

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

**DATE:** December 18, 2017  
**PLACE:** City Hall Council Chambers  
**TIME:** 4:00 p.m.

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**1.00 ADOPTION OF MINUTES**

- 1 1. Adopt December 4<sup>th</sup>, 2017 Regular Council meeting minutes

**2.00 INTRODUCTION OF LATE ITEMS**

**3.00 DELEGATIONS**

1. Travis Lane, Director, BC Independent Cannabis Association (BCICA)
2. Heather Ney, Executive Director, and Andrea Cupelli, Coordinator, Comox Valley Coalition to End Homelessness

**4.00 STAFF REPORTS/PRESENTATIONS**

**(a) Recreation and Cultural Services**

- 7 1. Fees and Charges Bylaw No. 2914, 2017
- 21 2. Community Futures Strathcona Lease
- 31 3. Terms of Reference – Parks and Recreation Advisory Commission

**(b) CAO and Legislative Services**

- 39 4. Tsolum Farnham Fire Services Agreement

**(c) Development Services**

- 57 5. OCP Amendment Bylaw No. 2910 and Zoning Amendment Bylaw No. 2911 to allow for a secondary suite at 468 3rd Street
- 73 6. Development Permit with Variances No. 1724 – 1330 Lake Trail Road (Habitat for Humanity Affordable Housing Project)
- 95 7. Road Closure of Part of Rye Road

**5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

**8.00 RESOLUTIONS OF COUNCIL**

**1. Mayor Jangula Clean Air Initiative Motion**

It is well documented that poor Comox Valley air quality continues to be a major issue for residents of the City of Courtenay, not to mention the associated health concerns. The problem is most acute during the winter months.

Our provincial government has enacted more stringent regulations concerning wood burning appliances sold in B.C. as well as clearly identified the types of fuel that can be burned in those appliances, all in an effort to reduce pollution.

The City has worked in partnership with the Regional District to improve air quality with programs such as the Wood Stove Exchange Program as well as public education.

To date, 71 applications have been received for rebates to update wood appliances to the new code, but sadly only 4 of those applications are from Courtenay residents.

It is clear that the City needs to take further action, therefore I am proposing the following resolution:

"WHEREAS

- 1) Wood burning appliances are a popular means of home heating in the City of Courtenay;
- 2) The City of Courtenay is identified as one of the top ten BC communities for PM2.5 level pollution, that is fine particulate matter that can be inhaled deep into the lung;
- 3) Studies have proven that there is a direct correlation between PM2.5 pollution and serious health conditions, including asthma, bronchitis, lung and heart disease, not to mention the impact on other serious health conditions. Children and older adults are most at risk but no one is immune;
- 4) A recent study conducted by Health Canada not only here in the Courtenay/Comox area, but also Kamloops and Prince George has found a direct correlation between elevated levels of PM2.5 from wood burning to

hospital admissions for heart attacks; and

- 5) According to the Canadian Council of Ministers of the Environment, advanced wood burning appliances compared to older, uncertified appliances can:
  - reduce toxic emissions by as much as 55%,
  - reduce PM2.5 emissions by as much as 70%
  - increase energy efficiency by at least 70%
  - use 30-50% less firewood;

THEREFORE BE IT RESOLVED that Council direct staff to implement the following measures to reduce City air pollution with the objective of protecting the health of our residents, including:

- 1) implementation of a two year program to bring all wood burning appliances within the City in compliance with current federal CSA and provincial certifications and emissions standards;
- 2) provide those residents who can demonstrate that upgrading their current wood burning appliance to a modern, cleaner and more efficient appliance would present an undue financial hardship with financial assistance in the form of an interest free loan from the City to enable them to update their appliance;
- 3) effective immediately, homes sold with wood burning appliances within the City of Courtenay will be required to confirm that the appliance conforms to the latest federal and provincial government certifications and emissions standards or replace the appliance with a compliant model;
- 4) create and implement municipal regulations and guidelines outlining the types of fuels allowed to be burned within the City of Courtenay; and
- 5) advocate with the Town of Comox, Village of Cumberland and the Comox Valley Regional District to adopt similar regulations.

**9.00 UNFINISHED BUSINESS**

**10.00 NOTICE OF MOTION**

**11.00 NEW BUSINESS**

**12.00 BYLAWS**

**For First and Second Reading**

103 1. "Official Community Plan Amendment Bylaw No. 2910, 2017"  
(A bylaw to change the land use designation from Commercial to Urban Residential, 468 3<sup>rd</sup> Street)

105 2. "Zoning Amendment Bylaw No. 2911, 2017"  
(A bylaw to rezone from Commercial Five Zone (C-5) to Residential Two B R-2B, to allow for a secondary suite at 468 3<sup>rd</sup> Street)

**For First, Second and Third Reading**

107 1. "City of Courtenay Fees and Charges Amendment Bylaw No. 2914, 2017"  
(A bylaw to amend City of Courtenay Fees and Charges Bylaw No. 1673, 1992 by adding Recreation Facility Rental and User Fees)

**13.00 ADJOURNMENT**

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, December 04, 2017 at 4:04 p.m.

**Attending:**

**Mayor:** L. V. Jangula  
**Councillors:** E. Eriksson  
D. Frisch via Teleconference  
D. Hillian  
M. Theos  
B. Wells

**Staff:**

D. Allen, CAO  
J. Ward, Director of Legislative and Corporate Services/Deputy CAO  
W. Sorichta, Manager of Corporate Administrative Services  
I. Buck, Director of Development Services  
T. Kushner, Director of Public Works Services  
B. Parschauer, Director of Financial Services  
D. Snider, Director of Recreation and Cultural Services

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Wells and seconded by Theos that the November 20,  
MINUTES 2017 Regular Council meeting minutes and the November 27, 2017  
Committee of the Whole meeting minutes be adopted.  
**Carried**

**2.00 ADOPTION OF LATE ITEMS**

**3.00 DELEGATIONS**

**4.00 STAFF REPORTS/PRESENTATIONS**

**.01** Moved by Hillian and seconded by Wells that based on the  
DEVELOPMENT December 4, 2017 staff report “Development Permit with Variances No.  
PERMIT WITH 1716 – 750 30th Street”, Council support approving OPTION 1 and  
VARIANCE NO. 1716– proceed with issuing Development Permit with Variances No. 1716.  
750 30TH STREET **Carried**  
3060-20-1716

**R23/2017 – December 04, 2017**

**.02**  
WINTERFEST 2018  
EVENT  
5400-04/8100-01

Moved by Wells and seconded by Eriksson that based on the December 04, 2017 Staff Report “WinterFest 2018 Event”, Council approve OPTION 1 and permit the temporary closure of 6<sup>th</sup> Street from Cliffe Avenue to the west side of the Library, and the closure of Duncan Avenue from 6<sup>th</sup> Street to Simms Street for the purpose of hosting the 6<sup>th</sup> Street Rail Jam event Saturday, February 03, 2018, and;  
THAT Council approve the temporary closure of the Sid Williams Theatre Plaza for the installation of a synthetic ice rink and provision of a live site to host the WinterFest 2018 event for the period of February 2 to 12, 2018, and;  
THAT Council approve the use of 2018 Operating monies to fund support for the event.  
**Carried**

**5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**  
NEEDLE  
DISPENSER/SHARPS  
DISPOSAL PROGRAM -  
ISLAND HEALTH  
AUTHORITY  
PROPOSAL  
0500-20

Moved by Hillian and seconded by Wells that the December 04, 2017 Briefing Note, “Needle Dispenser Program – Island Health Authority Proposal”, be received for information.  
**Carried**

**.02**  
HERITAGE ADVISORY  
COMMISSION  
MEETING MINUTES  
0360-20

Moved by Wells and seconded by Hillian that the Heritage Advisory Commission meeting minutes for October 25, 2017 be received for information.  
**Carried**

**7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

COUNCILLOR  
ERIKKSON

Councillor Eriksson reviewed his attendance at the following event:  
➤ Walk of Achievement ceremony for Jock Finlayson

COUNCILLOR  
THEOS

Councillor Theos reviewed his attendance at the following events:  
➤ CVRD Board meeting  
➤ VIRL Board meeting  
➤ Comox Valley Sports Centre Commission meeting

Councillor Theos mentioned discussion at the Sports Commission meeting around new lifeguard regulations that may add to pool operating costs

COUNCILLOR  
WELLS                      Councillor Wells reviewed his attendance at the following events:

- CVRD Waste to Energy meeting
- Minister of Municipal Affairs and Housing meeting
- “UNpave Paradise” public information session for Kus Kus Sum project

MAYOR  
JANGULA                      Mayor Jangula reviewed his attendance at the following events:

- CVRD Board meeting
- Arden Elementary School grade 1 class visit
- Comox Valley Recovery Centre Annual Christmas event
- Walk of Achievement ceremony for Jock Finlayson
- Wing Commander’s Open House

**8.00 RESOLUTIONS OF COUNCIL**

**.01**  
IN CAMERA  
MEETING

Moved by Hillian and seconded by Wells that notice is hereby given that a Special In-Camera meeting closed to the public will be held December 4<sup>th</sup>, 2017 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (g) litigation or potential litigation affecting the municipality;
- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

**Carried**

**.02**  
MAYOR JANGULA –  
HOUSING MOTION

“WHEREAS

Moved by Theos and seconded by Jangula that

- 1) currently, 51% of Courtenay residents living in rental property are paying in excess of 30% of their monthly income which is classified as “unaffordable” rental housing; and
- 2) the availability of housing options provides opportunities for each demographic; new residents, students, young families, seniors and others to find appropriate housing that fits their budget and needs; and
- 3) those who cannot afford to purchase a home rely on a supply of rental housing, which puts further pressure on rental availability and costs, that reality will be further aggravated with the implementation of the new federal mortgage lending rules; and
- 4) a strong, stable and sustainable housing industry creates jobs, is a major economic contributor to our local business economy and provides increased municipal tax revenue to provide additional services and amenities for our community; and
- 5) the Federal Government has announced their affordable housing plan that will include, in addition to building 100,000 new units and repairing another 300,000 units, financial assistance for renters through the Canada Housing Benefit program; and
- 6) both the Provincial Government and Official Opposition have identified the need “to help developers and cities streamline approval processes for housing projects”;

THEREFORE BE IT RESOLVED THAT Council direct staff to implement the following measures to expedite delivery of additional housing, including:

- 1) an immediate and comprehensive evaluation of all housing development applications currently at City Hall and identify those projects that are over 90 days from submission;
- 2) establish a committee of three elected officials including the Mayor to review those applications which have been in the system over 90 days with staff to find ways to prioritize and expedite their approval;
- 3) implement measures to reduce bureaucracy and streamline the approval process going forward;
- 4) establishment of a joint committee comprising of two elected officials including the Mayor, city staff and the Comox Valley Development and Construction Association to meet on a regular basis to discuss and resolve matters concerning project approvals as well as pursue opportunities to reduce project and housing costs;
- 5) provide Council with a report outlining all the bureaucratic processes and “add on costs” for home builders that add to the final costs of new housing;
- 6) identify infrastructure deficiencies that may impede development of current and future projects and provide council with an action plan; and
- 7) provide Council with regular updates of project approvals.

**Mayor Jangula stepped down as chair at 4:29 p.m. in order to second the motion, Acting Mayor Theos took the chair  
Mayor Jangula took his seat at 4:32 p.m.**

**Mayor Jangula stepped down as chair at 4:42 p.m. in order to speak in favour of the motion, Acting Mayor Theos took the chair  
Mayor Jangula took his seat at 5:11 p.m.**

**Defeated**

**In favour: Mayor Jangula and Councillor Theos**

**Opposed: Councillors Eriksson, Frisch, Hillian and Wells**

Moved by Wells and seconded by Hillian that Council direct staff to report on options and implications and provide clarification around the area including a revised draft motion based on the comments made at today’s Council meeting around the affordable housing crisis and expediting the development permit process.

**Carried**

## **9.00 UNFINISHED BUSINESS**

## **10.00 NOTICE OF MOTION**



**11.00 NEW BUSINESS**

**.01**  
2018 AVICC  
CONVENTION  
RESOLUTIONS AND  
NOMINATIONS

Moved by Hillian and seconded by Wells that the correspondence received from the Association of Vancouver Island and Coastal Communities (AVICC) regarding resolutions notice and guidelines; nomination for AVICC executive committee be received for information.

**Carried**

**.02**  
2018 VIRL BOARD OF  
TRUSTEES – COUNCIL  
REPRESENTATION

Council discussed the correspondence received from the Vancouver Island Reginal Library (VIRL) Board requesting Council appoint a representative and an alternate representative to the 2018 VIRL Board.

Moved by Wells and seconded by Hillian that Councillor Theos be appointed to the Vancouver Island Regional Library Board for a one year appointment January 1 to December 31, 2018 with Councillor Frisch as alternate.

**Carried**

**12.00 BYLAWS**

**.01**  
BYLAW NO. 2900,  
2017

Moved by Wells and seconded by Hillian that “Zoning Amendment Bylaw No. 2900, 2017” pass third reading.

**Carried**

ALLOW FOR  
SECONDARY  
DETACHED  
DWELLING (191  
WILLEMAR AVENUE)

Moved by Wells and seconded by Hillian that “Zoning Amendment Bylaw No. 2900, 2017” be finally adopted.

**Carried**

**.02**  
BYLAW NO. 2868,  
2017  
(FOR A MIXED USE CD  
ZONE AT 3040 &  
3070 KILPATRICK  
AVENUE)

Moved by Hillian and seconded by Wells that “Zoning Amendment Bylaw No. 2868, 2017” be finally adopted.

**Carried**

**.03**  
BYLAW NO. 2913,  
2017  
OFFICER’S  
DESIGNATION &  
ESTABLISHMENT OF  
POWERS, DUTIES, &  
RESPONSIBILITIES

Moved by Hillian and seconded by Wells that “Officer’s Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 2913, 2017” be finally adopted.

**Carried**

**R23/2017 – December 04, 2017**

**.04** Moved by Theos and seconded by Wells that “Zoning  
BYLAW NO. 2810, Amendment Bylaw No. 2810, 2017” be finally adopted.  
2017 **Carried**  
ZONING AMENDMENT  
(FROM RESIDENTIAL  
ONE B (R-1B) PUBLIC  
ASSEMBLY TWO (PA-  
2) 3300 MISSION  
ROAD)

**13.00 ADJOURNMENT**

**.01** Moved by Hillian and seconded by Wells that the meeting now  
adjourn at 5:23 p.m.  
**Carried**

**CERTIFIED CORRECT**

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**Director of Legislative Services**

**Adopted this 18<sup>th</sup> day of December, 2017**

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**Mayor**



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Fees and Charges Bylaw No. 2914, 2017

**File No.:** 3900-20  
**Date:** December 18, 2017

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### PURPOSE:

The purpose of this report is to consider amendments to the Fees and Charges Bylaw No. 1673, 1992 to include Recreation Facility Rental and User Fees.

### CAO RECOMMENDATIONS:

That based on the December 18, 2017 report "Fees and Charges Bylaw No. 2914, 2017", Council approve OPTION 1 to amend City of Courtenay Fees and Charges Bylaw No. 1673, 1992 by including the Recreation Facility Rental and User Fees; and

That "City of Courtenay Fees and Charges Amendment Bylaw No. 2914, 2017" proceed to first, second and third readings.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The Fees and Charges Bylaw No. 1673 was adopted in 1994 which included the fees and charges payable for Miscellaneous Fees, Development Fees and Utility Services.

To date, Recreation Facility Rental and Field User Fees have been presented separately to Council for approval after assessment by the Courtenay Recreational Association Board, in accordance with Policy No. 1810.00.03.

### DISCUSSION:

Section 194 of the Community Charter authorizes municipalities by bylaw to impose fees in respect of services of the municipality including the establishment of rental rates for the rental space of space in a recreation park or facility:

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***Municipal fees***

**194** (1) *A council may, by bylaw, impose a fee payable in respect of*

*(a) all or part of a service of the municipality,*

*(b) the use of municipal property, or*

*(c) the exercise of authority to regulate, prohibit or impose requirements.*

*(2) Without limiting subsection (1), a bylaw under this section may do one or more of the following:*

*(a) apply outside the municipality, if the bylaw is in relation to an authority that may be exercised outside the municipality;*

*(b) base the fee on any factor specified in the bylaw and, in addition to the authority under section 12 (1) [variation authority], establish different rates or levels of fees in relation to different factors;*

*(c) establish fees for obtaining copies of records that are available for public inspection;*

*(d) establish terms and conditions for payment of a fee, including discounts, interest and penalties;*

*(e) provide for the refund of a fee.*

By amending the Fees and Charges Bylaw No. 1673 to include Recreation Facility Rental and User Fees and Charges, the City is authorized to impose fees and charges for the provision of the service and to cover the costs of providing services.

**FINANCIAL IMPLICATIONS:**

The last increase in Recreation Facility Rental and User Fees and Charges occurred in 2017. This schedule inclusion to the Fees and Charges Bylaw proposes no rate increase for 2018. Facility rental revenues are expected to be the same as previous years.

**ADMINISTRATIVE IMPLICATIONS:**

Recreation Facility Rental and User Fees and Charges are administered by the Department of Recreation and Cultural Services and will be reviewed on an annual basis.

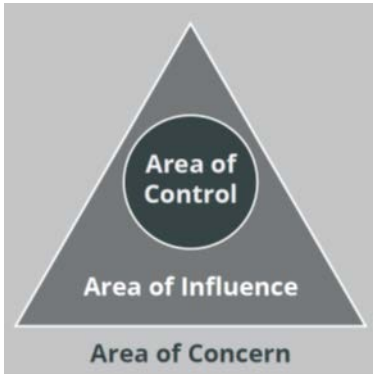
**ASSET MANAGEMENT IMPLICATIONS:**

The bylaw amendment does not propose any changes to levels of service.

**STRATEGIC PRIORITIES REFERENCE:**

**We focus on organizational and governance excellence**

- We support meeting the fundamental corporate and statutory obligations
- We responsibly provide services at a level which the people we serve are willing to pay



- **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

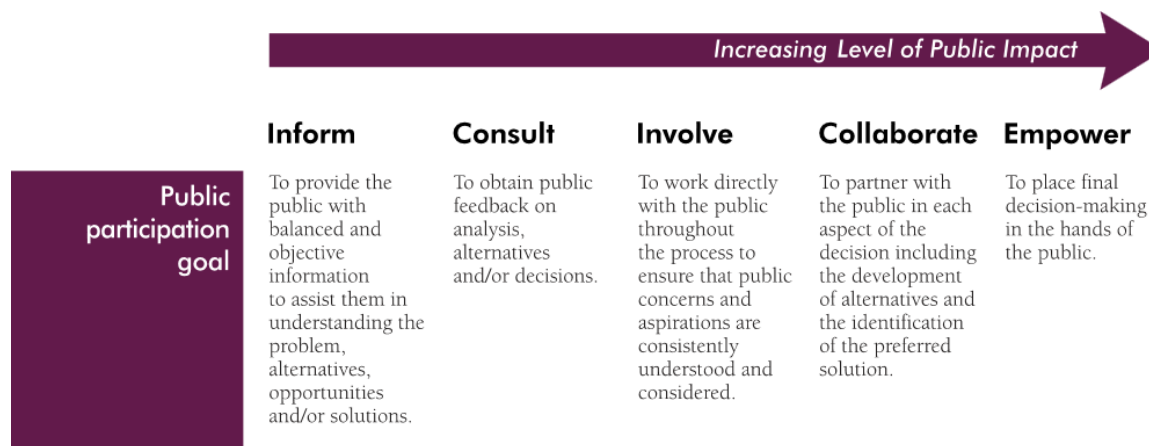
**REGIONAL GROWTH STRATEGY REFERENCE:**

None

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff would 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](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)



**OPTIONS:**

Option 1: That Council approve OPTION 1 to amend City of Courtenay Fees and Charges Bylaw No. 1673, 1992 by including the Recreation Facility Rental and User Fees; and

That "City of Courtenay Fees and Charges Amendment Bylaw No. 2914, 2017" proceed to first, second and third readings.

Option 2: Council maintain the current process of recreation facility rental and field user fees approved through a staff report.

Option 3: Council refer the matter back to Staff for consideration of another process.

Prepared by:



Dave Snider MBCSLA  
Director of Recreation and Cultural Services

Attachment 1

**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2914, 2017**

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

WHEREAS pursuant to Section 194 of the *Community Charter*, a Council may impose fees with respect to all or part of a service of the municipality, the use of municipal property, or the exercise of authority to regulate, prohibit or impose requirements;

AND WHEREAS the Council of the City of Courtenay has established parks and recreation as a municipal service;

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

1. That “City of Courtenay Fees and Charges Bylaw No. 1673, 1992” be amended by adding “**Section IV, Appendix I “Recreation Facility Rental and User Fees”** attached hereto and forming part of this bylaw.
2. This bylaw is to take effect upon final adoption hereof.

Read a first time this            day of            , 2017

Read a second time this       day of            , 2017

Read a third time this        day of            , 2017

Finally passed and adopted this    day of            , 2017

\_\_\_\_\_  
Mayor

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

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

<b>Facility</b>	Hourly	Daily	Per Use	Minor	Minor Day	Adult Game	Adult Practice
<b>Playing Fields</b>							
<b>Lewis Park</b>							
<i>Field, soccer/football/rugby</i>				n/c		\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c			\$8.25
<i>Horseshoe Pits</i>				n/c		n/c	n/c
<i>Tennis Courts</i>				n/c		n/c	n/c
<i>Ball Diamonds</i>				n/c		\$21.00	\$9.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		
<i>Lights - Minor ½ Field</i>	\$2.50						
<i>Lights - Minor Full Field</i>	\$5.25						
<i>Lights - Adult ½ Field</i>	\$5.25						
<i>Lights - Adult Full Field</i>	\$10.25						
<i>Showers</i>			\$33.75				
<b>Bill Moore Park</b>							
<i>Field, soccer/football/rugby</i>				n/c		\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c			\$8.25
<i>Ball Diamonds</i>				n/c		\$21.00	\$8.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		\$9.25
<i>Lights - Minor ½ Field</i>	\$2.50						
<i>Lights - Minor Full Field</i>	\$5.25						
<i>Lights - Adult ½ Field</i>	\$5.25						
<i>Lights - Adult Full Field</i>	\$10.25						
<i>Showers</i>			\$33.75				
<b>Martin Park</b>							
<i>Field 1</i>				n/c	\$15.50		
<i>Hockey Box/Lacross Box</i>				n/c	n/c	\$29.00	
<i>Ball Diamonds</i>				n/c	n/c	Prohibited	Prohibited
<i>Tournaments/Special Events</i>						Prohibited	Prohibited
<b>Ecole Puntledge Park Elementary</b>							
<i>Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		
<i>Ball Diamonds</i>				n/c	n/c	\$12.50	\$7.25



**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

<b>Facility</b>	Hourly	Daily	Per Use	Minor	Minor Day	Adult Game	Adult Practice
<b>Playing Fields</b>							
<b>Valley View</b>							
<i>Field, soccer/football/rugby</i>				n/c	n/c	\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>Ball Diamonds</i>				n/c	n/c	\$21.00	\$9.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		
<i>Showers</i>			\$32.00				
<b>Woodcote</b>							
<i>Field, soccer/football/rugby</i>				n/c	n/c	\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		
<b>Arden</b>							
<i>Ball Diamond 1 &amp; 2</i>				n/c	n/c	\$12.50	\$7.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>Tournaments/Special Events</i>		n/c			n/c		
<b>Courtenay Elementary</b>							
<i>Fields 1 &amp; 2</i>				n/c		Prohibited	
<i>½ Field</i>							
<b>Queeneesh</b>							
<i>Fields 1 &amp; 2</i>		\$31.00		n/c	\$15.50	\$33.00	\$16.25
<i>½ Field</i>				n/c			\$8.25
<b>Glacier View</b>							
<i>Fields 1 &amp; 2</i>				n/c	n/c		
<i>½ Field</i>				n/c	n/c	\$12.50	\$7.25
<b>G.P. Vanier</b>							
<i>Fields 1, 2 &amp; 3</i>				n/c	\$15.50	\$33.00	\$16.25
<i>½ Field</i>				n/c			\$8.25
<i>Lights - Minor Full Field</i>	\$5.25						
<i>Lights - Adult Full Field</i>	\$10.25						
<i>Field, soccer/football/rugby</i>						\$33.00	\$16.25
<i>Ball Diamonds</i>							\$12.50
<i>Ball Diamonds - ½ practice</i>							\$9.25

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

<b>Facility</b>	Hourly	Daily	Per Use	Minor	Minor Day	Adult Game	Adult Practice
<b>Huband Park</b>							
<i>Field 1</i>				n/c	n/c	Prohibited	Prohibited
<i>½ Field</i>				n/c	n/c		
<b>Isfeld Senior</b>							
<i>Field 1</i>		\$37.25		n/c	\$15.50	\$33.00	\$16.25
<i>½ Field</i>				n/c			\$8.25
<b>Lake Trail - Upper</b>							
<i>Field 1</i>				n/c			
<i>½ Field</i>				n/c			\$8.25
<i>Field, soccer/football/rugby</i>						\$33.00	\$16.25
<i>Ball Diamonds</i>		\$31.00			\$15.50	\$12.50	\$7.25
<i>Ball Diamonds - ½ practice</i>							
<b>Lake Trail - Lower</b>							
<i>Field 1</i>				n/c			
<i>½ Field</i>				n/c			\$8.25
<i>Field, soccer/football/rugby</i>						\$33.00	\$16.25
<i>Ball Diamonds</i>		\$31.00			\$15.50	\$12.50	
<i>Ball Diamonds - ½ practice</i>							\$7.25

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Simms Millenium Park</b>			
<b>Rotary Centennial Pavilion</b>			
<i>Sponsored</i>	No Chg	No Chg	
<i>Sponsored w/Vending</i>		To be negotiated	
<i>Sponsored w/PA</i>			\$30.50
<i>Community</i>	\$21.00	\$104.00	
<i>Community w/Vending</i>	\$26.00	\$130.00	
<i>Community w/PA</i>			\$30.50
<i>Private</i>	\$26.00	\$130.00	
<i>Private w/Vending</i>	\$31.00	\$156.00	
<i>Private w/PA</i>			\$35.75
<i>Commercial</i>	\$78.00	\$390.00	
<i>Commercial w/Vending</i>	\$88.25	\$438.50	
<i>Commercial w/ PA</i>			\$102.00
<b>Knights of Columbus BBQ</b>			
<i>Community</i>			\$21.00
<i>Private</i>			\$31.00
<i>Commercial</i>			\$52.00
<b>Park Booking (non-playing field)</b>			
<i>Charity Events</i>	No Chg	No Chg	
<i>Community</i>	\$10.50	\$52.00	
<i>Private</i>	\$15.50	\$77.50	
<i>Major Events</i>	To be negotiated		

**SCHEDULE OF FEES AND CHARGES**  
**CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017**  
**SECTION IV, APPENDIX I**  
**RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Memorial Pool</b>			
<i>Community 100 - 150 people</i>	\$137.50		
<i>Community 50 - 99 people</i>	\$117.50		
<i>Community 49 people &amp; under</i>	\$87.50		
<i>Commercial 50 - 100 people</i>	\$230.00		
<i>Private 100 - 150 people</i>	\$172.50		
<i>Private 50 - 99 people</i>	\$142.50		
<i>Private 49 people &amp; under</i>	\$122.50		
<i>Schools 100 - 150 people</i>	\$117.50		
<i>Schools 50 - 99 people</i>	\$92.50		
<i>Schools 49 people &amp; under</i>	\$67.50		
<i>Bday Party ½ pool under 30 ppl</i>	\$67.50		
<i>Bday Party pool under 60 ppl</i>	\$122.50		
<b>Florence Filberg Centre</b>			
<b>Conference Hall</b>			
<i>Community</i>	\$56.00	\$515.00	
<i>Private</i>	\$66.25	\$688.50	
<i>Commercial</i>	\$97.00	\$811.00	
<b>½ Conference Hall</b>			
<i>Community</i>	\$56.00	\$260.00	
<i>Private</i>	\$66.25	\$311.00	
<i>Commercial</i>	\$97.00	\$413.00	
<b>Upper Kitchen (w/Hall)</b>	\$51.00		
<b>Upper Kitchen (by itself)</b>		\$151.00	
<b>Soroptimist Lounge</b>			
<i>Community</i>	\$16.25	\$47.00	
<i>Private</i>	\$24.50	\$63.25	
<i>Commercial</i>	\$34.75	\$86.75	
<b>Rotary Hall</b>			
<i>Community</i>	\$24.50	\$290.75	
<i>Private</i>	\$36.75	\$367.25	
<i>Commercial</i>	\$55.00	\$428.50	
<b>½ Rotary Hall</b>			
<i>Community</i>	\$24.50	\$148.00	
<i>Private</i>	\$36.25	\$178.50	
<i>Commercial</i>	\$55.00	\$204.00	

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Florence Filberg Centre</b>			
<b>Evergreen Lounge</b>			
<i>Community</i>	\$24.50	\$78.50	
<i>Private</i>	\$36.75	\$118.25	
<i>Commercial</i>	\$55.00	\$199.00	
<b>Craft Room</b>			
<i>Community</i>	\$16.25	\$47.00	
<i>Private</i>	\$24.50	\$63.25	
<i>Commercial</i>	\$34.75	\$86.75	
<b>Lower Kitchen (w/ Hall)</b>			
	\$36.75		
<b>Lower Kitchen (by itself)</b>			
		\$76.50	
<b>Native Sons Hall</b>			
<b>Grand Hall</b>			
<i>Community</i>	\$37.75	\$362.00	
<i>Private</i>	\$49.00	\$505.00	
<i>Commercial</i>	\$65.25	\$658.00	
<b>Upper Kitchen (w/Hall)</b>			
	\$51.00		
<b>Upper Kitchen (by itself)</b>			
		\$151.00	
<b>Balcony/Mezzanine</b>			
<i>Community</i>	No Chg	\$35.75	
<i>Private</i>	No Chg	\$51.00	
<i>Commercial</i>	No Chg	\$76.50	
<b>Dining Room</b>			
<i>Community</i>	\$19.50	\$97.00	
<i>Private</i>	\$27.50	\$118.25	
<i>Commercial</i>	\$35.75	\$163.25	
<b>Lodge Room</b>			
<i>Community</i>	\$19.50	\$128.50	
<i>Private</i>	\$27.50	\$151.00	
<i>Commercial</i>	\$35.75	\$191.75	
<b>Lodge &amp; Dining Room</b>			
<i>Community</i>	\$37.75	\$224.50	
<i>Private</i>	\$49.00	\$270.25	
<i>Commercial</i>	\$62.25	\$357.00	
<b>Lower Kitchen (w/Hall)</b>			
	\$36.75		
<b>Lower Kitchen (by itself)</b>			
		\$76.50	
<b>Parlour Room</b>			
<i>Community</i>	\$19.50	\$38.75	
<i>Private</i>	\$27.50	\$57.00	
<i>Commercial</i>	\$35.75	\$70.50	

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Lewis Centre</b>			
<b>Activity Room</b>			
<i>Community</i>	\$25.50		
<i>Private</i>	\$37.75		
<i>Commercial</i>	\$57.00		
<b>Gym</b>			
<i>Community</i>	\$28.50		
<i>Private</i>	\$37.75		
<i>Commercial</i>	\$67.75		
<b>Change Rooms/Showers</b>			
<i>Community</i>			\$34.75
<i>Private</i>			\$41.75
<i>Commercial</i>			n/a
<b>Multi Purpose Hall</b>			
<i>Community</i>	\$28.50		
<i>Private</i>	\$37.75		
<i>Commercial</i>	\$67.75		
<b>½ Multi Purpose Hall</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$21.50		
<i>Commercial</i>	\$36.75		
<b>Multi Purpose Concession</b>			
<i>Community</i>			\$27.50
<i>Private</i>			\$31.00
<i>Commercial</i>			\$47.00
<b>Meeting Room</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$23.50		
<i>Commercial</i>	\$34.75		
<b>Craft Room A /B</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$23.50		
<i>Commercial</i>	\$34.75		
<b>Nursery School</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$23.50		
<i>Commercial</i>	\$34.25		

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily
<b>Lewis Centre</b>		
<b>Upstairs Gallery A/B</b>		
<i>Community</i>	\$11.25	
<i>Private</i>	\$17.25	
<i>Commercial</i>	\$21.50	
<b>Park Outbuildings</b>		
<b>Tsolum Building</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	
<b>Salish Building</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	
<b>Lawn Bowling Building</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	
<b>Lawn Bowling Bldg w/Kitchen</b>		
<i>Community</i>	\$25.25	
<i>Private</i>	\$32.50	
<i>Commercial</i>	\$43.25	
<b>Bill Moore Fieldhouse</b>		
<i>Community</i>	\$11.25	
<i>Private</i>	\$16.75	
<i>Commercial</i>	\$21.50	
<b>Valley View Clubhouse</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily
<b>LINC Youth Centre</b>		
<b>Skatepark</b>		
<i>Community</i>	\$31.50	\$94.00
<i>Private</i>	\$42.00	\$125.00
<b>Games Room</b>		
<i>Community</i>	\$31.50	\$94.00
<i>Private</i>	\$42.00	\$125.00
<i>Youth</i>	\$26.00	\$78.50
<b>Multi-Purpose Room</b>		
<i>Community</i>	\$14.50	\$43.00
<i>Private</i>	\$22.00	\$65.00
<i>Youth</i>	\$10.50	\$31.50
<b>LINC Office</b>		
<i>Community</i>	\$10.00	\$30.00
<i>Private</i>	\$15.00	\$45.00
<b>EQUIPMENT USE</b>		
	\$10.45	
<b>Facility Charges</b>		
<b>Custodial Services</b>		
	\$36.75	





THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council

**File No.:** 2380-20 Community Futures Strathcona

**From:** Chief Administrative Officer

**Date:** December 18, 2017

**Subject:** Community Futures Strathcona Lease

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### **PURPOSE:**

The purpose of the report is to request approval for the lease of municipal property for use by Community Futures Strathcona on the second floor of the Centre for the Arts located at 580 Duncan Avenue, Courtenay.

### **POLICY ANALYSIS:**

The *Community Charter*, section 26 authorizes the City to lease any real property held or owned by the City. Council is responsible for approving and authorizing the execution of such leases.

### **CAO RECOMMENDATIONS:**

Based on the December 18, 2017 staff report, "Community Futures Strathcona Lease", subsequent to the publication of notice, Council approve Option 1 and authorize the Mayor and the Director of Legislative Services to execute the attached lease for at term of one year with an option to renew for a further term of up to five years, with respect to the municipally owned property located at 580 Duncan Avenue, Courtenay on lands having a legal description of of P.I.D. 028-799-925 Lot B, Section 61, Comox District Plan EPP15696.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### **BACKGROUND:**

Since 1985, Community Futures Strathcona (CFS) has supported small businesses in the Comox Valley and Strathcona area. CFS is a not-for-profit organization whose primary focus is to assist small business with small business loans, expansion and acquisitions.

In 2005, in return for obtaining loan funding for a portion of the major capital improvements to the second floor of the Centre For the Arts, Community Futures Strathcona entered into a lease with the City to occupy 1,410 SF of the second floor of 580 Duncan Avenue for a term of twenty years at no cost. CFS was to

provide reception services, office equipment, office furnishings, janitorial and mailroom services, and coordinate booking of the common boardroom for the smaller offices on the second floor.

The City leased the smaller offices to several community cultural organizations such as CV Exhibition Association, CV Art Council, and Comox Youth Music Centre.

In 2011, Community Futures requested to downsize to a smaller office as their organization no longer required use of the original office space. In 2012, by an agreement through a Letter of Understanding with the City, Community Futures moved into a smaller office on the second floor free of charge for a term of three years and the remaining loan balance which Community Futures owed for the capital improvements to the second floor was paid in full by the City.

**DISCUSSION:**

Community Futures Strathcona has made a request to continue leasing the 129 SF office space for one year with an option to renew the lease for an additional five years. CFS has also agreed to continue, at its own cost, to provide wifi internet access to all the single tenant offices located on the second floor.

Council is required to dispose of municipal property at market value pursuant to section 25 of the Community Charter. The rental rate is \$12.65 PSF per annum and is in line with the average rental rates for office space in the downtown Courtenay area.

**FINANCIAL IMPLICATIONS:**

Should Council approve the lease, the annual rental revenue will be \$1,632 per year.

**ADMINISTRATIVE IMPLICATIONS:**

The lease will be administered through the Recreation and Cultural Services Department. There will be minimal staff time required to oversee the lease.

**ASSET MANAGEMENT IMPLICATIONS:**

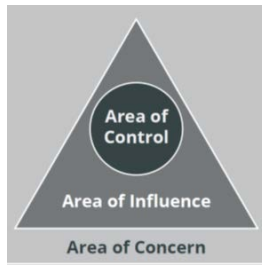
The Centre For the Arts will be maintaining an existing level of service if Council approves the lease.

**STRATEGIC PRIORITIES REFERENCE:**

The following section of the City of Courtenay 2016-2018 Strategic Priorities applies:

**We invest in our key relationships**

- 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.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

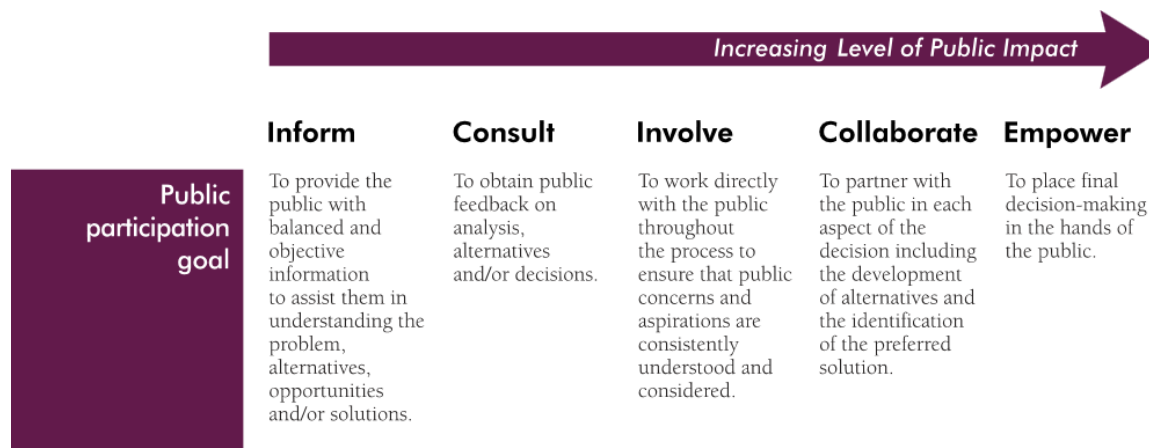
Not referenced.

**REGIONAL GROWTH STRATEGY REFERENCE:**

Not referenced.

**CITIZEN/PUBLIC ENGAGEMENT:**

With the disposition of land, council is required to post notice in local newspapers pursuant to section 26 of the *Community Charter*. This notice will inform the public as identified in the *IAP2 Spectrum of Public Participation*.



**OPTIONS:**

**Option 1** Based on the December 12, 2017 staff report, “Community Futures Strathcona Lease”, subsequent to the publication of notice, Council approve Option 1 and authorize the Mayor and the Director of Legislative Services execute the attached lease for at term of one year with an option to renew for a further term of up to five years, with respect to the municipally owned property located at 580 Duncan Avenue, Courtenay on lands having a legal description of P.I.D. 028-799-925 Lot B, Section 61, Comox District Plan EPP15696.

**Option 2** That Council not approve the lease and direct staff to find another tenant.

Option 3      That Council not approve the lease, and refer the matter back to Staff for further consideration.

Prepared by:

A handwritten signature in black ink, appearing to read 'D Snider', with a horizontal line drawn through the middle of the signature.

Dave Snider MBCSLA

Director of Recreation and Cultural Services

Attachments:

A - Lease

**OFFICE RENTAL AGREEMENT**

BETWEEN:

**THE CORPORATION OF  
THE CITY OF COURTENAY**  
830 Cliffe Avenue  
Courtenay, B.C. V9N 2J7

(the "Landlord")

AND:

**COMMUNITY FUTURES STRATHCONA**  
900 Alder Street  
Campbell River, B.C. V9W 2P6

(the "Tenant")

WHEREAS:

- A. The City owns lands having a civic address of 580 Duncan Avenue, Courtenay, British Columbia, legally described as being a portion of P.I.D. 028-799-925 Lot B, Section 61, Comox District Plan EPP15696;(collectively, "Land") in the building known as the Centre For the Arts (the "Building") has been constructed on the Lands, and is owned by the City.
- B. The Landlord has agreed to lease a portion of the Building to the Tenant (the "Office") #203 located on the 2<sup>nd</sup> floor of the Building, and the Tenant has agreed to accept that lease, all on the terms and conditions herein set forth.
- C. In accordance with section 26 of the *Community Charter*, the Landlord has published notice in a newspaper of its intention to lease a portion of the Building and Lands to the Tenant.

NOW THEREFORE THIS LEASE WITNESSES that in consideration of the premises and the covenants, agreements, representations, and payments contained in this Lease, the parties covenant and agree with each other as follows:

- 1. The term of this Agreement is for one (1) year commencing January 1, 2018 and ending on December 31, 2018, subject to further renewal if agreed to by both parties in written form no later than three months before the end of the lease term and for a term of up to five (5) years and at a rent to be agreed upon.

Landlord Initials	Tenant Initials

2. The Tenant will pay rent on the 1<sup>st</sup> day of each month to the City, in the amount of ONE HUNDRED THIRTY-SIX DOLLARS (\$136.00) per month in Canadian dollars plus applicable taxes.
3. The Tenant shall be responsible for all repairs and maintenance related to the Office.
  - a) The Tenant shall not do or permit to be done any act or things which may render void or voidable or conflict with the requirements of any policy or policies of insurance, including any regulations of fire insurance underwriter applicable to such policy or policies, whereby the Lands or the buildings or the contents of the premises of any tenant are insured or which may cause any increase in premium to be paid in respect of any such policy. In the event that any such policy or policies is or are cancelled by reason of any act or omission of the Tenant, the Landlord shall have the right at its option to terminate this lease forthwith by giving written notice of termination to the Tenant, and in the event that the premium to be paid in respect of any such policy is increased by any act or omission of the Tenant, including the use of the premises for the purposes for which they are leased in this lease, the Tenant shall pay to the Landlord the amount by which said premiums shall be so increased, as additional rent.
  - b) The Tenant shall comply with its constitution and bylaws at all times, and shall notify the Landlord whenever a change in the Tenant’s constitution or bylaws occurs.
  - c) The Tenant shall reimburse the Landlord for expenses incurred by the Landlord in repairing any damage caused to the Offices or Common Areas, the improvements thereon or any part thereof as a result of the negligence or wilful act of the Tenant, its invitees, licensees, agents or other persons from time to time in or about the Office, the Building or the Lands.
  - d) The Tenant shall not assign or sublet the Office or any part thereof, and shall not permit any business to be conducted in or from the Office or any part thereof, by any licensee or concessionaire without the prior written consent of the Landlord.
  - e) The Tenant hereby releases, indemnifies and saves harmless the Landlord and its elected and appointed officials, officers, employees, agents, successors and assigns from any and all liabilities, damages, costs, claims, suits, or actions (including without limitation, the full amount of all legal fees, costs, charges and expenses whatsoever) directly or indirectly arising from
    - (i) any breach, violation, or non-performance of any covenant, condition or agreement in this lease set forth and contained on the part of the Tenant to be fulfilled, kept, observed and performed;

Landlord Initials	Tenant Initials

- (ii) any damage to property in or about the Office, the Land or the Building;

This indemnity shall survive the expiry or sooner determination of this lease.

- j) The Tenant is responsible for insuring all personal property and contents in the Office, to full replacement cost against risk of fire and other risks against which a prudent owner would insure. Without limiting the foregoing, the Tenant shall at its own expense, throughout the term of this lease, secure and maintain in force during the Term of this lease or any renewal thereof:
  - (i) a policy of comprehensive/commercial general liability insurance for the benefit of the Landlord and the Tenant providing coverage for death, bodily injury, property loss, property damage and other potential loss and damage arising out of the Tenant's use and occupation of the Of or the Lands ; and
  - (ii) product liability insurance to cover any liability that might arise out of the sale of aviation gasoline and any other products by the Tenant,

all with an inclusive limit of not less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence for bodily injury and property damage.

- k) All insurance shall be underwritten by a responsible insurance company or companies licensed to do business in the Province of British Columbia and that meet with the reasonable approval of the Landlord, be upon the terms and conditions satisfactory to the Landlord, shall contain a waiver of segregation clause in favour of the Landlord, and shall contain a clause requiring the insurer not to cancel or change the insurance without first giving the Landlord three days written notice thereof. Copies of all policies shall be delivered to the Landlord upon request.
- l) The Tenant agrees that if it does not provide or maintain in force such insurance, the Landlord may take out the necessary insurance and pay the premium therefore for periods of one year at a time, and the Tenant shall pay to the Landlord as additional rent the amount of such premium immediately upon demand.
- m) Have the City named as an additional insured and a Cross Liability clause;

Landlord Initials	Tenant Initials

4. The Tenant may be permitted to book the 2<sup>nd</sup> floor boardroom for use on a first come first serve basis through the 2<sup>nd</sup> floor main tenant – Comox Valley Economic Development Society.
5. The Tenant will comply with all applicable City building and fire codes, bylaws and regulations, as well as with any internal procedures and rules established by the City.
6. Any damage to the Office or the Building caused by the Tenant or its invitees will be the Tenant's responsibility. Use of office equipment belonging to the Landlord and/or Comox Valley Economic Development Society will be at the Tenant's sole risk and expense.
7. No structural repairs or alterations to the Office will be done without the City's prior written consent.
8. This Agreement will not be assignable, in whole or in part, without the City's prior written consent.
9. All photocopying, long distance, internet, telephone and other Tenant operational charges will be paid by the Tenant.
10. For the Term of the Lease, the Tenant shall continue at its own cost, provide Wi-Fi internet service free of charge to all Tenant's located on the 2<sup>nd</sup> floor of the Building excluding the Comox Valley Economic Development Society during the term of this Agreement.
11. If the Tenant fails to pay rent when due or fails to fulfill its other obligations under this Agreement or fails to maintain its good standing as a society, then the City can terminate this Agreement upon five (5) days' written notice.
12. Either Tenant or Landlord may terminate this lease for any reason provided three (3) months' advance written notice is delivered by either party.
13. The Tenant will not sublet in whole or in part, the Office, without the City's prior written consent.
14. If at the expiration of the Term the Tenant shall hold over with the consent of the Landlord, the tenancy of the Tenant shall thereafter, in the absence of written agreement to the contrary, be from year to year, at the same rental as set out in this lease, and shall be subject to all other terms and conditions of this lease.

Landlord Initials	Tenant Initials



As evidence of their agreement to be bound by the above terms and conditions, the parties have executed this agreement below, on the respective dates written below.

SIGNED, SEALED AND DELIVERED )  
by the City, this \_\_\_\_ day of January , 2018. )  
 )  
 )  
\_\_\_\_\_)  
Larry Jangula, Mayor )  
 )  
 )  
\_\_\_\_\_)  
JOHN WARD, Director of Legislative Services )

SIGNED, SEALED AND DELIVERED )  
by Community Futures Strathcona, )  
this \_\_\_\_ day of January, 2018. )  
 )  
 )  
\_\_\_\_\_)  
Name: )  
 )  
 )  
\_\_\_\_\_)  
Name: )





## STAFF REPORT

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**To:** Council

**File No.:** 0550-20

**From:** Chief Administrative Officer

**Date:** December 18, 2017

**Subject:** Terms of Reference – “Parks and Recreation Advisory Commission”

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### **PURPOSE:**

The purpose of this report is to provide draft Terms of Reference (ToR) to Council for discussion and direction on creation of a “Parks and Recreation Advisory Commission”.

### **CAO RECOMMENDATIONS:**

That based on the December 18, 2017 staff report “Terms of Reference – Parks and Recreation Advisory Commission”, Council adopt OPTION 1 and create the Parks and Recreation Advisory Commission; and That Council approve the attached Terms of Reference to guide the function of the Commission; and That Council appoint the following commission members: Mary Crowley, Allan Douglas, Iris Churchill, Wayne King, Carolyn Janes & Sébastien Braconnier

And that Council consider appointing a Council representative to the new commission.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### **BACKGROUND:**

In 1997 the C.R.A. Advisory Board was formed as an advisory body to Council to make recommendations to Council and the Director of Community Services on matters concerning parks and recreational development, programming and general recreation philosophy. From that time forward the C.R.A. Board functioned in a dual role, remaining as a non-profit entity and as an advisory board to the City.

### **DISCUSSION:**

During 2017, the C.R.A. board worked with the City to clarify roles and responsibilities and to begin the work of creating a more comprehensive management agreement. The City has been advised that the C.R.A. should not be in a contract with the City, and then advising the City on contractual matters. This presents a conflict of interest.

To resolve this, the creation of a Parks and Recreation Advisory Commission is proposed to provide advice based on established terms of reference (attached). If approved, city policies and procedures will be amended to point to this new advisory body.

**Terms of Reference – “Parks and Recreation Advisory Commission”**

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Understanding that some members of the C.R.A. board are more interested in providing advice than operating an organization, the board members were asked if they would like to serve on the board or the commission. In the October 5, 2017 C.R.A. Advisory Board Meeting, each director identified where they would prefer to serve.

The formation of this commission will be executed in through the following steps:

- Council consideration of the recommendation to form the commission.
- Council will consider appointing 6 members to the commission. The proposed members of the commission include: Mary Crowley, Allan Douglas, Iris Churchill, Wayne King, Carolyn Janes and Sébastien Braconnier. Council may add members as appropriate.
- That Council consider appointing a Council representative to the new commission.

**FINANCIAL IMPLICATIONS:**

There are no additional financial resources required. The Recreation and Cultural Services Department will reassign the existing budget operating budget of \$1,000, previously allocated to C.R.A Board meetings to the Parks and Recreation Advisory Commission activities.

**ADMINISTRATIVE IMPLICATIONS:**

Oversight of the commission activities will continue to lie with the Director of Recreation and Cultural Services.

With the establishment of a commission, Procedure Bylaw No. 2730, 2013, requires that the Director of Legislative Services publish agendas, public notifications, minutes, and report back to council reporting. This will represent a small increase in the administrative burden.

As a final administrative step, all City bylaws, policies, directives and procedures which make reference to the C.R.A. Board will be reviewed, revised and amended to reference the Parks and Recreation Advisory Commission where applicable.

**ASSET MANAGEMENT IMPLICATIONS:**

The Parks and Recreation Advisory Commission will advise the City on expected levels of service in the Community.

**STRATEGIC PRIORITIES REFERENCE:**

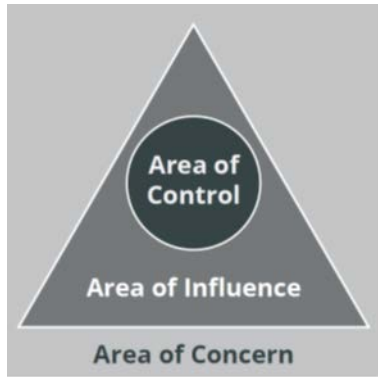
The creation of this commission will bring together council’s strategic priorities:

**We focus on organizational and governance excellence**

- We support and encourage initiatives to improve efficiencies
- Communication with our community is a priority, and is considered in all decisions we make
- We responsibly provide services at a level which the people we serve are willing to pay

**We invest in our key relationships**

● We value and recognize the importance of our volunteers



- **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:**

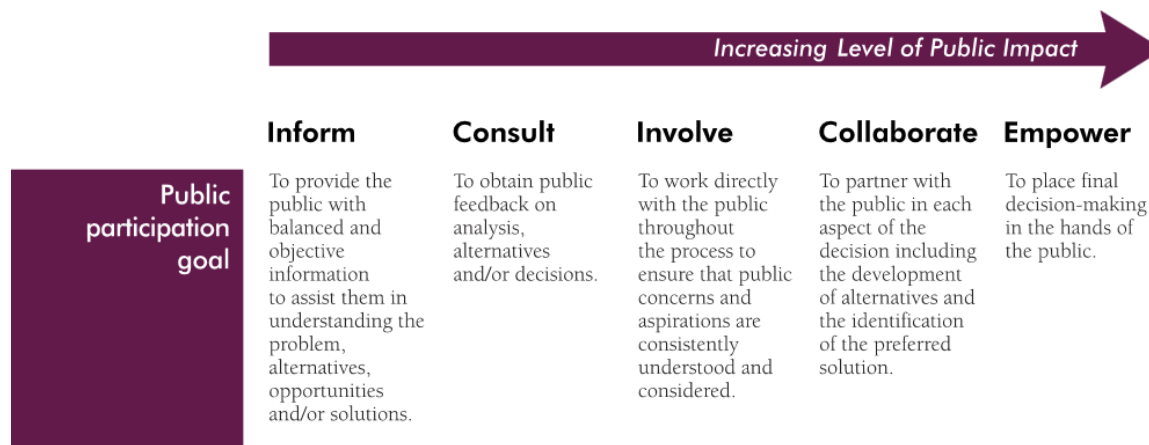
No specific reference

**REGIONAL GROWTH STRATEGY REFERENCE:**

No specific reference

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff have **consulted** with the C.R.A. Board in the development of this report as identified in the *IAP2 Spectrum of Public Participation*. The commission will serve to involve the community in City decision making.



**Terms of Reference – “Parks and Recreation Advisory Commission”**

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**OPTIONS:**

**OPTION 1:**

That based on the December 18, 2017 staff report “Terms of Reference – Parks and Recreation Advisory Commission”, Council adopt OPTION 1 and create the Parks and Recreation Advisory Commission; and That Council approve the attached Terms of Reference to guide the function of the Commission; and That Council appoint the following commission members: Mary Crowley, Allan Douglas, Iris Churchill, Wayne King, Carolyn Janes & Sébastien Braconnier  
And that Council consider appointing a Council representative to the new commission.

OPTION 2: That Council refer this item back to staff for further consideration

OPTION 3: That Council takes no action on this matter at this time.

Prepared by:



Dave Snider *BCSLA*

Director of Recreation and Cultural Services

*Attachments:*

1. *Terms of Reference – Parks and Recreation Advisory Commission*



## TERMS OF REFERENCE

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**To:** Chairperson and Committee Membership

**File No.:** 0550-20

**From:** Chief Administrative Officer

**Date:** December 18, 2017

**Subject:** Terms of Reference (ToR) – “Parks and Recreation Advisory Commission”

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### **PURPOSE:**

By appointment of Council, the “Parks and Recreation Advisory Commission” is created to advise Council on parks and recreation matters.

### **ROLE:**

The “Parks and Recreation Advisory Commission” is created for two key purposes:

1. To act as a strategic engagement team designed to:
  - a. To review, discuss and provide timely advice the City on Parks and Recreation items brought before the Commission by the Director of Recreation and Cultural Services.
  - b. Provide a forum for public engagement on Parks and Recreation matters
  - c. To reflect the diverse views of the citizens of Courtenay
2. To provide advice and recommendations to Council on any matters referred by Council relating to parks and recreation and assist Council to accomplish goals and objectives as outlined in Council’s Strategic Plan.

### **RELATIONSHIP TO STAFF AND COUNCIL:**

In general, advice provided by the commission will be conveyed to staff who will then report to Council. Commission minutes will be received by council in open session. The commission may request that the appointed councillor report specific items to council or may request to appear as a delegation as appropriate in consultation with staff.

### **AUTHORITY:**

This commission is created under the authority of s. 143 of the *Community Charter*. This provides that:

- A council may establish and appoint a commission to do one or more of the following:
  - o operate services;
  - o undertake operation and enforcement in relation to the council's exercise of its authority to regulate, prohibit and impose requirements;
  - o manage property and licences held by the municipality.

The Parks and Recreation Advisory Commission will be an “advisory” body and not directive or decision making in nature.

### **MEMBERSHIP AND STRUCTURE:**

Members of the commission will be appointed by council based on their personal knowledge, breadth of experience and capability to add productively to the dialogue on Parks and Recreational topics. The size of the commission will be determined by Council appointments.

**Terms of Reference (ToR) – “Parks and Recreation Advisory Commission”**

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The Chair of the Commission will be appointed by the Commission who will be supported by the Director of Recreation and Cultural Services who will be responsible to the CAO for all Corporate requirements via the Director of Legislative Services, Financial Services and Public Works Services.

**ROLE OF THE CHAIR:**

The chair is responsible for the smooth and effective operation of the Commission and its roles.

Responsibilities include:

- Calling the meeting to order.
- Encouraged to create an informal atmosphere to encourage the exchange of ideas.
- Creating an agenda in consultation with the Director of Recreation and Cultural Services and the Commission secretary.
- Chair the meetings.
- Representing the commission on other teams as necessary.
- Conducting the meetings in accordance with the City procedure bylaw and these terms of reference.
- In the absence of the Chair, these responsibilities will be undertaken by the Deputy Chairperson.

**ROLE OF THE SECRETARY:**

The secretary is responsible for ensuring a complete up to date record for the Commission.

Responsibilities include:

- Working with the chair to communicate the date, time, and venue for meetings.
- Communicating with members to identify meeting details.
- Preparing the agenda and circulating it to the members at least 2 days prior to the meeting.
- Circulating draft minutes to members.
- Keeping up to date records for the Commission.

**ROLE OF MEMBERS:**

Membership on the Commission requires a strong commitment to the terms of reference. Committee members are required to:

- Attend all regular meetings. Members are to notify the Chair or secretary if they are unable to attend a meeting.
- Review all information supplied to them.
- Offer input to the committee reports.
- Abide by the City Respectful Workplace policy

**COMMISSION PROCEDURE:**

Coordination of administrative and technical support to the commission will be provided as appropriate by the Director of Recreational and Cultural Services and may be delegated to the applicable staff member(s) as prove to be most efficient and effective to advancing the mandate of the Commission.

The Chairperson, or in his or her absence the Deputy Chairperson, is responsible to ensure procedural compliance in accordance with the *Community Charter* and *Council Procedure Bylaw No. 2730*.



**Terms of Reference (ToR) – “Parks and Recreation Advisory Commission”**

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**MEETINGS:**

Meetings will comply with “Part 4, Division 3 – Open Meetings,” of the *Community Charter* and the *Council Procedure Bylaw No. 2730 – Part 9 – Commissions*.

- At its first meeting after its establishment, a commission must establish a regular schedule of meetings.
- The Chair of a Commission may call a meeting of the Commission in addition to the scheduled meetings or may cancel a meeting.

The commission will consist of members appointed by Council, and in accordance with the Procedure Bylaw:

- Chairperson (Commission member);
- An appointed Councillor

The role and operations of the Parks and Recreation Advisory Commission shall be governed by Policy #0550.00.02 Boards, Committees and Commissions.

As defined in Policy #0550.00.02 Boards, Committees and Commissions:

- The minutes of all boards, committees, and commissions are to be recorded and shall be forwarded to the Clerk to be considered at the next Council or Standing Committee or Committee of the Whole meeting for action or information.

Notice of a Commission meeting must be given by:

- posting a copy of the schedule at the Public Notice Posting Places; and
- providing a copy of the schedule to each member of the Commission.
- Where revisions are necessary to the annual schedule of the Commission meetings, the Corporate Officer must, as soon as possible, post notice at the Public Notice Posting Places which indicates any revisions to the date, time and place for cancellation of a Commission meeting.
- The Chair must give notice of the day, time and place of a meeting called to all members of the Commission at least 24 hours before the time of the meeting.

Minutes of the proceedings of a Commission must be:

- legibly recorded;
- certified by the *Corporate Officer*
- open for public inspection at City Hall during regular office hours

Quorum

- The quorum of a Commission is a majority of all of its members.

Respectfully submitted,



David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer





THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Tsolum Farnham Fire Services Agreement

**File No.:** 7200-02  
**Date:** December 18, 2017

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### **PURPOSE:**

The purpose of this report is to renew the Tsolum Farnham Fire Protection Agreement between the City of Courtenay (the "City") and the Comox Valley Regional District (the "CVRD").

### **CAO RECOMMENDATIONS:**

That based on the December 18, 2017 staff report "Tsolum Farnham Fire Services Agreement", Council approve OPTION 1 and the attached agreement between the City and the CVRD for Tsolum Farnham Fire Services; and

That the Mayor and Corporate Officer be authorized to execute the agreement on behalf of the City.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### **BACKGROUND:**

The City has been providing fire protection services through the Courtenay Volunteer Fire Department to the Tsolum Farnham area for decades.

In 2013, the fire protection area was converted to a CVRD service area and the City entered into an agreement to provide fire protection for the area.

### **DISCUSSION:**

The current agreement expires on December 31, 2017. Staff consider the renewal of the agreement to be a straightforward renewal of a longstanding fire service agreement, and are recommending approval.

### **FINANCIAL IMPLICATIONS:**

There are no additional financial impacts relating to renewal of the agreement, and cost recovery provisions are included in the agreement.

**ADMINISTRATIVE IMPLICATIONS:**

There are no administrative implications.

**ASSET MANAGEMENT IMPLICATIONS:**

None.

**STRATEGIC PRIORITIES REFERENCE:**



- **Area of Control**  
The policy, works and programming matters that fall within Council’s jurisdictional authority to act.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

Statutory in nature.

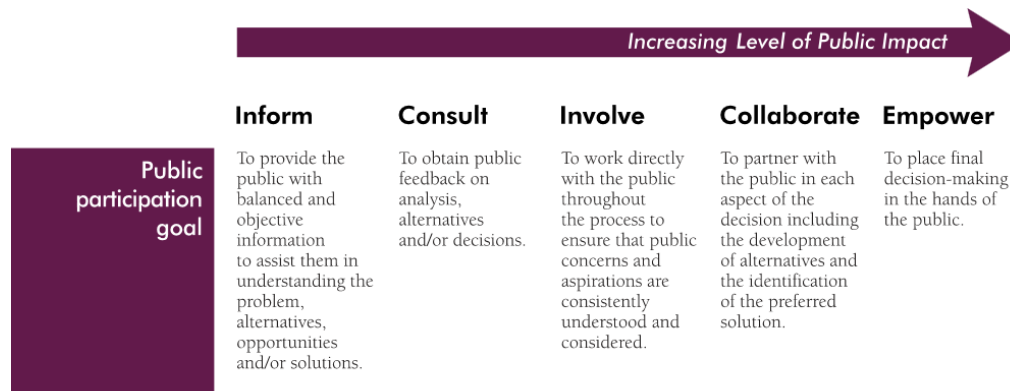
**REGIONAL GROWTH STRATEGY REFERENCE:**

Statutory in nature.

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff would 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](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)



**OPTIONS:**

**OPTION 1:** That Council approve **OPTION 1** and the attached agreement between the City and the CVRD for Tsolum Farnham Fire Services; and

That the Mayor and Corporate Officer be authorized to execute the agreement on behalf of the City (Recommended).

**OPTION 2:** That Council refer the agreement back to staff for changes.

Prepared by:



Donald. A. Bardonnex  
Fire Chief

- Attachments:
1. Tsolum Farnham Fire Services Agreement (renewal).
  2. Original Tsolum Farnham Fire Services agreement.

This agreement made this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

**BETWEEN:**

**COMOX VALLEY REGIONAL DISTRICT**

600 Comox Road  
Courtenay, BC V9N 3P6

(hereafter called the “CVRD”)  
**OF THE FIRST PART**

**AND:**

**CITY OF COURTENAY**

830 Cliffe Ave  
Courtenay, BC V9N 2J7

(hereafter called the “City”)  
**OF THE SECOND PART**

**WHEREAS**

- A. Pursuant to section 263(1) of the *Local Government Act* (RSBC 2015) the CVRD desires to enter into an agreement with the City for the provision of fire protection services in the CVRD’s Tsolum Farnham fire protection service area (the Service Area);
- B. The CVRD has requested that the City provide municipal fire protection services for land and improvements within the Service Area of the CVRD;
- C. The City is authorized to enter into an agreement with the CVRD to provide municipal fire protection services pursuant to section 13(1) of the *Community Charter*, and
- D. The CVRD and the City have resolved to enter into this agreement believing it to be mutually beneficial.

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the promises and the mutual covenants and agreements hereinafter set forth in this agreement, the parties hereby agree to the terms and conditions contain in this agreement as follows:

**1. DEFINITIONS**

- (a) “Extraordinary fire” means a fire response call that, in the opinion of the fire chief, acting reasonably, requires any of the following:
  - i) Use of foam or fire retardant gels
  - ii) Fire crew and fire truck
  - iii) Specialized machinery costs
  - iv) Mutual aid costsand is materially beyond what is typically required to respond to a fire in the City.
- (b) “Extraordinary fire costs” means costs, over and above those costs associated with a fire that is not an extraordinary fire.
- (c) “Fire chief” means the person appointed from time to time as the chief of the fire department of the City or designate authorized by the fire chief to act on his behalf, or the senior ranking member of the fire department of the City present at the fire.

- (d) “Fire protection services” means fire services comparable to the fire services provided by the fire department within the boundaries of the City and includes but is not limited to response to and attendance at all dispatched fire alarms, fire suppression, fire investigation and reporting, hazardous material handling, fire prevention activities, vehicle extrication, first responder medical services, and related activities.
- (e) “Net cost” for the purpose of calculating the cost to the CVRD shall mean the City’s budgeted expenditures for the fire protection service for the fiscal year, which for certainty may include any capital costs, debt service costs, or capital reserve funds for capital assets, less any expected revenues and contributions from the capital reserve fund to the fire department.
- (f) “Scene security costs” means costs associated with securing a fire-damaged premise from unauthorized entry.
- (g) “Service Area” means the service area established by “Tsolum Farnham Fire Protection Local Service Conversion Bylaw No. 2069, 1998,” as amended
- (h) “Term” means the period of time commencing January 1, 2018 and expiring on December 31, 2022 subject to an annual appropriation of funds as set out in section 6.

## 2. SERVICES

- (a) The fire protection service shall be provided within the Service Area on a 24-hour basis from the City.
- (b) The fire department resources in the Service Area under this agreement will be under the sole direction of the fire chief.
- (c) The number of firefighters and type of apparatus and equipment deemed necessary to provide adequate fire protection services are to be dispatched at the sole discretion of the fire chief or designate and such fire fighting personnel, equipment and apparatus may vary depending on the circumstances of each emergency.
- (d) The fire chief will have control, direction and management of all fire fighting personnel and apparatus and of all fire suppression and safety measures at a fire in the service area. Without limiting the generality of the foregoing, the fire chief may order the evacuation of the premises in the service area in an emergency arising from a fire or risk of explosion, where in the fire chiefs sole discretion there is a danger to life or property, and may order the demolition of any building or part of a building in order to prevent the spread of fire or damage to persons or property.
- (e) The fire chief may order the suspension of the use of water in the Service Area for purposes other than firefighting during an emergency.
- (f) In the event of simultaneous fire emergencies, the fire chief will have sole discretion as to the deployment of personnel and apparatus of the City fire department. The City shall not be held liable in any manner whatsoever for the decision of the fire chief concerning this provision.
- (g) The fire suppression service provided by the City will be dependent on the water available at the site of the fire.
- (h) As part of the services provided under this agreement, the City shall ensure that the fire chief or his or her designate, provide advice and make recommendations to the CVRD’s manager of fire services and other officers and employees of the CVRD in relation to:
  - i) the establishment and administration of fire brigades and departments;

- ii) the provision of adequate water supply and pressure;
  - iii) the installation and maintenance of fire protection equipment;
  - iv) the enforcement of measures for the prevention or suppression of fire and the protection of life and property;
  - v) fire prevention generally;
- (i) The fire chief shall administer the system for issuing permits for open burning under Bylaw No. 261 being “Tsolum Farnham Fire Protection Service Regulations Bylaw No. 261, 2013”, as amended from time to time, including the collection of any permit fees. To ensure that the fire chief is able to properly administer this system, the fire chief shall be consulted for input prior to the creation of any bylaw.

### 3. CONDITIONS OF SERVICE

- (a) The CVRD agrees that it:
- i) shall provide accurate mapping that shows locations of homes, structures and roads within the Service Area and the CVRD shall be responsible to ensure the accuracy of the mappings and to provide updates to the City as new developments or changes occur;
  - ii) shall recognize the fire chief as the local assistant to the fire commissioner (LAFC) for the Service Area pursuant to the *Fire Services Act* of British Columbia;
  - iii) shall advise the City in writing of any proposed changes to or amendments of the Tsolum Farnham fire protection service establishment bylaw or Tsolum Farnham fire service regulations bylaw;
  - iv) shall be responsible for the mutually agreed upon costs associated with an extraordinary fire.
- (b) The City agrees that it:
- i) shall use its best efforts to respond to calls in the Service Area but may choose not to respond to locations where the fire chief deems the access routes to be unsafe or inadequate for fire department equipment;
  - ii) shall maintain at all times accurate records, books and accounts respecting the provision of the fire protection services;
  - iii) shall submit any fire incident reports to the office of the fire commissioner (OFC) that are required by the OFC and that the fire chief will report all fire department activity in the Service Area to the manager of fire protection services at the CVRD by letter or email, for review and statistical tracking purposes;
  - iv) shall advise the CVRD as soon as possible when an extraordinary fire takes place in the Service Area and advise if extraordinary fire costs were incurred that will be invoiced to the CVRD;
  - v) shall make every effort to mitigate the costs associated with an extraordinary fire.

### 4. INSURANCE AND INDEMNIFICATION

- (a) The CVRD will indemnify and save harmless the City, employees, officers, agents, elected officials and members of the fire department from and against all manner of actions, causes of actions, suits, claims, demands, costs (including legal fees), expenses, or liabilities of any nature whatsoever and by whosoever brought, made or suffered, for which the City shall or may become liable, incur or suffer, any way associated or connected with the provision or failure to provide the fire protection services, whether arising out of injury to person (including death), loss or damage, save and except to the extent that such injuries, loss or



damage are caused or contributed to by the negligence of the City, employees, officers, agents or members of the fire department.

- (b) The City and CVRD shall maintain general liability insurance policies in good standing during each year of the term of the agreement in an amount not less than \$5,000,000.00 per occurrence, and shall provide copies of all insurance policies to the other party.
- (c) The City shall take out and maintain automotive liability insurance on all vehicles used directly or indirectly in the performance of the fire suppression services under this agreement, protecting against damages arising from bodily injury (including death) and from claims of property damage, in an amount of not less than \$2,000,000.00.

## **5. RENEWAL AND CANCELLATION**

- (a) This agreement may be terminated by either party provided notice of termination is given in writing 12 months prior to termination date.
- (b) Either party wishing to renew this agreement will advise the other in writing at least six months in advance of the intended date of renewal, and the terms on which such renewal is sought.
- (c) This agreement may be amended in writing with the mutual consent of both parties

## **6. PAYMENT FOR SERVICES**

- (a) The annual cost to the CVRD for the provision of fire protection services under this agreement shall be calculated by apportioning the net cost to the City of operating the fire department less the costs of extraordinary fire suppression and scene security costs in either the Service Area or the City to the total net taxable value of land and improvements for general taxation purposes within the Service Area divided by the sum of total net taxable value of land and improvements for general taxation purposes within the City and the Service Area.
- (b) In 2018 and any subsequent year of the term, the CVRD shall pay the City the CVRD's share of the City's net cost as follows:
  - i) The calculated amount due for the year following shall be based on the City's approved current year budget plus an adjustment to actual for the year prior. The City shall submit notice of the calculated amount due for the year following by May 31st of each year. Such amount shall be paid in full not later than May 31st in the year following an invoice for payment.

For clarity:

- 2018 Amount Due is based on the approved 2017 budget, plus an adjustment to actual for the 2016 calendar year; Notice of the 2018 amount due would be provided by May 31st, 2017.
- 2019 Amount Due is based on the approved 2018 budget, plus an adjustment to actual for the 2017 calendar year; Notice of the 2019 amount due will be provided by May 31, 2018.

- (c) On or before November 15th of each year, further to the May advice to the CVRD of the net cost of the service for the upcoming year, the City shall further provide the CVRD with its estimated five-year financial plan to anticipate budget variations and proposed capital improvements.
- (d) Where the City's net cost for an upcoming years' service (as per the letter of notification provided by May 31st) exceeds the net cost for the preceding year by more than five per cent, the City's fire department budget will be discussed with the CVRD, who will make recommendations no later than December 31 to the City . The City will advise the CVRD of their decision on any recommendations on or before January 31.

**7. PAYMENT FOR EXTRAORDINARY FIRE COSTS AND SCENE SECURITY COSTS**

- (a) When the City has incurred extraordinary fire costs and / or scene security costs, the City shall provide to the CVRD an invoice for the proposed charge calculated in accordance with schedule A.
- (b) If the CVRD objects to any amount included as an extraordinary fire cost or scene security cost under section 7(a), it shall within ten business days advise the fire chief in writing of its objection to the invoice and the basis for the objection. The fire chief and the CVRD's manager of fire services shall attempt in good faith to resolve the CVRD's objections and if they are unable to do so, the matter shall be referred to the respective chief administrative officers.
- (c) If the chief administrative officers cannot resolve the dispute within 30 days of the dispute being referred, the dispute shall be referred for resolution under section 10(b).

**8. NOTICE**

- (a) Wherever in this agreement it is required or permitted that notice, demand or other communication will be given and served by either party to the other, such notice or demand will be given and served in writing and forwarded to the respective party at the address given in this agreement, provided that either party may change its address by giving the other prior notice of a change in address.

**9. EFFECTIVE DATE**

- (a) Notwithstanding the date of executing or date of reference of this agreement, the effective date of this agreement is January 1st, 2018.
- (b) This agreement replaces any previous agreement between the parties dealing with the provision of firefighting, fire protection or fire prevention services to the Service Area or any part of it.

**10. GENERAL**

- (a) This agreement shall be governed by the laws of British Columbia and is the entire agreement between the parties regarding this subject matter.
- (b) In the event of a dispute between the parties regarding this agreement that the parties cannot resolve otherwise, the dispute shall be submitted to arbitration under the *Commercial Arbitration Act* for determination by a single arbitrator mutually acceptable to the parties.

(c) Time is of the essence of this agreement.

IN WITNESS WHEREOF the parties hereto have duly executed this agreement as of the day and year first above written.

**COMOX VALLEY  
REGIONAL DISTRICT**

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Chair

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James Warren  
Corporate Legislative Officer

**CITY OF COURTENAY)**

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Mayor

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Corporate Officer

## SCHEDULE "A"

### Charges for Extraordinary Fire Costs and Scene Security Costs

Hourly cost of each fire crew and fire truck (1 hour minimum)	Costs are in accordance with the provincially established rental rates for fire apparatus and personnel identified in the Inter-Agency Working Group report as revised from time to time.
Scene security costs	Actual cost
Hourly cost of specialized machinery <ul style="list-style-type: none"><li>• (includes heavy machinery required in combating the fire)</li></ul>	Actual cost
Fire retardant gel/per unit cost	Actual cost
Fire retardant foam/per unit cost	Actual cost
Mutual aid costs	Actual cost

## AGREEMENT FOR FIRE PROTECTION SERVICE

BETWEEN:

**CITY OF COURTENAY**

830 Cliffe Avenue

Courtenay, British Columbia, V9N 2J7

(hereafter called the "city")

OF THE FIRST PART

AND:

**COMOX VALLEY REGIONAL DISTRICT**

600 Comox Road

Courtenay, British Columbia, V9N 3P6

(hereafter called the "regional district")

OF THE SECOND PART

WHEREAS:

- A. Pursuant to section 176(1) of the *Local Government Act*, the regional district desires to enter into an agreement with the city for the provision of fire protection services in the service area;
- B. The regional district has requested that the city provide municipal fire protection services for land and improvements within a service area of the regional district;
- C. The city is authorized to enter into an agreement with the regional district to provide municipal fire protection services pursuant to section 13(1) of the *Community Charter*; and,
- D. The regional district and the city have resolved to enter into this agreement believing it to be mutually beneficial.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the promises and the mutual covenants and agreements hereinafter set forth in this agreement, the parties agree as follows:

### DEFINITIONS

1. (a) "Extraordinary fire" means a fire response call that, in the opinion of the fire chief, acting reasonably, requires any of the following:
  - i) use of foam or fire retardant gels
  - ii) fire crew and fire truck
  - iii) specialized machinery costs
  - iv) mutual aid costsmaterially beyond what is typically required to respond to a fire in the city.

- (b) "Extraordinary fire costs" means costs, over and above those costs associated with a fire that is not an extraordinary fire.
- (c) "Fire chief" means the person appointed from time to time as the chief of the fire department of the city or designate authorized by the fire chief to act on his behalf, or the senior ranking member of the fire department of the city present at the fire.
- (d) "Fire protection services" means fire services comparable to the fire services provided by the fire department within the boundaries of the city and includes but is not limited to response to and attendance at all dispatched fire alarms, fire suppression, fire investigation and reporting, hazardous material handling, fire prevention activities, vehicle extrication, first responder medical services, and related activities.
- (e) "Net cost" for the purpose of calculating the cost to the regional district shall mean the city's budgeted expenditures for the fire protection service for the fiscal year, which for certainty may include any capital costs, debt service costs, or capital reserve funds for capital assets, less any expected revenues and contributions from the capital reserve fund to the fire department.
- (f) "Scene security costs" means costs associated with securing a fire-damaged premise from unauthorized entry.
- (g) "Service area" means the service area established by "Tsolum Farnham Fire Protection Local Service Conversion Bylaw No. 2069, 1998," as amended.
- (h) "Term" means the period of time commencing January 1, 2013 and expiring on December 31, 2017 subject to an annual appropriation of funds as set out in section 6.

## SERVICES

- 2. (a) The fire protection service shall be provided within the service area on a 24-hour basis from the city.
- (b) The fire department resources in the service area under this agreement will be under the sole direction of the fire chief.
- (c) The number of firefighters and type of apparatus and equipment deemed necessary to provide adequate fire protection services are to be dispatched at the sole discretion of the fire chief or designate and such fire fighting personnel, equipment and apparatus may vary depending on the circumstances of each emergency.
- (d) The fire chief will have control, direction and management of all fire fighting personnel and apparatus and of all fire suppression and safety measures at a fire in the service area. Without limiting the generality of the foregoing, the fire chief may order the evacuation of the premises in the service area in an emergency arising from a fire or risk of explosion, where in the fire chief's sole discretion there is a danger to life or property, and may order the demolition of any building or part of a building in order to prevent the spread of fire or damage to persons or property.
- (e) The fire chief may order the suspension of the use of water in the service area for purposes other than firefighting during an emergency.

- (f) In the event of simultaneous fire emergencies, the fire chief will have sole discretion as to the deployment of personnel and apparatus of the city fire department. The city shall not be held liable in any manner whatsoever for the decision of the fire chief concerning this provision.
- (g) The fire suppression service provided by the city will be dependent on the water available at the site of the fire.
- (h) As part of the services provided under this agreement, the city shall ensure that the fire chief, or his or her designate, provide advice and make recommendations to the regional district's manager of fire services and other officers and employees of the regional district in relation to:
  - (i) the establishment and administration of fire brigades and departments;
  - (ii) the provision of adequate water supply and pressure;
  - (iii) the installation and maintenance of fire protection equipment;
  - (iv) the enforcement of measures for the prevention or suppression of fire and the protection of life and property;
  - (v) fire prevention generally;
- (i) The fire chief shall administer the system for issuing permits for open burning under Bylaw No. 261 being "Tsolum Farnham Fire Protection Service Regulations Bylaw No. 261, 2013", as amended from time to time, including the collection of any permit fees. To ensure that the fire chief is able to properly administer this system the fire chief shall be consulted for input prior to the creation of any bylaw.

### CONDITIONS OF SERVICE

3. (a) The regional district agrees that it:
- (i) shall provide accurate mapping that shows locations of homes, structures and roads within the service area and the regional district shall be responsible to ensure the accuracy of the mappings and to provide updates to the city as new developments or changes occur;
  - (ii) shall recognize the fire chief as the local assistant to the fire commissioner (LAFC) for the service area pursuant to the *Fire Services Act* of British Columbia;
  - (iii) shall advise the city in writing of any proposed changes to or amendments of the Tsolum Farnham fire protection service establishment bylaw or Tsolum Farnham fire service regulations bylaw;
  - (iv) shall be responsible for the mutually agreed upon costs associated with an extraordinary fire.
- (b) The city agrees that it:
- (i) shall use its best efforts to respond to calls in the service area but may choose not to respond to locations where the fire chief deems the access routes to be unsafe or inadequate for fire department equipment;

- (ii) shall maintain at all times accurate records, books and accounts respecting the provision of the fire protection services;
- (iii) shall submit any fire incident reports to the office of the fire commissioner (OFC) that are required by the OFC and that the fire chief will report all fire department activity in the service area to the manager of fire protection services at the regional district by letter, fax or email, for review and statistical tracking purposes;
- (iv) shall advise the regional district as soon as possible when an extraordinary fire takes place in the service area and advise if extraordinary fire costs were incurred that will be invoiced to the regional district;
- (v) shall make every effort to mitigate the costs associated with an extraordinary fire.

#### **INDEMNIFICATION AND INSURANCE**

4. (a) The regional district will indemnify and save harmless the city, employees, officers, agents, elected officials and members of the fire department from and against all manner of actions, causes of actions, suits, claims, demands, costs (including legal fees), expenses, or liabilities of any nature whatsoever and by whosoever brought, made or suffered, for which the city shall or may become liable, incur or suffer, any way associated or connected with the provision or failure to provide the fire protection services, whether arising out of injury to person (including death), loss or damage, save and except to the extent that such injuries, loss or damage are caused or contributed to by the negligence of the city, employees, officers, agents or members of the fire department.
- (b) The city and regional district shall maintain general liability insurance policies in good standing during each year of the term of the agreement in an amount not less than \$5,000,000.00 per occurrence, and shall provide copies of all insurance policies to the other party.
- (c) The city shall take out and maintain automotive liability insurance on all vehicles used directly or indirectly in the performance of the fire suppression services under this agreement, protecting against damages arising from bodily injury (including death) and from claims of property damage, in an amount of not less than \$2,000,000.00

#### **RENEWAL AND CANCELLATION**

5. (a) This agreement may be terminated by either party provided notice of termination is given in writing twelve (12) months prior to termination date.
- (b) Either party wishing to renew this agreement will advise the other in writing at least six (6) months in advance of the intended date of renewal, and the terms on which such renewal is sought.
- (c) This agreement may be amended with the mutual consent of both parties.



## PAYMENT FOR SERVICES

6. (a) The annual cost to the regional district for the provision of fire protection services under this agreement shall be calculated by apportioning the net cost to the city of operating the fire department less the costs of extraordinary fire suppression and scene security costs in either the service area or the city to the total net taxable value of land and improvements for general taxation purposes within the service area divided by the sum of total net taxable value of land and improvements for general taxation purposes within the city and the service area.
- (b) In 2013 and any subsequent year of the term, the regional district shall pay the city the regional district's share of the city's net cost as follows:
- (c) The calculated amount due for the year following shall be based on the City's approved current year budget plus an adjustment to actual for the year prior. The city shall submit notice of the calculated amount due for the year following by May 31st of each year. Such amount shall be paid in full not later than May 31st in the year following an invoice for payment
- For clarity:
- 2014 Amount Due is based on the approved 2013 budget, plus an adjustment to actual for the 2012 calendar year; Notice of the 2014 amount due would be provided by May 31<sup>st</sup>, 2013.
  - 2015 Amount Due is based on the approved 2014 budget, plus an adjustment to actual for the 2013 calendar year; Notice of the 2015 amount due will be provided by May 31, 2014.
- (d) On or before November 15th of each year, further to the May advice to the regional district of the net cost of the service for the upcoming year, the city shall further provide the regional district with its estimated five-year financial plan to anticipate budget variations and proposed capital improvements.
- (e) Where the city's net cost for an upcoming years' service (as per the letter of notification provided by May 31<sup>st</sup>) exceeds the net cost for the preceding year by more than five percent (5%), the city's fire department budget will be discussed with the regional district, who will make recommendations no later than December 31 to the city. The city will advise the regional district of their decision on any recommendations on or before January 31.

## PAYMENT FOR EXTRAORDINARY FIRE COSTS AND SCENE SECURITY COSTS

7. (a) When the city has incurred extraordinary fire costs and / or scene security costs, the city shall provide to the regional district an invoice for the proposed charge calculated in accordance with schedule A.
- (b) If the regional district objects to any amount included as an extraordinary fire cost or scene security cost under section 7(a), it shall within ten (10) business days advise the fire chief in writing of its objection to the invoice and the

basis for the objection. The fire chief and the regional district's manager of fire services shall attempt in good faith to resolve the regional district's objections and if they are unable to do so, the matter shall be referred to the respective chief administrative officers.

- (c) If the chief administrative officers cannot resolve the dispute within 30 (thirty) days of the dispute being referred, the dispute shall be referred for resolution under section 10(b).

#### **NOTICE**

- 8. Wherever in this agreement it is required or permitted that notice, demand or other communication will be given and served by either party to the other, such notice or demand will be given and served in writing and forwarded to the respective party at the address given in this agreement, provided that either party may change its address by giving the other prior notice of a change in address.

#### **EFFECTIVE DATE**


- 9. (a) Notwithstanding the date of executing or date of reference of this agreement, the effective date of this agreement is January 1st, 2013.
- (b) This agreement replaces any previous agreement between the parties dealing with the provision of fire fighting, fire protection or fire prevention services to the service area or any part of it.

#### **GENERAL**

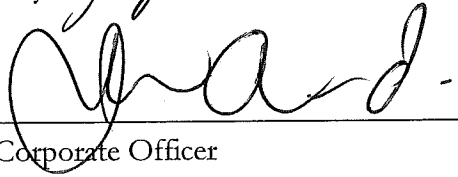
- 10. (a) This agreement shall be governed by the laws of British Columbia and is the entire agreement between the parties regarding this subject matter.
- (b) In the event of a dispute between the parties regarding this agreement that the parties cannot resolve otherwise, the dispute shall be submitted to arbitration under the *Commercial Arbitration Act* for determination by a single arbitrator mutually acceptable to the parties.
- (c) Time is of the essence of this agreement.

IN WITNESS WHEREOF the parties hereto have duly executed this agreement as of the  
day and year first above written.

The corporate seal of the CITY OF )  
COURTENAY was hereunto affixed in the )  
presence of: )

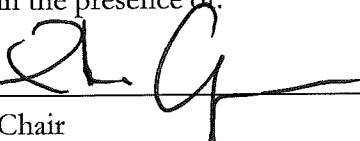
  
\_\_\_\_\_ )


Mayor )

  
\_\_\_\_\_ )  
Corporate Officer )

c/s

The corporate seal of the COMOX VALLEY )  
REGIONAL DISTRICT was hereunto affixed )  
in the presence of: )

  
\_\_\_\_\_ )  
Chair )

  
\_\_\_\_\_ )  
Corporate Legislative Officer )

c/s

**SCHEDULE A**

**Charges for Extraordinary Fire Costs and Scene Security Costs**

Hourly cost of each fire crew and fire truck (1 hour minimum)	Costs are in accordance with the provincially established rental rates for fire apparatus and personnel identified in the Inter-Agency Working Group report as revised from time to time.
Scene security costs	Actual cost
Hourly cost of specialized machinery • (includes heavy machinery required in combating the fire)	Actual cost
Fire retardant gel/per unit cost	Actual cost
Fire retardant foam/per unit cost	Actual cost
Mutual aid costs	Actual cost



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

To: Council

File No.: 6480-20-1704 & 3360-20-1714

From: Chief Administrative Officer

Date: December 18, 2017

Subject: **OCP Amendment Bylaw No. 2910 and Zoning Amendment Bylaw No. 2911 to allow for a secondary suite at 468 3<sup>rd</sup> Street**

### PURPOSE:

The purpose of this report is for Council to consider an OCP and Zoning Amendment application to change the land use designation and rezone the property legally described as Lot 12, Block 3, Section 61, Comox District, Plan 472 (468 3<sup>rd</sup> Street). The proposed amendments will change the land use designation from Commercial to Urban Residential and rezone the property from Commercial Five (C-5) to Residential Two-B (R-2B) to legalize a secondary suite.

### CAO RECOMMENDATIONS:

THAT based on the December 18, 2017 Staff report, "OCP Amendment Bylaw No. 2910 and Zoning Amendment Bylaw No. 2911 to allow for a secondary suite at 468 3<sup>rd</sup> Street", Council support approving OPTION 1 and proceed to First and Second Readings of OCP Amendment Bylaw No. 2910, 2017 and Zoning Amendment Bylaw No. 2911, 2017; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to the above-referenced Bylaws on January 15, 2018 at 5:00 pm in City Hall Council Chambers.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The subject property is an approximately 409m<sup>2</sup> lot located in the Old Orchard neighbourhood, legally described as Lot 12, Block 3, Section 61, Comox District, Plan 472, Except that part thereof lying to the south east of a boundary parallel to the south easterly boundary of said lot and perpendicularly distant 10 feet therefrom (**Figure 1**). The property is currently developed with a two-storey single residential dwelling, and until recently contained an illegal secondary suite on the first floor. The property



Figure 1. Location Map. Property shown in yellow.

has lane way access. **Figure 2** shows the dwelling from the 3<sup>rd</sup> Street frontage. The existing building layout is shown in **Figure 3**.

The property is zoned C-5 which allows for a limited number of commercial uses suitable within a heritage character neighbourhood, as well as residences combined with commercial uses. The C-5 zone does not permit a single family home with a secondary suite. The C-5 zone applies to only eight other properties in the City, all within the Old Orchard neighbourhood.

File history indicates the property has traditionally been designated residential and began to be used for mixed commercial and residential uses approximately 30 years ago. No building permit information is on file, although information from a previous zoning application estimates construction to be from the 1940s or 50s, with an addition to the main floor in the 1980s. The rezoning file also indicates that the property was used as a combined residence and professional office in the 1990s; as an architect’s office and a number of lawyer’s offices. In 2002, a new owner of the property applied for a rezoning amendment (File number 3360-20-0208) to bring the property into zoning compliance and was granted a text amendment to allow for a lawyer’s office within the then R-2 zone.

In 2007 the City initiated the Old Orchard Local Area Plan process, the overall goal of which was to “provide a more detailed framework for considering development applications in this neighbourhood”. One of the outcomes of that planning process was the creation of heritage neighbourhood zones which occurred with the adoption and designation of the R-2B and C-5 zones to select properties within the Old Orchard area (File number 3360-20-0810).

The current rezoning application was made because the applicant wishes to legalize the secondary suite for rental purposes. The unit was occupied by a tenant at the time the property owner purchased the property. Shortly after purchase the owner was notified of the illegal use by the City. The tenant has since moved upstairs while the applicant renovates the first (bottom) floor to bring it into B.C. Building Code compliance. The property owner is required to make changes to the first floor whether the OCP and Zoning amendment is approved or not and has elected to conduct renovations that will be applicable regardless of a bylaw amendment application outcome. No changes to the exterior of the building are proposed and therefore a form and character Development Permit is not required.

**DISCUSSION:**

OCP Review

The proposed application represents infill development within an established neighbourhood. The Official Community Plan (OCP) and the Affordable Housing Policy support infill development within existing urban residential areas provided it is in keeping with the



Figure 2. Front yard view from 3rd St.

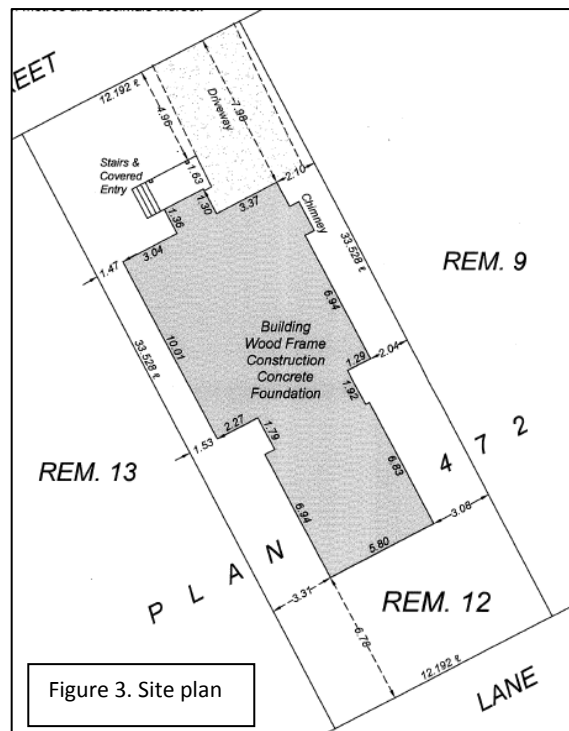


Figure 3. Site plan

character and scale of the surrounding neighbourhood. Infill housing provides more rental housing stock, diversity of housing types, and promotes more efficient use of land that is already serviced.

The location of this proposal is in the downtown core, is close to a wide range of commercial and community services and amenities, a transit route, parks and trails. The property is within the Old Orchard Local Area Plan area.

#### Zoning Review and Analysis

The primary residence does not conform to the current or proposed zoning minimum yard setbacks, however the setbacks are considered legally non-conforming due to the original age of the building. A variance to the yard setbacks is therefore not required so long as any new construction works do not further extend the degree of non-conformity. All construction proposed for the secondary suite will be to the interior of the building and therefore will not impact any yard setbacks. Table 1 below includes information on how the property achieves the R-2B zoning requirements.

	<u>Required</u>	<u>Secondary Suite Proposal</u>
Total Floor Area of secondary residence (maximum)	90m <sup>2</sup>	85m <sup>2</sup>
Percentage of total habitable area (maximum)	40%	39%
Yard setbacks (minimum)	Front: 7.5m Side interior: 1.5m for a total of 4.5m for both sides Rear: 7.5m	Within the existing principal building: Front: 4.96m Sides: 1.47m and 2.04m for a total of 3.51m for both sides Rear: 6.78m
Height of principal building (maximum)	8.0m	4.7m
Lot coverage (maximum)	40%	35%
Floor Area Ratio (maximum)	0.55	0.53
Parking Spaces (minimum)	3 (2 for the principle dwelling unit and 1 for the secondary residence)	3
Parking coverage of frontage (maximum)	50%	38%

Other Policy Implications*Affordable Housing Policy*

The City's Affordable Housing Policy sets out a number of strategies that support increasing the provision of affordable housing, including secondary suites, within the community. When zoning does not permit secondary suites, Council's practice to-date has been to consider such rezoning applications on a case-by-case basis taking into account land use planning policy, servicing capacity and neighbourhood interests.

**FINANCIAL IMPLICATIONS:**

Application fees have been collected in order to process the rezoning and OCP amendment application. Should the proposed Zoning and OCP Land Use Amendment bylaws be adopted, Building Permit application fees will apply.

Properties with a secondary residence are charged a second utility fee (sewer, water, garbage) for the additional dwelling unit. Should the rezoning and OCP amendment application be approved, the additional utility fees will be charged to the property at the time of occupancy permit. Secondary residences are exempt from paying Development Cost Charges to the City and Regional District.

**ADMINISTRATIVE IMPLICATIONS:**

Processing zoning and OCP bylaw amendments is a statutory component of the work plan. Staff has spent approximately 15 hours processing the application to date. Should the proposed zoning and OCP amendments proceed to public hearing, an additional 2 hours of staff time will be required to prepare notification for public hearing and to process the bylaws.

**ASSET MANAGEMENT IMPLICATIONS:**

The proposed development utilizes existing infrastructure and is connected to City Water and City Sewer. There are no direct asset management implications associated with this application.

**STRATEGIC PRIORITIES REFERENCE:**

Development applications fall within Council's area of control and specifically align with the strategic priority to support meeting the fundamental corporate and statutory obligations of the City. This application also meets the goal to support densification aligned with the Regional Growth Strategy.

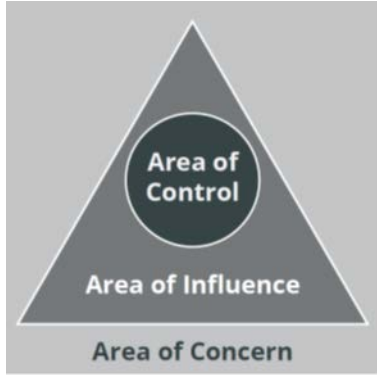
**We support diversity in housing and reasoned land use planning**

- Support densification aligned with community input and regional growth strategy

**We focus on organizational and governance excellence**

- We support meeting the fundamental corporate and statutory obligations





- **Area of Control**  
The policy, works and programming matters that fall within Council’s jurisdictional authority to act.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

The proposed zoning and OCP amendment is consistent with many policies of the Official Community Plan. It represents infill residential development near existing amenities and services in the downtown core. Also, the proposed rezoning application fulfils the intent and the purpose of section 4.4.3 4 a) of the OCP - limited infill will be considered only in keeping with the character and scale of an existing neighbourhood.

**REGIONAL GROWTH STRATEGY REFERENCE:**

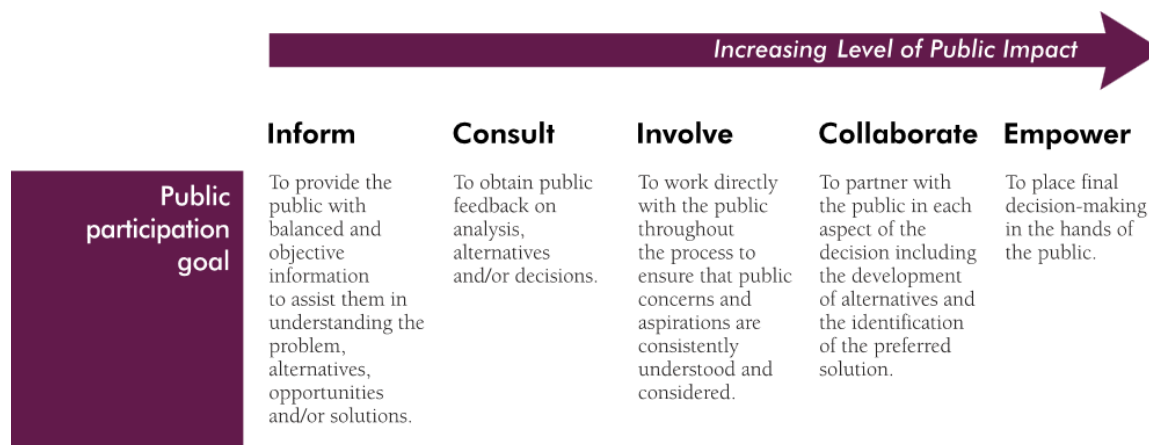
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

- Objective 1-A: Locate housing close to existing services; and
- Objective 1-C: Develop and maintain a diverse, flexible housing stock.

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff will “Consult” 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](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)



Should OCP Amendment Bylaw No. 2910, 2017 and Zoning Amendment Bylaw No. 2911, 2017 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant held a public information meeting on November 30, 2017 at the Courtenay library. According to the meeting summary three people attended the meeting representing three property addresses. Seven people submitted comment sheets to the City representing five property addresses, including a non-profit board. Public comments submitted through the Public Information Meeting process are unanimously supportive. Specifics on the public comments are provided in **Attachment No.3**.

**OPTIONS:**

**OPTION 1:** THAT based on the December 18, 2017 Staff report, "OCP Amendment Bylaw No. 2910 and Zoning Amendment Bylaw No. 2911 to allow for a secondary suite at 468 3<sup>rd</sup> Street", Council support approving OPTION 1 and proceed to First and Second Readings of the above-referenced bylaws; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to the above-referenced Bylaws on January 15, 2018 at 5:00 pm in City Hall Council Chambers (recommended).

**OPTION 2:** Defer consideration of Bylaws No. 2910 and No. 2911 with a request for more information.

**OPTION 3:** Defeat Bylaws No. 2910 and No. 2911.

Prepared by:



---

Nancy Gothard, MCIP, RPP  
Policy Planner

Approved by:



---

Ian Buck, MCIP, RPP  
Director of Development Services

**From:** [Bill MacKinnon](#)  
**To:** [Gothard, Nancy](#)  
**Subject:** Re: Rezoning application for 468 3rd Street  
**Date:** November-07-17 6:26:59 PM

---

Hi Nancy:

Please accept the following as my written submission on what our intent is, why we want to do this and how we plan to accomplish our plan.

We are proposing the conversion of the existing illegal suite in the basement at [468 3<sup>rd</sup> Street](#) Courtenay to a legal suite. This suite would provide affordable rental housing and a source of income in retirement while we live in the upstairs portion of the house. To do this the current Commercial zoning of the house must be changed to Residential. Shizen Home Design, a Courtenay based business, has developed a design for a safe, bright and comfortable suite that we believe meets all residential building code requirements. If the submitted rezoning application is accepted and approved by the City of Courtenay; RENUIT Home Improvement, Courtenay based (Better Business Bureau A+ rated) has agreed to perform the work.

Thank You,

Bill & Jessie MacKinnon

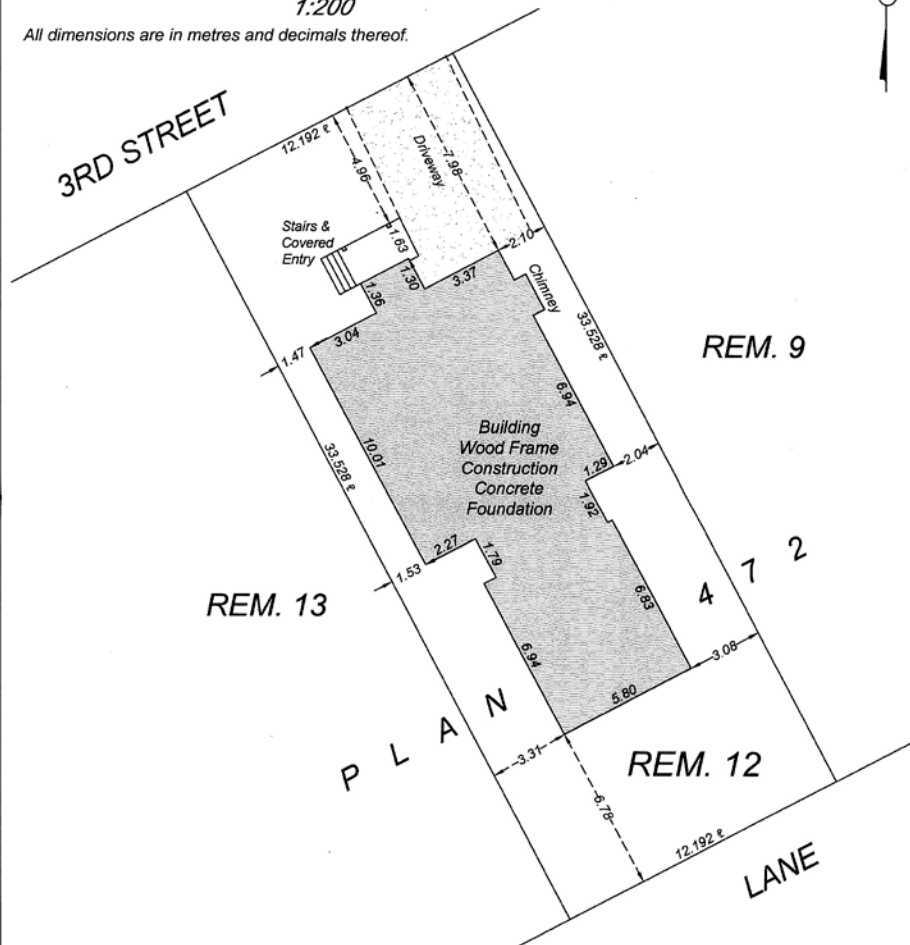
**B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION  
ON LOT 12, BLOCK 3, SECTION 61, COMOX DISTRICT,  
PLAN 472, EXCEPT THAT PART THEREOF LYING TO  
THE SOUTH EAST OF A BOUNDARY PARALLEL TO THE  
SOUTH EASTERLY BOUNDARY OF SAID LOT AND  
PERPENDICULARLY DISTANT 10 FEET THEREFROM.**

Parcel Identifier: 006-053-823



1:200

All dimensions are in metres and decimals thereof.



Date of Survey: July 13, 2017

Civic Address  
468 3rd Street  
Courtenay, BC

This document shows the registered dimensions of the above described property and the relative location of the surveyed structures and features with respect to the property boundaries. This document shall not be used to define property lines or property corners.

*Donald Grant*

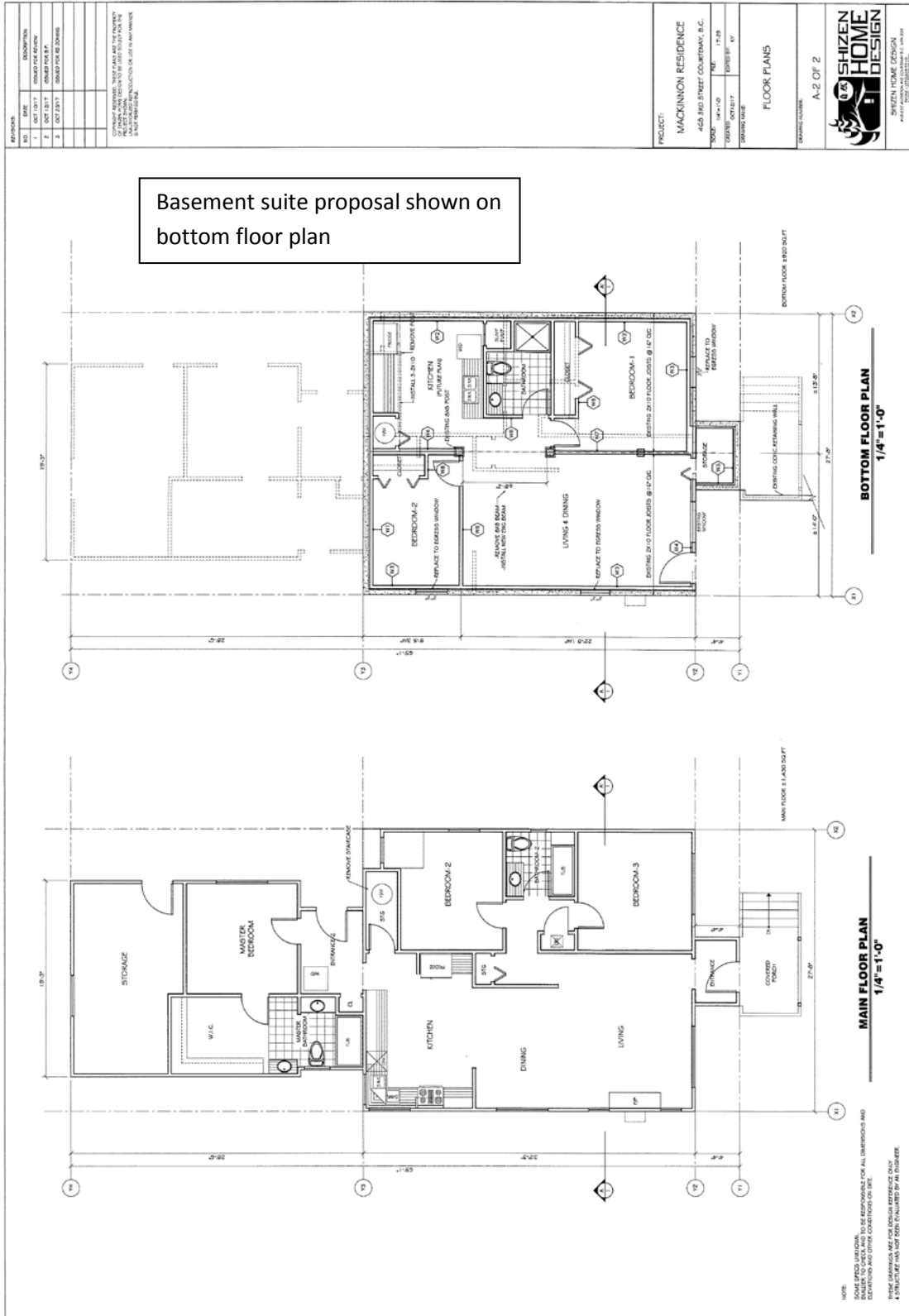
Digitally signed by Donald Grant  
364AG6  
DN: c=CA, cn=Donald Grant  
364AG6, o=BC Land Surveyor,  
ou=Verify ID at www.juricert.com/  
LKUP.cfm?id=364AG6  
Date: 2017.07.14 16:04:31 -07'00'

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This document is not valid unless digitally signed.

221Cert.dwg  
July 14, 2017

GRANT LAND SURVEYING INC.  
1-1641 COMOX AVE  
COMOX, B.C. V9M 3M3  
250.941.0904



**From:** [Bill MacKinnon](#)  
**To:** [Gothard, Nancy](#)  
**Subject:** Re: rezoning application  
**Date:** December-05-17 5:59:57 PM

---

Hi Nancy:

Please accept the following as a record of the public information meeting.

Thursday November 30, 2017 6:30 to 7:30pm  
a public information meeting was held regarding the rezoning application for [468 3<sup>rd</sup> Street Courtenay](#). The meeting was at the Vancouver Island Regional Library, [300 6th St. Courtenay, BC V9N 9V9](#).

Invitations with details on the proposal and comment sheets were mailed to everyone concerned (everyone on the list provided by the City of Courtenay). The invitation included:

- Date time and location of the meeting
- Address and map of the site
- A description of the proposal
- Contact information for the applicant (me)
- A comment sheet to provide written feedback. The bottom of the sheet stated that the sheet was to be sent to the City of Courtenay by [Dec 7, 2017](#).

At the meeting, there was:

- A sign-in sheet
- Site plan
- Floor plans and elevations
- Survey/Landscape drawings
- Additional comment sheets for written feedback

Including myself, four people attended the meeting. We discussed the rezoning process, building codes and what our proposed renovations included. The meeting was very informal, two of the attendees were familiar with the proposal.

One of the attendees was curious about the designer and contractor selected. I talked about my selection process and how I came to choose them. We also discussed parking. I showed how the parking out back was drawn on the plans and went into some detail on core-gravel driveway systems. I used my phone to access the internet and show examples of core-gravel parking pads and driveways. We touched on subjects like drainage, erosion and plants. There were no concerns that this project would impact the neighborhood in any negative way.

The meeting ended [at 7:30pm](#).

The following day (Dec 1, 2017) the sign-in sheet was given to the City of Courtenay.

I am available to answer any questions about this meeting or the development proposal.

Thank you,

Bill MacKinnon

[\(403\) 479-1524](tel:(403)479-1524)

**PUBLIC INFORMATION MEETING**  
**November 30, 2017**  
**SIGN IN SHEET**  
 FOR  
**OCP & Zoning Ammendment 468 3 St Courtenay**

NAME (Please Print)	ADDRESS
(Bill) Harold William MacKinnon	51 Bermuda Close New Calgary AB 468 3rd St. Courtenay
[REDACTED]	#301-001 45A ST. COURTENAY, BC
[REDACTED]	467 3rd St.
[REDACTED]	326 Fitzgerald Ave
[REDACTED]	
[REDACTED]	

**PUBLIC INFORMATION MEETING**

Nov 30, 2017

RECEIVED  
NOV 27 2017

468 3rd Street Courtenay BC V9N 1E5

CITY OF COURTENAY

**COMMENT SHEET**

Name: [REDACTED] Email: [REDACTED]

Address: 456-3rd St Courtenay BC Phone: [REDACTED]  
 V9N1E5

Harold William MacKinnon has applied to the City of Courtenay for a Zoning Amendment. To allow secondary suite. 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?

*Nov 27/17*

*Hello:  
 Congratulations to Mrs MacKinnon!  
 May he enjoy our 3rd Street Community  
 and we are looking forward to having  
 him as a neighbor.*

[REDACTED]



**PUBLIC INFORMATION MEETING**

Nov 30, 2017 Courtenay Library

Re: 468 3rd Street Courtenay BC V9N 1E5

**COMMENT SHEET**

Name: [Redacted] Email: [Redacted]  
Address: 326 Fitzgerald Ave Phone: [Redacted]

Harold William MacKinnon has applied to the City of Courtenay for a Zoning Amendment. To allow secondary suite. 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?

- With The Shortage of Rental Units I am ~~completely~~ 100% in Favour of This Amendment.

- Since This Basement Suite Has Been Occupied For over 2 yrs I cannot understand Why This is an Issue.

**From:** [Redacted]  
**Date:** November 29, 2017 at 1:25:12 PM PST  
**To:** <[billmackinnon59@gmail.com](mailto:billmackinnon59@gmail.com)>  
**Subject:** Zoning Amendment - 368 3rd St., Courtenay

Hi Bill – I’m the treasurer of the [Redacted] Society (formerly the [Redacted] Society) which owns a portion of 491 4th in Courtenay. The board of the society has no issues with your application. Good luck!

[Redacted]

**From:** [REDACTED]  
**Date:** November 23, 2017 at 9:18:09 PM PST  
**To:** [planning@courtenay.ca](mailto:planning@courtenay.ca)  
**Cc:** [billmackinnon59@gmail.com](mailto:billmackinnon59@gmail.com)  
**Subject:** 468 3rd Street

Re: 468 3rd Street, Courtenay  
Application numbers 6480-20-1704 and 3360-20-1714

[REDACTED] I live at 480 2nd Street and are in support of this application. There has been an office / secondary suite in that house since at least the mid 1970's. It makes sense to amend the zoning to allow the space to be used as a secondary suite.

[REDACTED]

Sent from my iPad

### PUBLIC INFORMATION MEETING

Nov 30, 2017

468 3rd Street Courtenay BC V9N 1E5

#### COMMENT SHEET

Name:



Email:



Address: #301- 501 4TH STREET COURTENAY Phone

(CONDO WE OWN NEAR THIS PROJECT)

Harold William MacKinnon has applied to the City of Courtenay for a Zoning Amendment. To allow secondary suite. 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?

We fully support Mr. MacKinnon's application for this zoning amendment.

We need more housing in our community, this change has adequate parking, enhances the mandate of the residents of the Old Orchard area of our community, and complements the denser residential complexes located at our condo's complex, Orchard Gate, as well as those on Fourth Street up the block.

Also, densifying our downtown residential area may help provide help for our downtown business employees, and strengthen and centralize our commercial core in this area of our town. Additionally increase customers to these businesses.

Mr. MacKinnon's public information meeting strongly supported his application. His detailed plans and upgrades have been well

**Please return your comments by (Dec 7, 2017)**

PTO ->

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

1. Drop off or mail your comments to: Development Services Dept. City of Courtenay, 830 Cliffe Ave, Courtenay, BC V9N 2J7
2. Email your comments to [planning@courtenay.ca](mailto:planning@courtenay.ca)
3. Fax your comments to: 250-334-4241

Continued from previous submission:

researched, with considerable time, effort and cost on Mr. MacKinnon's part to present a thorough, detailed plan prepared by Shizen Home Design. We believe his proposal will add to the neighbourhood, as will the presence of himself and his family when they take up permanent residence at this location in a few years upon his retirement.

Sincerely,



P.S. I attended the public information meeting and was impressed. Prior to the meeting John and I had inspected the location for the zoning amendment - our questions arising were addressed at the meeting by Mr. MacKinnon.



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 3060-20-1724

**From:** Chief Administrative Officer

**Date:** December 18, 2017

**Subject: Development Permit with Variances No. 1724 – 1330 Lake Trail Road (Habitat for Humanity Affordable Housing Project)**

### PURPOSE:

The purpose of this report is for Council to consider a Development Permit with Variances to permit the construction of a multi-residential development at 1330 Lake Trail Road with variances to the required number of parking spaces and the required front yard setback.

### CAO RECOMMENDATIONS:

That based on the December 18, 2017 staff report “Development Permit with Variances No. 1724 – 1330 Lake Trail Road (Habitat for Humanity Affordable Housing Project)”, Council approve OPTION 1 and proceed with issuing Development Permit with Variances No. 1724.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The subject property is located at 1330 Lake Trail Road, legally described as Lot 1, District Lot 96, Comox District, Plan 40243, as shown in **Figure 1**. Habitat for Humanity Vancouver North Island Society Inc., the applicant, is the registered owner of the property who is implementing a multi-residential affordable housing project consisting of a total of ten (10) dwelling units at this location. The construction will be divided into four phases. It is anticipated the first four units in phase 1 will be available to qualified families in the fall of 2018.

The applicant applied for rezoning to advance the project earlier this year. Council approved the rezoning application at the October 2<sup>nd</sup> Council meeting. The applicant is required to apply for a development permit



Figure 1. Location Map

with variances since all multi-residential developments within the City are subject to the Development Guidelines in the *Official Community Plan (OCP)*.

The applicant worked with their consultants and resolved the technical issues that came out during the rezoning application stage and made some changes to the original plans after final zoning approval to meet the guidelines and bylaw. However, review of the development permit plan revealed that a few components of the project still do not meet the Zoning Bylaw requirements. Therefore the applicant has made application for a development permit with variances to order to carry out the project.

### **DISCUSSION:**

#### **OCP Multi Residential Development Permit Guidelines**

- Form and Character

The proposed plan is generally consistent with the form and character guidelines in the OCP (**Attachment No. 2**). The plan displays that the building façade maintains contemporary design with natural colour tone as recommended in the guidelines. The applicant has chosen suitable colour for the siding and provided additional building elements such as front porch or multi panel windows to provide character to the units.

Unit 9 and 10 front onto Lake Trail Road. This form provides visual continuity to the properties along Lake Trail Road without disrupting the visual character of the street. The applicant has proposed sufficient landscaping in front as well as both sides of the property. The proposed landscape is expected to improve aesthetics of the street. Units 1 through 8 will have their own private patio in the rear yard, which enhances liveability. Open spaces are provided within the property as required by the Zoning Bylaw. Both a multi-use hard surface area and a free program space are provided adjacent to the parking area for residents to utilize for daily activities or special events.

- Siting, Landscaping & Screening

The City requires detailed landscape plans for multi residential development contains more than seven (7) units to ensure appropriate landscaping is provided from both aesthetics and function perspectives. Review of the plan has identified that the proposed development meets the guidelines and there are no significant issues that could impact adjacent properties.

An adjacent property owner raised a concern at the public hearing regarding the existing mature tree at the entrance, which was not shown in the plan submitted for rezoning. The applicant was originally planning on removing the tree, but later they realized that the tree provides significant character to the street and decided to retain it. They have realigned the driveway and plan to retain the tree.

No permanent signs are proposed at this point. Should the applicant decide to set up any permanent signs it will be subject to the Sign Bylaw.

- Parking

Dimension and location of the parking spaces meet the requirements in both the guidelines and bylaw. The proposed parking area is functional and well screened from adjacent properties by trees and shrubs. All parking stalls are accessible from each unit. Two visitor parking stalls are provided as required by the Zoning Bylaw.

### Zoning Bylaw Review

Multi-residential dwelling is a permitted use in R-3 zone. The proposed development generally meets the requirements of the zone (**Attachment No. 2**). However, the proposed development is unable to meet two of the requirements. These include a minimum number of parking stalls and front yard setback for (unit 9 and 10). Below are the evaluations of each variance.

- *Required Number of Parking Stalls*

The required number of parking stalls for this development is a total of fifteen (15) stalls. The plan proposes fourteen (14) stalls including two (2) visitor parking stalls. In this particular case, a one stall variance is considered minor from a regulatory perspective. Staff has also been informed that the applicant employs a dedicated staff to oversee families and the Strata to ensure a safe and enjoyable living environment. Parking issues will be taken care of when it is recognized before becoming a neighbourhood issue.

The applicant has chosen this particular location for implementing an affordable housing project based on a number of reasons. One of them is its proximity to city centre and many civic services including schools. The applicant also encourages clients to use active transportation modes as well as the public transit system to reduce vehicles dependency as a way of promoting sustainability principles. There are two existing bus routes available for residents along Willemar Avenue. A bike rack will also be available for residents on site.

The applicant has completed another affordable project along Piercy Avenue in relatively recent year (DPwV No. 1201). The applicant has reported that parking has been well managed at this location. To date the City has not received complaints from neighbouring residents about parking overflow from the subject property. Staff believe this variance request is minor and will have minimal impact on the neighbourhood.

- *Front Yard Setback*

The required front yard setback in the R-3 zone is 7.5 meters. The proposal indicates that unit 9 and 10 encroach 2.0 meters into the front setback area resulting in a proposed setback of 5.5 meters. The need for a variance is partially due to the building code distance requirement between buildings, and also space limitations of the site to make the project financially feasible. The applicant has examined other options such as locating all the units fronting toward Lake Trail Road but feel the proposed layout provides the best balance of open space and privacy between units.

The applicant has proposed generous landscaping in front of the property with trees, grass areas, and shrubs (**Attachment No. 3**). A fence will be provided in front of unit 9 and 10 within the maximum allowable height, but the units are still accessible to pedestrians from Lake Trail Road. Although these units are functionally fronting the interior of the site, the applicant has proposed some architectural features to the front of the units facing Lake Trail Road so that they do not look like back of the building.

### **FINANCIAL IMPLICATIONS:**

Pursuant to section 2.A. (8) of the City's Affordable Housing Policy, the City has agreed to reduce all application and permit fees by fifty percent (50%). As the result, the application fee for this Development

Permit with Variances has been reduced to \$2,000. This applies to their later building permit application. In the meantime, the proposed development is still subject to Development Cost Charges, which will be determined at the building permit stage.

The City did not require the applicant to provide amenity contributions through the rezoning process as the project is being developed by Habitat for Humanity, a non-profit organization that supports home ownership in an affordable way for families who need a hand up.

**ADMINISTRATIVE IMPLICATIONS:**

The processing of development applications is included in the current work plan as a statutory component. Staff have spent 20 hours reviewing the application, conducting review of the plans and coordinating with the applicant to request additional information.

If approved, there will be approximately one additional hour of staff time required to prepare the notice of permit, have it registered on title and close the file. Additional staff time will be required for processing and issuing a building permit and related inspections.

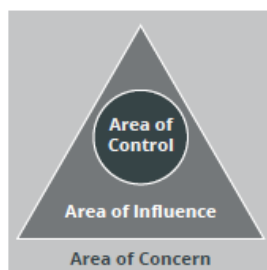
**ASSET MANAGEMENT IMPLICATIONS:**

There are no direct asset management implications related to this application. This is an in-fill development that will utilize existing City infrastructure.

**STRATEGIC PRIORITIES REFERENCE:**

Development applications fall within Council’s area of control and specifically align with the strategic priority to support meeting the fundamental corporate and statutory obligations of the City.

We focus on organizational and governance excellence	● We support meeting the fundamental corporate and statutory obligations
We support diversity in housing and reasoned land use planning	▲ Support initiatives and incentives to encourage lower cost housing
	▣ Proactively pursue housing diversity and advocate for senior government support



- **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:**

The City supports multi-residential housing development to help provide more diversity within neighbourhoods and affordable housing projects. The OCP sets out a policy in section 4.4.3 (5) encouraging the provision of non-profit housing as a mean of increasing the supply of rental housing.

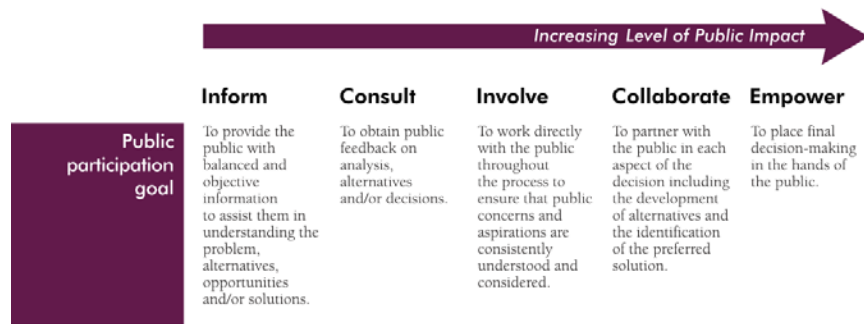


**REGIONAL GROWTH STRATEGY REFERENCE:**

The Regional Growth Strategy sets out a number of policies under Goal 1: Housing. Ensuring a diversity of affordable housing options to meet evolving regional demographics and needs in Comox Valley is high priority.

**CITIZEN/PUBLIC ENGAGEMENT:**

As per Council’s direction, under the IAP2 Spectrum of Public Participation the level of public input that has been undertaken is “**Consult**”. In accordance with the *Local Government Act*, the City has notified property owners and occupants within 30m of the subject property with regard to the proposed amendment.



The applicant held a public information meeting on November 14, 2017 at Lake Trail Middle School. A total of seven (7) residents signed in. The summary of the meeting is attached (**Attachment No. 5**). Public notice was sent out to property owners and occupants who reside within 30 meters of the property lines. To date, Development Services has not received any responses or inquiries.

**OPTIONS:**

**OPTION 1:** (Recommended): Approve Development Permit with Variances No. 1724

**OPTION 2:** Defer issuance of Development Permit with Variances No. 1724 pending receipt of further information.

**OPTION 3:** Not approve Development Permit with Variances No. 1724.

Prepared by:

Tatsuyuki Setta, MCIP, RPP  
Manager of Planning

Reviewed by:

Ian Buck, MCIP, RPP  
Director of Development Services

*Attachments:*

1. *Attachment No. 1: Draft Development Permit No. 1724*
2. *Attachment No. 2: Proposed plans*
3. *Attachment No. 3: Landscape plan and cost estimate*
4. *Attachment No. 4: Applicant's description of the project*
5. *Attachment No. 5: Public information meeting summary and sign-up sheet*

**THE CORPORATION OF THE CITY OF COURTENAY****Attachment No. 1****Permit No.** DPwV 1724**Draft Permit****DEVELOPMENT PERMIT**

December 18, 2017

**To issue a Development Permit with Variances****To:**

Name: Habitat for Humanity Vancouver Island North Society, Inc.  
No. S-0047474

Address: 1755 - 13<sup>th</sup> Street  
Courtenay, BC V9N 7B6

**Property to which permit refers:**

Lot A, District Lot 96, Comox District Plan 40243

Civic: 1330 Lake Trail Road

**Conditions of Permit:**

Permit issued to allow the construction of 10 affordable dwelling units subject to the following variances to the *City of Courtenay Zoning Bylaw No. 2500, 2007*:

**8.3.5 Setbacks**

Notwithstanding the setback requirements above, the following minimum building setbacks shall apply on the subject property.

- a) Reduce the required front yard from 7.5 m to 5.5 m to accommodate unit 9 and 10

**8.3.9 Off-Street Parking and Loading**

Notwithstanding the off-street parking requirements above, the following minimum number of off-street parking stalls shall apply on the subject property.

- b) Reduce the required number of parking stalls from 15 to 14.

Development Permit with Variance No. 1724 is subject to the following conditions:

- a) Development must be in accordance with the plans and elevations contained in *Schedule No.1*;
- b) Installation of landscaping in general conformance with the plans and specifications contained in *Schedule No. 2*;
- c) Minimum depth of topsoil or amended organic soil on all landscaped areas as follows:  
shrubs – 450 mm, groundcover and grass – 300 mm, trees 300 mm around and below the root ball;
- d) Submission of landscape security in the amount of (125% x \$47,200) \$59,000;

- e) BC Society of Landscape Architects Schedules L-1 and L-2 must be submitted prior to issuance of a building permit;
- f) All building and site lighting must be full cut off, flat lens in accordance with the City’s Dark Skies Policy. All new lighting shall be Full-Cut Off/Flat Lens (FCO/FL) luminaries.
- g) All proposed lighting must be approved by the City prior to installation;
- h) Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2007, Division 7, Off-Street Parking and Loading Spaces. Visitor parking spaces must be clearly marked;
- i) A sign permit shall be obtained should any new signage be installed on the property; and
- j) No alterations or amendments shall be made without the City’s permission. If any amendments are required the applicant shall apply for either an amendment to the development permit or a new development permit.

**Time Schedule of Development and Lapse of Permit**

That if the permit holder has not substantially commenced the construction authorized by this permit within (12) months after the date it was issued, the permit lapses.

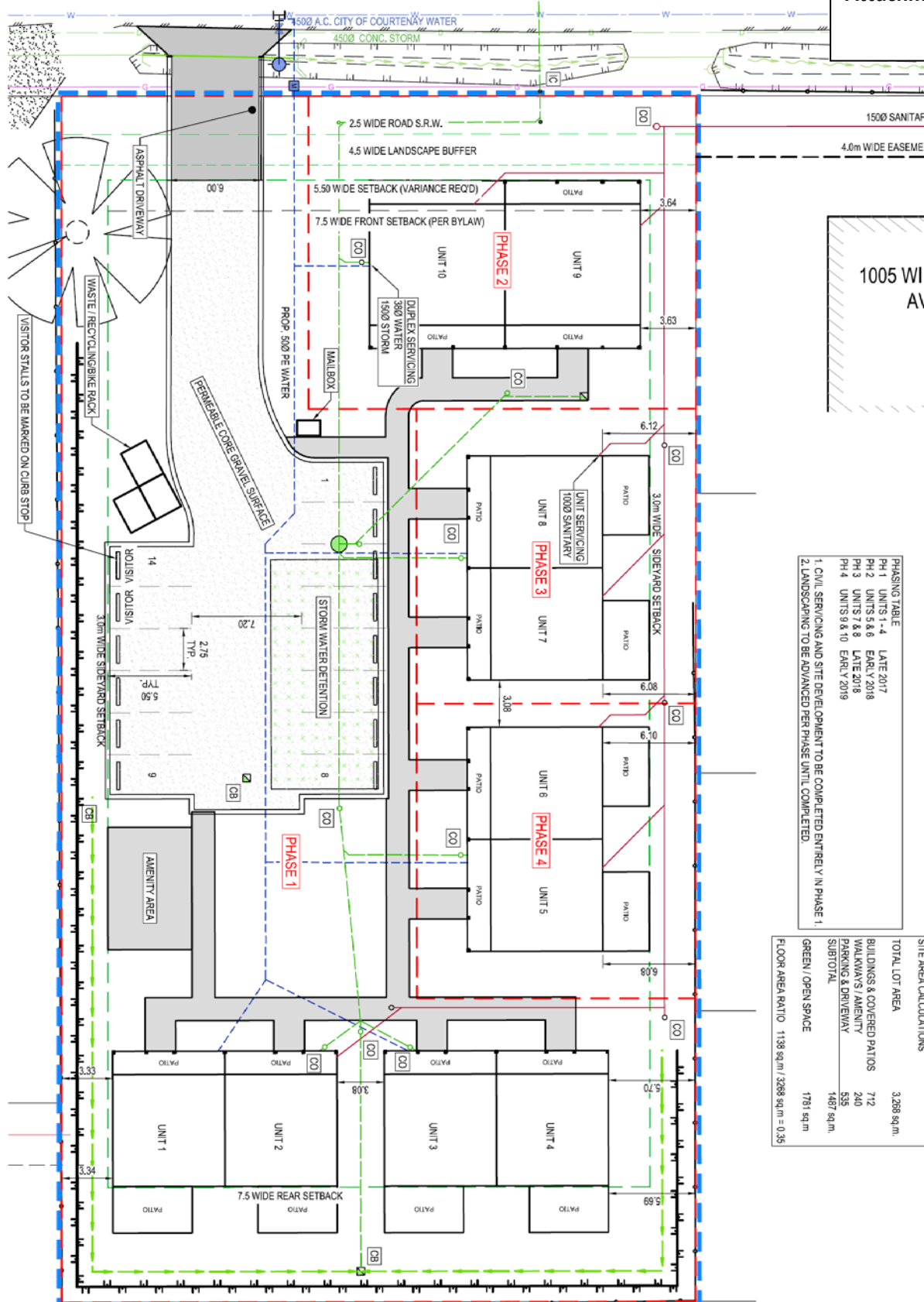
\_\_\_\_\_

Date

\_\_\_\_\_

Director of Legislative Services

**Attachment No. 2**  
**1/5**



**PHASING TABLE**

PH 1	UNITS 1 - 4	LATE 2017
PH 2	UNITS 5 & 6	EARLY 2018
PH 3	UNITS 7 & 8	LATE 2018
PH 4	UNITS 9 & 10	EARLY 2019

1. CIVIL, SERVICING AND SITE DEVELOPMENT TO BE COMPLETED ENTIRELY IN PHASE 1  
2. LANDSCAPING TO BE ADVANCED PER PHASE UNTIL COMPLETED.

**SITE AREA CALCULATIONS**

TOTAL LOT AREA	3,268 sq.m.
BUILDINGS & COVERED PATIOS	712
WALKWAYS / AMENITY	240
PARKING & DRIVEWAY	535
SUBTOTAL	1,487 sq.m.
GREEN / OPEN SPACE	1,781 sq.m.
FLOOR AREA RATIO	1.38 sq.m / 3,268 sq.m = 0.36

**2**  
**PLAN 40243**

**Attachment No. 2**  
**2/5**



**HABITAT FOR HUMANITY - LAKE TRAIL DEVELOPMENT UNITS 1-8**



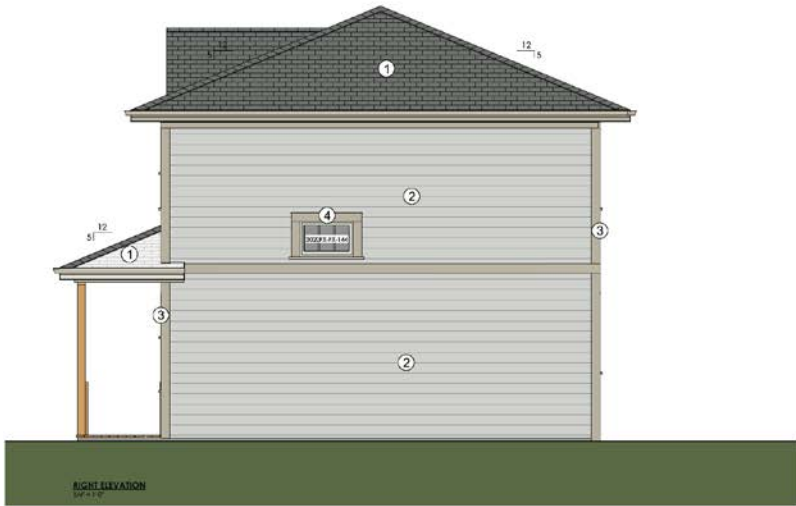
**HABITAT FOR HUMANITY - LAKE TRAIL DEVELOPMENT UNITS 9&10**

**Attachment No. 2**  
**3/5**



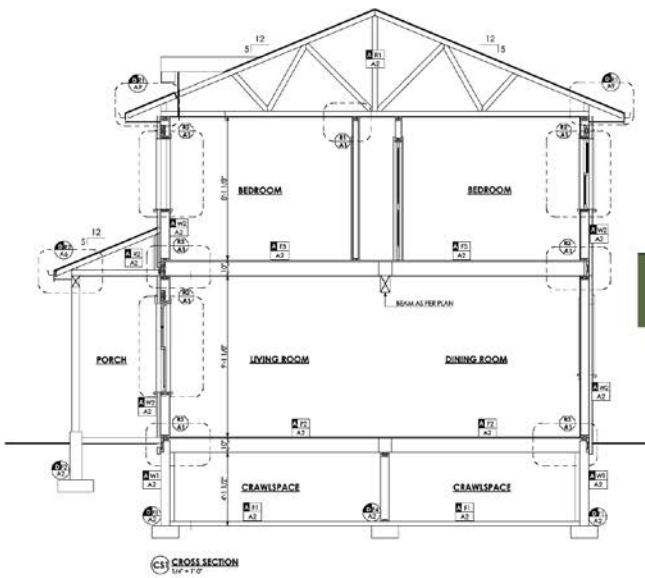
Unit 1-8 Elevation (front and rear)

**Attachment No. 2**  
**4/5**



- EXTERIOR FINISHES:
- ① 30 YEAR ASPHALT SHINGLES - CAMBRIDGE DRIFTWOOD
  - ② VINYL SIDING - PEBBLE 628
  - ③ 1x4 CORNER TRIM - WHITE
  - ④ 1x6 WINDOW/DOOR CASING - WHITE
  - ⑤ 1x8 FASCIA - WHITE

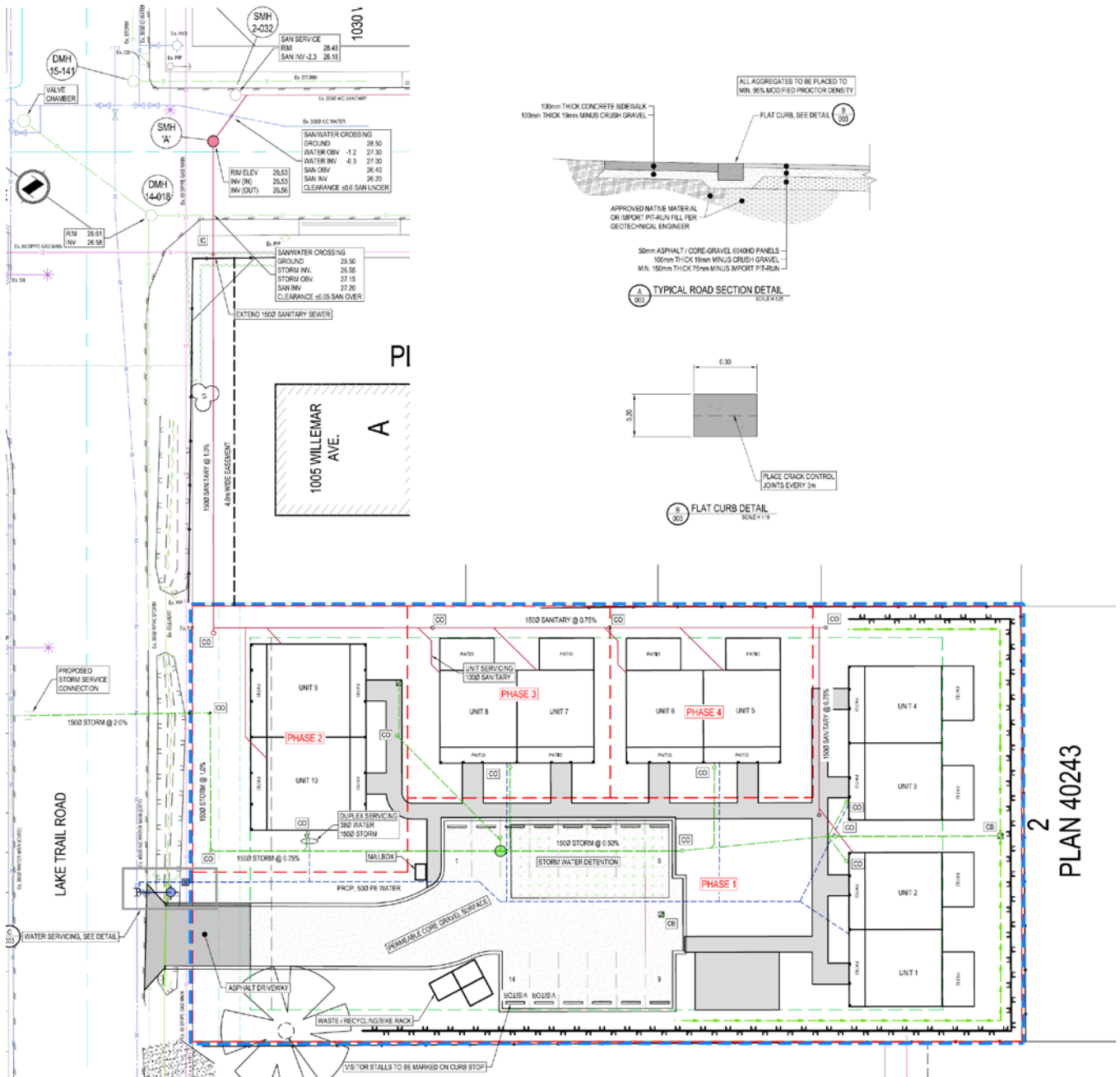
Location	Exposure Face (SF)	SF	Area of Exposure Face (Square Feet)	Material	Quantity	Area (SF)	Minimum Lining Distance	Total Ground (SF)	
Left Wall	1	212	21,890	36	21	8	0.667	0.78	1,343



Unit 1-8 Elevation (side)

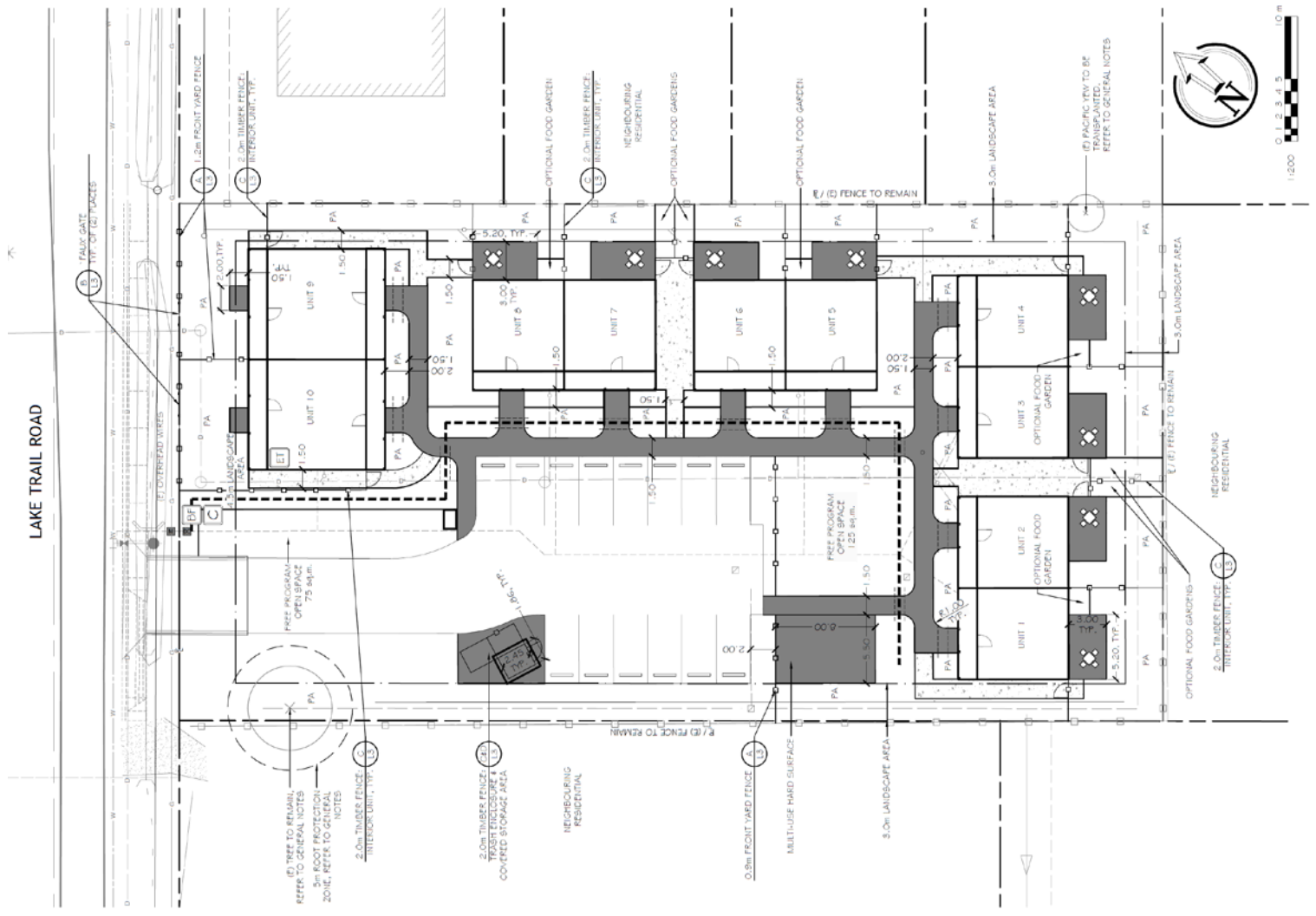


**Attachment No. 2**  
**5/5**



Servicing Plan

**Attachment No. 3**  
**1/4**

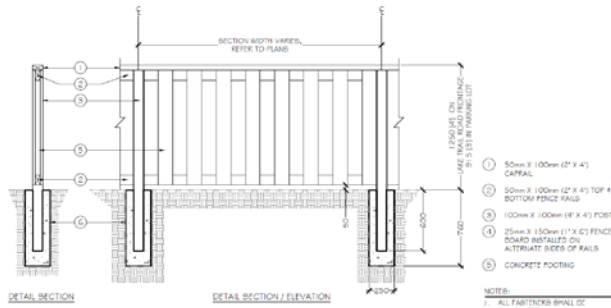


Landscaping Plan

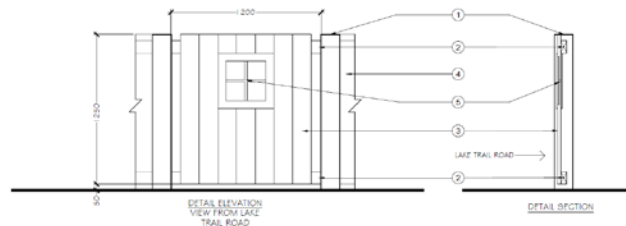
**Attachment No. 3**  
**2/4**



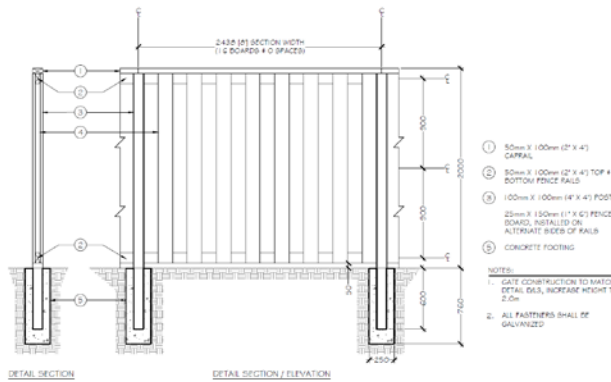
**Attachment No. 3**  
**3/4**



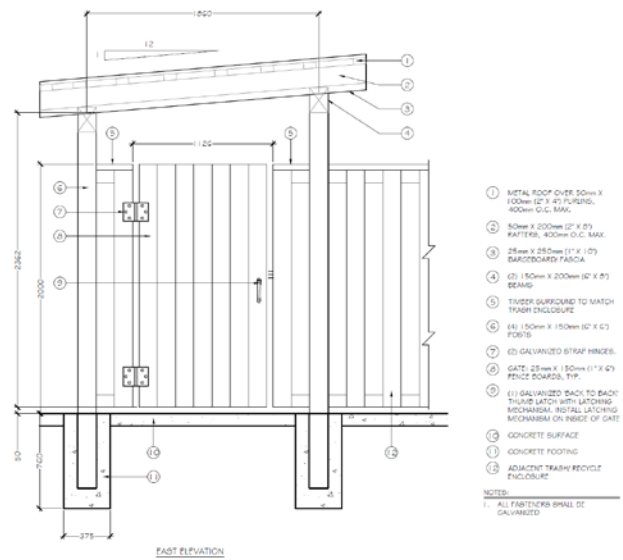
**A** Front Yard Fence  
Section/Elevation  
1:25 metric



**B** 'Faux' Gate  
Section/Elevation



**C** 2.0m Timber Fence: Interior Unit & Trash Enclosure  
Section/Elevation  
1:25 metric



**D** Covered Storage Area  
Elevation  
1:20 metric

Staff Report - December 18, 2017

Development Permit with Variances No. 1724 – 1330 Lake Trail Road (Habitat for Humanity Affordable Housing Project)

<b>Attachment No. 3</b> <b>4/4</b>
---------------------------------------

**1330 Lake Trail Road - Development Permit Application**  
**SCHEDULE OF QUANTITIES**

October-17  
MacDonald Gray Consultants

ITEM	UNIT	QUANTITY	UNIT-COST	TOTALS
<b>Utilities</b>				
Electrical Supply - Irrigation	each	1	250.00	250.00
Irrigation water supply	each	1	500.00	500.00
Irrigation system	sq.m.	1370	8.00	10,960.00
<b>SUBTOTAL, Utilities</b>				<b>11,710.00</b>
<b>Soft Landscape</b>				
Growing medium @ 450mm depth (shrub areas)	cu.m.	320	50.00	16,000.00
Growing medium @ 100mm depth (lawn areas)	cu.m.	65	50.00	3,250.00
Compost / mulch, in place, 75mm depth	cu.m.	55	40.00	2,200.00
Shrub, #3 pots	each	10	50.00	500.00
Shrub, #2 pots	each	17	20.00	340.00
Shrub, #1 pots	each	80	12.00	960.00
Shrub, 10cm pots	each	58	5.00	290.00
Shrub, 1.0m	each	48	35.00	1,680.00
Trees, 9 - 10cm cal.	each	4	590.00	2,360.00
Tree, #5 pots	each	10	80.00	800.00
Tree, #7 pots	each	3	110.00	330.00
Sod	sq.m.	680	8.50	5,780.00
Establishment landscape maintenance	allowance	1	1,000.00	1,000.00
<b>SUB-TOTAL, Soft Landscape</b>				<b>35,490.00</b>
<b>TOTAL</b>				<b>\$47,200.00</b>

RECEIVED  
OCT 12 2017

CITY OF COURTENAY

macdonald gray  
DEVELOPMENT PLANNING - LANDSCAPE ARCHITECTURE - ARBORICULTURE - URBAN DESIGN



**Attachment No. 4**  
**1/3**

October 12, 2017

Our File: 2211-47424-00

Ian Buck, MCIP, RPP, Director of Development Services  
City of Courtenay  
Planning Department  
830 Cliffe Ave.  
Courtenay, BC V9N 2J7

Dear Mr. Buck

**LOT 1, DISTRICT LOT 96, COMOX DISTRICT, PLAN 40243 – 1330 LAKE TRAIL ROAD  
DEVELOPMENT SYNOPSIS**

The following development synopsis has been prepared on behalf of Habitat for Humanity, Vancouver Island North, in support of Rezoning, Development Permit and Development Variance Permit applications for the above noted property.

**1.0 GENERAL**

The subject property, legally described above, is located at 1330 Lake Trail Road, Courtenay and zoned Residential Three (R-3). This 0.32 ha site fronts Lake Trail Road near Willemar Avenue (refer to MCSL drawing 001, entitled General Site Plan, overleaf).

This strata development proposed will provide five, two-story duplexes containing a mix of three and four bedroom units. The project continues Habitat for Humanity's work within the community to promote human dignity, diversity and inclusiveness through safe, decent and affordable housing. The property previously contained a single-family dwelling which was demolished by Habitat several years ago. The land is currently vacant, generally slopes from north to south, and is covered with grasses and trees.

**2.0 LAND USE**

The subject property is zoned as Residential Three (R-3) and OCP designation Multi-Residential. This development proposal reflects the City's land use policies and priorities as follows:

- Utilizes Habitat's unique building model which ensures affordability and strong homeowner engagement.
- Develops a greater sense of community amongst residents and project participants.
- Supplies higher density housing proximal to downtown businesses and services, as well as educational and recreational destinations.
- Expands to, and adds to diversity of, multi-family housing options within the neighbourhood.

*Page 1 of 3*

495 Sixth St  
Courtenay BC  
Canada V9N 6V4

Tel 250 338 5495  
Fax 855 407 3895  
mcelhanney.com



<b>Attachment No. 4</b> <b>2/3</b>
---------------------------------------

March 17, 2017  
 City of Courtenay  
 47424 Development Synopsis

- Represents an infill development utilizing existing City roads, water, storm and sanitary infrastructure.
- Promotes alternate transportation with BC Transit and cycling available at Willemar Ave and Lake Trail Road.
- Proximal to Lake Trail School, Roy Morrison, Woodcote and Tarling Parks.
- Revitalizes an aged neighbourhood with newly built homes using modern finishes and landscaping.

The project will require zoning variances that will accompany the Development Permit application:

- Reduce the front yard setback from 7.5m to 5.5m.
- Reduce the parking stall requirement from 15 stalls to 14 stalls.

### 3.0 SUSTAINABILITY

The proposed development includes several elements to create and support a sustainable community including:

- The application complies with the City's OCP policies and priorities per Section 2.0 above.
- Increasing density from a single- family property to 10 multi-family dwellings
- Supporting diverse family housing needs with four 3-bedroom and one 4-bedroom two-story duplexes.
- Incorporating energy efficient materials and the latest building techniques to provide reliable, long lasting housing.
- Featuring permeable parking surfaces to improve groundwater infiltration and reduce run-off. All in accordance with the City's Water Balance Model policy.
- Providing private amenity space.
- Building layout promotes Crime Prevention Through Environmental Design principles.
- All fixtures will carry low flow designation.
- All dwelling units will be constructed to Built Green BC Bronze level or equivalent.
- The proposed development does not impact the communities existing environmentally sensitive area inventory.

### 4.0 AFFORDABLE HOUSING

Habitat for Humanity's non-profit development model uniquely addresses the issues of rising housing costs. A core organization value beholds that safe, decent and affordable housing is a basic human right. This project, similar to previous Habitat projects, continues this mission.

Housing is created using volunteer materials and labour, drastically reducing construction costs. Mortgages to program participants are structured with "sweat equity" requirements in lieu of down payment and no-interest. These features increase the affordability and ability for families to provide their housing. Families move from being renters, sending hard-earned money into other's pockets, to owners, building equity in their future.



<b>Attachment No. 4</b> <b>3/3</b>
---------------------------------------

Ma  
City of Courtenay  
47424 Development Synopsis

This project complements the City's Affordable Housing strategy further:

- Infill development replacing a single-family house with higher density
- Proximal to major destinations in the City and transportation

#### 5.0 PERMIT AND APPLICATION FEES RELIEF

This project is targeted to provide affordable housing developed by a registered non-profit organization. We request further discussion with the City to provide relief from:

- Rezoning Application Fees
- Development Permit and Variance Application Fees
- Building Permit Fees
- Development Cost Charges
- Parks, Recreational, Cultural And Seniors Facilities Amenity Reserve Fund (OCP Sect 7.7.5)
- Affordable Housing Amenity Reserve Fund (OCP Sect 7.7.6)

Yours truly,

MCELHANNEY CONSULTING SERVICES LTD.

Matt Sanderson, ASCT

QMS Reviewed by:  
Randy Watson, P.Eng.

Enclosure  
MS/njg



**Habitat for Humanity Vancouver Island North**  
**Nov. 14th, 2017, Public Information Meeting for**  
**1330 Lake Trail Road, Courtenay, BC**

**MEETING SUMMARY REPORT**

As per The City of Courtenay guidelines for applicants for Official Community Plan Amendments, Zoning Bylaw Amendments, Temporary Use Permits or Development Variance Permits applications, Habitat for Humanity Vancouver Island North (VIN) held a Public Information Meeting on Tuesday, November 14th, 2017 from 7:00 to 8:30 p.m. at Lake Trail School, 805 Willemar Avenue, Courtenay, BC. (The school graciously allowed us the use of a meeting room at no charge.)

To advertise this meeting, letters were both hand delivered and mailed (if hand delivery was not possible) to all businesses and homeowners/occupants located within 100 metres perimeter of the proposed build site. The distribution list was provided to us by The City of Courtenay and we followed the guidelines for distribution. The letter contained an invitation to the Public Information Meeting, a brief description of the Development Permit variances and proposed project, and an explanation of Habitat for Humanity VIN's affordable housing strategy and building model. These letters were delivered between Oct. 30 and November 5, 2017.

The meeting was attended by the following representatives from Habitat VIN:

- Pat McKenna - Executive Director
- Brian Woods - Build Coordinator
- Terri Perrin - Volunteer Manager
- Randy Watson, McElhanney Consulting Services Ltd.

Detailed site, landscaping and floor plans and elevation maps were on display for public viewing.

Copies of related consultant studies (i.e. arborist's report), were also available.

Letters of support were displayed. The meeting was attended by nine members of the public (see attached list).

Overall feedback was enthusiastic and positive, with many questions being raised about how people could become engaged with the project. Three of the attendees were future Habitat homeowners.

No one raised any major concerns and the overall feedback was positive. Discussion ensued about the benefits of multi-family housing and how this development would help to revitalize the area, by bringing in new families with young children and a renewed sense of pride to an area of the city that is undergoing a demographic shift. As of Tues., Nov. 21, 2017, no comment sheets have been received with regard to this project.

Respectfully submitted by

Terri Perrin

Volunteer Manager, Habitat for Humanity VIN

**Attachment No. 5**  
**2/2**

## SIGN IN SHEET FOR

HABITAT FOR HUMANITY PUBLIC INFORMATION MEETING

TUESDAY, NOV. 14, 2017

1330 LAKE TRAIL ROAD, COURTENAY. BC

PLEASE PRINT CLEARLY

Name:	Address:
	1060 Willemar
	551 Timberlane Rd. Courtenay.
	1300 Clear View Place, Courtenay
	#5-791 Braichwood rd Courtenay BC
	4742 McLaughlin Pl., Courtenay
	" " " "
	819 19 Street, Courtenay, BC



## STAFF REPORT

**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Road Closure of part of Rye Road

**File No.:** 5400-04-1702  
**Date:** December 18, 2017

### PURPOSE:

The purpose of this report is for Council to consider a road closure and land exchange proposal from Finneron Hyundai for a part of Rye Road.

### CAO RECOMMENDATIONS:

That based on the December 18, 2017 Staff report "Road Closure of part of Rye Road", Council approve OPTION 1 and direct Staff to begin the preparation of a permanent closure and removal of highway dedication bylaw and proceed with negotiations to acquire land along the Old Island Highway and cash payment in exchange.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The applicant, the owner of Finneron Hyundai, and their agent, McElhanny Consulting Services Ltd., have approached the City to close a portion of Rye Road adjacent to 510 Rye Road and 280 Old Island Highway for the purpose of expanding the business operation at the present location (**Figure 1**). The applicant's plan is to close an area of approximately 331 m<sup>2</sup> of Rye Road to help facilitate the development of a new car dealership building and parking area. In exchange, the applicant proposes to provide the City with portions of their property along the Old Island Highway, a total of approximately 110.4 m<sup>2</sup> in area, and cash. The applicant's detailed proposal is attached to this report (**Attachment No. 1**).

Municipalities may legally close all or part of a highway, but potential implications need to be considered prior to the final decision, and the process must follow specific legislative requirements. Pursuant to the requirements in the *Community Charter*, when selling land



Figure 1: Location Map

municipalities must receive fair market value for the land either in the form of cash or land of equivalent value. The applicant has submitted a property appraisal report prepared by a professional appraiser indicating the market value of these lands. According to the report, the market value for the area to be closed is \$65,800. On the other hand, the market value for the area to be dedicated is \$22,600. The difference in monetary value is \$43,200. The applicant is proposing to compensate the difference by providing cash in lieu.

From a servicing perspective there are existing City owned stormwater and sanitary sewer lines in addition to a BC Hydro power utility within and around the portion of the right-of way to be closed. These services will either be relocated at the applicant's expense or protected by a statutory right of way. The applicant is also responsible for the cost of all the associated legal matters such as surveying, document preparation and title registration.

## **DISCUSSION:**

### **1. Legislation and Procedure**

#### **1) Road Closure Bylaw**

Council may, by bylaw, close all or part of a highway that is vested in the municipality to all or some types of traffic as per Section 40 of the *Community Charter*. The land proposed for acquisition by the applicant is currently dedicated highway (road right of way). Permanent road closure process is carried out in accordance with the legislative requirements and procedures as described in Part 3, Division 5 of the *Community Charter*.

#### **2) Land Title Registration**

Pursuant to Section 40 (5) of the *Community Charter*, title to the property may be registered once the road closure bylaw is filled with the Land Title Office creating a fee simple property of which can then be disposed. In this case the land would be consolidated with the adjacent lot owned by the applicant.

#### **3) Public Notice**

Section 94 of the *Community Charter* requires the City to post notice in the newspaper for two consecutive weeks prior to adoption of the bylaw. The past practice of the City has been to give the road closure bylaw three readings, conduct the statutory notice requirements and then consider final adoption of the bylaw following receipt of public input. The notification requirement for the disposition of the land may be combined with the notice required for the road closure bylaw.

All utility operators will be notified as per Section 40(4) of the *Community Charter*. If Council, by bylaw, choose to close all or part of highway, the bylaw will also need to be approved by the Ministry of Transportation and Infrastructure as per Section 41(3) of the *Community Charter*.

### **2. CLOSURE OPTIONS and REQUIREMENTS**

#### **Land or Cash**

Subject to Section 24(1)(a) and 25(1)(a) of the *Community Charter*, the City is restricted from providing assistance to a person or organization by disposing of land or improvements for less than market value. Accordingly, the City must receive fair market value for the land either in the form of cash or land of equivalent value. As previously outlined should Council proceed with the Road Closure Bylaw and dispose of the land, the applicant will provide a combination of land and cash in exchange.

## **TECHNICAL Requirements**

Within and around the portion of the road right-of way proposed to be closed, there are active stormwater and sanitary sewer lines as well as a BC Hydro line that provide service to adjacent properties to the south including properties across the Island Highway. As the result of disposition, all affected infrastructure will be either removed and relocated or secured for access by creation of a statutory right of way. The applicant has agreed to pay all costs associated with this road closure. The applicant is required to meet all the municipal requirements and standards for the subsequent road construction.

BC Hydro has identified potential challenges with relocating their utility with regard to the floodplain and electrical clearance standards prescribed by CSA. They would like to see a statutory right of way over the proposed section of road to be closed. BC Hydro and the applicant are responsible for negotiating this matter.

### **3. IMPLICATIONS OF THE PROPOSED ROAD CLOSURE**

#### **1) Potential loss of part of Right-of-Way in an active servicing corridor**

The Rye Road right of way is currently being used for access and servicing for properties along the road. While the portion of road being requested for closure is presently outside the paved travel path, the disposition of this portion of right of way would limit the full use of the right of way space for the City, adjacent property owners and tenants, as well as utility companies. In order for the City to assess the feasibility of the permanent road closure, the City is obligated to gather opinions from residents prior to the adoption of the bylaw. This includes the adjacent business owners and BC Hydro. To date BC Hydro has identified challenges but has not opposed the closure. Should Council proceed with bylaw preparation formal consultation will begin as outlined in Section 40(3) and (4) of the *Community Charter*.

#### **2) Potential impact on future flood mitigation planning in high risk zone**

The subject area is within the floodplain and has been impacted by a number of flooding events in the past. The City's Engineering Department is planning on completing an Integrated Stormwater Management Plan in the coming year. Recommended mitigation methods in this particular area are still unknown at this point in time, but disposition of highway in this area may limit the City's ability to undertake optimum flood mitigation plans in the future.

Future development of the car dealership will be subject to the floodplain bylaw, a geotechnical engineer's certification that the site may be safely used for the use intended and provincial regulations.

### **FINANCIAL IMPLICATIONS:**

Should Council proceed with the road closure, all costs associated with the closure and preparation of the necessary survey and legal documents will be paid by the applicant.

The difference in the assessed property values between the land acquired and the land disposed is \$43,200, which will be paid to the City in cash, and placed into a statutory reserve that can only be used for the purchase of land and improvements as per Section 188 (2)(c) of the *Community Charter*.

**ADMINISTRATIVE IMPLICATIONS:**

Administration of road closure bylaws and land sales are not specifically included in the Development Services work plan. Staff have spent approximately 30 hours discussing with the owner and agent, conducting research and preparing the report. It is estimated an additional 20 hours of staff time will be required to move the bylaw forward and dispose of the land. The City currently does not require application fees for road closure applications.

**ASSET MANAGEMENT IMPLICATIONS:**

Overall the land exchange will result in approximately 220 m<sup>2</sup> reduction in road right of way owned by the City.

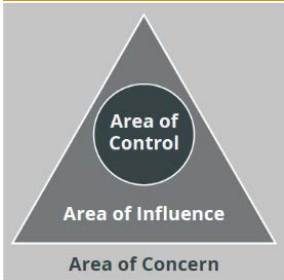
The existing City services will either be relocated or protected within a statutory right of way. The final decision on which approach to take will be at the discretion of the City with costs paid by the applicant.

**STRATEGIC PLAN REFERENCE:**

Road closure bylaws and land disposition fall within Council’s area of control and specifically align with the strategic priority to support meeting the fundamental corporate and statutory obligations of the City.

**We focus on organizational and governance excellence**

- We support meeting the fundamental corporate and statutory obligations



- **Area of Control**  
The policy, works and programming matters that fall within Council’s jurisdictional authority to act.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

Not specifically referenced.

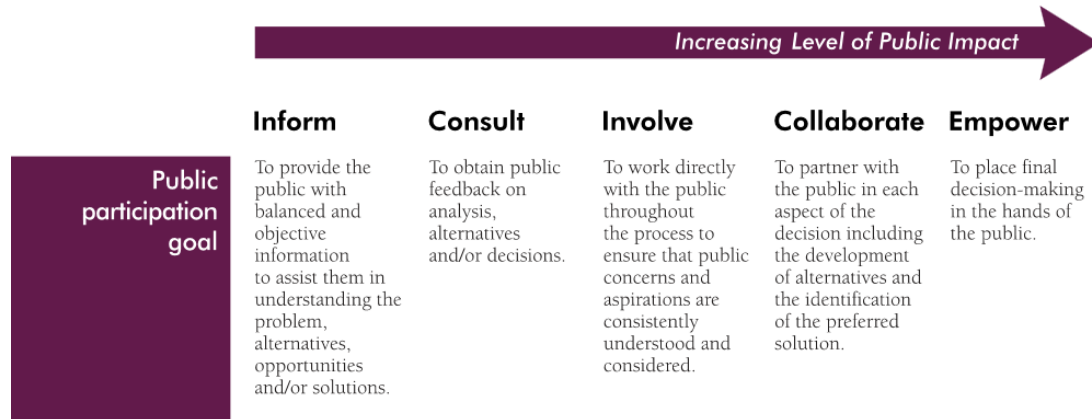
**REGIONAL GROWTH STRATEGY REFERENCE:**

Not specifically referenced.

**CITIZEN/PUBLIC ENGAGEMENT:**

Should Council direct staff to proceed with the land disposition request Staff will “Consult” 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](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)



**OPTIONS:**

**OPTION 1:** That based on the December 18, 2017 Staff report "Road Closure of part of Rye Road", Council approve OPTION 1 and direct Staff to begin the preparation of a permanent closure and removal of highway dedication bylaw and proceed with negotiations to acquire land along the Old Island Highway and cash payment in exchange.

**OPTION 2:** Direct Staff not to proceed with the road closure application.

Prepared by:

Tatsuyuki Setta, MCIP, RPP  
Manager or Planning

Ian Buck, MCIP, RPP  
Director of Development Services

Attachment:

*Attachment No.1: Application materials submitted by the agent*



Attachment No. 1  
1/3

January 30, 2017

Our File Number: 2211-46936-00/2212-05156-00

Mr. Rich Feucht, P.Eng.  
Development Engineer  
City of Courtenay  
830 Cliffe Avenue  
Courtenay, BC V9N 2J7

Dear Mr. Feucht,

**RE PROPOSED ROAD CLOSURE AND ACQUISITION – RYE ROAD and ISLAND HIGHWAY  
(Finneron Hyundai)**

This letter is prepared on the behalf of the owners of Finneron Hyundai, Courtenay, to indicate their intention to make application for road closure along Rye Road in Courtenay adjacent to #510 Rye Road, and #280 Island Highway. Please see attached sketch for more information. This proposed road closure area, once title is raised, would be consolidated with the adjacent lots (among others) to form a newly defined larger parcel for future development.

Our understanding is that the City has expressed interest in the past in working to have part of this road closed, and has suggested that a 'swap' for road dedication at the intersection of Rye Road and the Island Highway, as well as a widening along the Island Highway (northerly) has been previously contemplated.

We would like an opportunity to meet with City staff to discuss the proposed road closure, and possible road dedications. Please contact me to arrange for a meeting time to discuss, or let me know if you require any further information at this time.

Yours truly,

McELHANNEY CONSULTING SERVICES LTD.

A handwritten signature in black ink, appearing to read 'Mike Hansen', with a long horizontal line extending to the right.

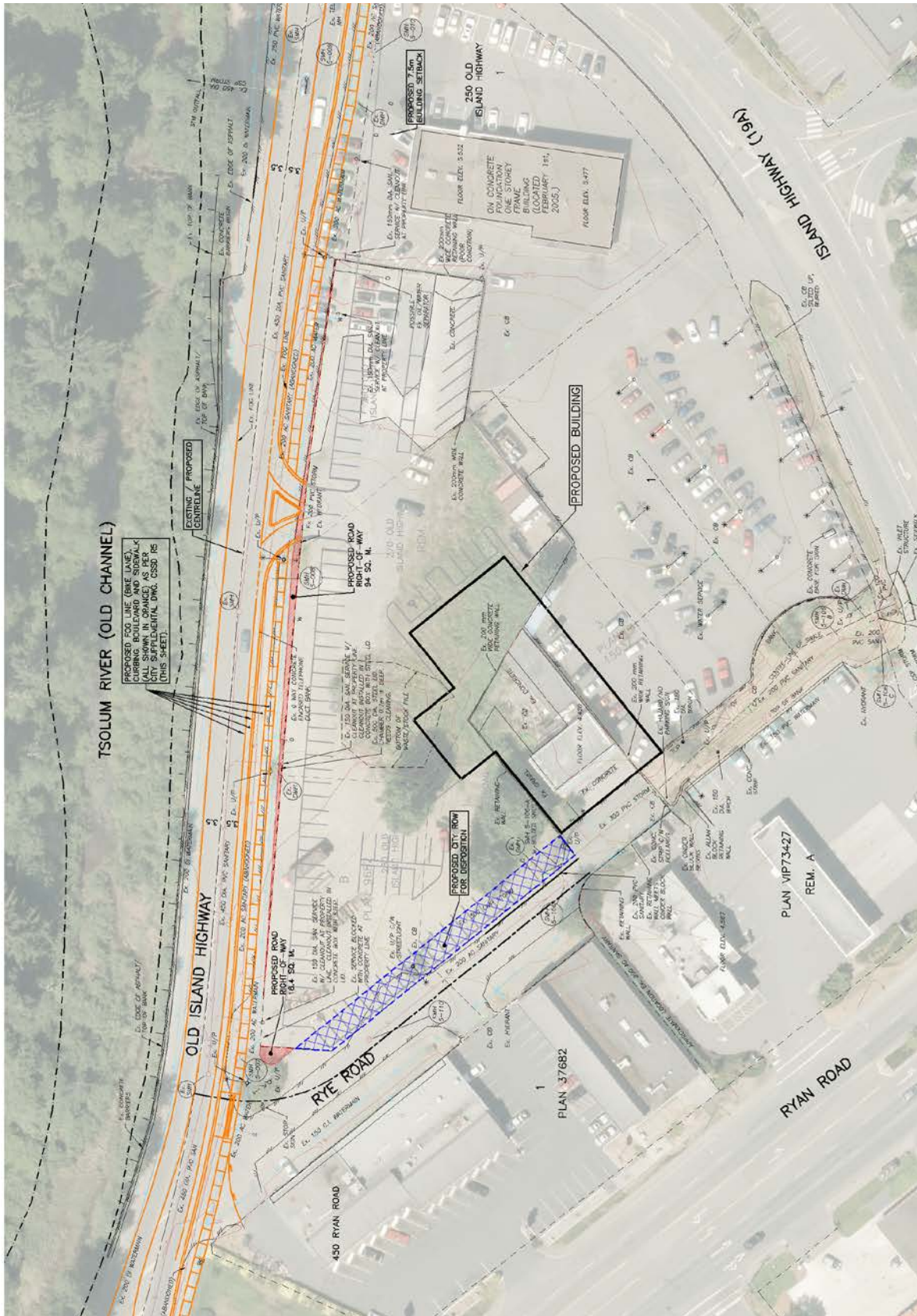
Mike Hansen, BCLS  
Legal Survey Manager

MH:ldg

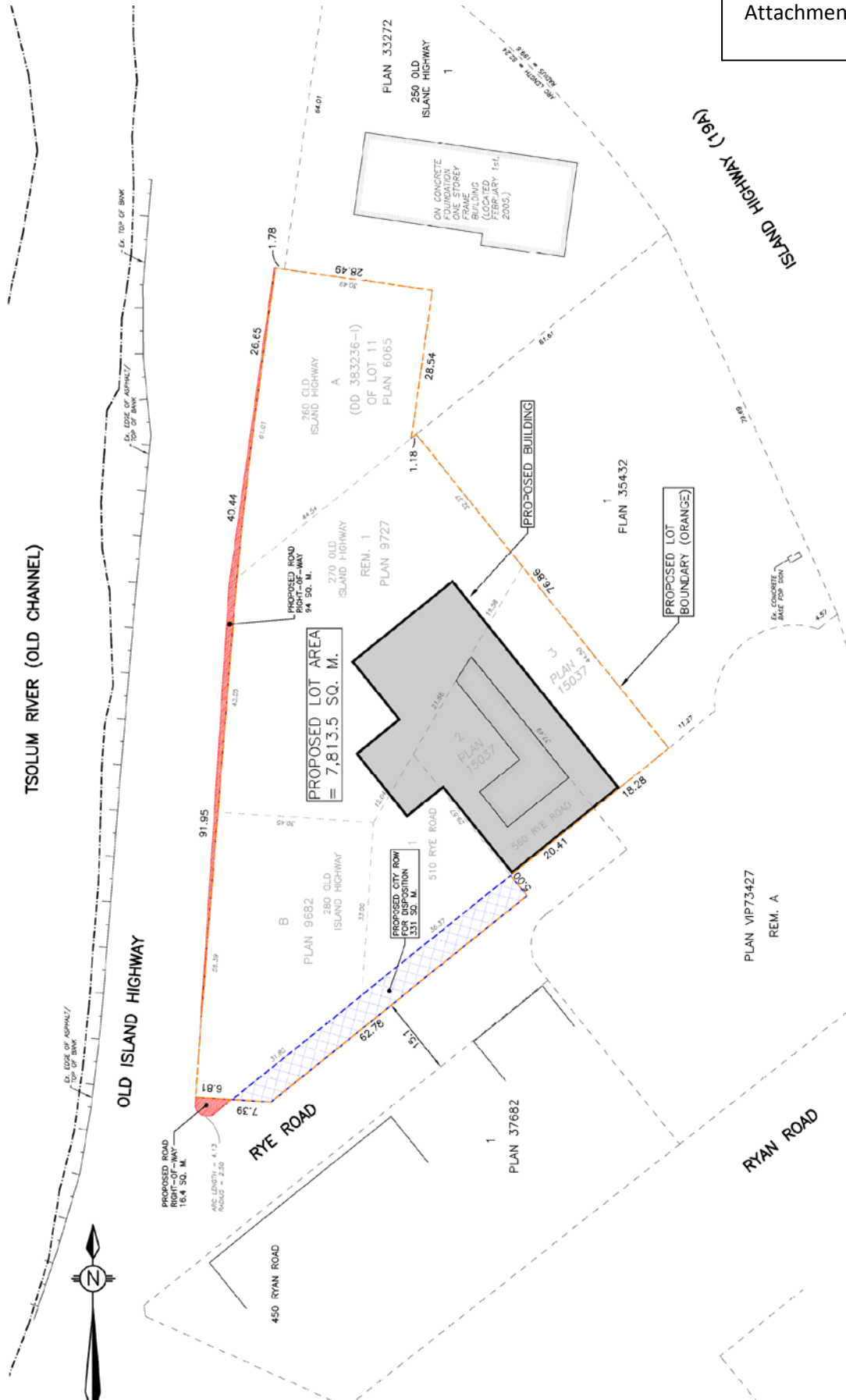
cc: Finneron Hyundai, Mike Finneron  
MCSL, Bob Hudson, P. Eng.



Attachment No. 1  
2/3



Attachment No. 1  
3/3



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2910

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. 2910, 2017”**.
2. That “Official Community Plan Bylaw No. 2387, 2005” be hereby amended as follows:
  - (a) by changing the land use designation of Lot 12, Block 3, Section 61, Comox District, Plan 472, Except that part thereof lying to the south east of a boundary parallel to the south easterly boundary of said lot and perpendicularly distant 10 feet there from (468 3<sup>rd</sup> Street); from Commercial to Urban Residential 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                                          day of                                          , 2017

Read a second time this                                          day of                                          , 2017

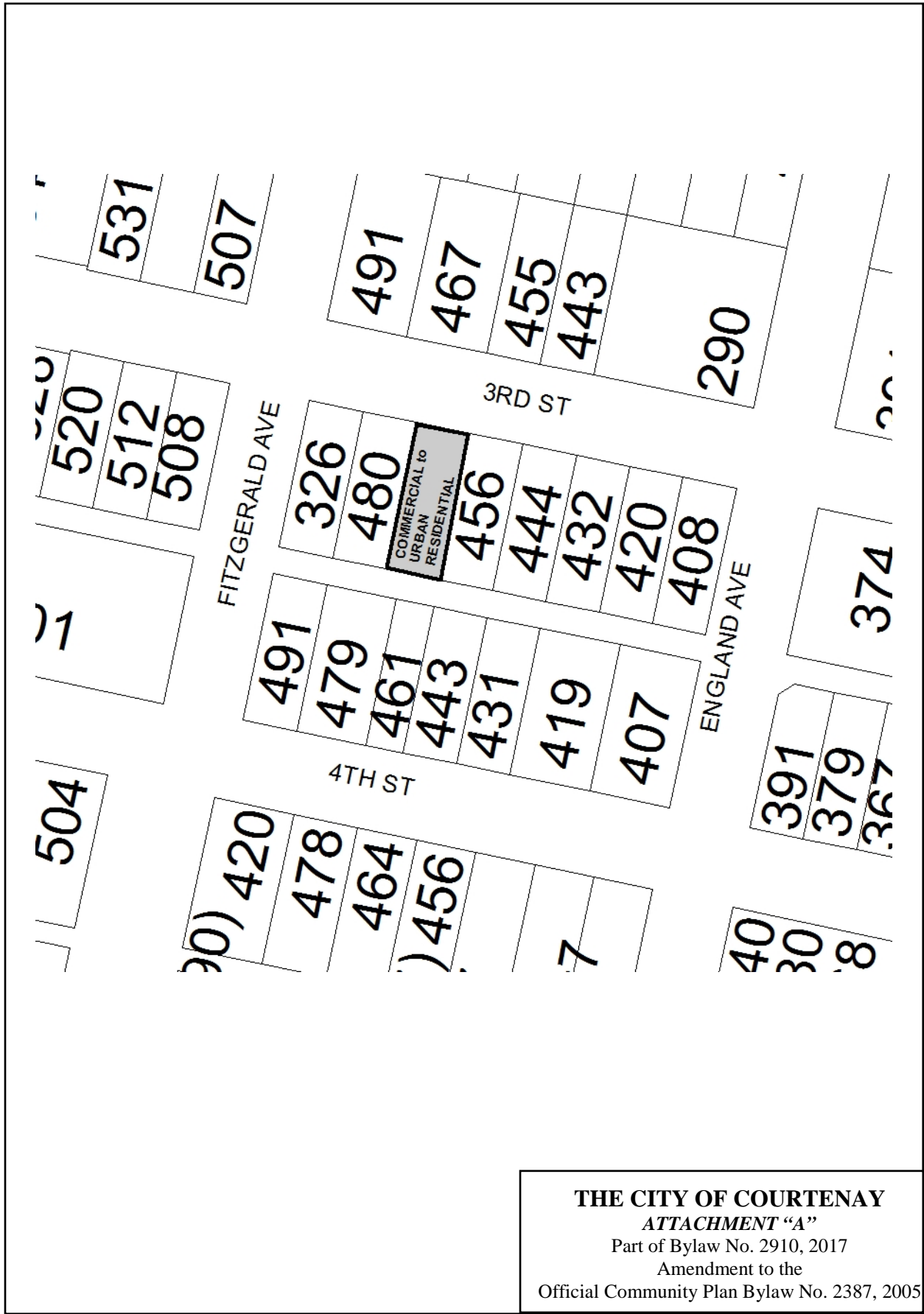
Considered at a Public Hearing this                                          day of                                          , 2017

Read a third time this                                          day of                                          , 2017

Finally passed and adopted this                                          day of                                          , 2017

\_\_\_\_\_  
Mayor

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



**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2911**

**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. 2911, 2017**”.

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

(a) by rezoning Lot 12, Block 3, Section 61, Comox District, Plan 472, Except that part thereof lying to the south east of a boundary parallel to the south easterly boundary of said lot and perpendicularly distant 10 feet therefrom (468 3<sup>rd</sup> Street), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Commercial Five Zone (C-5) to Residential Two B (R-2B); 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                                day of                                , 2017

Read a second time this                                day of                                , 2017

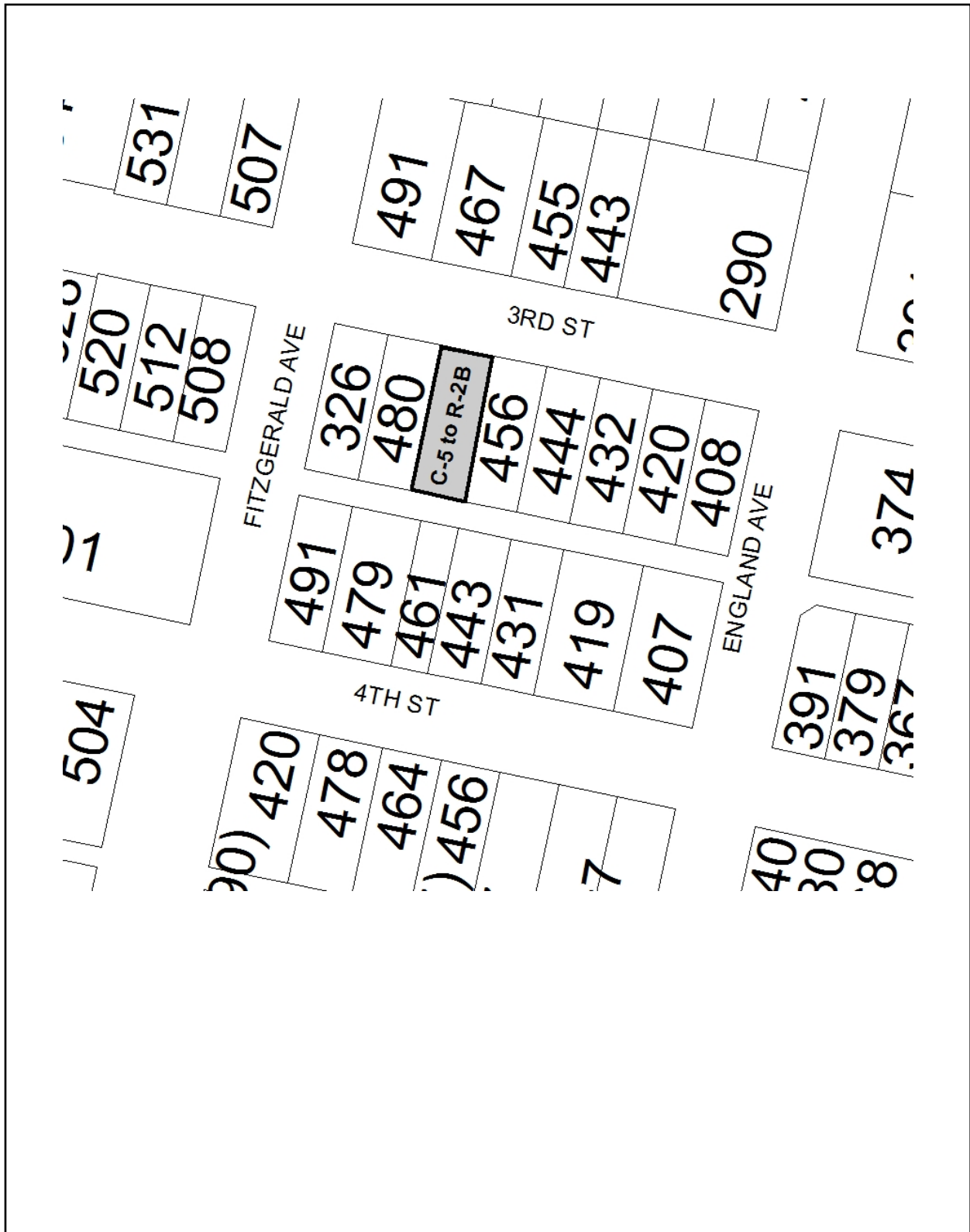
Considered at a Public Hearing this                                day of                                , 2017

Read a third time this                                day of                                , 2017

Finally passed and adopted this                                day of                                , 2017

\_\_\_\_\_  
Mayor

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



**THE CITY OF COURTENAY**  
**ATTACHMENT "A"**  
 Part of Bylaw No. 2911, 2017  
 Amendment to the  
 Zoning Bylaw No. 2500, 2007

**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2914, 2017**

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

WHEREAS pursuant to Section 194 of the *Community Charter*, a Council may impose fees with respect to all or part of a service of the municipality, the use of municipal property, or the exercise of authority to regulate, prohibit or impose requirements;

AND WHEREAS the Council of the City of Courtenay has established parks and recreation as a municipal service;

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

1. This bylaw may be cited for all purposes as **“City of Courtenay Fees and Charges Amendment Bylaw No. 2914, 2017”**.
2. That “City of Courtenay Fees and Charges Bylaw No. 1673, 1992” be amended by adding **“Section IV, Appendix I “Recreation Facility Rental and User Fees”** attached hereto and forming part of this bylaw.
3. This bylaw is to take effect upon final adoption hereof.

Read a first time this            day of            , 2017

Read a second time this        day of            , 2017

Read a third time this         day of            , 2017

Finally passed and adopted this    day of            , 2017

\_\_\_\_\_  
Mayor

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

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

<b>Facility</b>	Hourly	Daily	Per Use	Minor	Minor Day	Adult Game	Adult Practice
<b>Playing Fields</b>							
<b>Lewis Park</b>							
<i>Field, soccer/football/rugby</i>				n/c		\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c			\$8.25
<i>Horseshoe Pits</i>				n/c		n/c	n/c
<i>Tennis Courts</i>				n/c		n/c	n/c
<i>Ball Diamonds</i>				n/c		\$21.00	\$9.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		
<i>Lights - Minor ½ Field</i>	\$2.50						
<i>Lights - Minor Full Field</i>	\$5.25						
<i>Lights - Adult ½ Field</i>	\$5.25						
<i>Lights - Adult Full Field</i>	\$10.25						
<i>Showers</i>			\$33.75				
<b>Bill Moore Park</b>							
<i>Field, soccer/football/rugby</i>				n/c		\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c			\$8.25
<i>Ball Diamonds</i>				n/c		\$21.00	\$8.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		\$9.25
<i>Lights - Minor ½ Field</i>	\$2.50						
<i>Lights - Minor Full Field</i>	\$5.25						
<i>Lights - Adult ½ Field</i>	\$5.25						
<i>Lights - Adult Full Field</i>	\$10.25						
<i>Showers</i>			\$33.75				
<b>Martin Park</b>							
<i>Field 1</i>				n/c	\$15.50		
<i>Hockey Box/Lacross Box</i>				n/c	n/c	\$29.00	
<i>Ball Diamonds</i>				n/c	n/c	Prohibited	Prohibited
<i>Tournaments/Special Events</i>						Prohibited	Prohibited
<b>Ecole Puntledge Park Elementary</b>							
<i>Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		
<i>Ball Diamonds</i>				n/c	n/c	\$12.50	\$7.25



**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

<b>Facility</b>	Hourly	Daily	Per Use	Minor	Minor Day	Adult Game	Adult Practice
<b>Playing Fields</b>							
<b>Valley View</b>							
<i>Field, soccer/football/rugby</i>				n/c	n/c	\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>Ball Diamonds</i>				n/c	n/c	\$21.00	\$9.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		
<i>Showers</i>			\$32.00				
<b>Woodcote</b>							
<i>Field, soccer/football/rugby</i>				n/c	n/c	\$33.00	\$16.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>Tournaments/Special Events</i>		\$41.50			\$15.50		
<b>Arden</b>							
<i>Ball Diamond 1 &amp; 2</i>				n/c	n/c	\$12.50	\$7.25
<i>½ Field, soccer/football/rugby</i>				n/c	n/c		\$8.25
<i>Tournaments/Special Events</i>		n/c			n/c		
<b>Courtenay Elementary</b>							
<i>Fields 1 &amp; 2</i>				n/c		Prohibited	
<i>½ Field</i>							
<b>Queeneesh</b>							
<i>Fields 1 &amp; 2</i>		\$31.00		n/c	\$15.50	\$33.00	\$16.25
<i>½ Field</i>				n/c			\$8.25
<b>Glacier View</b>							
<i>Fields 1 &amp; 2</i>				n/c	n/c		
<i>½ Field</i>				n/c	n/c	\$12.50	\$7.25
<b>G.P. Vanier</b>							
<i>Fields 1, 2 &amp; 3</i>				n/c	\$15.50	\$33.00	\$16.25
<i>½ Field</i>				n/c			\$8.25
<i>Lights - Minor Full Field</i>	\$5.25						
<i>Lights - Adult Full Field</i>	\$10.25						
<i>Field, soccer/football/rugby</i>						\$33.00	\$16.25
<i>Ball Diamonds</i>							\$12.50
<i>Ball Diamonds - ½ practice</i>							\$9.25

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

<b>Facility</b>	<b>Hourly</b>	<b>Daily</b>	<b>Per Use</b>	<b>Minor</b>	<b>Minor Day</b>	<b>Adult Game</b>	<b>Adult Practice</b>
<b>Huband Park</b>							
<i>Field 1</i>				n/c	n/c	Prohibited	Prohibited
<i>½ Field</i>				n/c	n/c		
<b>Isfeld Senior</b>							
<i>Field 1</i>		\$37.25		n/c	\$15.50	\$33.00	\$16.25
<i>½ Field</i>				n/c			\$8.25
<b>Lake Trail - Upper</b>							
<i>Field 1</i>				n/c			
<i>½ Field</i>				n/c			\$8.25
<i>Field, soccer/football/rugby</i>						\$33.00	\$16.25
<i>Ball Diamonds</i>		\$31.00			\$15.50	\$12.50	\$7.25
<i>Ball Diamonds - ½ practice</i>							
<b>Lake Trail - Lower</b>							
<i>Field 1</i>				n/c			
<i>½ Field</i>				n/c			\$8.25
<i>Field, soccer/football/rugby</i>						\$33.00	\$16.25
<i>Ball Diamonds</i>		\$31.00			\$15.50	\$12.50	
<i>Ball Diamonds - ½ practice</i>							\$7.25

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Simms Millenium Park</b>			
<b>Rotary Centennial Pavilion</b>			
<i>Sponsored</i>	No Chg	No Chg	
<i>Sponsored w/Vending</i>		To be negotiated	
<i>Sponsored w/PA</i>			\$30.50
<i>Community</i>	\$21.00	\$104.00	
<i>Community w/Vending</i>	\$26.00	\$130.00	
<i>Community w/PA</i>			\$30.50
<i>Private</i>	\$26.00	\$130.00	
<i>Private w/Vending</i>	\$31.00	\$156.00	
<i>Private w/PA</i>			\$35.75
<i>Commercial</i>	\$78.00	\$390.00	
<i>Commercial w/Vending</i>	\$88.25	\$438.50	
<i>Commercial w/ PA</i>			\$102.00
<b>Knights of Columbus BBQ</b>			
<i>Community</i>			\$21.00
<i>Private</i>			\$31.00
<i>Commercial</i>			\$52.00
<b>Park Booking (non-playing field)</b>			
<i>Charity Events</i>	No Chg	No Chg	
<i>Community</i>	\$10.50	\$52.00	
<i>Private</i>	\$15.50	\$77.50	
<i>Major Events</i>	To be negotiated		

**SCHEDULE OF FEES AND CHARGES**  
**CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017**  
**SECTION IV, APPENDIX I**  
**RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Memorial Pool</b>			
<i>Community 100 - 150 people</i>	\$137.50		
<i>Community 50 - 99 people</i>	\$117.50		
<i>Community 49 people &amp; under</i>	\$87.50		
<i>Commercial 50 - 100 people</i>	\$230.00		
<i>Private 100 - 150 people</i>	\$172.50		
<i>Private 50 - 99 people</i>	\$142.50		
<i>Private 49 people &amp; under</i>	\$122.50		
<i>Schools 100 - 150 people</i>	\$117.50		
<i>Schools 50 - 99 people</i>	\$92.50		
<i>Schools 49 people &amp; under</i>	\$67.50		
<i>Bday Party ½ pool under 30 ppl</i>	\$67.50		
<i>Bday Party pool under 60 ppl</i>	\$122.50		
<b>Florence Filberg Centre</b>			
<b>Conference Hall</b>			
<i>Community</i>	\$56.00	\$515.00	
<i>Private</i>	\$66.25	\$688.50	
<i>Commercial</i>	\$97.00	\$811.00	
<b>½ Conference Hall</b>			
<i>Community</i>	\$56.00	\$260.00	
<i>Private</i>	\$66.25	\$311.00	
<i>Commercial</i>	\$97.00	\$413.00	
<b>Upper Kitchen (w/Hall)</b>	\$51.00		
<b>Upper Kitchen (by itself)</b>		\$151.00	
<b>Soroptimist Lounge</b>			
<i>Community</i>	\$16.25	\$47.00	
<i>Private</i>	\$24.50	\$63.25	
<i>Commercial</i>	\$34.75	\$86.75	
<b>Rotary Hall</b>			
<i>Community</i>	\$24.50	\$290.75	
<i>Private</i>	\$36.75	\$367.25	
<i>Commercial</i>	\$55.00	\$428.50	
<b>½ Rotary Hall</b>			
<i>Community</i>	\$24.50	\$148.00	
<i>Private</i>	\$36.25	\$178.50	
<i>Commercial</i>	\$55.00	\$204.00	

**SCHEDULE OF FEES AND CHARGES**  
**CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017**  
**SECTION IV, APPENDIX I**  
**RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Florence Filberg Centre</b>			
<b>Evergreen Lounge</b>			
<i>Community</i>	\$24.50	\$78.50	
<i>Private</i>	\$36.75	\$118.25	
<i>Commercial</i>	\$55.00	\$199.00	
<b>Craft Room</b>			
<i>Community</i>	\$16.25	\$47.00	
<i>Private</i>	\$24.50	\$63.25	
<i>Commercial</i>	\$34.75	\$86.75	
<b>Lower Kitchen (w/ Hall)</b>			
	\$36.75		
<b>Lower Kitchen (by itself)</b>			
		\$76.50	
<b>Native Sons Hall</b>			
<b>Grand Hall</b>			
<i>Community</i>	\$37.75	\$362.00	
<i>Private</i>	\$49.00	\$505.00	
<i>Commercial</i>	\$65.25	\$658.00	
<b>Upper Kitchen (w/Hall)</b>			
	\$51.00		
<b>Upper Kitchen (by itself)</b>			
		\$151.00	
<b>Balcony/Mezzanine</b>			
<i>Community</i>	No Chg	\$35.75	
<i>Private</i>	No Chg	\$51.00	
<i>Commercial</i>	No Chg	\$76.50	
<b>Dining Room</b>			
<i>Community</i>	\$19.50	\$97.00	
<i>Private</i>	\$27.50	\$118.25	
<i>Commercial</i>	\$35.75	\$163.25	
<b>Lodge Room</b>			
<i>Community</i>	\$19.50	\$128.50	
<i>Private</i>	\$27.50	\$151.00	
<i>Commercial</i>	\$35.75	\$191.75	
<b>Lodge &amp; Dining Room</b>			
<i>Community</i>	\$37.75	\$224.50	
<i>Private</i>	\$49.00	\$270.25	
<i>Commercial</i>	\$62.25	\$357.00	
<b>Lower Kitchen (w/Hall)</b>			
	\$36.75		
<b>Lower Kitchen (by itself)</b>			
		\$76.50	
<b>Parlour Room</b>			
<i>Community</i>	\$19.50	\$38.75	
<i>Private</i>	\$27.50	\$57.00	
<i>Commercial</i>	\$35.75	\$70.50	

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily	Per Use
<b>Lewis Centre</b>			
<b>Activity Room</b>			
<i>Community</i>	\$25.50		
<i>Private</i>	\$37.75		
<i>Commercial</i>	\$57.00		
<b>Gym</b>			
<i>Community</i>	\$28.50		
<i>Private</i>	\$37.75		
<i>Commercial</i>	\$67.75		
<b>Change Rooms&gt;Showers</b>			
<i>Community</i>			\$34.75
<i>Private</i>			\$41.75
<i>Commercial</i>			n/a
<b>Multi Purpose Hall</b>			
<i>Community</i>	\$28.50		
<i>Private</i>	\$37.75		
<i>Commercial</i>	\$67.75		
<b>½ Multi Purpose Hall</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$21.50		
<i>Commercial</i>	\$36.75		
<b>Multi Purpose Concession</b>			
<i>Community</i>			\$27.50
<i>Private</i>			\$31.00
<i>Commercial</i>			\$47.00
<b>Meeting Room</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$23.50		
<i>Commercial</i>	\$34.75		
<b>Craft Room A /B</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$23.50		
<i>Commercial</i>	\$34.75		
<b>Nursery School</b>			
<i>Community</i>	\$16.25		
<i>Private</i>	\$23.50		
<i>Commercial</i>	\$34.25		

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily
<b>Lewis Centre</b>		
<b>Upstairs Gallery A/B</b>		
<i>Community</i>	\$11.25	
<i>Private</i>	\$17.25	
<i>Commercial</i>	\$21.50	
<b>Park Outbuildings</b>		
<b>Tsolum Building</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	
<b>Salish Building</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	
<b>Lawn Bowling Building</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	
<b>Lawn Bowling Bldg w/Kitchen</b>		
<i>Community</i>	\$25.25	
<i>Private</i>	\$32.50	
<i>Commercial</i>	\$43.25	
<b>Bill Moore Fieldhouse</b>		
<i>Community</i>	\$11.25	
<i>Private</i>	\$16.75	
<i>Commercial</i>	\$21.50	
<b>Valley View Clubhouse</b>		
<i>Community</i>	\$16.25	
<i>Private</i>	\$23.50	
<i>Commercial</i>	\$34.25	

**SCHEDULE OF FEES AND CHARGES  
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW 2914, 2017  
SECTION IV, APPENDIX I  
RECREATION FACILITY RENTAL AND USER FEES**

Facility	Hourly	Daily
<b>LINC Youth Centre</b>		
<b>Skatepark</b>		
<i>Community</i>	\$31.50	\$94.00
<i>Private</i>	\$42.00	\$125.00
<b>Games Room</b>		
<i>Community</i>	\$31.50	\$94.00
<i>Private</i>	\$42.00	\$125.00
<i>Youth</i>	\$26.00	\$78.50
<b>Multi-Purpose Room</b>		
<i>Community</i>	\$14.50	\$43.00
<i>Private</i>	\$22.00	\$65.00
<i>Youth</i>	\$10.50	\$31.50
<b>LINC Office</b>		
<i>Community</i>	\$10.00	\$30.00
<i>Private</i>	\$15.00	\$45.00
<b>EQUIPMENT USE</b>		
	\$10.45	
<b>Facility Charges</b>		
<b>Custodial Services</b>		
	\$36.75	