Enclosure: Correspondence dated March 24, 2016 from Director Rod Nichol
CVRD staff report dated July 6, 2016 “Utility collaboration report - standing committee on
potable water, wastewater, rainwater and drainage”

File: 540-01

March 24, 2016

Chair and Directors
Committee of the whole

In recognizing the importance of projects like the south sewer initiate and water filtration, that have a significant effect on life in the Comox Valley, I respectfully request the committee’s consideration of the following:

THAT staff prepare a report on the creation of a standing committee to consider matters relating to potable water, waste water, rain water and drainage across the entire Comox Valley with the objective to coordinate servicing needs and collaborate on long term solutions;

AND FURTHER THAT the membership include a representative from the City of Courtenay, Town of Comox, Village of Cumberland, K’ómoks First Nation, and Electoral Area ‘A’ (Baynes Sound – Denman/Hornby Islands), Electoral Area ‘B’ (Lazo North) and Electoral Area ‘C’ (Puntledge – Black Creek).

Sincerely,



Rod Nichol
Director

DATE: July 6, 2016 **FILE:** 5600-01

TO: Chair and directors
Committee of the whole

FROM: Debra Oakman, CPA, CMA
Chief Administrative Officer

RE: Utility collaboration report - Standing committee on potable water, wastewater, rainwater and drainage

Purpose

The purpose of this report is to provide information on the creation of a standing committee to consider matters relating to potable water, wastewater, rainwater and drainage across the entire Comox Valley as directed by the Comox Valley Regional District (CVRD) board of directors.

Policy analysis

The CVRD currently delivers more than 90 services and under section 332 of the *Local Government Act* (RSBC, 2015, c. 1) (LGA) a regional district may operate any service that the board considers necessary or desirable for all or part of the regional district.

At its April 26, 2016 meeting, the CVRD board deferred consideration of the following resolution to the July 2016 committee of the whole meeting to enable further discussions and background materials preparation on a potential standing committee:

THAT staff prepare a report on the creation of a standing committee to consider matters relating to potable water, wastewater, rainwater and drainage across the entire Comox Valley with the objective to coordinate servicing needs and collaborate on long term solutions;

AND FURTHER THAT the membership include a representative from the City of Courtenay, Town of Comox, Village of Cumberland, K'ómoks First Nation, and Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands), Electoral Area 'B' (Lazo North) and Electoral Area 'C' (Puntledge – Black Creek).

Standing committees may only be established by the chair of the board “for matters the chair considers would be better dealt with by committee” whereas select committees are appointed by the board “to consider or inquire into any matter and report its findings and opinion to the board” (LGA, s. 218).

The CVRD board strategic priorities contain numerous references to the many services that relate to potable water, wastewater, rainwater and drainage; however no specific references are made in the strategic priorities chart or workplan to an overarching service or committee to manage all of the utilities identified in the April 2016 resolution, noted above.

Executive summary

The April 2016 resolution describes a standing committee to address matters relating to potable water, wastewater, rainwater and drainage across the entire Comox Valley. Generally, standing committees have been established to consider policy matters relating specifically to the services established by CVRD board. Alternatively the board may wish to consider developing terms of reference for a select committee with the purpose of discussing coordination of service needs and making a recommendation with regard to how to facilitate coordination over the long term.

Consideration and understanding of the current services established by at the CVRD that relate to potable water, wastewater, rainwater and drainage and the governing legislation for each of these services including committee structure is important in order to recognize the participants involved and acknowledge the process if change is required. Many assets and liabilities are associated with each service and careful consideration of the disposition or transfer of the assets and liabilities would be required before committing to any governance changes. As a first step it may be useful to prepare a report that identifies the current status including listing the relevant CVRD services, participants and governing documents associated with these topics as well as listing the services and utilities delivered directly by the City of Courtenay, Town of Comox, Village of Cumberland and K'ómoks First Nations.

Options:

1. The board chair could consider creating a standing committee, however a terms of reference would need to be developed to clearly articulate the purpose of the committee.
2. The CVRD board could consider hosting meetings to share information on water, wastewater, rain water and drainage information to enhance collaboration and communication between Comox Valley jurisdictions having authority on these matters.
3. The CVRD board could consider establishing a select committee, however a terms of reference would need to be developed to clearly articulate the purpose, objective and term of the committee.
4. The CVRD board could develop a draft terms of reference and forward to the member municipalities and K'ómoks First Nations for comment before considering the establishment of a select committee.
5. The CVRD board could consider sending a letter to member municipality councils and senior administration encouraging further collaboration on these important topics.

Recommendation from the chief administrative officer:

The report is for information purposes.

Respectfully:

D. Oakman

Debra Oakman, CPA, CMA
Chief Administrative Officer

Concurrence:

J. Warren

James Warren
General Manager of
Corporate Services

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2856

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

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. 2856, 2016**”.
2. That Official Community Plan Bylaw No. 2387, 2005 be amended as follows:
 - a) By changing the land use designation of Lot 21, District Lot 134, Comox District, Plan 1705, Except Part in Plan 1966 (963 Webb Road) from Suburban Residential to Commercial as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw; and
 - 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 September, 2016

Read a second time this 19th day of September, 2016

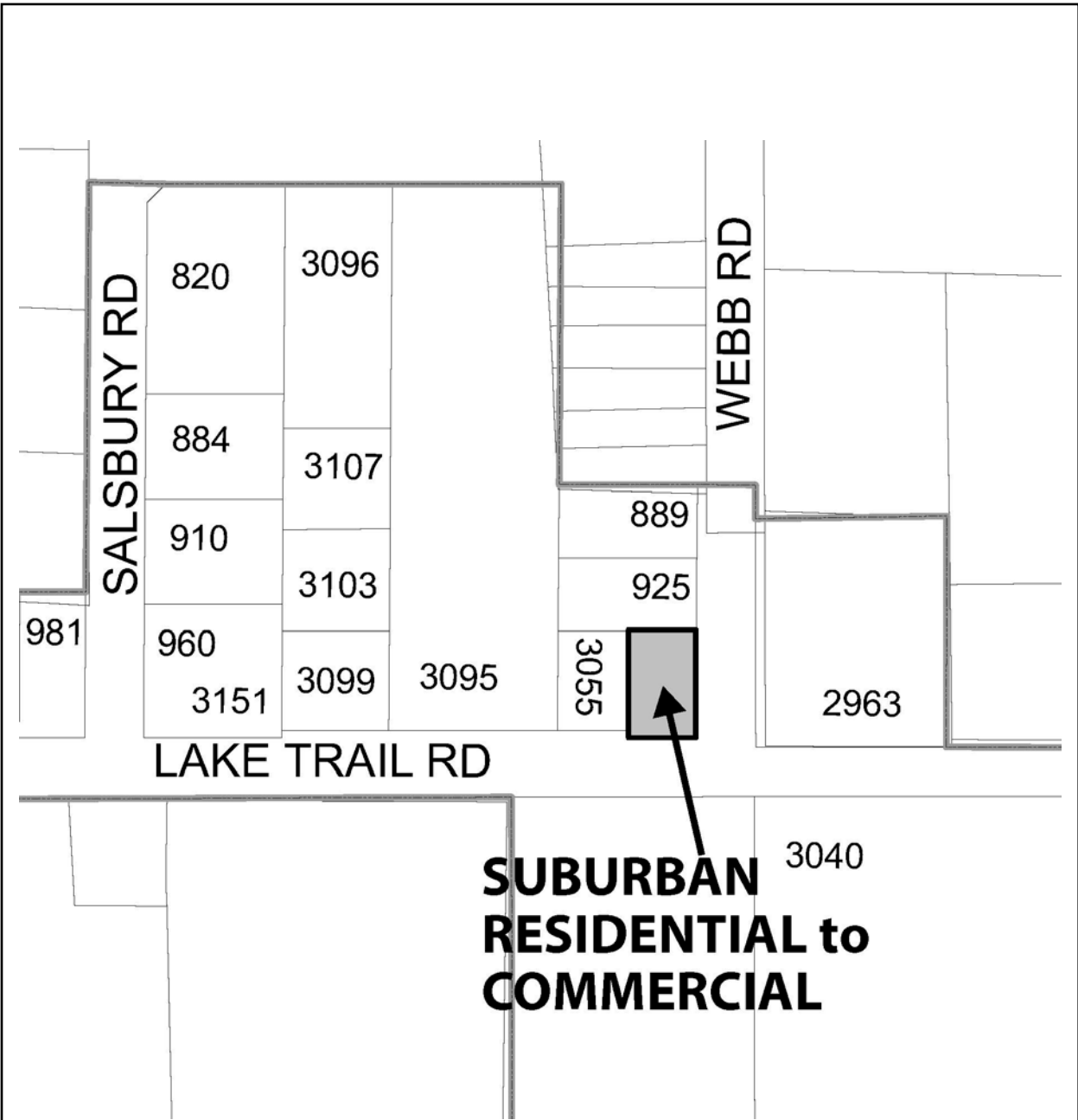
Considered at a Public Hearing this 3rd day of October, 2016

Read a third time this day of , 2016

Finally passed and adopted this day of , 2016

Mayor

Director of Legislative Services



**SUBURBAN
RESIDENTIAL to
COMMERCIAL**

THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No. 2856, 2016
 Amendment to the
 Official Community Plan Bylaw No. 2387, 2005

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2857

A bylaw to amend Zoning Bylaw No. 2500, 2007

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. 2857, 2016**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Lot 21, District Lot 134, Comox District, Plan 1705, Except Part in Plan 1966 (963 Webb Road), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential One A Zone (R-1A) to Multiple Use One Zone (MU-1); and
 - (b) That Schedule No. 8, Zoning Map be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 19th day of September, 2016

Read a second time this 19th day of September, 2016

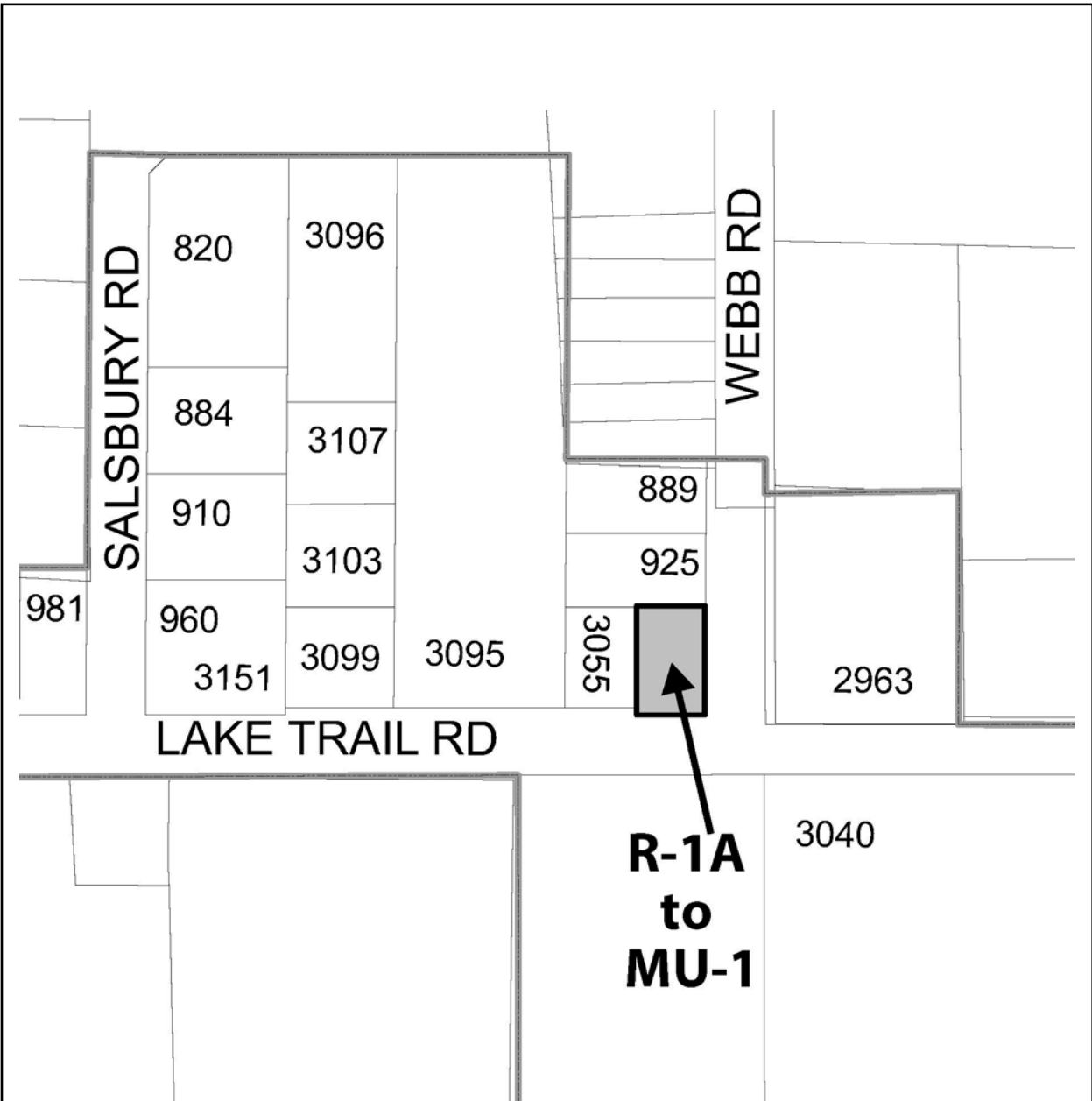
Considered at a Public Hearing this 3rd day of October, 2016

Read a third time this _____ day of _____, 2016

Finally passed and adopted this _____ day of _____, 2016

Mayor

Director of Legislative Services



**R-1A
to
MU-1**

THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No. 2857, 2016
 Amendment to the
 Zoning Bylaw No. 2500, 2007