

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

DATE: September 5, 2017
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt August 21st, 2017 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

(a) Development Services

- 1 1. Zoning Amendment Bylaw No. 2868 for a Mixed Use CD Zone at 3040 & 3070 Kilpatrick Avenue

(b) Financial Services

- 53 2. List of 2018 Grant-in-Aid Requests
- 67 3. Courtenay Fire Protection District (CFPD) Proportional Share of Fire Protection Costs

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. Councillor Hillian – Ryan Road Crossing

WHEREAS there is significant public concern regarding pedestrian access to North Island College from City of Courtenay neighbourhoods across Ryan Road, and the safe access of pedestrians, scooters and cyclists along Ryan Road;

AND WHEREAS Ryan Road is a provincial Ministry of Transportation & Infrastructure responsibility;

THEREFORE BE IT RESOLVED that the City engage with the Ministry of Transportation & Infrastructure to engineer a safe crossing of Ryan Road between North Island College and Cowichan Avenue, and to enhance pedestrian, scooter and cycling safe access along Ryan Road between the North Island Highway and Lerwick Road.

2. In Camera Meeting

That notice is hereby given that a Special In-Camera meeting closed to the public will be held September 5th, 2017 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (2) (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 83 1. DCBIA – Pride Diversity Crosswalk Proposal
- 87 2. Kumugwe Cultural Society - Red Dress Campaign 2017

12.00 BYLAWS

For First and Second Reading

- 89 1. “Zoning Amendment Bylaw No. 2868, 2017”
(for a Mixed Use CD Zone at 3040 & 3070 Kilpatrick Avenue)

For Final Adoption

- 101 1. “Zoning Amendment Bylaw No. 2870, 2017”
 (To rezone properties located on Cliffe Avenue near 29th Street)

13.00 ADJOURNMENT

NOTE: There is a Public Hearing scheduled for 5:00 p.m. regarding:

Bylaw No. 2881 to change land use designation from Urban Residential to Multi Residential, (1330 Lake Trail Road - Habitat for Humanity)

Bylaw No. 2892 to rezone from Residential Two Zone (R-2) to Residential Three Zone (R-3), (1330 Lake Trail Road – Habitat for Humanity)

Bylaw No. 2891 to rezone from Residential One B Zone (R-1B) to Residential One S Zone (R-1S) secondary suite (2500 Mission Road)

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THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council **File No.:** 3360-20-1611
From: Chief Administrative Officer **Date:** September 5, 2017
Subject: Zoning Amendment Bylaw No. 2868 for a Mixed Use CD Zone at 3040 & 3070 Kilpatrick Avenue

PURPOSE:

The purpose of this report is for Council to consider a Zoning Amendment to rezone the properties legally described as Lot B, Section 67, Comox District, Plan VIP81460 (3040 Kilpatrick Avenue) and Lot 3, Section 67, Comox District, Plan 35438 (3070 Kilpatrick Avenue) from Commercial Two (C-2) to Comprehensive Development Twenty-Six (CD-26) to facilitate a mixed use commercial and residential development.

EXECUTIVE SUMMARY:

The application under consideration is for zoning amendment from general commercial to a site specific mixed use commercial and residential zone. The proposed Comprehensive Development Zone was drafted from the project submissions and a review of commercial, multi-residential and mixed use zones within the city. While staff have some concern with the proposed density, there is considerable policy support in the Official Community Plan and Regional Growth Strategy for this type of development in close proximity to significant commercial centres. Should the proposed zoning amendment be approved, a Development Permit for form and character and a Building Permit will be required.

CAO RECOMMENDATIONS:

THAT based on the September 5, 2017 Staff report, 'Zoning Amendment Bylaw No. 2868 for a Mixed Use CD Zone at 3040 & 3070 Kilpatrick Avenue', Council support approving OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2868, 2017;

THAT prior to adopting Zoning Amendment Bylaw No. 2868, 2017, Section 219 covenants be executed by the applicant and the City of Courtenay to secure adequate sightlines along Kilpatrick Avenue from the proposed access, and to secure amenity contributions in accordance with the policy set out in the Official Community Plan;

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2891, 2017 on September 18, 2017 at 5:00 pm in City Hall Council Chambers; and

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

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM

Chief Administrative Officer

BACKGROUND:

The applicants are proposing to construct a mixed use commercial and residential development on two properties located at 3040 and 3070 Kilpatrick Avenue. The properties are currently vacant land. Adjacent land use includes a live/work strata complex to the north, large format retail to the south (Anfield Centre), and City owned park to the east. Within the surrounding neighbourhood there is a diverse mix of commercial, industrial and residential uses (Figure 1).



Figure 1. Context map with the development site outlined in yellow.



Figure 1. Development site as viewed from 30th Street looking east.

The proposed mixed use development is comprised of three buildings with surface and underground parking areas (**Attachments 2 – 7**). Building 1 is a five storey residential building with approximately 70 units and Building 2 has about 1,000 m² of commercial floorspace on the lower levels with 46 residential units above. The applicant has indicated that the residential units will be constructed as rental accommodation. However, it should be noted that these units are not secured as rental housing and they could be registered as strata units at the time of building permit. Building 3 is a small 260 m² commercial building with an associated drive thru facility. Vehicle access to all of the buildings is provided from Kilpatrick Avenue. The existing access to the neighbouring live/work strata will remain and a new primary access will be located towards the south end of the property. Direct pedestrian access will be provided from Kilpatrick Avenue to each of the buildings. In addition, a pedestrian connection through the site to the City's greenway along Cliffe Avenue will be provided (**Attachment 4**).

The applicants are proposing to rezone the property from Commercial Two (C-2) to Comprehensive Development Zone 26 (CD-26) to facilitate the proposed development. Comprehensive Development zones are drafted for a specific development concept which does not fit within one of the City's standard zones. Should the rezoning application be approved, but the project not be constructed, future development of the subject properties would have to adhere to the current development concept or require an application for a zoning amendment. While many of the proposed uses are permitted in the C-2 zone, the proposed development has a greater density, higher maximum building height, and reduced parking ratios than is currently allowed in the C-2 zone. Due to its proximity to the Comox Valley Parkway, the proposed zoning amendment must be authorized by Ministry of Transportation and Infrastructure. The Ministry has indicated that they have no objections to the development proposal and the zoning amendment bylaw will be forwarded to the Ministry for approval prior to third reading.

DISCUSSION:

Official Community Plan Review

The subject properties are designated Commercial Shopping Centre in the Official Community Plan (OCP). Policies related to the Shopping Centre designation concentrate on providing a strong retail base with complementary office, personal service and restaurant uses, and in improving the appearance of these

highly visible areas. While the focus is on guiding commercial development, there is policy support for locating residential uses close to major shopping malls and other commercial areas where there is an association with significant amenities and public services.

The proposed development will add approximately 116 residential units adjacent to Anfield Centre and in close proximity to Driftwood Mall, two major shopping destinations in the city. It will also result in additional commercial floor space in an area presently zoned for commercial use which aligns with the OCP goal to fully utilize existing commercial lands prior to any outward expansion of commercial use.

While there is policy support and land use planning rationale supporting mixed use development on the subject properties, ideally a project of this magnitude would be located downtown. The OCP encourages mixed use development as well as increased residential uses in the downtown to better utilize existing infrastructure, services, and civic amenities in addition to adding vibrancy and resiliency to the downtown core. In effort to revitalize downtown, the OCP encourages residential land use in the areas within and surrounding downtown and states that multi-residential development should be limited in scale and size outside of the downtown area. However, staff notes that there is a limited supply of development sites in the downtown that would accommodate a project of this type.

The proposed uses are consistent with OCP policy for shopping centres and the surrounding land use, yet the scale and density of the proposed project is significantly greater than surrounding development so design is an important consideration. The development is subject to the Commercial, Multi Residential, and Multi Residential Above 3 Storey Development Permit Guidelines. The applicant has submitted preliminary drawings and renderings as part of the rezoning application however details related to building character, materials and landscaping for the project will be finalized through the Development Permit process. The preliminary drawings appear to address many of the development permit guidelines however improvements will be required to the roof treatment, particularly along Cliffe Avenue in order to reduce the appearance of the large facade and add visual interest to the flat roof design.

Zoning Review

This zoning amendment application is to rezone the subject properties from Commercial Two (C-2) to Comprehensive Development Twenty-Six (CD-26) to accommodate the proposed mixed use development. As noted above, Comprehensive Development Zones are specific to a development concept. The proposed CD-26 zone was drafted to reflect the development proposal as shown in Attachments 2 – 7. Table 1 provides a comparison of the existing C-2 zoning, the proposed CD-26 zone and the R-4A zone, which is the most common multi-residential zone in the immediate area. This information has been included to provide additional context on land use regulation in this area of the city as it relates to the proposed CD zone.

Table 1.

Zoning Regulation	<u>C-2</u>	<u>CD-26</u>	<u>R-4A</u>
Permitted Uses	Wide range of commercial uses including combined commercial-residential use provided residential use is in a dual use building and located above commercial use	General service, medical clinic, financial institution, office, restaurant, personal service, retail, fitness facility, studio, community service, liquor store, multi residential, and home occupation	Single, duplex and multi residential as well as daycare and home occupation
Lot Coverage	50%	40%	Not applicable
Floor Area Ratio	Combined commercial and residential – 0.6	1.2 total residential and commercial floorspace	Apartments – 1.33

Front Yard Building Setback	7.5 m	7.5 m for that portion of a building with a height less than 9.0 m , or 11.5 m for that portion of a building with a height greater than 9.0 m	6.0 m
Rear Yard Building Setback	4.5 m, or 6.0 m abutting residential zone for first storey or 7.5 m for buildings exceeding one storey	*7.5 m except for underground parking structures which shall be a minimum of 0.6 m.	6.0 m
Internal Side Yard Building Setback	0.0 m or 4.5 m where one-storey commercial building adjoins a residential zone or for a combined commercial-residential use building, 6.0 m for commercial building exceeding one storey	*4.5 m or 6.5 m for the 5th storey of a building which adjoins a residential use	3.0 m or 4.5 m for fourth storey
Building Height	9.5 m for commercial building 13.5 m for combined commercial-residential building	Building 1 - 10.5 m to roof parapet, 12.5 m to top of elevator Building 2 -12.5 m to roof parapet, 14.5 m to top of elevator Building 3 – 8.5 m	14.0 m for apartment
Useable Open Space	20.0 m ² per dwelling unit	1,930 m ² total (this is about 16 m ² per dwelling unit)	20.0 m ² per unit for apartment
Parking	1.5 stalls per residential unit. Dependant on type of commercial use. Shopping centre is 1 stall per every 22.5 m ² of floor space Fast Food Restaurant is 8 spaces plus 1 per 6 seats	1.3 stalls per residential unit 1 stall for every 30 m ² of commercial floorspace 1 stall for every 10 m ² for fast food restaurant	1.5 stalls per residential unit
Landscaping	<ul style="list-style-type: none"> • 4.5 m landscape width along street frontage • Landscape buffer 2.0 m in width and height along property lines to screen parking, loading, internal roads and storage areas 	<ul style="list-style-type: none"> • 7.5 m in width extending along the entire frontage of the property on the street shall be provided inside the property line • A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland. • A landscaped area of not less than 3.0 m in width shall be provided inside all side lot lines adjacent to commercial uses. 	<ul style="list-style-type: none"> • 4.5 m landscape width along street frontage • Landscape screen 3.0 m in height and width inside all property lines

* minor exceptions have been built into the CD-26 zone for specific building features

Use and Density

The proposed zoning amendment is required to facilitate the multi-residential apartment building and to increase the maximum density permitted on the development site. The development concept proposes

commercial uses along the Kilpatrick Avenue frontage maintaining the commercial corridor and transitions to multi residential use on the lower portions of the site adjacent to Cliffe Avenue reflecting the multi-residential use established on the eastern side of Cliffe Avenue.

The proposed commercial uses are permitted under the current C-2 zoning and are consistent with existing commercial uses in the area. The C-2 zone also allows for residential use but specifies that it must occur in a dual use building with commercial use on the ground floor.

The applicant is proposing to increase the maximum floor area ratio permitted from 0.6 to 1.2. This is substantially higher than the existing C-2 zone and will result in greater densification than surrounding properties. However, a 1.2 Floor Area Ratio is consistent with the maximum permitted density for apartment buildings in the R-4A zone which are primarily located on the eastern side of Cliffe Avenue and include the recently constructed Acadia on the Walk, the proposed seniors housing complex at the intersection of Cliffe and 29th, and the proposed two storey apartment building located across from the subject property at the corner of Cliffe Avenue and 31st.

Staff support the proposed commercial and residential uses but have concerns with the proposed scale and density of the development in this location. Increased density near major commercial areas is encouraged, but the proposed development has one of the highest residential densities in Courtenay in an area where access to schools, playgrounds, active park space and civic amenities are quite limited. The proposed development will also add density at a location on Kilpatrick with poor sightlines due to the existing grade and curvature of the road. The site itself is quite tight and the applicants are seeking relaxations to maximum building height, parking ratios, parking stall widths, parking aisle widths, and building setbacks in order to accommodate the proposed density and given the shape of the development site.

However, staff recognizes that the project achieves many policy objectives as discussed in the OCP Review Section above, and proposes much needed rental housing. As previously noted, the units have not been secured as rental. Whether the units are rental apartments or privately owned condominiums, the project increases housing choice by providing an urban style development in close proximity to major commercial centres, natural park space and the Courtenay Riverway which is consistent with OCP Policy and the Regional Growth Strategy. Despite concerns listed above, staff conclude that given the compatibility with surrounding land use, site constraints, increased housing supply and planned frequent transit improvements in the area, the proposed zoning amendment represents a reasonable development concept but staff does acknowledge that the site layout and functionality may benefit from fewer residential units, and that there would be a greater community benefit if all or a portion of the units were secured as rental accommodation.

Building Height and Setbacks

At 5 storeys, Buildings 1 and 2 will be some of the tallest structures in Courtenay. The proposed development steps the upper storeys of Building 1 and 2 to reduce the impact of the building height along Kilpatrick and from the adjacent residential use. Stepping has been built into the building setback requirements of the proposed CD-26 zone.

Building 2 is setback 7.5 m from the front property line consistent with the current C-2 zoning, and it will appear to be 3 storeys from Kilpatrick Avenue with the 4th storey set further back from the street. Setting the upper storey further back from the street will assist in promoting a better scale but it will result in a taller building located much closer to the street than the rest of Kilpatrick. Despite also being zoned C-2 which has 7.5 m front yard setback, developments along Kilpatrick Avenue have a more suburban form with surface parking located in front of the buildings and the buildings setback quite far from the street

(Figure 1). Having the building set closer to the street and parking below has a much more positive impact on the urban realm but it is a departure from the urban form of rest of the area.

The proposed side yard setback is 4.5 m and increases to 6.5 m for the 5th storey adjacent to an adjoining residential use. The 4.5 m side yard setback is consistent with the existing C-2 zone for combined use buildings and is similar to the setback requirements of the R-4A zone for multi-family buildings. While significantly taller than adjacent residences, the use of stepping along the northern facade of Building 1, combined with its short length, assist in reducing the impact of the height and bulk of the building from the adjacent residences (**Attachment 2**). The remainder of the buildings are located farther away from the residential property lines. The applicants are proposing minor relaxations to the side yard setback to accommodate specific features such as balconies and these have been included in the proposed CD zone.

The City has a linear park and greenway along Cliffe Avenue adjacent to the rear yard of the proposed development. The proposed development has a 7.5 m rear yard setback which is consistent with the existing C-2 zoning and other mixed use and residential zones in the City but the applicants are proposing a reduced setback for the northeastern portion of the building to accommodate patios, balconies and stairs. While Building 1 will be 5 storeys along Cliffe Avenue, the building design includes an articulated facade with recessed and projecting portions. These elements will lessen the impact of the scale of the project as viewed along the Cliffe Avenue corridor.

Landscaping and Useable Open Space

A detailed landscaping plan will be submitted as part of the development permit application requirements. As specified in the proposed CD zone, a 7.5 m wide landscaped frontage will be required along Kilpatrick Avenue. The landscape design will have to account for sightlines from the proposed access south towards Anfield Centre. Trees and larger vegetation will be restricted in the area identified in **Attachment 4** through a covenant registered on title. In addition a 4.0 m wide landscaped buffer is required along the inside of the property lines adjacent to residential uses and the adjacent City park and a 3.0 m wide landscaped buffer is required adjacent to Anfield Centre. Residents of the neighbouring strata have requested that the landscape plan provide views through to the strata along the landscaped area east of Building 3 in order to maintain commercial exposure and to improve identification of these units for emergency access vehicles.

In addition to landscape buffers, the proposed development includes approximately 1,980 m² of useable open space as shown on **Attachment 5** which equates to approximately 16 m² per dwelling unit. Useable open space includes both common outdoor areas and private patios and balconies. Typically, multi residential development is required to provide a minimum of 20 m² per dwelling unit but this is a commonly requested variance for infill development particularly in areas near public recreational space. As previously discussed, with the exception of walking trails, there is limited recreation space in the neighbourhood and onsite. While it is advantageous for developments targeting families with young children to provide onsite play areas, it may be less important for other groups likely to reside in a more urban style of development such as singles, couples without children, families with older children and senior residents. As part of the rezoning process, the developer will be contributing approximately \$37,500 towards the Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund in accordance with OCP policy. These contributions can then be used to improve park space and recreational facilities in the area. The amenity contributions will be secured through a covenant registered on title prior to final adoption of the zoning amendment.

Parking

The development proposal includes relaxations to parking ratios, and parking stall and aisle dimensions when compared to current zoning requirements. Table 2 provides a comparison of current zoning bylaw requirements and the proposed relaxations in the CD zone. In support of the relaxations, the applicants have submitted a parking study prepared by Watt Consulting Group which determined appropriate parking ratios and provided comments on small car parking and the impact of reduced aisle widths for the underground parkade.

Table 2. Parking Requirements

Regulation Use	Current Requirement		Proposed Requirement	
	Ratio	Number	Ratio	Number
Residential	1.5 stalls per unit	174	1.3 stalls per unit	151
Shopping Centre	1 stall per every 22.5 m ² floor area	46	1 stall per every 30 m ² floor area	34
Fast Food Restaurant	8 stalls plus 1 per 6 seats	18	1 stall per every 10 m ² of floor area	28
Total Number		238		213
Small Car Allowance	10 %		25%	
Standard Stall Dimensions	2.75 m width x 5.5 m length		2.6 m width x 5.5 m length	
Minimum aisle width	7.2 m		6.7 m	

Under existing regulations, the zoning bylaw would require a total of 238 parking stalls for the proposed development. The applicant is proposing a total of 215 stalls which is a reduction of 23 stalls or about a 10% reduction. The proposed parking ratios meet or exceed the ratios recommended in the parking study and there is policy support in the OCP for reducing the required number of parking stalls in effort to encourage alternate modes of transportation.

The applicants are also proposing alternative standards for parking stall widths and aisle widths in the underground parkade. While the proposed stall widths are slightly narrower than the City's standard requirement, they do meet Transportation Association of Canada guidelines. Regarding the underground parkade, the reduced aisle widths are supported by the parking study however the consultant notes that while it is not anticipated that smaller and mid-sized vehicles will encounter challenges parking in the underground facility, larger vehicles such as full-sized pick-up trucks make have to reverse into a parking space or else jockey into or out if driving forward into a stall or reversing out.

In order to improve the circulation and efficiency of parking areas, the applicant is proposing to increase the maximum number of small call parking stall allowed from 10% to 25%. Staff have no objection to the proposed increase, and as indicated in the parking study, it is common practice in many other municipalities on Vancouver Island to allow for 25% or more of a site's parking allowance as small car.

Traffic and Access

As part of the development proposal the applicant submitted a Traffic Impact Assessment report. Two areas of concern were the impact of the proposed development on the existing road network and sightlines from the proposed development access.

The proposed development will increase traffic along Kilpatrick Avenue however the Traffic Impact Assessment concluded that the nearby intersections will continue to operate at acceptable levels of service post development and that no additional delays or queues are anticipated. As the proposed development is within 800 m of a Ministry of Transportation and Infrastructure highway, the development application

and traffic impact assessment were circulated to the Ministry for review. The Ministry has stated that they have no objections to the proposal.

Due to the curvature of the road and grade changes, there is limited sightline distance from the proposed main access looking south towards Anfield Centre. In order to achieve the required minimum sightline distance, vegetation has to be removed from the corner of the subject property and from the corner of the mall service road on the adjacent property, and future landscaping must not impede sightlines. Sightline requirements will be detailed in a covenant to be registered on the property title of the subject properties and the Anfield Centre property prior to final adoption of the zoning amendment.

Currently there is limited access to schools and civic amenities in this area, but the area has many commercial amenities and services accessible by foot and the planned frequent transit corridor project with bus service every 15 minutes to Anfield Centre/Driftwood mall, downtown Courtenay, North Island College and downtown Comox, will provide public transit access to schools and many civic amenities and services during peak hours.

Affordable Housing Policy

The City's Affordable Housing Policy recognizes that finding affordable and adequate housing remains a challenge for many of our citizens. It encourages a range of housing opportunities and the provision of support services to improve the overall well-being of our community.

While the proposed development does not include any subsidized or below market rental units, it does align with the affordable housing policy to support mixed use developments and increase in densities near or adjacent to major destinations in the City as a means of expanding housing options. Should Council wish to secure affordable housing units in this development, or ensure the units remain rental, Council could make rezoning approval conditional upon entering into a Housing Agreement pursuant to Section 483 of the *Local Government Act*.

FINANCIAL IMPLICATIONS:

There are no direct financial implications related to the processing of this rezoning application as the fees are designed to offset the administrative costs. The application fee for the proposed zoning amendment was \$17,500.

Should the Zoning Amendment Bylaw be adopted, the applicant will be required to apply for a Development Permit. The Development Permit for the proposed project is estimated to be approximately \$7,750. Following the issuance of a Development Permit, the applicant would be required to apply for a Building Permit and subsequent inspections. Building permit fees are \$7.50 for every \$1,000.00 of construction value. The development will also be subject to development cost charges which will be determined at time of Building Permit dependent on final building design.

The proposed development will also contribute community amenity contributions in accordance with OCP policy at time of Building Permit.

Within section 5 of the applicant's proposal (**Attachment 1**) the applicant originally requested a number of financial concessions. These concessions are not available for Council to consider on an individual basis without amending a number of bylaws and this was communicated to the applicant. The applicant is no longer requesting the concessions listed. Should Council wish to consider these types of concessions for future projects, staff recommend including these as part of a review of the City's affordable housing policy.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff have spent more than 170 hours processing and reviewing this application. Should the proposed zoning amendment receive First and Second Readings, staff will spend an additional 5 hours in preparation for the public hearing, preparation of the covenants to be registered on title, and processing the Zoning Amendment. If the Zoning amendment is adopted, additional staff time will be required to process the Development Permit and the Building Permit applications.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications. The applicant is currently upgrading the storm connection from the subject property along Cliffe Avenue to 31st Street. Sanitary sewer and water model analysis was performed as part of the rezoning application process and it was determined that no off-site upgrades are required.

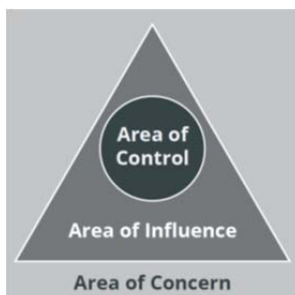
STRATEGIC PRIORITIES REFERENCE:

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:

Shopping Centres:

- 4.2.3 City supports more intensive utilization of existing serviced land and existing commercial space prior to outward expansion
- 4.2.3(1) support residential use close to major shopping malls and consider it appropriate in commercial areas along Cliffe Avenue, Ryan Road, Comox Road, or Island Highway where an association with major amenities and public services can be demonstrated.

Residential:

- 4.4.2(1) Optimize the use of existing lands in the City with a long term consideration to expand boundaries and protect adjoining lands from further development to meet the future needs of the City.

- 4.4.2(8) Ensure all new development includes the provision of amenities including buffer areas along major roads, neighbourhood parks, sidewalks, trails, and public facilities.
- 4.4.3(1) balance land uses to create a vibrant and diverse neighbourhood and community
- 4.4.3(2) create neighbourhoods that will offer a variety of transportation choices
- 4.4.3(Density)(5) City supports the designation of multi residential housing in a variety of locations to avoid large concentrations of the same type of housing in one area and to help provide more diversity within neighbourhoods. In this regard,
 - a) multi residential development shall be limited in scale and size outside of the downtown area
 - b) have sufficient amenity space for the recreational needs of the development, access to schools, parks, walkways, transit and complementary commercial/service uses, adequate buffers areas from major roads and adjacent land uses
 - c) priorities for multi-residential development will be:
 - o high – downtown area including along riverfront
 - o medium – intensification of existing sites
 - o low – peripheral expansion subject to Local Area Plan

Climate Change:

- Objective 1: (1) The City will encourage and support initiatives that reduce the number of passenger vehicle trips throughout the community
- Objective 1: (4) The City will reduce the ratio of parking for new developments within its jurisdiction
- Objective 2: (3) To encourage incremental infill development in core and suburban settlement areas, the City will:
 - a) Encourage compact developments within 400 m of service corridors

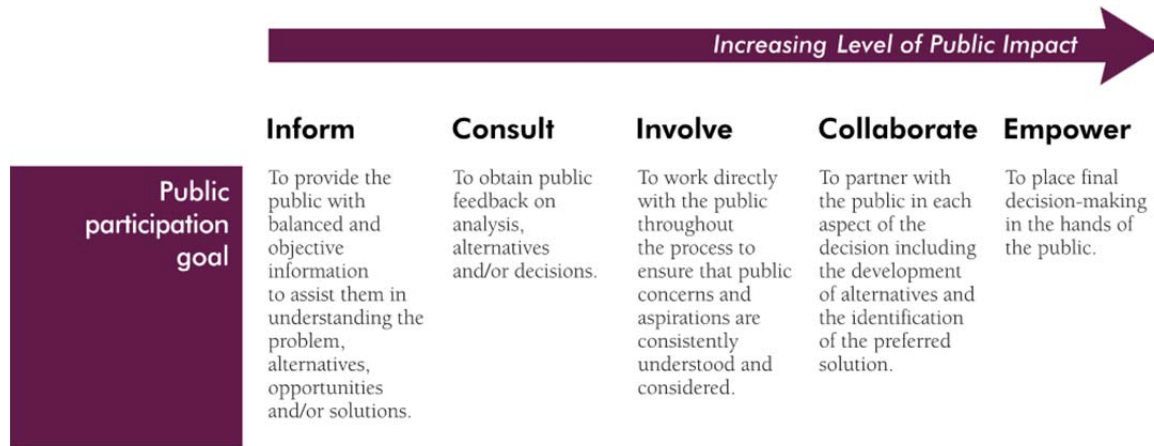
REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is consistent with the following Regional Growth Strategy policies: locating housing close to existing services, directing new residential development to Core Settlement Areas; directing higher density developments to Municipal Areas; increasing housing opportunities within existing residential areas in Core Settlement Areas by encouraging multi-family infill developments; and supporting the intensification of mixed-use office, retail and other commercial employment activities within Core Settlement Areas.

CITIZEN/PUBLIC ENGAGEMENT:

Staff would **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



Should Zoning Amendment Bylaw No. 2868, 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 April 19, 2017 at the Holiday Inn Express. Nine people attended the meeting and 2 people have provided written correspondence which is included in **Attachment 4**. Attendees expressed general support for the project but had concerns related to access and visibility for the existing strata and increased traffic volumes along Kilpatrick Avenue. Since the public information meeting, several residents of the adjacent strata have contacted staff regarding the proposed site plan with these concerns as well as concerns regarding the function and location of loading areas for Building 3, onsite circulation, and the poor visibility from the new access potentially becoming a safety issue. Staff have communicated these concerns to the applicant for their consideration. The applicant has revised their project to address the majority of the comments. These comments are discussed in the Landscaping, Parking and Access sections of this report.

OPTIONS:

OPTION 1: That based on the September 5, 2017 staff report ‘Zoning Amendment Bylaw No. 2868 for a Mixed Use CD Zone at 3040 & 3070 Kilpatrick Avenue’ Council approve Option No. 1 and proceed to First and Second Readings of City of Courtenay Zoning Amendment Bylaw No. 2868, 2017;

THAT prior to adopting Zoning Amendment Bylaw No. 2868, 2017 a Section 219 covenant be executed by the applicant and the City of Courtenay to secure adequate sightlines along Kilpatrick Avenue from the proposed access, and to secure amenity contributions in accordance with the policy set out in the Official Community Plan;

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2891, 2017 on September 18, 2017 at 5:00 pm in City Hall Council Chambers; and

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

OPTION 2: Postpone consideration of Bylaw 2868 with a request for more information.

OPTION 3: Not proceed with Bylaw 2868.

Prepared by:



Erin Ferguson, MCP
Land Use Planner



Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

1. *Applicant's Written Project Description*
2. *Project Rendering*
3. *Project Summary*
4. *Site Plan*
5. *Useable Open Space*
6. *Floor Plans*
7. *Building Elevations*
8. *Public Information Meeting & Public Correspondence*

ATTACHMENT 1 - Applicant's
Written Project Description



CFT Engineering Inc.



CITY OF COURTENAY

Rezoning Application

***Supplemental Planning Report for a
proposed Mixed-Use Development***

3040 & 3070 Kilpatrick Ave

December 10, 2016

1080969 BC. Ltd.

December 10, 2016

Attention:
Tatsuki Setta, Manager of Planning - Development Services City Hall
Erin Ferguson, Land Use Planner

City of Courtenay
830 Cliffe Avenue
Courtenay, BC
V9N 2J7

RE: ***OCP Amendment & Rezoning Application***
Proposed Mixed-Use Development in the South Commercial Neighbourhood

Project Location: ***3040 & 3070 Kilpatrick Ave***
Courtenay, BC

Dear Erin, Tatsuki & Council,

Further to our meeting October 5th 2016 and subsequent discussions with yourself, please find enclosed and attached Development Applications, Supplemental Planning Report, Project Plans and additional preliminary attachments & Reports for the above referenced property to amend the Official Community Plan Designation and Rezone the subject properties.

Acceptance of this application will facilitate a new Commercial/Residential Mixed-Use Development constructed as:

- 1) Building 1, five storey community residential rental building 70 Units Residential with below grade Parking
- 2) Building 2, Five Storey community residential rental building with ground floor commercial (ground floor commercial is suitable for local merchants bakeries restaurants coffee shops etc.) with 48 units residential above with below grade Parking
- 3) Building 3, Grade level single storey drive-thru commercial building (such as you would see with Starbucks or Tim Horton's franchise)

We look forward to continuing to work with Staff and Council & towards to achieve the form of development proposed that respects the community plan moving forward with a "Micro Local Community Village" Development that serves the ongoing needs of the community for new and existing residents of Courtenay .

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Additional Attachments

- i. Architectural Concept Plans**
- ii. Engineering Key Plan & Servicing Feasibility**
- iii. High Level Traffic Impact Report**
- iv. Parking Study**
- v. Code Review**
- vi. Archeology Report**
- vii. Phase 1 Environmental Report**
- viii. Geotechnical Report**
- ix. Survey**

1.0 EXECUTIVE SUMMARY

1080969 BC Ltd. (DBA Dulex Enterprises) Limited Partnership in co-ordination with our Consultant Team are pleased to submit our *OCP Amendment and Rezone Application* for a key property located within *Courtenay's Southern emerging Neighbourhood*. This development proposal came out of the admiration I have for the City of *Courtenay* and the Island in general having spent numerous days weeks and months over the last 20 years enjoying all that Vancouver Island has to offer. I believe executing the plan within this proposal will win for the City, future residents and commercial tenants and in the long term Dulex Enterprises.

Our Development Team has completed comprehensive review of the relevant OCP & DP Planning Documents, Zoning Bylaws and Policy Statements. In addition we have had preliminary meetings with Staff with respect to the proposed development.

This application and development has been initiated by the demand for affordable rental accommodation for new and existing residents within City of Courtenay. The City is working towards preserving the heritage of the City and a safe vibrant Community. As a future community stakeholder with the development within the South Courtenay Commercial Neighbourhood we are excited to come forward with a comprehensive development application for a mixed-use Development. The enclosed report, attached plans, studies and reports provide a summary of the rationale and vision of our submission for Rezoning.

A Development Permit and Subdivision application will be submitted in due course following final review and steps from staff and council.

In keeping with the City of Courtenay Transit-Oriented Development Strategy, the Development Proposal integrates these policies and attempts to leverage the opportunities for the future within this identified transit neighbourhood. We recognize the land use transition that is taking place within this neighbourhood and are sensitive to the existing assets and building forms surrounding the site.

The property has been vacant since the development of the commercial subdivision and was formerly part of a larger parcel prior to the existing built forms surrounding it. The site is located on an established transportation and pedestrian spine to service the residents of South Courtenay with access to the Cliffe Ave Transit corridor. The surrounding uses transition from 2-3 storey Live-Work Townhouses to the North East and the large Box-Store Commercial Development the "Smart Centre" directly adjacent to the South.

Balancing the current land uses, existing long term assets, recognized transit corridor the land use transitions will be critical to the planning and development of this neighbourhood. With an eye to the future, this key vacant property is positioned to provide a built form that will establish Kilpatrick Ave as a neighbourhood node while providing the necessary density and housing choices combined with generating employment opportunities.

We recognize the community engagement that must be undertaken to accomplish the vision for this neighbourhood and believe that the Official Community Plan Amendment process that will be completed as part of our application will provide City Planning Staff relevant data and feedback to assist with the formation of the ultimate land use plan for the neighbourhood once it is implemented.

2.0 DEVELOPMENT SUMMARY

The Project is located between Kilpatrick & Cliffe Avenue in the Southern Corridor of Courtenay

Address: 3040 & 3070 Kilpatrick Ave

Lot area: 108,414 sq.ft



Current OCP: Commercial Shopping Centres

Proposed OCP: Mixed Use

Current Zoning: C-2, Commercial Two Zone

Proposed Zoning: C-D, Comprehensive Development, Mixed Use Commercial & Residential

Current Zoning allows for a floor ratio of 0.6 or 65,074 ft² for a mixed use Development

SCN: - South Commercial Neighbourhood

Context

The South Commercial Neighbourhood is influenced by a predominant Industrial and Commercial land use with low/medium density residential townhouses & 3-4 level Apartment style Developments

The site is bordered to the South by a large “Big-Box” store Commercial Development know as the “Smart Centre” covering approximately 23 Acres with 243,000 Sq. Ft. of Leasehold space home to some National Tenants; Walmart, Staples, Winners Sport Check, Best Buy, etc just to name a few.

North of the site is a 3 Story “Live-work” Strata Townhouse Development, directly adjacent to several City blocks of Commercial Developments .

On the East side of Cliffe Ave, opposite the proposed development is a newly constructed Purpose Built Rental Complex “Acadia on the Walk” with 2 stand alone 4 Storey Residential buildings. This Development has only surface Parking.

Topography

The site is slightly sloping West to East with approximately 15-18ft of grade difference. The existing sidewalk elevation on Kilpatrick Ave will provide the benchmark for the main floor grade & entrance elevations.



Engineering

The site is currently vacant and has never been built on. The site has been improved with curb & gutter, sidewalk and street lights & a 12,000 Sq. Ft. Park along Cliffe Ave. All utility services are available at property line.

Proposed Development Concept

The Development proposal and concepts research and reports are attached and are in support of the rezoning of the property from a C-2 (Commercial Two Zone) zone to C-D (Comprehensive Development) to allow for the provision of two sprinklered 5 storey residential buildings. Building two will be a mixed-use (Commercial and residential) Building. The building will include a concrete podium with several direct access grade level oriented commercial spaces with adjacent surface parking. Building 3 will be a standalone Drive-Thru style commercial building. Building 1 and 2 will have below grade concealed (Underground) parking

The development concept would provide below grade parking with direct access to exits to address residentially security and inclusive of additional parking at grade for visitor and commercial use. The building design allows for generous setbacks to the west and East, will include an expanded urban pedestrian realm between Kilpatrick and Cliffe Ave.

2.1 Architectural

Studio One Architects have prepared architectural building & Site plan drawings (attached) that forms part of the part of the Amendment and Rezoning Application. While we recognize these plans are beyond what is often provided to support the attached applications they provide a baseline concept future design rationale for establishing a comprehensive urban design for the neighbourhood and will form the basis for the Development Permit Application to follow concurrently. Final renderings finish material boards & samples, elevations, cross sections and unit details will follow as part of the application.

Responding to the current Commercial & Industrial, Townhome and Apartment uses in the neighbourhood the architectural expression reflects the diverse nature of the existing finished materials and design. Key to a neighbourhood center is establishing an architectural expression that provides a

rich pedestrian experience, inviting, creative and functional. Preliminary discussions with the Courtenay Fire Service reinforces the commitment to establishing a safe community.

In response to these key issues the project has provided an expanded public realm, key building articulation, material diversity and a vocabulary that expresses a new vision for the area. Ground level commercial spaces will provide further amenities and services to the community with many possible uses and employment generation to the local residents.

Various suite sizes and layouts have taken into consideration the diverse community affordability, demographics and market dynamics in the neighbourhood and include potential family units. The need for adaptable residential will be explored further to address the potential needs of physically challenged members of the community.

2.2 Landscaping Report

Mr. Tim O'Brien of Outlook Engineering & Landscape Architecture has been retained and will produce Landscape Drawings for DP Submission. They have been made aware of the preliminary comments received from the City of Courtenay Staff

2.3 Civil Engineering

Wedler Engineering has been retained to conduct a preliminary engineering feasibility study of the existing services and capacity. Attached for early reference and review are the following documents & drawings;

1. Preliminary Key plan of the service connections
 - Further refinement identifying curbs & sidewalks
 - Key plan shows proposed 2 options for service connections to existing services in the area at property line
 - All services have been identified at the property line
2. Sanitary Catchment area wide analysis
3. Water flow analysis and review
4. Summary letter

2.4 Traffic

Watt Consulting Group were retained for a High Level Traffic impact study. Attached is their report identifying the opportunities, constraints and traffic impact for the proposed Development.

2.5 Parking

Watt Consulting Group were retained to conduct a Parking study and set an appropriate Parking ratio for our Development should there been an issue to achieve the required 1.5 stalls ratio. Studio One Architects have reviewed the relevant policies and have incorporated the ratios with respect to commercial, loading, resident and visitor stalls consistent with the newly adopted Parking Policies.

We are not seeking any relaxations or variances with respect to this policy and anticipate our parking layout will provide ample and flexible opportunities for residents and commercial uses and will be compatible with the objectives neighbourhood and related bylaws . A complete parking study was executed by Watt Consulting Group identifying a surplus of 16 stalls, attached is their report

2.6 Sustainable Initiatives

The following Initiatives will be adopted

- Create Erosion & Sediment Control Plan for the construction phase of the Development
- Site is not prime farmland or ecologically sensitive land
- Site is unoccupied land located close to bus route
- Implement Storm Management Plan
- Light pollution reduction. To provide low light levels and uniformity ratios for exterior areas and avoid light pollution of adjacent developments
- Landscape areas allow water infiltration and water retention

Water efficiency

- Water efficiency irrigation
- All fixtures will be designed with optimum water management, including water efficient toilets, faucets and shower heads

Energy and Atmosphere

- Building will meet the 2010 Ashrae 90.1 requirements
- Zero use of CFC- based refrigerants in base building HVAC&R systems
- Occupancy sensors in common areas
- Day light control
- Residential Units will be equipped with Energy Star appliances
- Centralized on demand hot water will be provided

Material and Resources

- Provide accessible areas serving the entire building dedicated to separation collection and storage of materials for recycling
- Use materials with recycled content as fly ash concrete
- Use the FSC Certified Wood products
- Regional material will be introduce as much as possible (within 800km by truck or 2 400km shipped by rail or water)
- Use of energy efficient windows and doors

Indoor Air Quality

- Use of low-emitting materials; adhesives, sealants, paints, coatings, carpets and wood flooring

Innovation and Design

- Use of wood as renewable construction materials
- Proximity to a regional Transit system
- Majority of Residential Parking located underground
- Installation of infrastructure for Electric vehicle charging stations
- Opportunity to provide a car share programme for the residents

2.7 Employment Generation

The proposed land use designation recognizes the current OCP Policies of the SCN for Employment Generation. In response to this the development proposal includes 14,000 sq.ft of commercial space in Building 2 & 3,000 sq. ft. in Building 3;

Neighbourhood Centres

Identify and encourage land uses and infrastructure investments to support anticipated residential and employment in neighbourhood centres including:

1. Land use designations and zoning sufficient to:
 - a) accommodate a range of employment and/or commercial activity compatible with the overall function, character, and intensity of development specified for a particular neighbourhood centre. Land use designations should provide locations for commercial services convenient to local residents and workers and in some cases a broader clientele;
 - b) allow a diversity of housing choices to accommodate a broad range of household needs, wants and lifestyles; and
 - c) accommodate appropriate community facilities and human services that reflect the role of each centre as the focus of housing and employment and as the service centre for the surrounding neighbourhoods.

Employment generation is often a function of the specific uses within the commercial space. Using an average ratio of 4.0 FTE per 1,000 square foot of General Commercial space & a ratio of 6.0 FTE per 1,000 sq. ft. in the Drive-Thru building, both, have the potential of providing 74 full time employment jobs. While a full study of the employment generation statistics have not been completed the project averages are a well recognized industry standard.

2.8 Lease Opportunities

Early discussions with several industry sectors have revealed a strong leasing opportunity in response to the neighbourhood service demands. Discussions are ensuing with the following type of users that have expressed interest in the commercial space and provide a significant community benefit and service potential;

- ✓ Medical / Dental offices
- ✓ Coffee shop/ Small plate restaurant
- ✓ Deli / bakery
- ✓ Flower shop
- ✓ National tenants

2.9 Additional Reports

In addition to the attached plans, reports, studies and drawings, Dulex has completed comprehensive Phase 1 Environmental Studies, Geo-technical and Archeology reports to compliment the design and planning rationale opportunities & constraints of the site.

These reports and studies will be submitted in compliance with further applications upon milestone approvals for the development concept. Should these reports be required earlier to provide background and supporting information for the development concept we would be pleased to provide.

3.0 PLANNING RATIONALE & COMMENTS

The foundational planning and land use principles are derived from the adopted City of Courtenay Development Strategy, Zoning Bylaws, Housing Strategies and the existing built form context of the South Commercial Neighbourhood.

The relevant documents and conditions as referenced above provide the framework and opportunities & constraints for the site layout, density, setbacks, building heights, public realm, streetscape, future potential, community vision and land use potential.

Considerations for the short term impact and long term transition opportunities should be weighted in balance to determine the optimum short and long term plan for any land use decisions. Given these distinct circumstances the proposed Mixed-use development provides an opportunity to bring a quality urban form to the Transit Oriented Commercial Community/Area.

Recognizing and leveraging these future and recognized existing assets provides the rationale for a mixed-use densification on this site as proposed. In addition the following planning concepts, principles and opportunities provide substantial framework;

- ✓ The existing built form Live-Work Strata Townhouses to the North East have substantial economic life and consolidation for re-development is unlikely in the near to long term
- ✓ Successful transit station areas require sufficient development densities that support appropriate transit ridership and local commercial uses
- ✓ Focusing the development pattern allows key services and activity to energize an area and support a vibrant public realm
- ✓ Increased and more affordable housing choices in close proximity to transit
- ✓ More cost-effective urban development, through focusing new growth in existing urban areas and close to transit investments
- ✓ Healthier lifestyles and less environmental impact, through increased transit use, cycling and walking
- ✓ Organized around six 'key objectives', the SCN will provide an opportunity to realize higher density, mixed-use and pedestrian-friendly development within the existing Transit hub, and also effectively mitigate development impacts in these areas

4.0 COMMUNITY ENGAGEMENT

Building on the Community Engagement process and subsequent Council Adoption, the proposed development will be introduced early and often to the stakeholders within the SCN Community. This engagement will be introduced under several forms and opportunities;

1. Informal coffee meetings with property owners & stakeholders
2. Direct mail of proposed land use concept and development principles
3. Telephone discussions
4. Neighbourhood door to door canvassing

Upon Development Application and City OCP Amendment Process:

5. Formal Community Consultation Open House and processes
6. Local Community Paper Advertising
7. Site Signage and request for feedback
8. Additional coffee meetings with property owners and stakeholders

As part of the Community Consultation process required for an OCP Amendment, the development team will provide opportunities for the community to review and provide feedback to the proposed development concept and land use. Recognizing the importance of community input and consultation, our team will provide a summary report and comprehensive feedback survey of the proposed development, land use concept, density, building form, streetscape, setbacks, compliance and various other planning and design principles.

Opportunities exist for the City of Courtenay Planning Department and Council to have an early indication and response to specific strategies within the SCN Corridor as a result of the Community Consultation required under our development approval process and activities.

Leveraging this data and feedback will assist with the development of the vision for the overall land use strategy of the broader area and community. In addition, this information will provide a platform for the City Planning Department to further refine the ultimate Neighbourhood Plan for SCN.

4.1 Affordable Housing Statement

Due to the Nature of "Purpose Built Rental" buildings and the rental market the project will consistent with Councils Affordable policy. The project would be considered high density with various types of suites that can service a wide range of demographics and citizens from young single occupants, families, professional & retirement age users. Given the fact that the vacancy rate being at a Historic Low of 0.6%, the most effective use is a mixed commercial/multi-family residential purpose built rental development. The concept of a Micro Rental Village Community is a direct reflection of the objective of the City of Courtenay's Affordable Housings Policy

5.0 Concessions Request

We Request that City Council examine possible fees and charges reductions for the development of this property as it remained undeveloped in the City that requires a new approach from the City to see our development as proposed happen. In order to proceed and be successful, we are asking the approval of Council of several reductions in fees and taxes that recognizes the importance of a primary purpose built residential rental project

1. Tax Exemptions

Exemption of taxes on land and capital improvements for the revitalization of a property for up to 100% for up to a period of 10 years pursuant to Section 226 of the Community Charter, to enter into an agreement with the City to have a covenant placed on title to ensure the residential units are used for rental purpose for a specific period, for a graduated scale from 100% down to a specific time such as 100% for year 1, and 90% for year 2 and so on for capital improvements.

We feel that the provision of rental housing addresses a critical need in the housing market in the City and meets the City's goal in working towards the provision of affordable housing. We are asking for consideration by Council for something that is clearly provided in Section 483 of the Local Government Act and Section 226 of the Community Charter and in return we agree to enter into an agreement to guarantee the provision of the residential units for a period of 10 years

2. Building Permit

The proposed buildings are classified as Complex Buildings in the Building Code and as such all schedules will have to be signed off by either a professional engineer or architect pursuant to Section 55 of the Community Charter. Given this requirement, it is felt that the standard fees charged are far in excess of the services provided. It is the professional that is taking the responsibility for compliance with the Building Code. Therefore, we seek a waiver in the Building Permit fees of 50% (suggested) for this project

3. DCCs

Relaxation of DCCs by 50% and the provision to pay the DCCs in 3 installments which is outlined in Part 5 of the City's DCC Bylaw #2840

6.0 Summary

This unimproved, vacant property is located within the South Commercial Neighbourhood Area of City of Courtenay. This Urban property within an established neighbourhood is located on a key transportation spine and Courtenay's largest Commercial-Industrial with future Development potential in this area.

The proposed mixed-use development responds to the land use strategies and existing built form context providing a dire need of the Residential component needed to positively impact a low vacancy rate and a solid residential base for all Commercial opportunities.

Early and often community consultation will be the corner stone of this development proposal with an opportunity for the City Planning Department to leverage the feedback from neighbourhood stakeholders as they move forward with the Area Plan simultaneously.

Incorporated within the development feasibility studies are and will be significant engineering data required to assist with the utility servicing issues for the greater area with an eye to the future and potential densification of the corridor. This information will provide relevant capacity information necessary to the ultimate build out of the community. Leveraging these opportunities as we move forward with our development application and approval process with Mayor and Council support, will provide significant savings and information to the greater area planning.

As a stakeholder, front runner and early applicant within the SCN Corridor Area, we will accomplish significant community consultation necessary to move forward with this key Transit Community and future City Asset.

In response to these development principles, consultation commitments and City Planning opportunities, 1080969 BC Ltd. DBA Dulex Enterprises is seeking approval to move forward with our formal OCP Amendment and Rezoning Process with the support of Mayor, Council and Staff to begin the development approval process without delay.



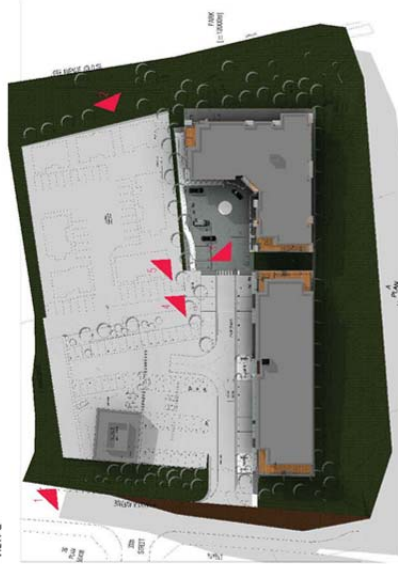
ATTACHMENT 2 - Project Rendering

PROPOSED MIXED USE DEVELOPMENT

3040 & 3070 KILPATRICK AVE COURTNEY, B.C.

OCP & ZONING APPLICATION

AUGUST 11, 2017



PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

4.1

studioone
architecture inc.

100 - 1000 West Hill Street
Courtenay, B.C. V9N 1A2
Tel: 250.335.1000
Fax: 250.335.1001
www.studioonebc.com

ATTACHMENT 3 - Project Summary



LOCATION PLAN



1 - CLIFF AVE VIEW

PROJECT STATISTICS

SITE STATISTICS
 PROJECT CIVIC ADDRESS: 3040 & 3070 KILPATRICK AVE., COURTENAY, BC
 LEGAL DESCRIPTION: - B PLAN VPI81460
 ZONING AMENDMENT: - 3 PLAN 3548
 CURRENT ZONING: C2
 PROPOSED ZONING: C2
 SITE AREA: 10,075.99 SQ.M.
 F.A.R.: 29.50%
 FLOOR AREA: 108,457.0 SF.
 HEIGHT & SETBACK: 130,563.0 SF., 12,124.13 SQ.M., 1.20

HEIGHT	ALLOWED		PROPOSED		NOTES
	BUILDING 1	BUILDING 2	BUILDING 3	BUILDING 3	
	40.2 FT 12.43 M	14.03 M	7.01 M	7.01 M	
					Height of Building 1&2 are measured from 15.77 m (Kilpatrick, average curb level) Height of Building 3 is measured from 13.59 m (Kilpatrick, Average curb level)

SETBACK	FLOOR	BUILDING 1		BUILDING 2		BUILDING 3		NOTES
		REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED	
FRONT (KILPATRICK)	P1&P2		7.1 TO 8.1 M	7.1 TO 7.7 M	7.5 TO 8.8 M	7.5 TO 13 M	-	RELAXATION REQUIRED
	L1		85.9 TO 90.6 M	7.5 TO 8.8 M				
	L2	7.5 M	85.9 TO 90.6 M	7.5 TO 8.8 M				
	L3		85.9 TO 90.6 M	7.5 TO 8.8 M				
	L4		85.1 TO 84.5 M	11.7 TO 16.8 M				
REAR (CLIFF AVE)	P1&P2		0.6 TO 0.5 M	6.3 TO 6.6 M				RELAXATION REQUIRED
	L1		5.9 TO 15.9 M	6.3 TO 6.9 M	27.6 TO 28.7 M			
	L2		5.9 TO 15.9 M	6.3 TO 6.9 M				
	L3	10 M	5.9 TO 15.9 M	6.3 TO 6.9 M				
	L4		5.9 TO 15.9 M	6.3 TO 6.9 M				
SIDE SETBACK (NORTH)	P1&P2		4.5 TO 10.7 M	26.3 TO 69.2 M	10.2 TO 14.4 M			RELAXATION REQUIRED
	L1		4.5 TO 10.7 M	26.3 TO 69.2 M				
	L2	4.5 M	4.5 TO 10.7 M	26.3 TO 69.2 M				
	L3	6 M	4.5 TO 10.7 M	26.3 TO 69.2 M				
	L4	7.5 M	4.5 TO 10.7 M	26.3 TO 69.2 M				
SIDE SETBACK (SOUTH)	P1&P2		4.5 M	4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M		RELAXATION REQUIRED
	L1		4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M		
	L2		4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M		
	L3	6 M	4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M		
	L4	7.5 M	4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M	4.5 TO 6 M		

F.S.R. CALCULATION:

BUILDING 1	COMMERCIAL	RESIDENTIAL	GROSS AREA	AMENITY	GROSS AREA		F.S.R. EXCLUSION		F.S.A. AREAS (F')
					TOTAL AREA (G.P.)	EX WALL EXCL.	EXIT	VERTICAL SERVICE	
GROUND FLOOR			13,328.0	500	13,916.0	(1263 SQ.M)	555.0	145.0	13,218.0 (1228 SQ.M)
LEVEL 2			14,967.0		14,967.0	(1390 SQ.M)	339.0	145.0	14,477.0 (1345 SQ.M)
LEVEL 3			14,967.0		14,967.0	(1390 SQ.M)	339.0	145.0	14,477.0 (1345 SQ.M)
LEVEL 4			14,967.0		14,967.0	(1390 SQ.M)	339.0	145.0	14,477.0 (1345 SQ.M)
LEVEL 5			13,461.0		13,461.0	(1235 SQ.M)	339.0	145.0	13,077.0 (1238 SQ.M)
SUBTOTAL			71,702.6	500	72,262.0	(6716 SQ.M)	1911.0	725.0	69,556.0 (6471 SQ.M)
TOTAL			72,262.0		72,262.0	(6716 SQ.M)	2036.0	(245 SQ.M)	69,556.0 (6471 SQ.M)

BUILDING 2	COMMERCIAL	RESIDENTIAL	GROSS AREA	AMENITY	GROSS AREA		F.S.R. EXCLUSION		F.S.A. AREAS (F')
					TOTAL AREA (G.P.)	EX WALL EXCL.	EXIT	VERTICAL SERVICE	
GROUND FLOOR			3,198.0	933	4,131.0	(1333 SQ.M)	640.0	94.0	3,844.0 (353 SQ.M)
LEVEL 2			3,198.0		3,198.0	(1333 SQ.M)	640.0	94.0	3,616.0 (328 SQ.M)
LEVEL 3			13,959.0		13,959.0	(1300 SQ.M)	544.0	94.0	13,361.0 (1265 SQ.M)
LEVEL 4			13,959.0		13,959.0	(1300 SQ.M)	544.0	94.0	13,361.0 (1265 SQ.M)
LEVEL 5			12,279.0		12,279.0	(1141 SQ.M)	320.0	94.0	11,865.0 (1102 SQ.M)
SUBTOTAL			49,453.6	933	61,260.0	(5701 SQ.M)	2668.0	470.0	58,047.0 (5393 SQ.M)
TOTAL			61,260.0		61,260.0	(5701 SQ.M)	3166.0	(295 SQ.M)	58,047.0 (5393 SQ.M)

- DRAWING LIST**
- 1.0 COVER SHEET
 - 1.1a LOCATION PLAN, DRAWINGS LIST, STATISTICS
 - 1.2 SITE PLAN
 - 1.3 OPEN SPACES
 - 1.4 UNDERGROUND PARKING
 - 1.5 DEVELOPMENT PLAN GROUND FLOOR PLAN
 - 1.6 LEVEL 2 PLAN
 - 1.7 LEVEL 3&4 PLAN
 - 1.8 LEVEL 5 PLAN
 - 2.1 ELEVATIONS
 - 3.1 SECTIONS
 - 4.1 3D VIEWS

OPEN SPACE AREA
PRIVATE OPEN SPACE
1,445.4 (134.8 SQ.M)
962.3 (89.4 SQ.M)
962.3 (89.4 SQ.M)
2,151.4 (199.9 SQ.M)
6,483.0 (602.3 SQ.M)

OPEN SPACE AREA
PRIVATE OPEN SPACE
399.0 (37 SQ.M)
962.0 (89.4 SQ.M)
962.0 (89.4 SQ.M)
4,094.8 (379.4 SQ.M)



PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

Zoning Amendment Bylaw No. 2868 for a Mixed Use CD Zone at 3040 & 3070 Kilpatrick Avenue

BUILDING (DRIVE THROUGH)	GROSS AREA		TOTAL AREA (S.F.)		FSR EXCLUSION		F.S.R. AREA(S.F.)
	COMMERCIAL	RESIDENTIAL	AMENITY	AMENITY	EXIT	EX-WALL EXCL.	
GROUND FLOOR	2,800.0	-	0	2,800.0 (260 SQ.M)	-	0.0	2,800.0 (260 SQ.M)
TOTAL	2,800.0	-	0	2,800.0 (260 SQ.M)	-	0.0	2,800.0 (260 SQ.M)

BUILDINGS 102&3	GROSS AREA		TOTAL AREA (S.F.)		FSR EXCLUSION		F.S.R. AREA(S.F.)
	COMMERCIAL	RESIDENTIAL	AMENITY	AMENITY	EXIT	EX-WALL EXCL.	
GROUND FLOOR	13,636.0	121,137.0	1522	136,295.0 (12662 SQ.M)	4,597.0	5,792.0 (538 SQ.M)	130,503.0 (12124 SQ.M)
TOTAL	13,636.0	121,137.0	1522	136,295.0 (12662 SQ.M)	4,597.0	5,792.0 (538 SQ.M)	130,503.0 (12124 SQ.M)

* EXTERIOR WALL EXCLUSION TO BE CALCULATED AT NEXT STAGES OF DEVELOPMENT

UNIT MIX SCHEDULE

BUILDING 1	1B0	2 B0	3B0	TOTAL UNITS PER FLOOR
GROUND FLOOR	1	10	1	12
L 2	2	12	1	15
L 3	2	12	1	15
L 4	2	12	1	15
L 5	7	58	5	70
SUBTOTAL	10.0%	82.9%	7.1%	100.0%

BUILDING 2	1B0	2 B0	3B0	TOTAL UNITS PER FLOOR
GROUND FLOOR	0	0	0	0
L 2	0	7	0	7
L 3	0	13	0	13
L 4	0	13	0	13
L 5	4	9	0	13
SUBTOTAL	8.7%	91.3%	0.0%	100.0%

PARKING:

BUILDING	REQUIRED COMMERCIAL	REQUIRED RESIDENTIAL	COMMERCIAL	RESIDENTIAL	PROVIDED UNDERGROUND	OFF-STREET
BUILDING 1	81 STALLS	1,307* = 81	81 STALLS	STALLS/UNIT 1.30	81 STALLS	10 STALLS
BUILDING 2	1 SPACE/30 m ²	1020 m ²	36 STALLS	66 STALLS	41 STALLS	55 STALLS
BUILDING 3	34 STALLS	1,306# = 60	1 SPACE/30 m ²	STALLS/UNIT 1.30	28 STALLS	28 STALLS
TOTAL	213 STALLS	213 STALLS	215 STALLS	215 STALLS	215 STALLS	215 STALLS

*Zoning Bylaw- Division 7- Schedule 7A

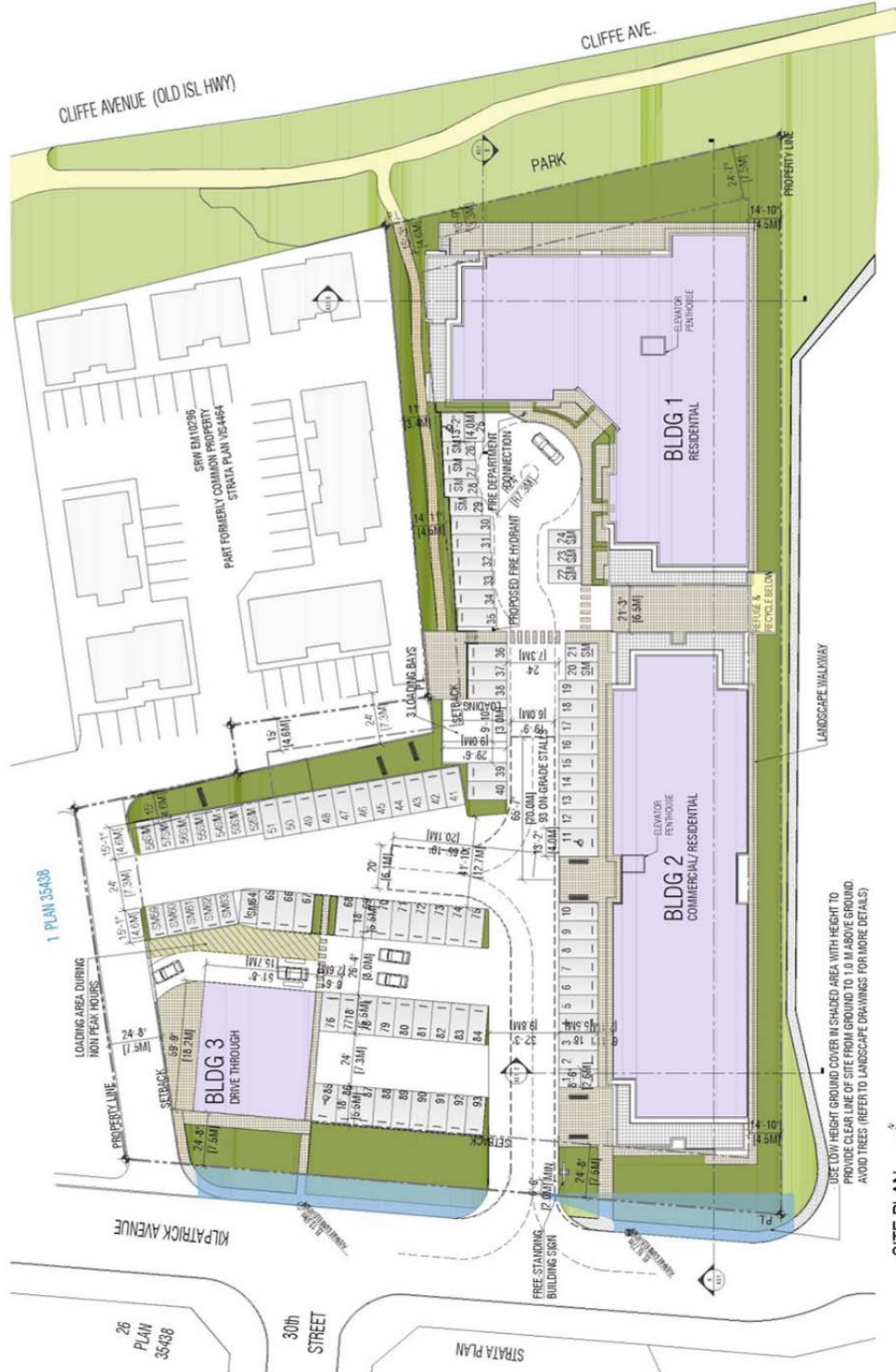
PARKING SUMMARY	UNDERGROUND	PROPOSED OFF-STREET	NOTE
REGULAR	106	68	
SMALL	15	22	Max. 25% of the off-street stalls
LOADING SPACE	1	3	Zoning Bylaw- Division 7- part 2



PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug 11, 2017

1023

ATTACHMENT 4 – Site Plan



PROPOSED MIXED USE DEVELOPMENT 3040 & 3070 KILPATRICK AVE COURTENAY, B.C. Aug 11, 2017

SITE PLAN
SCALE: 1:500

USE LOW HEIGHT GROUND COVER IN SHADDED AREA WITH HEIGHT TO PROVIDE CLEAR LINE OF SITE FROM GROUND TO 1.0 M ABOVE GROUND. AVOID TREES (REFER TO LANDSCAPE DRAWINGS FOR MORE DETAILS)

1 PLAN 35-438

26 PLAN 35-438

STRATA PLAN

ATTACHMENT 5 – Useable Open Space



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architecture inc.

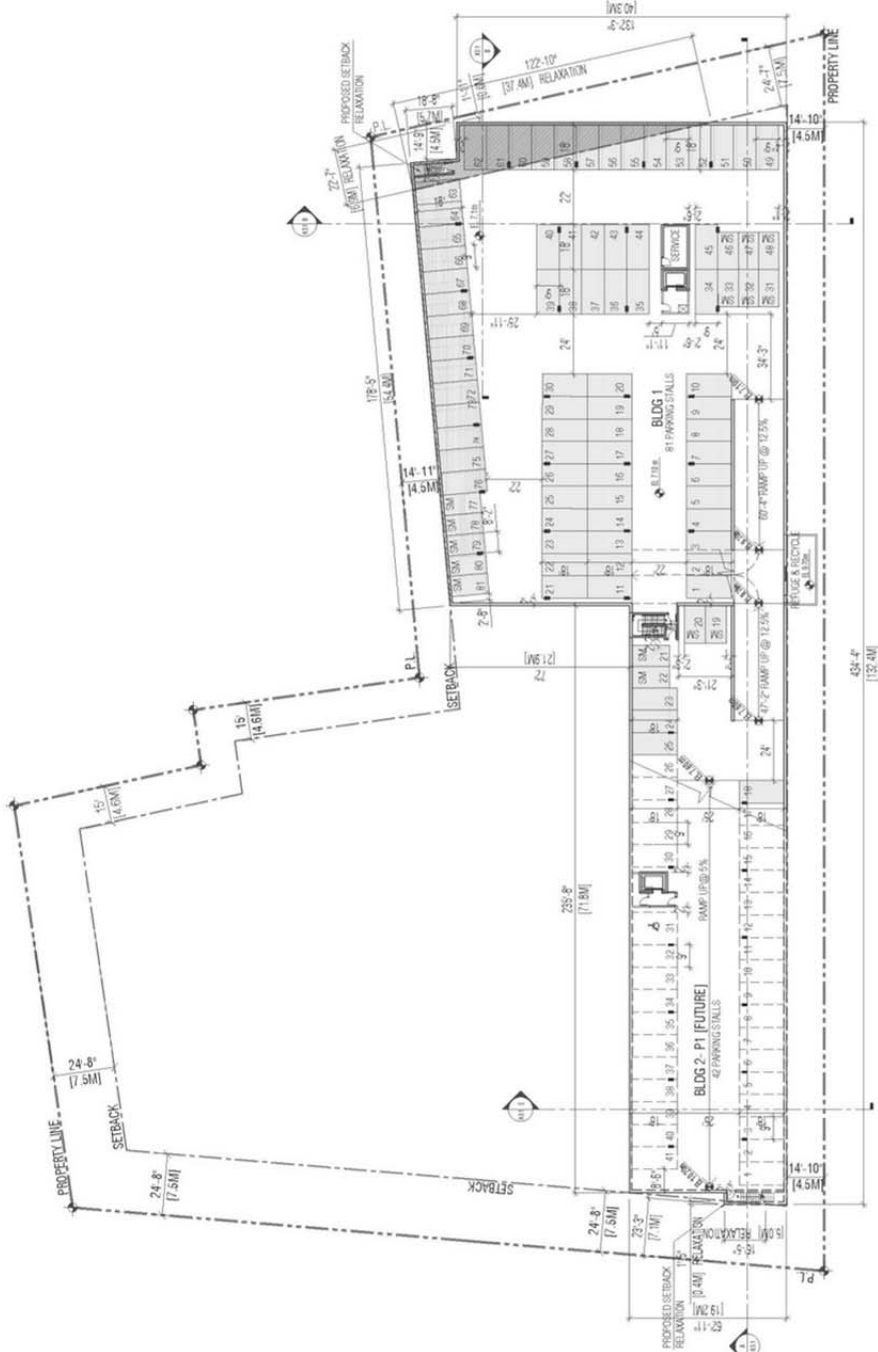
PROPOSED MIXED USE DEVELOPMENT 3040 & 3070 KILPATRICK AVE COURTENAY, B.C. Aug. 11, 2017

USEABLE OPEN SPACE PLAN
SCALE: 1:500

USE LOW HEIGHT GROUND COVER IN SHADED AREA WITH HEIGHT TO PROVIDE CLEAR LINE OF SITE FROM GROUND TO 1.0 M ABOVE GROUND. AVOID TREES (REFER TO LANDSCAPE DRAWINGS FOR MORE DETAILS)

OPEN SPACE:
COMMON USABLE OPEN SPACE: 10211 SF (948.6 M2)
PRIVATE OPEN SPACE: 10568 SF (981.8 M2)

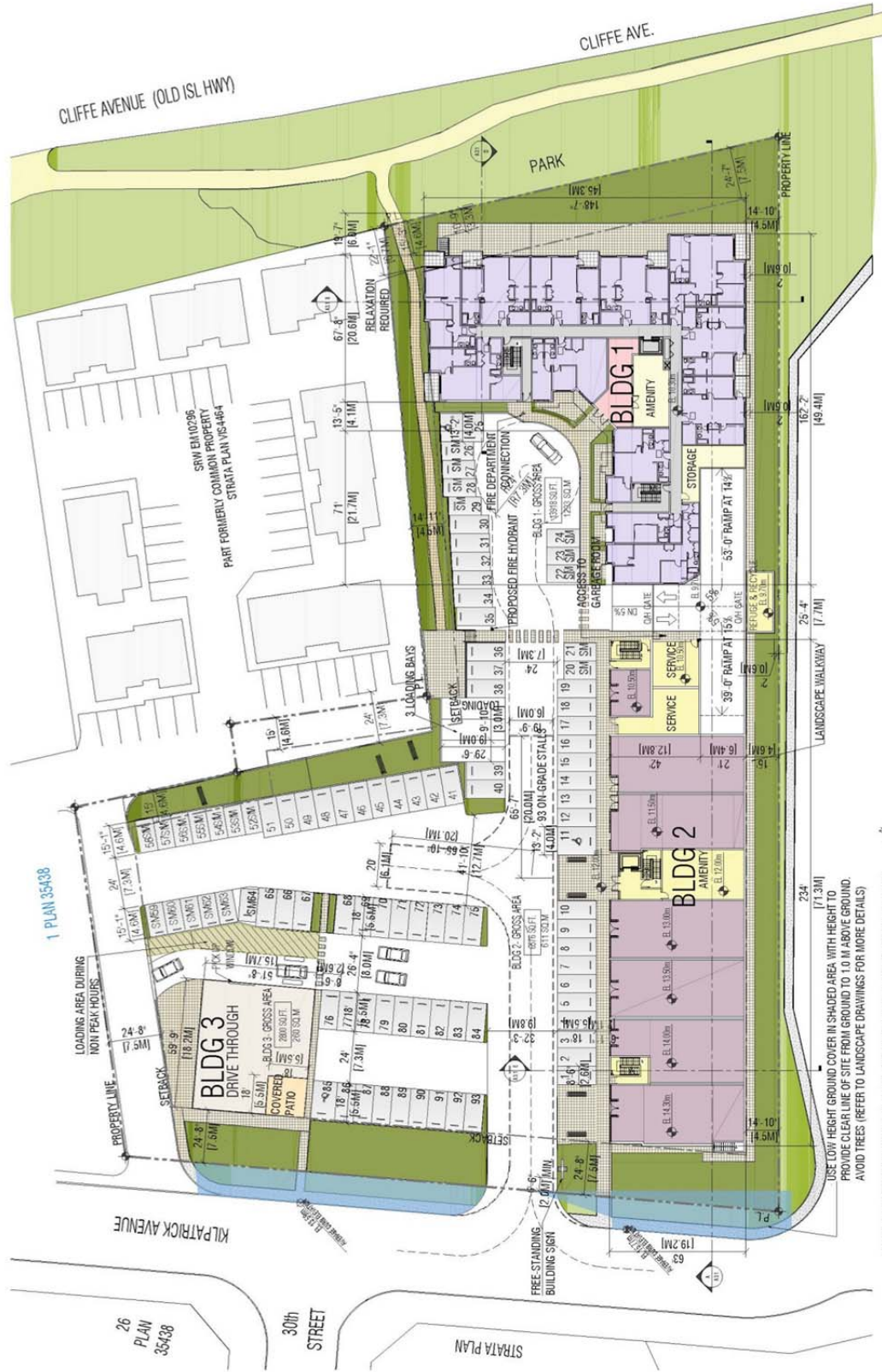
ATTACHMENT 6 – Floor Plans



U/G PARKING PLAN
SCALE 1/500

PROPOSED MIXED USE DEVELOPMENT 3040 & 3070 KILPATRICK AVE COURTENAY, B.C. | Aug. 11, 2017





1.5

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PROPOSED MIXED USE DEVELOPMENT 3040 & 3070 KILPATRICK AVE COURTENAY, B.C. Aug. 11, 2017

DEVELOPMENT PLAN / GROUND FLOOR PLAN
SCALE 1:500

USE LOW HEIGHT GROUND COVER IN SHADED AREA WITH HEIGHT TO PROVIDE CLEAR LINE OF SITE FROM GROUND TO 1.0 M ABOVE GROUND. AVOID TREES (REFER TO LANDSCAPE DRAWINGS FOR MORE DETAILS)

1 PLAN 35438

26
PLAN
35438

30th
STREET

STRATA PLAN

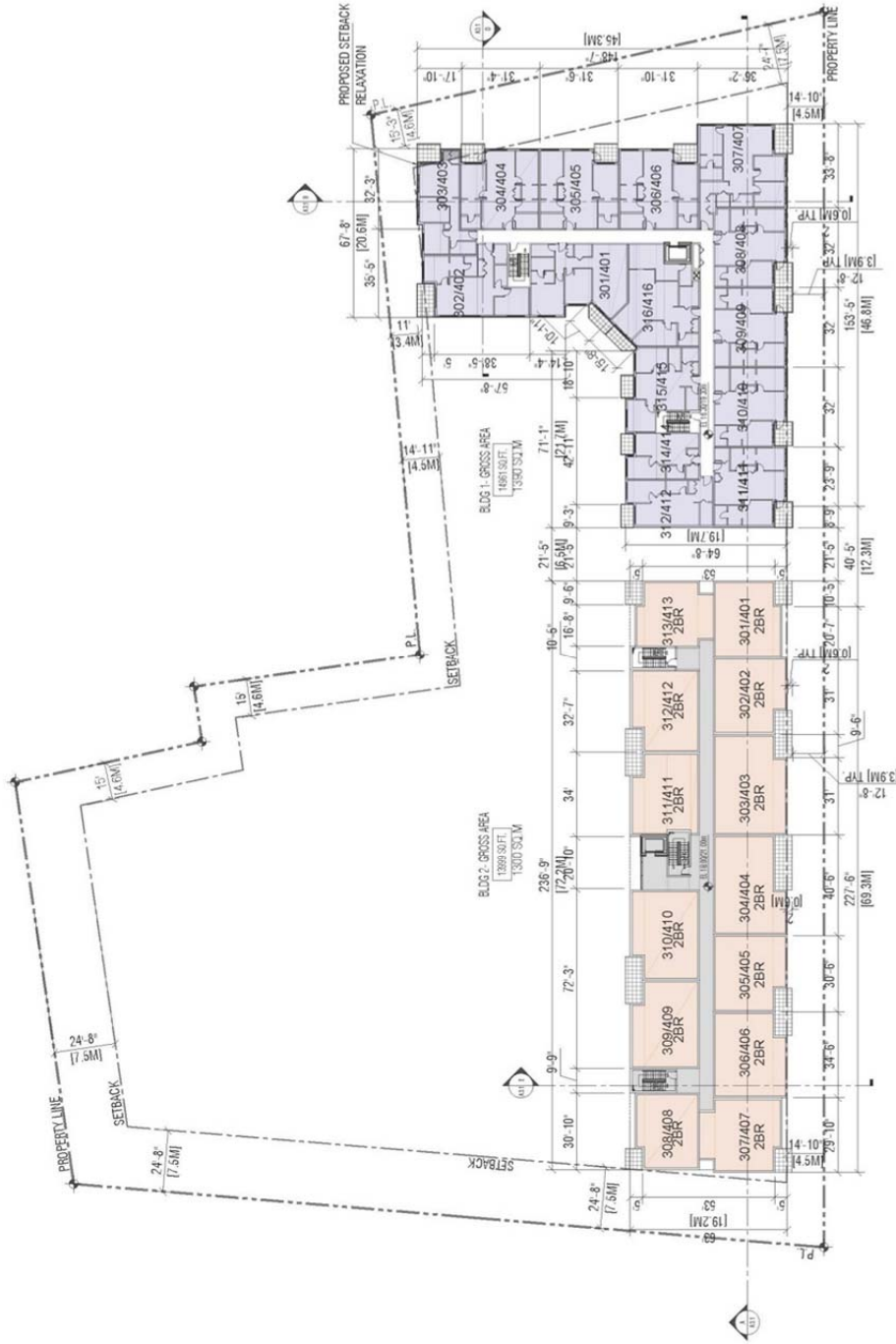


L2 FLOOR PLAN
SCALE 1/8"=1'-0"

1.6

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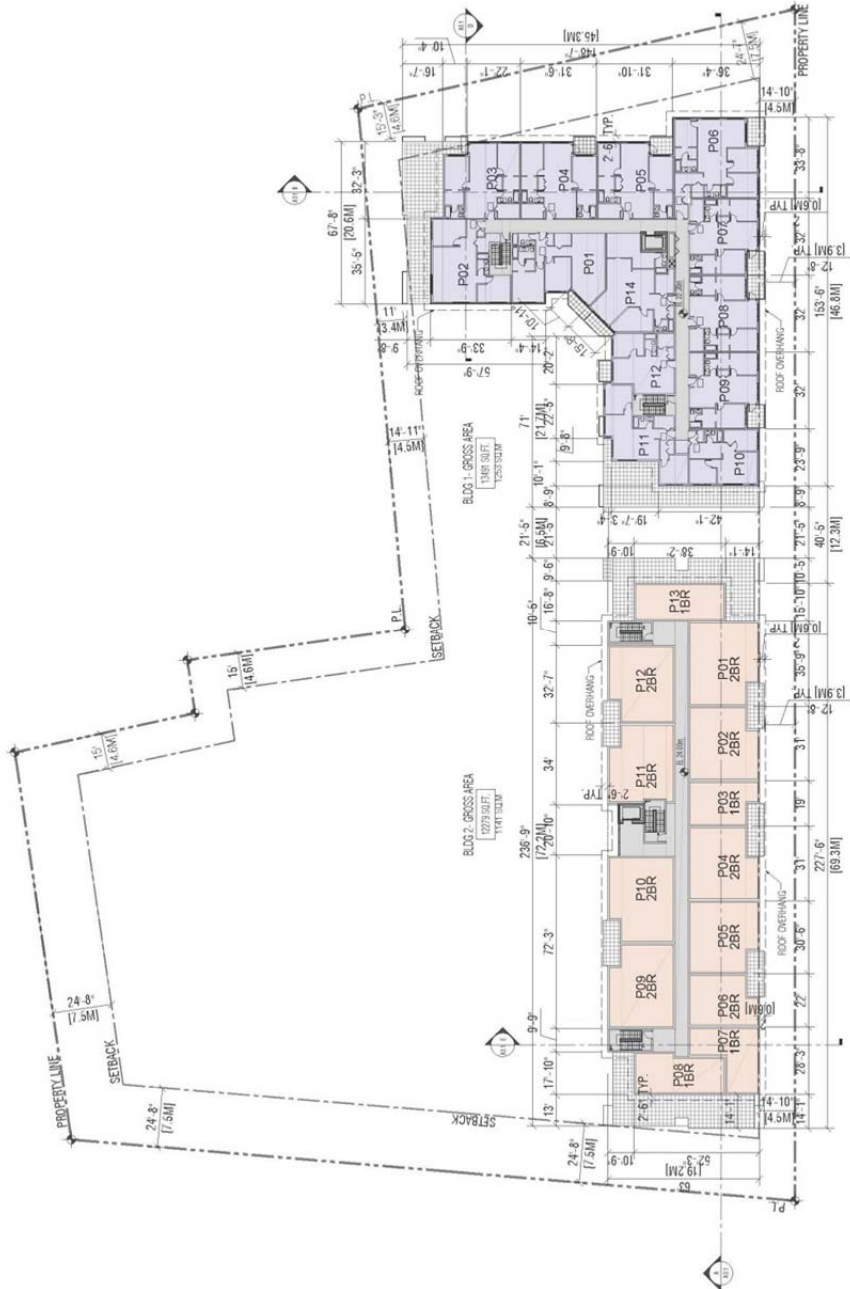
PROPOSED MIXED USE DEVELOPMENT 3040 & 3070 KILPATRICK AVE COURTENAY, B.C. Aug. 11, 2017



L3&4 FLOOR PLAN
SCALE: 1/8"=1'-0"

PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017





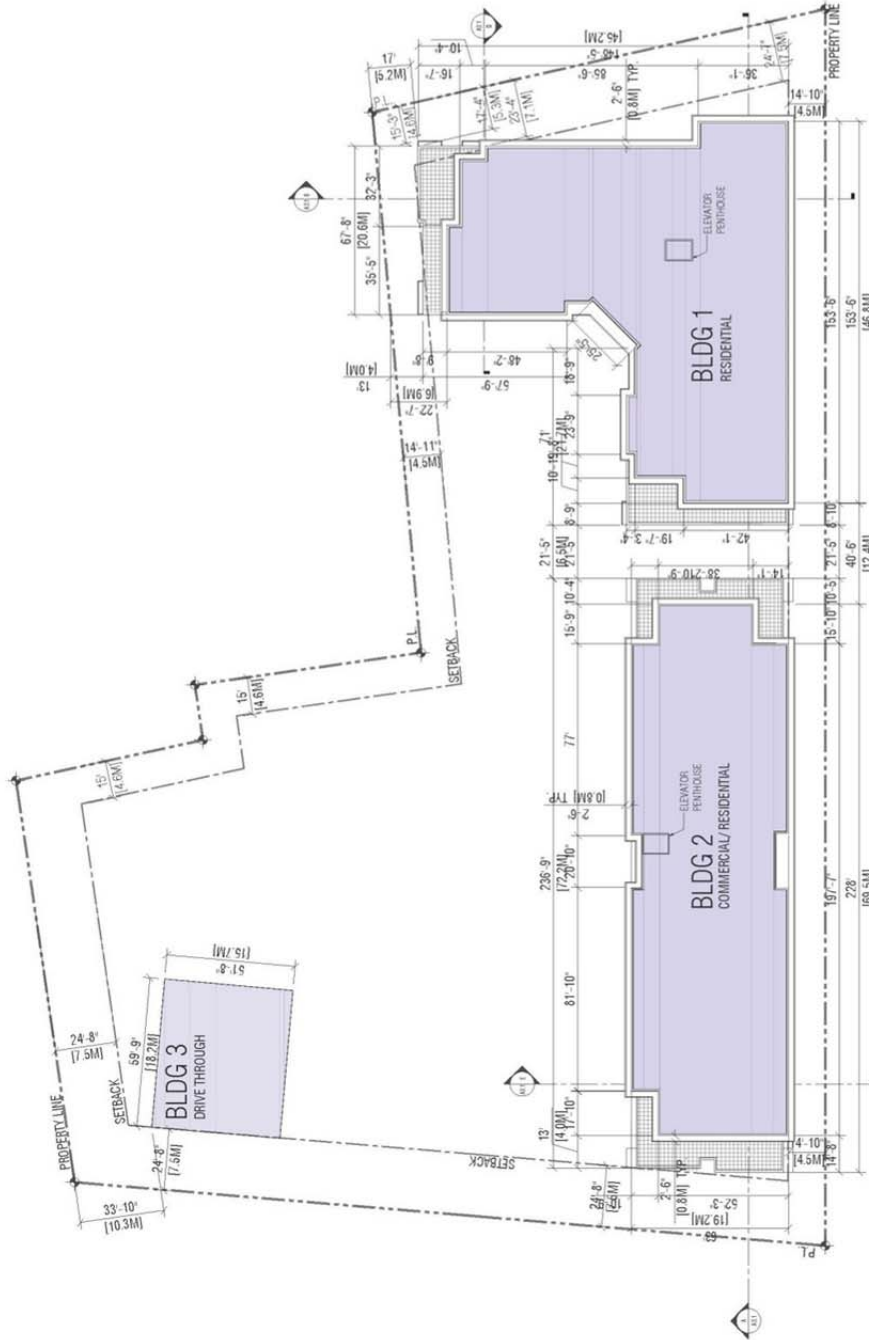
L5 FLOOR PLAN
SCALE 1/8" = 1'-0"

PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

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1.8

04.17.2017



ROOF PLAN / BUILDING LOCATION
SCALE: 1/500

PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017



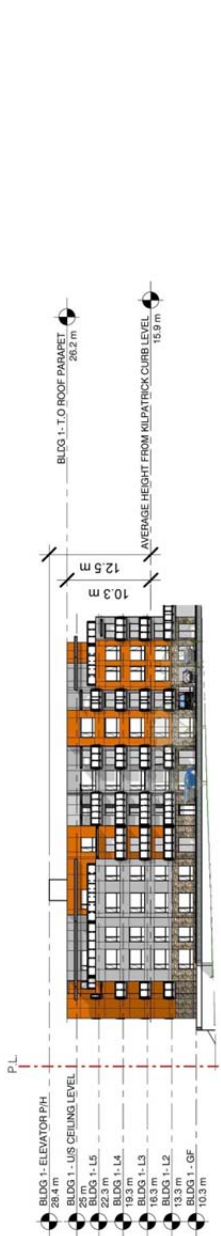
1.9

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16025

ATTACHMENT 7 – Building Elevations and Cross-sections

- 1- CEMENTITIOUS SIDING PANELS PAINTED COLOR: CLV 11411N OR SIMILAR
- 2- CEMENTITIOUS SIDING PANELS PAINTED COLOR: CL 1656N OR SIMILAR
- 3- CEMENTITIOUS SIDING BOARDS OR PANELS PAINTED COLOR: CL 2652W OR SIMILAR
- 4- CEMENTITIOUS SIDING PANELS PAINTED COLOR: CLC 1288N OR SIMILAR
- 5- ARCHITECTURAL FINISH EXPOSED CONCRETE PAINTED COLOR: CL 321RM OR SIMILAR
- 6- CULTURED STONE CLADDING ASPEN COUNTRY OR SIMILAR
- 7- VINYL DOUBLE GLAZED WINDOWS COLOR: WHITE FRAME
- 8- ALUMINUM STOREFRONT WINDOWS AND DOORS
- 9- METAL BALCONIES COLOR: BLACK



North Elevation Building 1
1 : 500



South Elevation Building 1
1 : 500



East Elevation Building 1
1 : 500



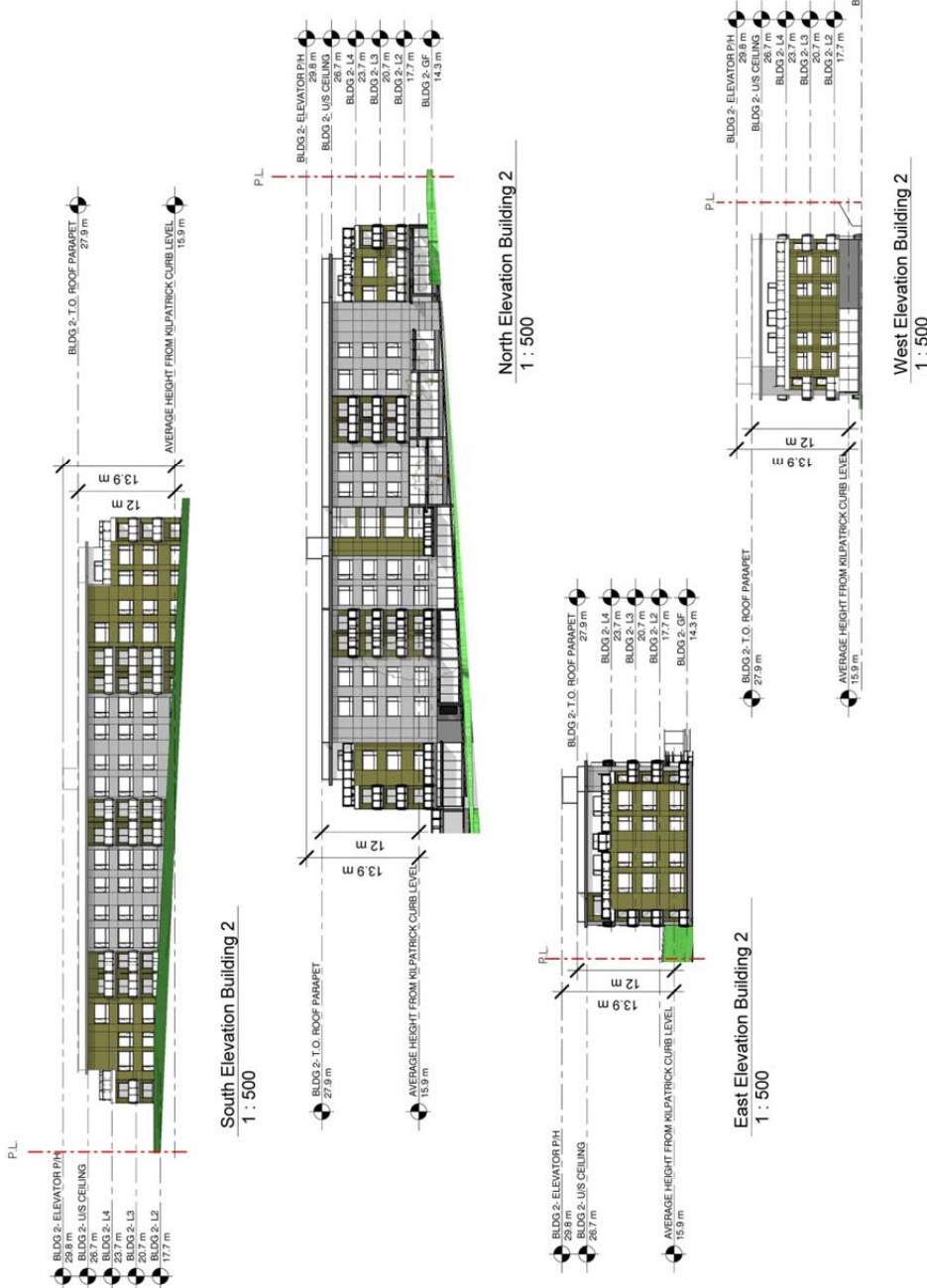
West Elevation Building 1
1 : 500



PROPOSED MIXED USE DEVELOPMENT | 3010 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

16025

- 1- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CLV 11411N OR SIMILAR
- 2- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CL 1656N OR SIMILAR
- 3- CEMENTITIOUS SIDING BOARDS OR PANELS PAINTED
COLOR: CL 2832W OR SIMILAR
- 4- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CLC 1288N OR SIMILAR
- 5- ARCHITECTURAL FINISH EXPOSED CONCRETE PAINTED
COLOR: CL 321M1 OR SIMILAR
- 6- CULTURED STONE CLADDING
ASPEN COUNTRY OR SIMILAR
- 7- VINYL DOUBLE GLAZED WINDOWS
COLOR: WHITE FRAME
- 8- ALUMINUM STOREFRONT WINDOWS AND DOORS
- 9- METAL BALCONIES
COLOR: BLACK



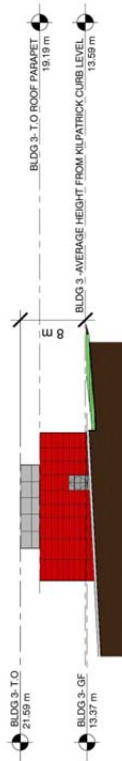
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Vancouver, B.C. V6P 3Z6
Phone: 604.278.1122
Fax: 604.278.1127
www.studioone.ca

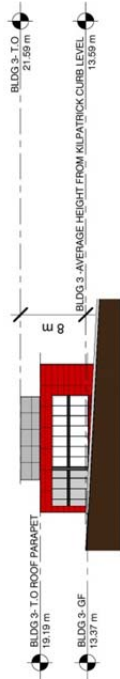
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PROPOSED MIXED USE DEVELOPMENT | 3010 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

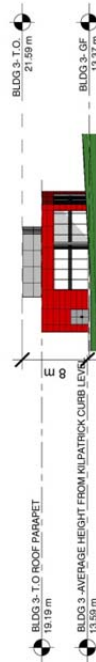
18025



North Elevation Building 3
1 : 500

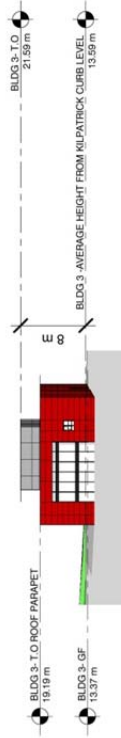


South Elevation Building 3
1 : 500



West Elevation Building 3
1 : 500

- 1- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CLV 1141N OR SIMILAR
- 2- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CL 1658N OR SIMILAR
- 3- CEMENTITIOUS SIDING BOARDS OR PANELS PAINTED
COLOR: CL 2632W OR SIMILAR
- 4- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CLC 1288N OR SIMILAR
- 5- ARCHITECTURAL FINISH EXPOSED CONCRETE PAINTED
COLOR: CL 3214M OR SIMILAR
- 6- CULTURED STONE CLADDING
ASPEN COUNTRY OR SIMILAR
- 7- VINYL DOUBLE GLAZED WINDOWS
COLOR: WHITE FRAME
- 8- ALUMINUM STOREFRONT WINDOWS AND DOORS
- 9- METAL BALCONIES
COLOR: BLACK

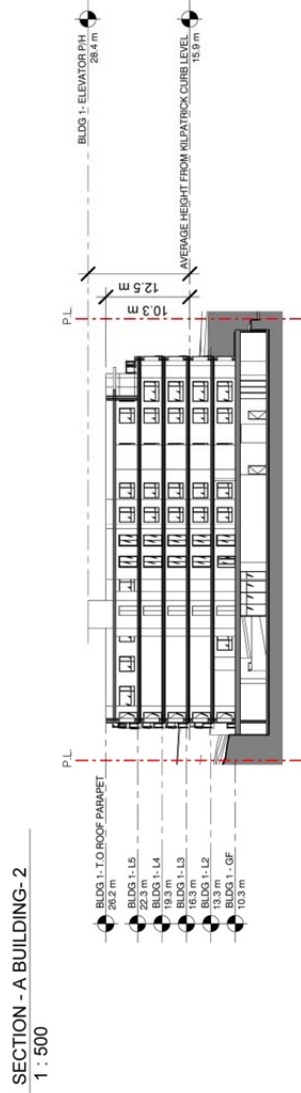
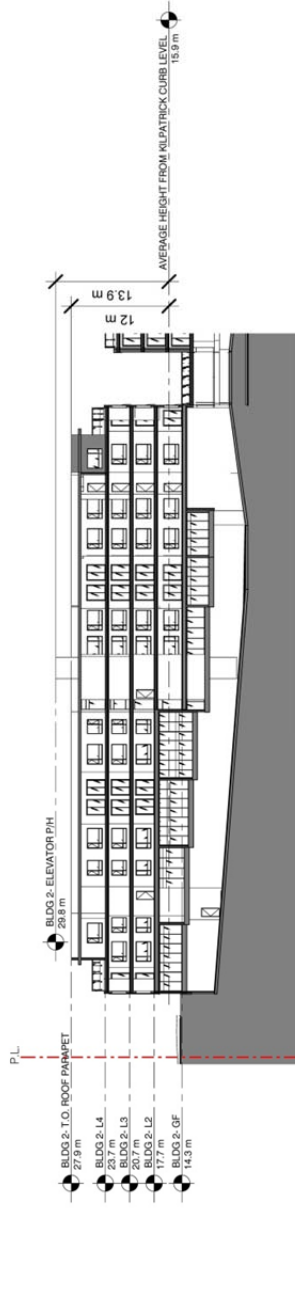
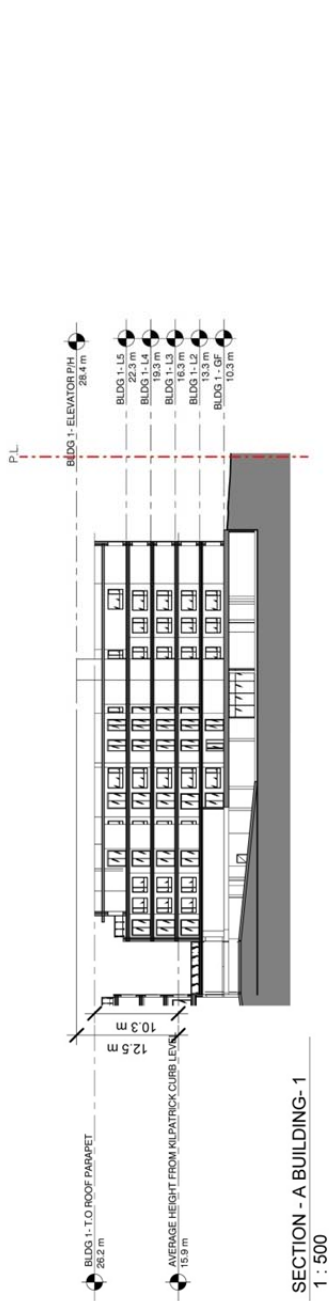


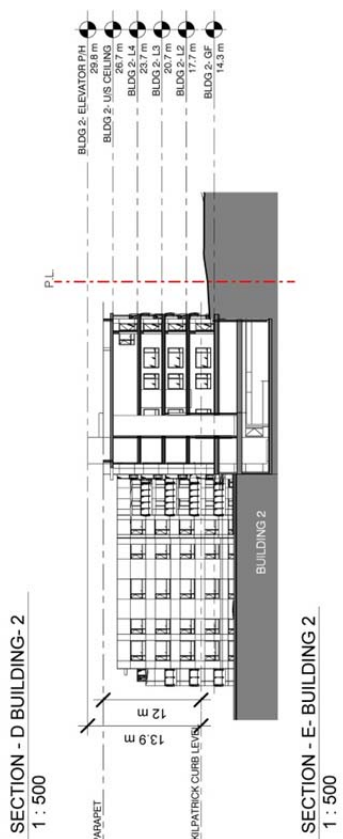
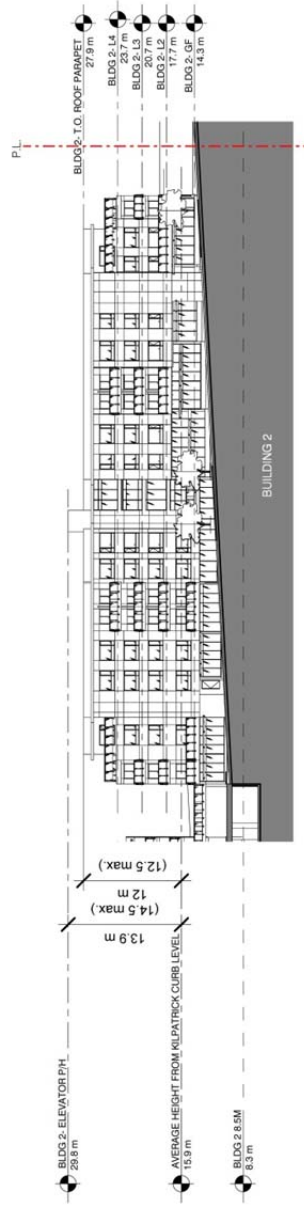
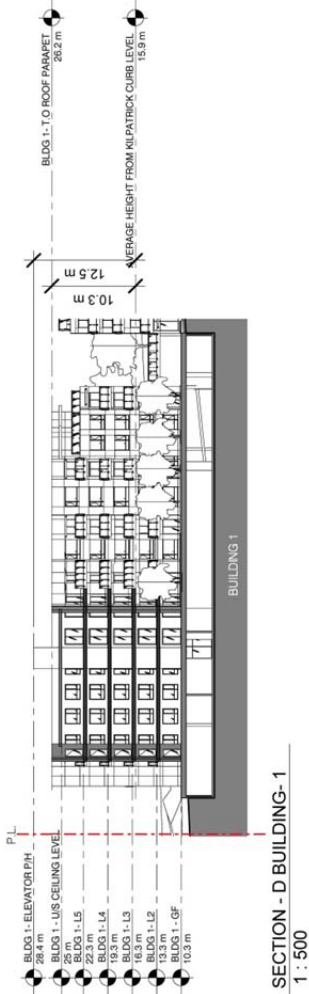
East Elevation Building 3
1 : 500



PROPOSED MIXED USE DEVELOPMENT | 3010 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

150-360 West Hill Road
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| PROPOSED MIXED USE DEVELOPMENT | 3010 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

16025

ATTACHMENT 8 – Public Information Meeting Summary and Comment Sheets

**Newport Village LLP
1080969 BC LTD**

PO BOX 30060 Courtenay, South Courtenay, BC, V9N 9H8 1-250-218-6851

PUBLIC INFORMATION MEETING REPORT

HELD AT:

Holiday Inn Express
2200 Cliffe Ave Courtenay BC

APRIL 19 2017 @ 6:00-7:30 PM

NUMBER OF ATTENDEES:

There was a total of 9 Attendees, below, please reference a copy of the Sign In Sheets

PUBLIC INFORMATION MEETING
APRIL 19 2017
SIGN IN SHEET
FOR
NEWPORT VILLAGE LLP – 1080969 BC LTD.

NAME (Please Print)	ADDRESS
✓ GLENN HART	#101-405 6th St. New Westminster BC V3L-3B1 <i>280-129-1310</i>
✓ LAURE BRONKHORST	2152 PULSIFORD HAVEN
✓ ANGELA GILBERT	221-3050 KILPATRICK
✓ SCOTT GILBERT	221-3050 KILPATRICK AVE
✓ DIBBY SPREU	312-3050 Kilpatrick Ave
✓ Justia White	521-3030 Kilpatrick Ave
✓ Jennifer Mitchell	"

PUBLIC INFORMATION MEETING
APRIL 19 2017
SIGN IN SHEET
FOR
NEWPORT VILLAGE LLP – 1080969 BC LTD.

NAME (Please Print)	ADDRESS
✓ ALAN WATKINS	150-3050 KILPATRICK AVE
✓ JULIE WATKINS	COURTENAY

Originals were dropped off with Planning Department

SAMPLE LETTER MAILED TO NEIGHBOURS AND SURROUNDING PROPERTY OWNERS:

NOTICE of PUBLIC INFORMATION MEETING

To be held at:

HOLIDAY INN EXPRESS & SUITES 2200 CLIFFE AVE COURTENAY BC

APRIL 19 2017 @ 6:30-7:30 PM doors will be open at 6:00

Re: 3040 & 3070 KILPATRICK AVE



PROPOSED ZONING AMENDMENT
TO REZONE FROM CURRENT;
C-2, COMMERCIAL TWO ZONE
COMMERCIAL SHOPPING CENTERS
TO;
C-D, COMPREHENSIVE DEVELOPMENT MIXED USE
COMMERCIAL & RESIDENTIAL

Please direct written questions or feedback to:
info@dulex.ca or sasha@dulex.ca or mail to;

1080969BC LTD.
PO BOX 30060 COURTENAY SOUTH
COURTENAY BC V9N 9H8
(250)-218-6851

PUBLIC INFORMATION MEETING
APRIL 19 2017
NEWPORT VILLAGE LLP – 1080969 BC LTD.
3040 & 3070 Kilpatrick Ave

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]

Address: 221-3030 KILPATRICK Phone: [REDACTED]

Newport Village LLP has applied to the City of Courtenay for a Zoning Amendment from C-2, Commercial Two Zone Commercial Shopping Centers to C-D, Comprehensive Development Mixed Use Commercial Residential. 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?

OUR CONCERNS ARE ACCESS + SIGNAGE. WE HAVE
SOME CONCERN ABOUT PEOPLE LOOKING FOR
3030 KILPATRICK, INCLUDING EMERGENCY PERSONNEL
BEING ABLE TO EASILY FIND IT. WE ALSO HAVE
CONCERNS ABOUT TRAFFIC VOLUME DURING
BUSY TIMES OF THE YEAR WITH ALL TRAFFIC
COMING AND GOING THROUGH THE SAME INTERSECTION

- Please return your comments by May 04 2017
Comment sheet can be submitted by one of the following methods:
1. Hand your comment sheet in tonight
 2. Mail to; PO BOX 30060 Courtenay South Courtenay BC V9N 9H8
 3. Email your comment sheet to: info@dullex.ca

PUBLIC INFORMATION MEETING
APRIL 19 2017
NEWPORT VILLAGE LLP – 1080969 BC LTD.
3040 & 3070 Kilpatrick Ave

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]
Address: #521-3030 Kilpatrick Ave Phone: [REDACTED]

Newport Village LLP has applied to the City of Courtenay for a Zoning Amendment from C-2, Commercial Two Zone Commercial Shopping Centers to C-D, Comprehensive Development Mixed Use Commercial Residential. 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?

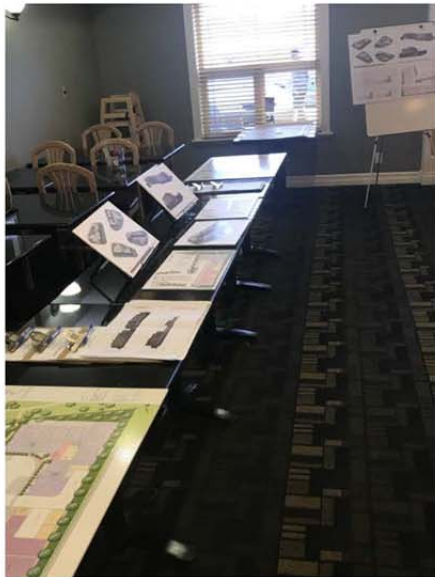
Our concern is with added traffic increase from proposed residential + commercial additions. Currently the traffic on Kilpatrick Ave heading north gets backed up to our road access in heavy times. 29th Street being the major artery into Courtenay takes priority on signal changes + combined with the traffic from the Walmart Plaza causes long delays + car line ups. Your proposed development will increase daily flow by up to 116 vehicles base on just one vehicle per residential unit not including second

Please return your comments by May 04 2017
Comment sheet can be submitted by one of the following methods:
1. Hand your comment sheet in tonight
2. Mail to; PO BOX 30060 Courtenay South Courtenay BC V9N 9H8
3. Email your comment sheet to: info@dulex.ca

cars per family, guests + commercial traffic. A proposed drive through in phase 3 will increase traffic even more!

ONSITE PRESENTATION:





SUMMARY OF QUESTIONS & MAJOR DISCUSSION POINTS:

1. Access to adjacent Strata & existing driveway SRW

One of the major questions-concerns was if we had plans on relocating the current driveway and provide an alternative access to them?

We displayed drawings showing that the current driveway will remain as is. All attendees were quite happy with that

2. Increased traffic along Kilpatrick

We provided copies of the Traffic Impact Study completed by Watt Consulting demonstrating that there will not be a negative traffic increase to Kilpatrick

MINOR DISCUSSION POINTS:

1. Signage for adjacent Strata

We agreed to work with them on the feasibility to provide an area that the Strata at their cost; apply for sign permit, construct & install signage, prepare & execute an insurance & maintenance agreement. They were happy that they had that option with us

2. Request to incorporate low ground cover vegetation as part of our landscape design

Some Strata owners requested that we incorporate small ground cover shrubs along the East P.L. of 3040 Kilpatrick to help reduce sightlines to their Strata from Kilpatrick Ave. We will certainly incorporate low ground cover as part of our design

Positive Feedback:

- Parcel is finally getting developed & the residential component will have a positive impact on existing local businesses
- Design and overall layout of the development where buildings 1 & 2 were pushed as far back to South P.L.
- Size of building # 3 and sightlines to their strata from Kilpatrick
- Continuous path from Kilpatrick to Cliffe Ave
- Increased property value to adjacent properties
- Smart Centres offered to attend Council meetings and write a recommendation letter

Sincerely,
Sasha Rasovic
Brad Walton
Newport Village LLP
1080969 BC Ltd.

Concerns Re: Layout of proposed development as presented to us on Wednesday April 19th

1. Access & the ability to find 3030 Kilpatrick for Emergency services will prove difficult. Emergency personnel won't know where 3030 is buried behind 3040 and 3070 with no access point of its own.
2. Access & ability to find 3030 Kilpatrick for customers of existing and future businesses will prove difficult. People won't know where 3030 is buried behind 3040 and 3070 with no access point of its own.
3. A single access point for the proposed volume of traffic will be problematic day to day, as well as for emergency vehicles or if for any reason that intersection is blocked – example an accident or water main leak. There don't seem to be any other strip malls or plazas, especially with so much residential attached, that only have one access point in and out.
4. No loading zone / alley / separate drive for the proposed commercial spaces all commercial delivery vehicles and garbage removal vehicles for those spaces, as well as for ours, and moving trucks for the new and old residential units will be using the same access point as the high density new buildings plus customer traffic for the drive thru and other businesses.
5. The only entry / exit point is on a blind corner on a busy street that already has a high volume of traffic. Are traffic control changes planned? i.e. stop lights at entrance, right turn lane on Kilpatrick at 29th?
6. Loomis trucks block traffic backing into their lot somewhat regularly right at the proposed intersection for entry / exit into the new complex.
7. There could be negative impact of a single entry / exit on the Belfor, Calais Spa, End of the Roll lot as people visiting businesses and residences in our complex avoid the high volume of traffic and park over there and walk over.
8. Tall tree landscaping.
9. The location of our water meter.
10. Will the drive thru coffee shop be 24 hours so close to proposed high density residential and existing residences?

This was submitted by two residents of the adjacent strata complex and received by Development Services Staff following the Public Information Meeting.



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: List of 2018 Grant-in-Aid Requests

File No.: 1850-01
Date: September 5, 2017

PURPOSE:

The purpose of this report is to present Council with a list of applicants who, under the Grants-in-Aid Policy, are requesting funding from the City via the City's Gaming Funds.

POLICY ANALYSIS:

This report is presented as per Council's guidelines approved in the October 2016 Grants-in-Aid policy:

GRANT POLICY 1850-00

Moved by Hillian and seconded by Lennox that based on the October 31, 2016 staff report "Grants in Aid and Matching Grant Program – Affordable Housing Initiatives", Council select Option 1 approving the Provision of Grant-in-Aid and Other Forms of Financial Support Policy #1850.00.04 as presented; and further that the Grants-in-Aid policy #1850.00.02 and Matching Grant Program-Affordable Housing Initiatives policy #1850.00.03 be rescinded.

EXECUTIVE SUMMARY:

In 2016, the City revised and adopted a Grants-in-Aid Policy to respond to requests from Comox Valley community organizations asking for grant money for a variety of reasons. To create a transparent and efficient process, older policies were amalgamated and updated to require organizations to submit their grant applications annually by August 1st so all requests could be simultaneously presented to Council. Attachment # 2 itemizes the list of organizations requesting a grant for 2018. Gaming fund revenues are the source of funds for these requests.

CAO RECOMMENDATIONS:

That based on the September 5, 2017 staff report, "List of 2018 Grant-in-Aid Requests", Council receive the attached list of applicants and provide their decision with respect to Grant funding on September 18th.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

On October 31, 2016, City Council adopted a revised Grants-in-Aid policy. It amalgamated two older policies Grants-in- Aid policy #1850.00.02 and Matching Grant Program-Affordable Housing Initiatives policy #1850.00.03. The intent of the amalgamated policy was to provide a single process for the community organizations to follow when requesting financial assistance (see Attachment # 1 – Grants-In-Aid Policy). It identified Gaming Fund revenues as the source of funding for grant payments and was first applied in early 2017.

The deadline for receipt of 2018 Grant-in-Aid applications was Tuesday, August 1, 2017. Advertising of the 2018 intake of applications began on May 30, 2017 with notification on the City’s webpage followed by posts on the City’s Facebook and Twitter on June 5th, followed by advertisements in the local newspaper on June 13th and July 13th.

DISCUSSION:

This report is being presented in advance in order to provide Council with sufficient opportunity to review the information submitted by each organization.

The list of applicants requesting funding for 2018 is categorized below.

Sum of Grant Requested for 2018		
Category	Name of Organization / Society	Total
Downtown Arts & Culture	Comox Valley Art Gallery Society	20 000 \$
	Comox Valley Arts	46 000 \$
	Comox Valley Folk Society (Vancouver Island Music Fest)	9 000 \$
	Comox Valley Multicultural & Immigrant Support Society	5 500 \$
	The Alberni Project Society	10 000 \$
	The Old Church Society	50 000 \$
Downtown Arts & Culture Total		140 500 \$
Green Capital Projects - Innovation	Comox Valley Land Trust	8 000 \$
	Comox Valley Nature (Wetlands Restoration projects)	5 000 \$
	Comox Valley Project Watershed Society	6 086 \$
Green Capital Projects - Innovation Total		19 086 \$
Social / Societal Initiatives	Comox Bay Care Society - Care-a-van	9 999 \$
	Comox Valley Child Development Association	20 000 \$
	Comox Valley Transition Society	6 331 \$
	Habitat for Humanity Vancouver Island North Society	20 000 \$
	LUSH Valley Food Action Society	8 000 \$
	The SHED Tool Library and Makerspace Cooperative	4 500 \$
	YANA Fund Society (You Are Not Alone)	10 000 \$
	Comox Valley Recovery Centre	5 000 \$
	Comox Valley Coalition to End Homelessness (CVCEH)	8 000 \$
	Comox Valley Farmer's Market (late)	8 700 \$
	Indigenous Women Sharing Society (late)	5 000 \$
L'Arche Comox Valley (late)	10 000 \$	
Social / Societal Initiatives Total		115 530 \$
Grand Total		275 116 \$

The amount of requests varies from \$4,500 to \$50,000 and the reasons for the requests vary from funding for the purchase of furniture to assistance for supportive housing projects in Courtenay.

The Comox Valley Farmers' Market did not meet the August 1st deadline and was 8 days late. The applications from Indigenous Women Sharing Society and L'Arche were each submitted 3 weeks after the deadline.

Before any decisions are made, Council should consider Sections 25 (1) of the *Community Charter*. It states:

- “25 (1) Unless expressly authorized under this or another Act, a council must not provide a grant, benefit, advantage or other form of assistance to a business, including
- (a) any form of assistance referred to in section 24 (1) [*publication of intention to provide certain kinds of assistance*], or
 - (b) an exemption from a tax or fee.

The *Community Charter* defines “business” as:

“business” means

- (a) carrying on a commercial or industrial activity or undertaking of any kind, and
 - (b) providing professional, personal or other services for the purpose of gain or profit,
- but does not include an activity carried on by the Provincial government, by corporations owned by the Provincial government, by agencies of the Provincial government or by the South Coast British Columbia Transportation Authority or any of its subsidiaries.”

All entities listed above are eligible to receive a grant with the exception of the Comox Valley Farmers' Market. Their application was received after the August 1st deadline. Any funds granted to the Farmers' Market could be used to benefit local entrepreneurs, which is contrary to *Community Charter* legislation.

For Council's information, Applicants can also apply directly to the BC Gaming Commission for Community Gaming grants via the “non-profit community organizations” category. In 2016/2017, BC Gaming provided grants of \$1,507,025 to various Courtenay organizations. Eight of the current list of applicants received money from the Commission. They are:

1. Comox Valley Art Gallery - \$39,000
2. Comox Valley Land Trust - \$35,000
3. Comox Valley Project Watershed Society - \$35,000
4. Comox Valley Transition Society - \$34,000
5. LUSH Valley Food Action Society - \$40,500
6. Comox Valley Child Development Association - \$77,000
7. Comox Valley Multicultural and Immigrant Support Society - \$3,000
8. L'Arche Comox Valley - \$27,000

This information is available on the BC Gaming website below:

<http://www2.gov.bc.ca/assets/gov/sports-recreation-arts-and-culture/gambling/gambling-in-bc/reports/fin-rpt-grants-year-to-date-payments-2016-2017.pdf>

FINANCIAL IMPLICATIONS:

Local Governments with gaming facilities within its jurisdiction are allowed to use Gaming Fund revenues for “any purpose within their legal authority”. The City’s policy has been to spend the balance of Gaming Funds from a previous year. In 2017, Gaming funds from 2016 were used to fund the Grant-In-Aid requests. The audited balance of Gaming Funds, as of December 31, 2016 was \$1,322,459 and \$885,000 has been budgeted for use in 2017 (see Attachment # 3). The total unused balance of 2017 Gaming Funds is \$389,379 and is identified by category in Attachment # 4.

As word continues to spread about the City’s Grant-in-Aid program, the list of applicants continues to grow. In 2012 there was only 1 request for funding. Since that time requests have increased to 10 in 2016, 12 in 2017 and 21 in 2018. While each organization arguably has a worthwhile cause identified for the funds, Council must weigh the implications of using Gaming funds for special interest groups versus applying funds for other City priorities such as:

- Capital renewal via the Asset Management program;
- Cost reduction for increased capacity to address sustainable service delivery;
- Cost reduction for rising RCMP staffing or contributions to the Police Contingency Reserve;
- Contributions to bolster various reserves,
- Financial resources for strategic land purchases or,
- Off-setting property tax increases for the community.

ADMINISTRATIVE IMPLICATIONS:

Approximately 30 hours of staff time was spent to process the list of 2018 Grant applicants. It is expected that an additional 5 hours of time will be required to provide a subsequent report and to process payments to those organizations selected by Council.

ASSET MANAGEMENT IMPLICATIONS:

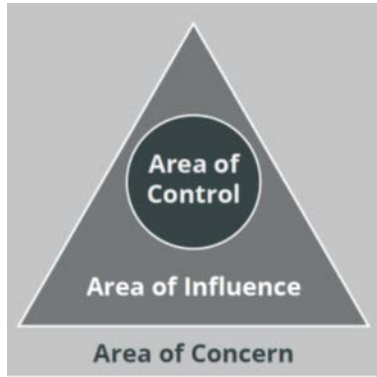
Utilization of Gaming Funds for Grants-in-Aid potentially reduces the amount of revenues available for asset management.

STRATEGIC PRIORITIES REFERENCE:

Providing financial resources to organizations in the community and the Valley is a means for the City to follow its strategic priorities as noted below.

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 to act.

OFFICIAL COMMUNITY PLAN REFERENCE:

N/A

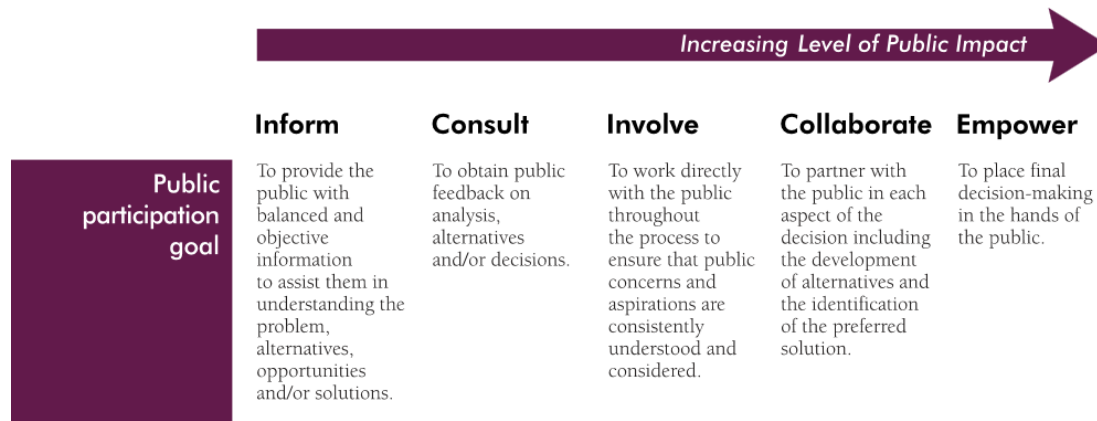
REGIONAL GROWTH STRATEGY REFERENCE:

N/A

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



OPTIONS:

1. That Council receive the attached list of applicants and make their grant allocation decision at the September 18th Council meeting.
2. That Staff be directed to remit Grant-in-Aid payments to all applicants approved by Council and that no additional Grant-in-Aid or Financial Aid requests be considered until 2019.
3. That Staff be directed to contact select organizations to attend a future Council meeting to clarify their grant requests prior to processing any Grant-in-Aid payments.

Prepared by:



Brian Parschauer, BA, CPA-CMA
Director of Financial Services

Attachments:

1. Grants-in-Aid Policy 1850.00.04
2. List of Grant Applicants
3. 2016 – 2018 Approved Schedule of Gaming Funds Distribution
4. Unspent Gaming Funds by Major Category

City of Courtenay**Policy**

Page 1 of 3

Section: 5 - Finance	Policy # 1850.00.04
Subject: Provision of Grant-in-Aid and other Forms of Financial Support	Revision #

PURPOSE:

The purpose of this policy is for Council to provide criteria to identify the appropriateness and suitability of applications from organizations requesting Grants-in-Aid and other forms of financial support from the City of Courtenay. Council decisions with respect to the provision of these forms of support will be made after carefully reviewing all applications and in conjunction with annual budgetary planning.

POLICY:

The City has limited financial resources available for the provision of Grants-in-Aid or other forms of financial support to special interest groups. In order to be consistent and fair to all applicants, the following criteria must be met:

- 1. Entity must complete the Application and provide correspondence to City Council:**
 - a. identifying who they are and whether they are a “for-profit” or “not-for-profit” organization,
 - b. what special interest they represent and a demonstrated financial need,
 - c. how much grant-in-aid or other financial commitments from the City they are requesting,
 - d. describe what project the resources will be used for,
 - e. describe how the project will benefit the community of the City of Courtenay and the greater Comox Valley region,
 - f. provide the project business case in terms of confirmation of need and demand, project sustainability, capital budget plan and operating budget plan if applicable, (*exclude if request is below \$10,000*),
 - g. provide the organization’s audited financial statements for the past three years, (*provide prior year financial information if request is below \$10,000*),
 - h. identify projects in the Comox Valley they have successfully completed, (*exclude if request is below \$10,000*),
 - i. identify whether they are receiving or soliciting any other form of supplementary City funding, subsidy or fee reductions relative to the application;
 - j. identify other requests or receipt of funding from other organizations and Comox Valley local governments; and,
 - k. identify what City support they have received in the past five years and how it has been used.

AUTHORIZATION: CoW 1.00.03	DATE: October 31, 2016 CoW
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Section: 5 - Finance	Policy # 1850.00.04
Subject: Provision of Grant-in-Aid and other Forms of Financial Support	Revision #

2. Organizations must be based in the City of Courtenay. Funding is **not** available for individuals.
3. Organizations must identify and provide proof of supplementary funding payments or agreements from external sources supporting their initiative. Provincial and Federal funding agreements or correspondence identifying dollar amounts must be provided for Council information.
4. A Council resolution must authorize and determine the grant in aid payment or any other financial commitment from the City.
5. Grants-in-Aid and other commitments must be used for the purpose intended. City resources cannot be used to provide any type of assistance to other organization(s) working in tandem with the applicant.
6. Payments will only be issued upon direction provided by the Chief Administrative Officer or Director of Finance.
7. **Gaming Funds will be the primary funding source for all monetary commitments to organizations or entities requesting assistance.**
8. Grants or other City resources cannot be used for illegal purposes or anything disallowed by the Community Charter.
9. Applicants must publicly acknowledge the City of Courtenay’s contribution.
10. Applications must be submitted by **August 1st of each year**, to the Director of Finance using the prescribed application form. The Director will review the applications for completeness and arrange contact with applicants for additional information as necessary.
11. The Director of Finance will present a summary report of the applications, relative to the eligibility criteria, to Council and arrange for delegations to Council as necessary.
12. Within one year of the date of receipt of the grant, entities must provide an independent reporting of how the grant was utilized and the outcomes of the dollars received.

AUTHORIZATION: CoW 1.00.03	DATE: October 31, 2016 CoW
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Section: 5 - Finance	Policy # 1850.00.04
Subject: Provision of Grant-in-Aid and other Forms of Financial Support	Revision #

13. Grants-in-Aid shall be considered on a year-to-year basis and continuing support should not be anticipated.

SCOPE:

This policy applies to all grant-in-aid and financial requests submitted to the City of Courtenay. Authority for, and restrictions on the provision of, any form of assistance is provided under The Community Charter, Sections 8(1), 24 and 25. Preference will be given to organizations who can demonstrate a request that promotes the City's strategic priorities as identified in the Strategic Priorities found on the City's webpage.

RELATED DOCUMENTS:**RESPONSIBILITY:**

City of Courtenay council members are responsible for adopting policies that manage the financial resources of the community. These policies must recognize the budgetary demands of City operations as a whole and be responsive to public perceptions and constraints. There is a limited sum of tax dollars and external revenue sources available for grants to organizations.

The Chief Administrative Officer or Director of Finance has responsibility for processing all payments.

REVIEW DATE:

This policy has an intended life of 20 years, or less dependent on the discretion of Council of-the-day.

AUTHORIZATION: CoW 1.00.03	DATE: October 31, 2016 CoW
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Name of Organization / Society	Purpose	Category	Date Received	Grant Requested for 2018	Other forms of subsidy requested	Applied last year?	Amount granted last year	Other financial support provided by the City?	2018 Amt. of Permissive Tax or Grant	Request for funding from other organizations for 2018?
Comox Valley Folk Society (Vancouver Island Music Fest)	Request is to fund the purchase of a 32 foot dry storage trailer to be used to house instruments and staging and ensure the assets of the organization are protected from weather, locked and easily transportable. Transportability of staging is key as CVFS is sharing staging multiple times throughout the year with other groups and a van would allow it to be moved safely.	Downtown Arts & Culture	18-Jul-17	\$ 9,000	No	No		No		2017 Budget : Heritage Canada \$40,000 BC Arts Council \$15,000
The Old Church Society	Request is to fund the replacement of the windows on the balcony level with safety windows (The Old Church owns the building)	Downtown Arts & Culture	26-Jul-17	\$ 50,000	No	No		100% Permissive tax exemption (City property tax only)	\$ 5,440	na
The Alberni Project Society	-Museum Operations (rent, heating, light) \$5,000 -Events & Guests Exhibits (ANZAC Day, Canadian Merchants Day, Summer & Winter exhibits, advertising and promotion) \$4,000 -School Education Programs (annual development of remote school field trips via the internet) \$1,000 Running on a deficit	Downtown Arts & Culture	28-Jul-17	\$ 10,000	No	2017 Grant request for \$9,500; City did not approve. TAP applied too late for 2016 grant. Received \$2,000 in 2015		No		For 2017: CVRD \$1,000 Royal Canadian Legion tba
Comox Valley Multicultural & Immigrant Support Society	-Lunar Festival 2018 Celebration \$1,500 -CV Multicultural 2018 Festival \$1,200 -High Five Kids (after school children cultural programs) \$1,000 -Workshops New Comers \$1,000	Downtown Arts & Culture	31-Jul-17	\$ 5,500	No	Yes	\$ 3,000	No		For 2018 : CVRD \$2,000 BC Provincial \$2,040 BC Gaming \$3,000
Comox Valley Art Gallery Society	Asking for funding to facilitate the CVAG outreach and education programs for local children, youth and families (operations and administrative costs and additional staff hours). Ref. Jul 17, 2017 business case	Downtown Arts & Culture	01-Aug-17	\$ 20,000	No	\$ 20,000	\$ 10,000	Yes - annual grant from Gaming Fund	\$ 65,000	For 2016 : BC Arts Council \$76,471 CVRD \$7,250 Comox \$5,000 Service Canada \$179,361 Industry Canada \$17,803 Canada Museums \$8,185 BC Gaming \$39,000 (2017)
Comox Valley Arts	Operational support : \$12,500 General Programming : \$13,500 Cultural Tourism : \$10,000 Cultural Planning : \$10,000	Downtown Arts & Culture	01-Aug-17	\$ 46,000	No	Yes, requested \$20,000 in 2017. Presentation to Council on May 15, 2017.	\$ -	Yes - annual grant from Gaming Fund (year 2 of 3 supporting Elevate the Arts program)	\$ 5,000	For 2016 : Elevate Arts \$26,464 BC Gaming \$22,000 BC Arts Council \$16,431 Federal Government \$4,000 CVRD \$2,500
Comox Valley Nature (Wetlands Restoration projects)	Control and replacement of invasive plants (purchase of plants, fertilizer, soil and associated materials) \$3,000 Knotweed area treatment (removal of large infestation) \$2,000	Green Capital Projects - Innovation	13-Jul-17	\$ 5,000	No	Received \$3,000 for 2017. Applied too late for 2016 grant. Received \$2,500 since 2006	\$ 3,000	No		Comox Valley Regional District \$10,000 BC Nature \$2,750
Comox Valley Land Trust	Asking funding for a CV Conservation Partnership Program Manager who will support City of Courtenay staff and community on issues pertaining to: an Urban Forest Strategy, Integrated Storm Water Management Plans, amendments to the subdivision bylaw, public works projects in sensitive habitats and development referrals.	Green Capital Projects - Innovation	30-Jul-17	\$ 8,000	No	Thinking like a Watershed : Eco-assets Symposium	\$ 5,000	No	\$ -	For 2017 : CVRD \$9,000 Cumberland \$2,000 Real Estate Foundation of BC (2017-19) \$150,000 Habitat Conservation Trust Foundation \$200,000 (acquisition of parkland in CVRD) RBC \$6,000 BC Gaming \$35,000

Name of Organization / Society	Purpose	Category	Date Received	Grant Requested for 2018	Other forms of subsidy requested	Applied last year?	Amount granted last year	Other financial support provided by the City?	2018 Amt. of Permissive Tax or Grant	Request for funding from other organizations for 2018?
Comox Valley Project Watershed Society	Asking for \$6,086 for fencing and signage in Simms Millenium Park : \$4,536 for safety fencing \$1,550 for 2 metal sign stands (or in kind) \$660 f (in kind) or installing 2 educational signs	Green Capital Projects - Innovation	31-Jul-17	\$ 6,086	Installation of 2 educational signs (in kind approx 660\$)	Yes - in kind donation for meeting and creation of 3 sign bases and their installation. Also staff time, sandbags and temporary perimeter fencing toward the Simms Park project (approx \$4,600)	in kind	No	No	Recreational Fisheries \$99,306 Fish and Wildlife Compensation Program \$117,000 Habitat Compensation Trust Fund \$42,400 BC Gaming \$35,000 M.C. Wright and Associates Ltd \$10,000
Comox Valley Recovery Centre	Request to fund the new Alcohol and Drug Respectful Recreation Project by providing weekly supervised recreational activities in the community (based on evidence that healthy recreational activities strongly increases a client's physical, mental and emotional health)	Social / Societal Initiatives	07-Jul-17	\$ 5,000	No	No		100% Permissive tax exemption (City property tax only)	\$ 4,251	na
Comox Valley Transition Society	Request to cover the remaining 60% (\$5,876) of the 2017 property taxes not exempt for 625 England Ave (CVTS offices) and 2017 water and sewer utility fees (\$455) so more services can be provided to more residents	Social / Societal Initiatives	28-Jul-17	\$ 6,331	No	No		Permissive tax exemption (City tax only - estimation for 2018) -40% on 625 England (CVTS office) : \$1,884 -100% Amethyst House : \$1,955 -40% New Fourplex : \$894 (to be approved by Council)	\$ 4,733	For 2016-17 : BC Housing \$691,802 Ministry of Public Safety and Solicitor \$280,444 Island Health \$268,824 Government Agencies \$118,130 (incl. BC Gaming \$34,000) Ministry of Social Development \$75,179 CVRD \$54,096 Creative Employment Access Society : \$29,213
YANA Fund Society (You Are Not Alone)	Request is for new furniture and some necessary maintenance at the four YANA apartments located at 3300 Oak Street in Vancouver (exclusively available to and used by Comox Valley families)	Social / Societal Initiatives	28-Jul-17	\$ 10,000	No	No		No		For 2016-17 : BC Family Residence Program \$8,850
LUSH Valley Food Action Society	Asking for \$8,000 to support the coordination of the LUSH Valley Fruit Tree Program (FTP) 2018 season: - \$6,000 for 300 hrs FTP Coordinator - \$1,000 for a computer for the coordinator - \$500 for educational / promotional materials - \$500 for administrative costs This program, known as the flagship of the organisation, has run since 2002 and currently runs on a deficit.	Social / Societal Initiatives	31-Jul-17	\$ 8,000	No	No		In the last 5 years, Public Works has supported the 'Share to Harvest' Community Gardens		BC Gaming (\$40,500 with \$6,000 for the FTP) Peninsula Coop (\$3,500) United Way North Island Vancouver Island Health Authority Comox Valley Community Foundation
Comox Valley Coalition to End Homelessness (CVCEH)	Comox Valley Transition Society is the financial host for this application put forth by CVCEH. Asking for funding for 24 weeks of the Drop-in and Connect Program offered at the Public Library, which focus is to improve self-sufficiency of Courtenay's homeless and at-risk population by increasing their life-skills. This program has been running since Nov. 2016 (935 visits with 70% return rate) and the Coalition is considering, in their 5 year plan, opening a permanent Drop-In Centre in 2019-2020.	Social / Societal Initiatives	31-Jul-17	\$ 8,000	No	No		No		United Way Central & Northern Vancouver Island \$8,000 HPS Rural & Remote Funding (Federal) \$35,000 (not confirmed)

Name of Organization / Society	Purpose	Category	Date Received	Grant Requested for 2018	Other forms of subsidy requested	Applied last year?	Amount granted last year	Other financial support provided by the City?	2018 Amt. of Permissive Tax or Grant	Request for funding from other organizations for 2018?
Comox Valley Child Development Association	Asking for a \$20,000 contribution for the enhancement of their Autism services through the creation of a new Autism Centre of Excellence to be located at 3rd and Cliffe Ave as current space is not adequate to meet demand. Budget for the project is \$500,000; CVFDA already raised \$167,000 plus request pending for \$150,000.	Social / Societal Initiatives	01-Aug-17	\$ 20,000	No	No		Permissive tax exemption on CVFDA four properties (City tax only - estimation for 2018) Grandfathered 100% : -237 3rd street : \$8,944 -243 3rd street : \$465 -255 3rd street : \$465 -267 3rd street : \$263 (40% exempt)	\$ 10,137	For 2017-18 BC Ministry of Health \$150,000 Private donations \$67,000 BC Gaming : \$77,000 Active seeking of private and corporate donations
Habitat for Humanity Vancouver Island North Society	Asking for \$20,000 to go towards the phase 1 (2 units) of a 10-unit project at 1330 Lake Trail Road to be completed by the end 2018	Social / Societal Initiatives	01-Aug-17	\$ 20,000	No	Yes, to offset Phase 1 DCC Fees + on site servicing for unit 1 & 2	\$ 48,556	40% Permissive tax exemption for their office space (City tax only - estimation for 2018)	\$ 303	BC Housing Corporation \$100,000 Home Depot Canada Foundation \$17,000 Tachane Foundation \$10,000 CMHC Grant \$15,000 Genworth Financial Grant \$5,000 Greatwest Life / London Life \$5,000 BC Gaming \$9,068 (2015) DOW Canada Gift in kind \$5,000 Home Depot Canada Gift in kind \$80,000
Comox Bay Care Society - Care-a-van	To support the Care-a-van mobile health services offered to homeless people living in the Comox Valley	Social / Societal Initiatives	01-Aug-17	\$ 9,999	No	No	\$ -	No	\$ -	na
The SHED Tool Library and Makerspace Cooperative	Mission is to share tools, skills and workspace in the Comox Valley. Asking for funding for RV insurance (\$2,500 - RV to be used as a mobile tool library), Business insurance (\$1,250) and General Liability insurance (\$800)	Social / Societal Initiatives	01-Aug-17	\$ 4,500	No	No		No		Coastal Community Credit Union - Building Healthier Communities Grant \$5,500
Comox Valley Farmer's Market (LATE)	REQUEST RECEIVED AFTER DEADLINE. To support the fall, winter and Wednesday markets operational expenses	Social / Societal Initiatives	09-Aug-17	\$ 8,700	No	No		No		CVRD \$4,000
Indigenous Women Sharing Society (LATE)	REQUEST RECEIVED AFTER DEADLINE. Seeking funding to continue their programs and cover start up costs : purchase of a computer, printer, monitor, book keeping software, cabinet and storage fees, insurance and post office box. The purpose of the society is to build respectful networks inclusive of all Nations, promote healthy living, social activities and supportive services for seniors and families, inclusive of all ages and foster cross cultural respect and understanding through collaborative activities and projects.	Social / Societal Initiatives	21-Aug-17	\$ 5,000	No	No	No	No		Applied for grant with CVRD and Gaming (not confirmed)
L'Arche Comox Valley (LATE)	REQUEST RECEIVED AFTER DEADLINE. Request to support the 'I Belong Centre' social and recreational programming	Social / Societal Initiatives	22-Aug-17	\$ 10,000	No	Yes, received \$40,000 for the construction of the new centre	\$ 40,000	Permissive tax exemption (City tax only - estimation for 2018) -75% on 534 - 19th Street (supported group home): \$885 -40% 1465 Grieve Ave (new centre) : \$2,738	\$ 3,623	For 2017 BC Gaming \$27,000 Vancouver Foundation
Total 2018 Grant requests				\$ 275,116						

2016 - 2018 Approved Schedule of Annual Gaming Funds Distribution

Distribution: Major Categories	Distributions -2016		Distributions -2017		Distributions -2018	
	Estimated Annual Funds Available	\$ 875,000	Estimated Annual Funds Available	\$ 885,000	Estimated Annual Funds Available	\$ 895,000
Support Downtown Arts and Culture	CV Art Gallery	\$ 65,000	CV Art Gallery	\$ 65,000	CV Art Gallery	\$ 65,000
	Ctny & Dist Historical Society	\$ 50,000	Ctny & Dist Historical Society	\$ 50,000	Ctny & Dist Historical Society	\$ 50,000
	Sid Williams Theatre Society	\$ 105,000	Sid Williams Theatre Society	\$ 105,000	Sid Williams Theatre Society	\$ 105,000
	Downtown cultural events	\$ 5,000	Downtown cultural events	\$ 5,000	Downtown cultural events	\$ 5,000
		<u>\$ 225,000</u>		<u>\$ 225,000</u>		<u>\$ 225,000</u>
Council Initiatives & Projects	Purple ribbon Campaign	\$ 3,500	Purple ribbon Campaign	\$ 3,500	Purple ribbon Campaign	\$ 3,500
	Bus shelters - 3 per year	\$ 30,000	Bus shelters - 3 per year	\$ 30,000	Bus shelters - 3 per year	\$ 30,000
	Other projects and initiatives	\$ 41,500	Other projects and initiatives	\$ 41,500	Other projects and initiatives	\$ 41,500
		<u>\$ 75,000</u>		<u>\$ 75,000</u>		<u>\$ 75,000</u>
Public Safety / Security	Policing - fund two officers	\$ 375,000	Policing - fund two officers	\$ 385,000	Policing - fund two officers	\$ 395,000
Social / Societal Initiatives	Council supported supportive housing initiatives	\$ 50,000	Council supported supportive housing initiatives	\$ 50,000	Council supported supportive housing initiatives	\$ 50,000
Infrastructure Works	Reserve funds for third bridge crossing	\$ 100,000	Reserve funds for third bridge crossing	\$ 100,000	Reserve funds for third bridge crossing	\$ 100,000
Green Capital Projects / Innovation	Council supported initiatives to achieve outcomes of reduced greenhouse gas emmissions, cleaner air, cleaner water	\$ 50,000	Council supported initiatives to achieve outcomes of reduced greenhouse gas emmissions, cleaner air, cleaner water	\$ 50,000	Council supported initiatives to achieve outcomes of reduced greenhouse gas emmissions, cleaner air, cleaner water	\$ 50,000
Total Annual Distribution		<u>\$ 875,000</u>		<u>\$ 885,000</u>		<u>\$ 895,000</u>

	Gaming Fund			Accum Surplus
	Budget	Actual	Difference	
Social/Societal Initiatives				
2017	50,000	88,556	(38,556)	
2016	50,000	-	50,000	
2015	50,000	-	50,000	
2014	50,000	-	50,000	
				111,444
Green Capital Projects				
2017	50,000	3,000	47,000	
2016	50,000	-	50,000	
2015	35,000	25,800	9,200	
2014	35,000		35,000	
				141,200
Council Initiatives/Projects				
2017	36,500	54,477	(17,977)	
2016	75,000	18,820	56,180	
2015	75,000	10,500	64,500	
2014	75,000	40,968	34,032	
				136,735
	Unspent / Available for 2018			389,379



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 1660-20

From: Chief Administrative Officer

Date: September 5, 2017

Subject: Courtenay Fire Protection District (CFPD) Proportional Share of Fire Protection Costs

PURPOSE:

To inform Council of issues with the distribution of fire protection costs for the Courtenay Fire Protection District (CFPD), obtain approval to maintain the current funding arrangement for 2017, and enter into negotiations for a new Fire Protection Agreement beginning in 2018.

EXECUTIVE SUMMARY:

By Agreement, the City provides fire protection services to three local districts—Courtenay, Merville, and Tsolum/Farnham Fire Protection Districts—and, in return, the Districts agree to contribute to the City's fire protection service costs. These costs are reviewed annually and a proportional share of the net operating costs distributed to each District. The CFPD is requesting a change to the calculation and is refusing to pay their proportionate share as they feel the change from one year to the next is too high and should be capped at a maximum level of 5% similar to the Agreement the City has with the CVRD and Tsolum-Farnham. In the absence of a new Agreement with CFPD, Staff continues to use the existing methodology to determine the proportionate share of fire protection costs for the CFPD.

CAO RECOMMENDATIONS:

That based on the September 5, 2017 staff report, "Courtenay Fire Protection District", Council maintain the CFPD's current proportional amount of fire protection costs and that Staff enter into negotiations for a new Fire Protection Agreement with the Courtenay Fire Protection District effective 2018.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The Courtenay Fire Protection District (CFPD) is appealing increases to its fire protection costs which are determined on the basis of the Fire Agreement dated October 30, 2001 between the City and the Courtenay Fire Protection District (Attachment # 1). Staff met with CFPD representatives on January 11, 2017 to discuss the calculation of the annual fee and was unable to reach a consensus on how the annual distribution should be calculated.

The CFPD is requesting elimination of:

1. the Firehall rental fee,
2. the equipment reserve contribution,
3. the 10% Administration Fee,
4. one Fire Inspector, and
5. monthly Fire Call Billings;

They are also requesting that annual cost increases be limited to 5%, as was agreed to between the City of Courtenay and the CVRD-Tsolum/Farnham.

DISCUSSION:

Paragraph 3.2 of the October 30, 2001 Agreement (Attachment # 2) identifies that the CFPD is to receive similar level of service as residents of the City of Courtenay. It states

“fire protection services provided by the City shall include similar services as are provided to the residents of the City and include the benefits of any and all fire protection equipment, personnel, counselling expertise and any and all other services...”.

This paragraph suggests that if the District receives a similar level of fire protection services as City residents, they are prepared to equitably contribute to the cost of those services.

For 2017, the net cost of Fire Protection services distributed to all Districts was \$2,194,640. The calculation includes a proportional distribution of the following costs:

- a. Net cost of Fire protection services excluding those costs relative exclusively to the City of Courtenay;
- b. Rental of Firehall No 1;
- c. Rental of Training Centre (new for 2017);
- d. Equipment Reserve Contribution for two years (2016 was inadvertently missed and \$36,420 was not billed in that year);
- e. Adjustment for one Fire Inspector’s Wages and Benefits;
- f. 2015 Prior Year adjustment between total net actual and net budget costs; plus,
- g. A 10% Administration Fee.

The table below shows the amount invoiced to the CFPD for the past seven years.

	CFPD	Total Fire
	\$ Billing	Protection costs
2011	336,771	1,536,308
2012	355,743	1,556,902
2013	368,977	1,702,344
2014	365,291	1,698,374
2015	379,584	1,869,209
2016	387,580	1,889,872
2017	444,843	2,194,640

FINANCIAL IMPLICATIONS:

The level of fire protection service has risen due to inflationary increases and the implementation of the new fire training facility. The qualifications and training of Courtenay volunteer firefighters has also risen over the last two years due to meeting minimum training standards for structural firefighting set by the Office of the Fire Commissioner and Worksafe BC regulations.

The methodology used to calculate the distribution of the annual fire protection costs to be recovered from the Courtenay Fire Protection District has remained the same for many years. If Council accepts the CFPD proposal of a 5% limit on increased costs, the result will be that Courtenay residents bear a larger share of fire protection costs.

The proportional distribution of costs for the Courtenay Fire Protection District (CFPD) and the City of Courtenay is based on the prior year's Net Taxable Assessed value of properties as recorded by BC Assessment for each body. Attachment number 3 identifies the percentages for all Districts and The City. Over the past 6 years, the CFPD proportion has decreased from 20.66% in 2012 to 18.21% in 2017 (yellow highlighted items) while the City's proportion has increased, showing that the City is incurring more of the proportional costs for fire protection services. Any change to the formula shifts more costs to the City.

Rental Fees for the Fire Hall and the Training Centre are costs recoveries for the capital cost of fire facilities. An interest rate is applied to the calculation of the capital cost for the facility and after completing a review, the interest rate was reduced. The net impact of the interest rate reduction is a reduction of \$3,678 to the CFPD.

The Equipment Reserve contribution is equivalent to annual depreciation for fire department vehicles and equipment. Included in this calculation is equipment that is used solely to provide water supply to areas within each fire protection district. In 2016, staff missed adding this calculation into the proportional calculation. This error results in a one-time additional cost adjustment of \$36,420 to the CFPD.

The 10% Administration fee is used to cover the cost of staff completing the reconciliation and invoicing to each District for its proportional share of fire costs as well as includes the costs of senior fire department staff attending CFPD meetings.

Section 5.2 of the October 2001 Agreement identifies that the CFPD is to proportionally share the funding of one inspector. One Fire Inspector (wages plus benefits) is \$112,313 and the CFPD's proportional share for one Inspector is \$74,127 (see Attachment # 4, column noted as FIRE INSPT COSTS).

CFPD is billed monthly for the number of callouts the City's Fire Department responds to. The revenue from these monthly billings is applied exclusively to the CFPD's proportional share of fire protection costs. (see Attachment #4 under the column for Courtenay F.P. Dist.). The CFPD currently owes the City \$17,302.07 for monthly service call invoices for the months of January through to June 2017.

The total of all of these changes results in the CFPD incurring an additional \$57,263 of fire protection costs for 2017 in comparison to costs from the 2016 Billing period.

ADMINISTRATIVE IMPLICATIONS:

Should Council direct Staff to enter into negotiations with the CFPD for the drafting of a new Agreement, it is expected that this will exceed 30 hours

ASSET MANAGEMENT IMPLICATIONS:

The lifespan of the City's firefighting equipment and supplies are reduced when adding fire protection services to neighbouring Districts, necessitating replacement more frequently.

STRATEGIC PRIORITIES REFERENCE:

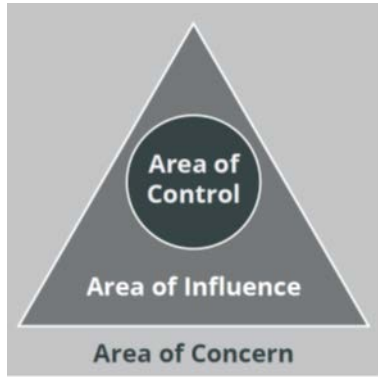
Regional shared services and the equitable distribution costs related to the provision of fire protection services are identified in the City's 2016 – 2018 Strategic Priorities. The cost of providing fire protection services for regional partners should not come at the expense of City residents.

We proactively plan and invest in our natural and built environment

- Continued focus on asset management for sustainable service delivery
- ▲ We look for regional infrastructure solutions for shared services to our community

We focus on organizational and governance excellence

- We recognize staff capacity is a finite resource
- 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:

N/A

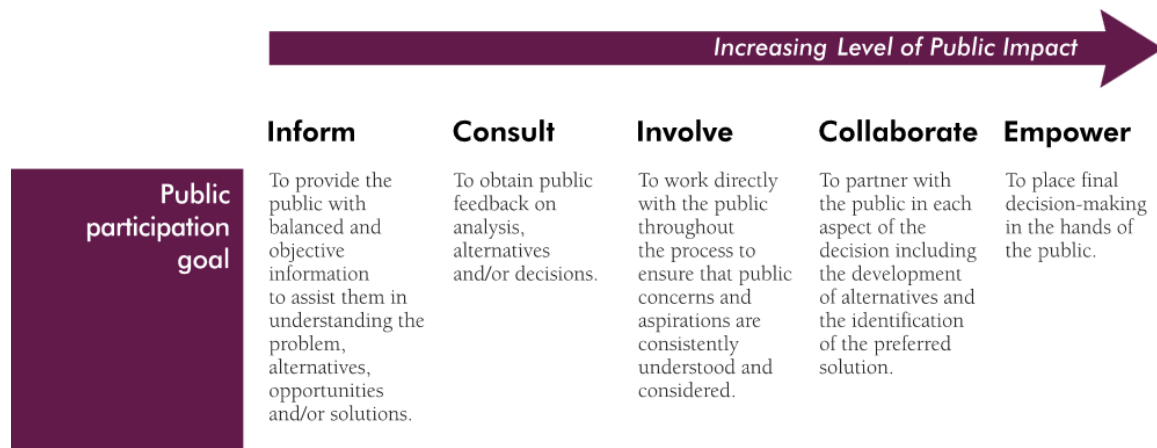
REGIONAL GROWTH STRATEGY REFERENCE:

N/A

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



OPTIONS:

1. That the 2017 Fire Protection cost allocation invoiced to the CFPD remain unchanged; and that Staff enter into negotiations for a new Fire Protection Agreement with the Courtenay Fire Protection District effective January 1, 2018.
2. That Staff be directed to revise the 2017 Fire Protection cost allocation for the CFPD to an amount representing only a five (5) percent increase from last year’s allocation.

Co-Authored by:



Brian Parschauer, BA, CPA-CMA
Director of Finance



Kurt MacDonald
Acting Fire Chief

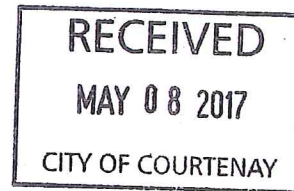
Attachments:

1. April 30, 2017 Courtenay Fire Protection District Correspondence
2. October 30, 2001 Fire Protection Agreement
3. 2012 – 2017 Net Taxable Assessment Spreadsheet
4. Courtenay Volunteer Fire Department Schedule of Fire Protection Expenditures for Billing in Year 2017

Courtenay Fire Protection District, c/o 3964 Dove Creek Road, Courtenay, B.C. V9J 1S1

April 30, 2017

SCANNED



City of Courtenay
 830 Cliffe Avenue
 Courtenay, B.C.
 V9N 2J7

Attention: Mayor and Council

Re: Review of Cost Share Calculations for Fire Protection Services for the Courtenay Fire Protection District.

Dear Mayor and Council

The Courtenay Fire Protection District Trustees would like to express their concerns about the increase to our share of Fire Protection Services for the 2017 year.

We have received a request from the City to pay \$444,843 for our share of costs which is a 12.87% increase over one year. The CFPD also gets billed for Fire Calls in our area on a monthly basis - which in 2016 was an additional \$52,822 for the year. The CFPD in the past years has contributed an annual grant to the Courtenay Volunteer Fire Dept. Society for \$5,000

It is in our opinion that the Courtenay Fire Protection District is paying a considerable amount more than their share.

Year	Fires – Call outs Paid to City	Cost Share Paid to City	Grant Paid to City	Total Paid to City	Net Taxable Assessment in the CFPD?
2016	\$52,822	\$387,580	00	\$440,402	18.21%
2015	\$39,288	\$379,584	\$5,000	\$423,872	18.22%
2014	\$30,426	\$365,291	\$5,000	\$400,717	18.22%

The current agreement calculation of costs is very cumbersome and creates a lot of confusion as to the arrival of the costs each year.

We would like to take this opportunity to make the cost calculation simple and fair.

We would like to see the following amendments to the Courtenay Fire Protection Cost Share with the City of Courtenay as follows:

1. Payment of Services should be calculated in the same format as the Agreement for Fire Protection Services between the City of Courtenay and the Comox Valley Regional District – Tsolum Farnham Fire Protection Agreement.
2. Eliminate the monthly Fire Call Billings to the District as this is a doubling up of costs - as we are paying for these costs through our cost share of the budget.
3. Eliminate the cost of one (1) Fire Inspector as this is included in the wages within the budget and to my understanding this additional Fire Inspector billing was only a way to get an additional Fire Dept. employee hired (years ago) and that this position has never been 100% dedicated to work in the CFPD.
4. Eliminate the rental factor charged on Fire hall No. 1 as I believe in the operating budget we are already paying our share of funds that get contributed to reserves to fund capital projects.
5. Eliminate the 10% admin fee charged on top of the existing budget.

In closing I would like to recommend that the Courtenay Fire Protection District cost share be reflective of Section 6. (a-e) of the Tsolum Farnham Fire Protection Agreement.

Respectfully submitted,

Ted Moonen,

Chairman, Courtenay Fire Protection District.

THIS AGREEMENT made the 30 day of October, 2001

BETWEEN:

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

(the "City")

AND:

THE COURTENAY FIRE PROTECTION DISTRICT
[REDACTED]
3964 Dove Creek Road
Courtenay, B.C. V9J 1S1

(the "District")

RECITALS

- A. The District is located outside the City of Courtenay, British Columbia.
- B. The City and the District have reached an agreement whereby the District agrees to payment of costs for fire protection services provided by the City.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the sum of ONE (\$1.00) DOLLAR, the receipt of which is hereby acknowledged and in further consideration of the mutual covenants and conditions herein contained, the parties covenant and agree with one another as follows:

1. DEFINITIONS

1.1 In this Agreement the following words and phrases have these meanings:

- (a) "Fire Chief" means the person appointed from time to time as the Chief of the Fire Department of the City and any officer, member or inspector authorized in writing by the Fire Chief to act on his behalf.
- (b) "Lands" means that area of land within the District that is covered under this Agreement.

2. TERM AND RENEWAL

2.1 This Agreement commences on October 30, 2001 and will continue for a term of five (5) years with rights to renew for further five (5) year terms upon written notice from either party to the other party and otherwise shall be in force unless terminated or not renewed in accordance with this Agreement.

3. COVENANTS OF THE CITY

- 3.1 The City shall provide fire protection services to the District.
- 3.2 These fire protection services provided by the City shall include similar services as are provided to the residents of the City and include the benefits of any and all fire protection equipment, personnel, counselling expertise and any and all other services, PROVIDED HOWEVER, THAT such services will be provided at a standard which takes into account the distance from the District to the nearest Fire Department facility in the City.
- 3.3 The City shall provide written notice of the cost of providing fire protection services to the Lands. Such notice shall be provided by July 31st each year for purposes of billing and payment in the following year.

4. COVENANTS OF THE FIRE PROTECTION DISTRICT

- 4.1 The District appoints the Fire Chief as its Local Assistant to the Fire Commissioner (the "L AFC") pursuant to the District Fire Protection By-law and agrees that the Fire Chief has all the power and authority of the L AFC as provided for in the District Fire Protection By-law and as amended from time to time.
- 4.2 The District agrees to make payment of the annual billing for fire protection services by August 1st of each year.

5. CALCULATION OF COST OF FIRE PROTECTION SERVICES

- 5.1 The cost of providing fire protection services to the Lands shall be calculated annually as agreed from time to time.
- 5.2 The wage related costs of one (1) inspector shall be funded by the fire protection districts as agreed from time to time.
- 5.3 The annual rental factor cost for Courtenay Firehall No. 1 shall be reviewed after a period of twenty (20) years from October 1, 2000.

6. ADDITIONAL LANDS

- 6.1 Should the District wish to add Additional Lands, under the authority of the District, to those Lands covered by this Agreement, the District shall provide written notice to the City of such intentions, and shall include a description and location of the Additional Lands.
- 6.2 The City may, by resolution, agree to include these Additional Lands in the Lands for which fire protection services are provided, subject to agreement by the District to payment of any additional costs related to the expanded fire protection area.

7. TERMINATION

7.1 Either the District or the City may terminate this Agreement within twelve months written notice of intention to do so.

7.2 The City also may terminate this Agreement:

- (a) if conditions within the District exist which, in the opinion of the Fire Chief, or a designated member of his staff, are hazardous to the delivery or maintenance of fire protection services within the District and that those conditions are not rectified by the District within 180 days of the receipt of reasonable written notice of the hazards, or
- (b) if the District is in default in the performance of any of its covenants pursuant to this Agreement, and that default continues subsequent to the provision of 180 days' written notice by the City, the City may forthwith terminate this Agreement by delivering written notice of termination to the District, or
- (c) if circumstances occur that are beyond the control of the City and which prevent the City from the performance of its obligations and covenants in this Agreement, the City may provide written notice of termination to the District. Such circumstances include, but not limited to, an Act of God, flood, fire, earthquake, civil unrest, and strike, or other labour disruption.

7.3 Should this Agreement be cancelled, and payments have been made by the District in advance of the provision of service, the City will refund the advance payment to the District.

8. DISPUTE RESOLUTION

8.1 In the event of any dispute between the parties in regards to this Agreement, either party shall be entitled to submit such dispute, by written notice, to mediation and/or arbitration.

8.2 Mediation and/or arbitration of the dispute shall occur within the 180 day notice period specified in paragraph 7.2 (b).

8.3 The selection of a mediator and/or arbitrator shall be by mutual agreement, within ten (10) days of receipt of written notice of dispute.

8.4 Mediation and/or arbitration costs shall be shared equally between the two parties, unless otherwise determined by the mediator/arbitrator.

8.5 The mediation/arbitration process shall not prevent or exclude legal proceedings which may be deemed essential by the parties to this Agreement.

9. NOTICES

9.1 Means of Giving Notice

Any notice under this Agreement must be given in writing and may be sent by fax or may be delivered or mailed addressed to the party to which notice is to be given at the following addresses or fax transmission numbers (or to such other address or fax transmission numbers as a party may specify by notice given in accordance with this clause):

(a) if to the City: The Corporation of the City of Courtenay
830 Cliffe Avenue
Courtenay, B.C. V9N 2J7

Attention: Administrator
Fax No. 250-334-4241


(b) if to the District: Courtenay Fire Protection District
[REDACTED]
3964 Dove Creek Road
Courtenay, B.C. V9J 1S1

10. AMENDMENTS

10.1 No change or modification of this Agreement is valid unless it is in writing and signed by the District and the City.

IN WITNESS WHEREOF the District and the City have executed this Agreement on the day and year first written above.

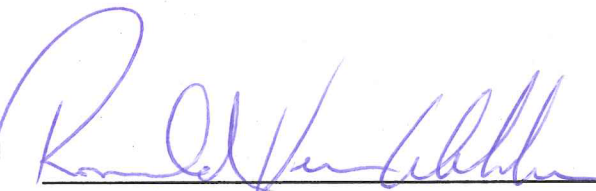
SIGNED, SEALED AND DELIVERED by)
THE CORPORATION OF THE CITY OF)
COURTENAY in the presence of:)



Name)
T. MANTHEY)

Address)
830 CLIFFE AVE COURTENAY)

Occupation)
TREASURER)
(As to both signatures))



Mayor -



Clerk -

SIGNED, SEALED AND DELIVERED by)
THE COURTENAY FIRE PROTECTION)
DISTRICT in the presence of:)

[Signature])

Name [REDACTED])

Address *COURTENAY B.C. V9N 9T7*)

Retired)

Occupation)
(As to both signatures))

[Signature]

Name: *[Signature]*

[Signature]

Name:

Attachment # 3

	2012 Cost distribution		2013 Cost distribution		2014 Cost distribution		2015 Cost distribution		2016 Cost distribution		2017 Cost distribution	
	2011 Net Taxable Assessment	Percentage	2012 Net Taxable Assessment	Percentage	2013 Net Taxable Assessment	Percentage	2014 Net Taxable Assessment	Percentage	2015 Net Taxable Assessment	Percentage	2016 Net Taxable Assessment	Percentage
Courtenay Fire Protection District	1,024,052,187	20.66%	987,700,542	19.47%	998,848,347	19.29%	952,438,640	18.22%	966,726,254	18.28%	987,561,306	18.21%
Merville Fire Protection District	481,880,663	9.72%	467,733,017	9.22%	469,732,323	9.07%	467,163,615	8.94%	470,510,806	8.90%	488,773,037	9.01%
Tsolum/Farnham Fire Protection District	65,474,687	1.32%	62,824,272	1.24%	63,663,891	1.23%	61,332,217	1.17%	61,283,846	1.16%	64,722,623	1.19%
City of Courtenay	3,385,952,707	68.30%	3,555,470,095	70.08%	3,644,586,274	70.40%	3,746,563,960	71.67%	3,790,506,465	71.67%	3,881,222,658	71.58%
Total	4,957,360,244	100.00%	5,073,727,926	100.00%	5,176,830,835	100.00%	5,227,498,432	100.00%	5,289,027,371	100.00%	5,422,279,624	100.00%

COURTENAY VOLUNTEER FIRE DEPARTMENT
 SCHEDULE OF FIRE PROTECTION EXPENDITURES FOR BILLING in YEAR 2017

ADJUSTMENTS TO COSTS SHARED ON BASIS OF RELATIVE ASSESSMENT		COURTENAY F.P. DIST.	MERVILLE & PART BLACK CREEK. F.P. DIST.
Total Fire Protection Costs		2,082,327	2,082,327
Deduct:			
Volunteer pay re Call Outs (CFPD pays directly)		(41,879)	
Volunteer Grant (CFPD pays directly)		(5,000)	
Net Shareable Fire Protection Costs	[A]	2,035,448	[B] 2,082,327

CITY OF COURTENAY FIRE PROTECTION SERVICES
 YEAR 2017 APPORTIONMENT OF COSTS BASED ON 2016 APPROVED BUDGET
 And Adjustment to Actual for 2015 Calendar Year

AREA	2016 NET TAXABLE ASSESSED VALUE	%	2016 APPORTIONMENT OF COSTS	FIRE INSPT COSTS		2016 BILLING	Projected Billing			
							2017	2018	2019	2020
Courtenay Fire Protection District	987,561,306	18.21% X [A]	370,717	74,127	66%	444,843	453,740	462,815	472,071	481,513
Merville Fire Protection District	488,773,037	9.01% X [B]	187,704	32,571	29%	220,275	224,681	229,174	233,758	238,433
Tsolum Farnham FPD	64,722,623	1.19% X [B]	24,856	5,616	5%	30,471	31,081	31,702	32,336	32,983
City of Courtenay	3,881,222,658	71.58%	1,499,051			1,499,051	1,529,032	1,559,612	1,590,804	1,622,621
	5,422,279,624	100.00	\$2,082,327	\$112,313		\$2,194,640	\$2,238,533	\$2,283,304	\$2,328,970	\$2,375,549

Proposal

To have The City of Courtenay install a Pride Diversity Crosswalk in downtown Courtenay.

Location

The intersection of Duncan Street and 5th Street in downtown Courtenay.

Background

The rainbow has been used as a symbol to celebrate diversity in many cultures and since the late 1970s when the colours were used in the flag for the Gay Pride Movement. The concept behind the use of rainbow engenders the fact that we all belong. A rainbow encompasses all colours and therefore is inclusive of all people no matter their gender, sexuality, race, or religion. The most recent iteration of this symbol of the rainbow is within the built environment as crosswalks are painted the colours of the rainbow.

Rainbow crosswalks are currently being installed in cities around the world. There are examples across British Columbia - Vancouver, Kelowna, Nanaimo and more - who are all painting crosswalks the colours of the rainbow. See examples below. These crosswalks are a symbol for cities to share that they welcome diversity within their community and for everyone within them to feel that they belong.



**Lawrence Ave. & Pandosy St.
Kelowna**



**Bastion St. & Commercial St.
Nanaimo**



**Davie St. & Bute St.
Vancouver**

Source: <https://604now.com/rainbow-crosswalk-british-columbia/>

Budget Considerations

Nanaimo City installed a diversity-rainbow crosswalk in 2017. Bill McKay, the Mayor of Nanaimo, reported on July 5th 2017 that:

“ I am told the cost of each crosswalk was \$1,050. The refresh on the two existing was \$850 each. We had to use a normal traffic paint as opposed to the heavy plastic material, as the crosswalks are actually brick inset into the pavement. Staff were concerned about it breaking up due to the movement of the bricks. It was refreshed after 12 months, and I would suspect 18 would be the maximum life as it does dull and lose its impact”.

Georgia Straight Line Painting installed the crosswalk in Nanaimo.

Request

To celebrate the diversity of our community in the city of Courtenay and to encourage a greater sense of belonging and inclusion, we request that the City of Courtenay (in-house) install a Pride Diversity Crosswalk at the intersection of Duncan Street and 5th Street in downtown Courtenay. See image below for reference.



Support for a permanently painted crosswalk has been obtained from the Downtown Courtenay Business Improvement Association and is attached to this proposal for reference. A letter of support from the Comox Valley Arts Council is forthcoming. Comox Valley Pride and various community members have been directly involved in the development of this submission.

As the Comox Valley grows and welcomes new residents we want to demonstrate that our community is welcoming and that it celebrates diversity. A Pride Diversity Crosswalk is a critical component to demonstrating these qualities.



**DOWNTOWN
COURTENAY**

EXPERIENCE MORE

PRESIDENT
Jenny Deters
Design Therapy Inc
250-338-0211

VICE-PRESIDENT
Sandra Viney
Atlas Café
250-338-9838

PAST PRESIDENT
Deana Simkin
Billy D's Pub & Bistro
250-334-8811

**RECORDING
SECRETARY/TREASURER**
Lorna Hughes
Cardero Coffee & Tea
250-338-2519

DIRECTORS
Brett Walker
Walker 24 Menswear

Colin Wilson
Dr. Colin Wilson, Chiropractor
250-898-8683

Grant Powers
Bank of Montreal
250-334-3181

Jade Keene
Ski Tak Hut
250-334-2537

Jorden Marshall
Hot Chocolates and
Cakebread Bakery
250-338-8211

Mackenzie Gartside
Select Mortgage
250-331-0800

Margaret McKenzie
Hitec Brazen Sportswear
250-334-3656

Tamara Carter
Private Weath Group
Coastal Community
250-331-1363

Will Cole-Hamilton
Aldinger Law
778-992-0102

EXECUTIVE DIRECTOR
Haeley Campbell
250-650-2015
info@downtowncourtenay.com

July 29, 2017

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

Re: Pride Crosswalk in Downtown Courtenay

Dear Mayor Jangula and Councillors,

The Downtown Courtenay BIA is pleased to endorse the project of installing a permanent Pride Crosswalk within our Downtown Courtenay boundaries.

Possible locations that have been talked about are the following:

1. 5th and Duncan Ave (Crossing Duncan)
2. 5th and Duncan Ave (crossing 5th)
3. on 5th crossing the middle block between Duncan Ave and England Ave.

Thank you and we look forward to putting this project into action.

Sincerely,

Jenny Deters, President
Downtown Courtenay Business Improvement Association

From: Lee Everson
Sent: Tuesday, August 08, 2017 2:00 PM
To: Jangula, Larry
Subject: Kumugwe Cultural Society - Red Dress Campaign 2017

Hello Mayor Jangula,

Thank you for taking my call this afternoon and for allowing me the time to discuss my request; The Red Dress Project 2017 (Oct 1 through to Oct 7)

Once again our focus is to raise the awareness of the missing and murdered Indigenous Women of Vancouver Island and Canada.

Our request is to have the City of Courtenay host this years' installation at Simms Millennium Park. We currently have all the required items for the installation and the volunteers to make this happen and are happy to work with any City Staff members as well.

We would be honoured to work with the City of Courtenay on this awareness campaign and look forward to hearing from you.

(I've attached a photo from last year's event for your information.)

Many thanks,
Gilakas'la
LEE



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2868

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. 2868, 2017**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
3. (a) By adding Part 53 - Comprehensive Development Twenty-Six Zone (CD- 26) as follows and renumbering the remainder of the bylaw accordingly:

<p>Part 53 - Comprehensive Development Twenty-Six Zone (CD- 26) (3040 & 3070 Kilpatrick Ave)</p>
--

8.53.1 Intent

The CD-26 Zone is intended to accommodate a use mixed commercial and residential development on the properties legally described as Lot B, Section 67, Comox District, Plan VIP81460 and Lot 3, Section 67, Comox District, Plan VIP35438. These properties shall be developed substantially in accordance with Schedules A, B, C, and D which form part of this zone.

8.53.2 Permitted Uses

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

1. *General Service*
2. *Medical Clinic*
3. *Financial Institution*
4. *Office*
5. *Restaurant*
6. *Personal Service*
7. *Retail*
8. *Fitness Facility*
9. *Studio*
10. *Community Service*
11. *Liquor Store*
12. *Multi Residential*
13. *Home Occupation*

8.53.3 Lot Coverage

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

8.53.4 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 1.2.

8.53.5 Minimum Lot Size

A *lot* shall have an area of not less than 1.0 hectare.

8.53.6 Minimum Lot Frontage

A lot shall have a *frontage* of not less than 30.0 m

8.53.7 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

- (1) *Front Yard* 7.5 m for that portion of a building with a height less than 9.0 m
 11.5 m for that portion of a building with a height greater than 9.0 m
- (3) *Rear Yard* 7.5 m except for underground parking structures which shall be a
 minimum of 0.6 m.

Notwithstanding the required *rear yard setback* specified above, the minimum *rear yard setback* can be reduced to 4.5 m for a building including balconies or to 3.2 m for a staircase for that portion of Building 1 shown in Schedule A.

- (2) *Side Yard* 4.5 m except where a building greater than 4 *storeys* abuts a
 residential use, in which case the minimum distance shall be 6.5 m
 for the 5th storey

Notwithstanding the required *side yard setback* specified above, balconies may extend up to 1.2 m into the *side yard setback* along the north property line and up to 0.8 m along the southern property line.

Notwithstanding the required front, rear, and side yard setbacks specified above, roof overhangs may extend up to 0.76 m into the required setback.

8.53.8 Height of Building

Maximum *building height* shall be in accordance with Schedule B and includes the elevator and roof top mechanical systems. For clarity, the curb height is determined as the average curb height along the lot frontage. For Buildings 1 and 2, Lot 3 of Plan VIP35438 and for Building 3, Lot B of Plan VIP81460.

- (1) Building 1 – 10.5 m to roof parapet, 12.5 m to top of elevator
- (2) Building 2 – 12.5 m to roof parapet, 14.5 m to top of elevator
- (3) Building 3 – 8.5 m

8.53.9 Useable Open Space

- (1) A minimum of 1,930 m² of *useable open space* must be provided as shown in Schedule B. For clarity this includes common outdoor areas and private balconies or patios.
- (2) A walkway connection must be provided on the site between Cliffe Avenue Greenway and Kilpatrick Avenue as shown in Schedule A.

8.53.10 Accessory Structures

- (1) Shall not be permitted except for waste and recycling facilities
- (2) Shall not be permitted in the *front or rear yard*
- (2) Shall not be located within 1.5 m of the *side lot line* abutting a commercial use or within 4.5 m of a *side lot line* abutting a residential use or *street*, except for underground garbage and recycling structures which shall be located a minimum of 0.6 m from the *side lot line*.

8.53.11 Off-Street Parking and Loading

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) For multi residential uses parking shall be provided at a rate of 1.3 *parking spaces* per *dwelling unit* inclusive of visitor parking;
- (2) For general commercial uses parking shall be provided at a rate of 1.0 *parking spaces* for every 30 m² of *floor area*;
- (3) For restaurants with a drive-thru facility parking shall be provided at a rate of 1.0 *parking spaces* for every 10 m² of *floor area*.
- (4) Minimum parking stall dimensions are 2.6 m in width and 5.5 m in length for standard stalls
- (5) Minimum aisle width in the underground parking structure can be reduced to 6.7 m in accordance with Schedule C
- (6) No more than 25% of parking spaces can be designated as small car parking spaces

8.53.12 Landscaping and Screening

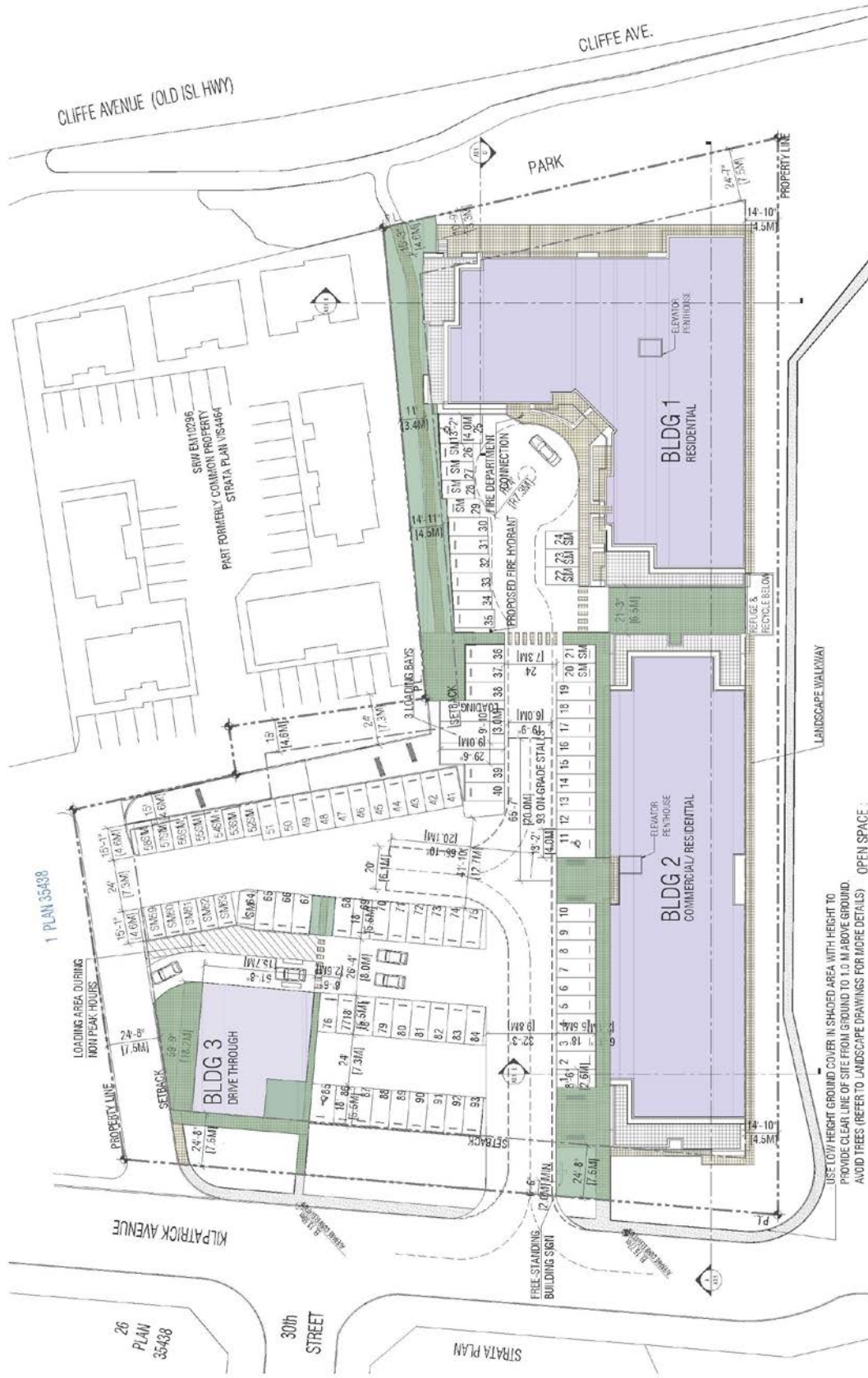
In addition to the Landscape Requirements identified in Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland except reduced widths shown in Schedule A.
- (2) A landscaped area of not less than 3.0 m in width shall be provided inside all side lot lines adjacent to commercial uses.
- (3) Where a *lot* in this zone adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property shall be provided inside the property line.
- (4) Storage areas, garbage and recycling containers shall be screened and gated to a minimum *height* of 2 m by a *landscaping* screen or solid decorative *fence* or a combination thereof.



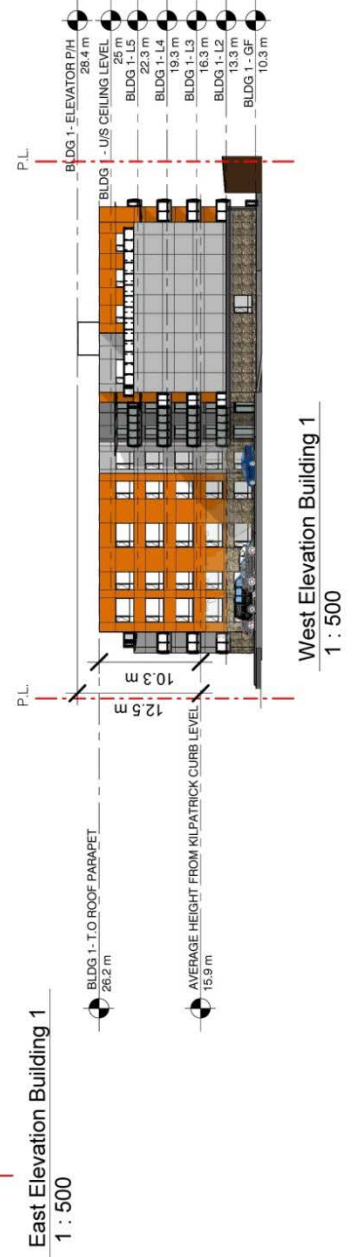
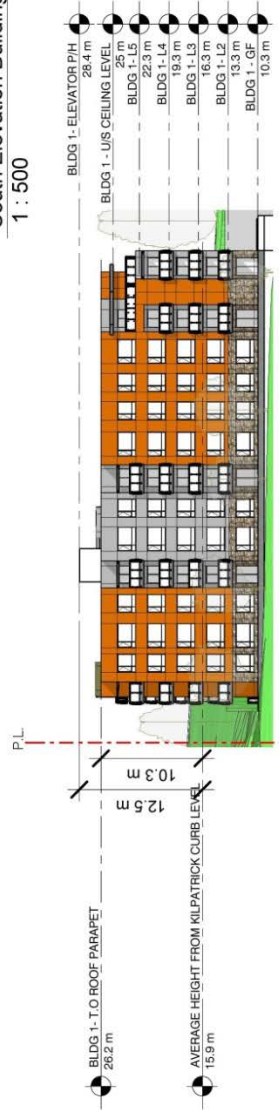
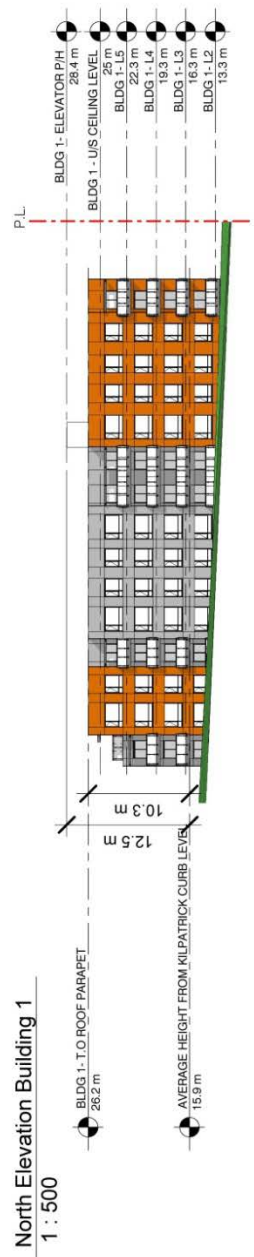
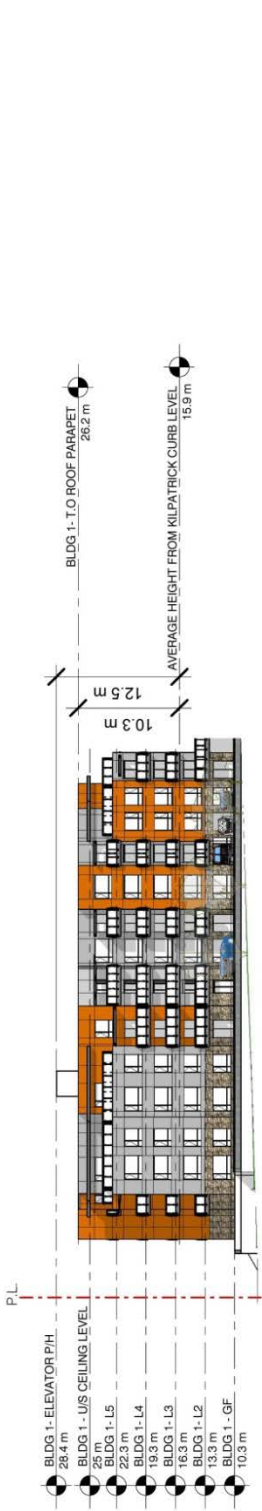
SCHEDULE A

Note: Please refer to full size drawings in file 3360-20-1611



SCHEDULE B

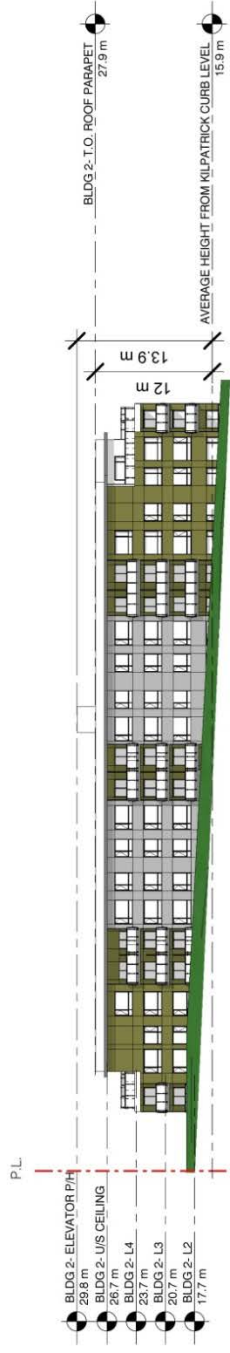
Note: Please refer to full size drawings in file 3360-20-1611



SCHEDULE C

Note: Please refer to full size drawings in file 3360-20-1611

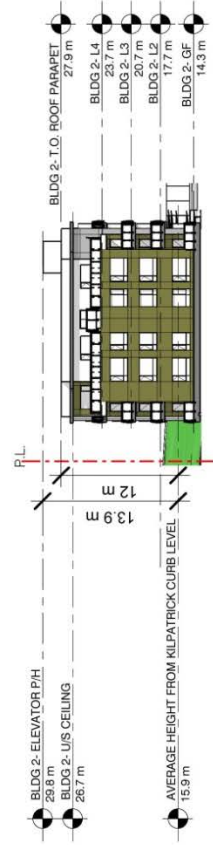
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COLOR: C
- 2- CEMENT
COLOR: C
- 3- CEMENT
COLOR: C
- 4- CEMENT
COLOR: C
- 5- ARCHITEC
COLOR: C
- 6- CULTURE
ASPEN CC
- 7- VINYL DO
COLOR: V
- 8- ALUMINU
COLOR: V
- 9- METAL BF
COLOR: B



South Elevation Building 2
1 : 500



North Elevation Building 2
1 : 500



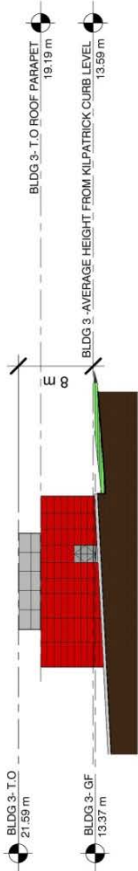
East Elevation Building 2
1 : 500



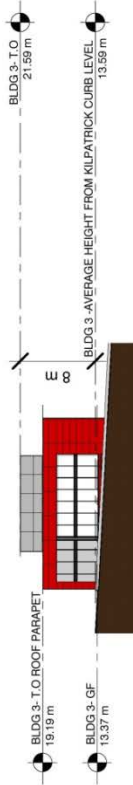
West Elevation Building 2
1 : 500

SCHEDULE C

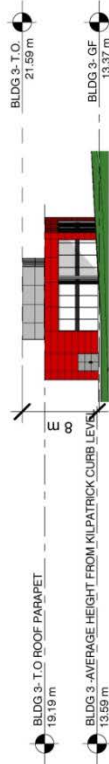
Note: Please refer to full size drawings in file 3360-20-1611



North Elevation Building 3
1 : 500

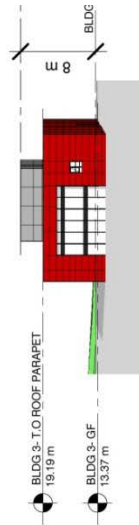


South Elevation Building 3
1 : 500



West Elevation Building 3
1 : 500

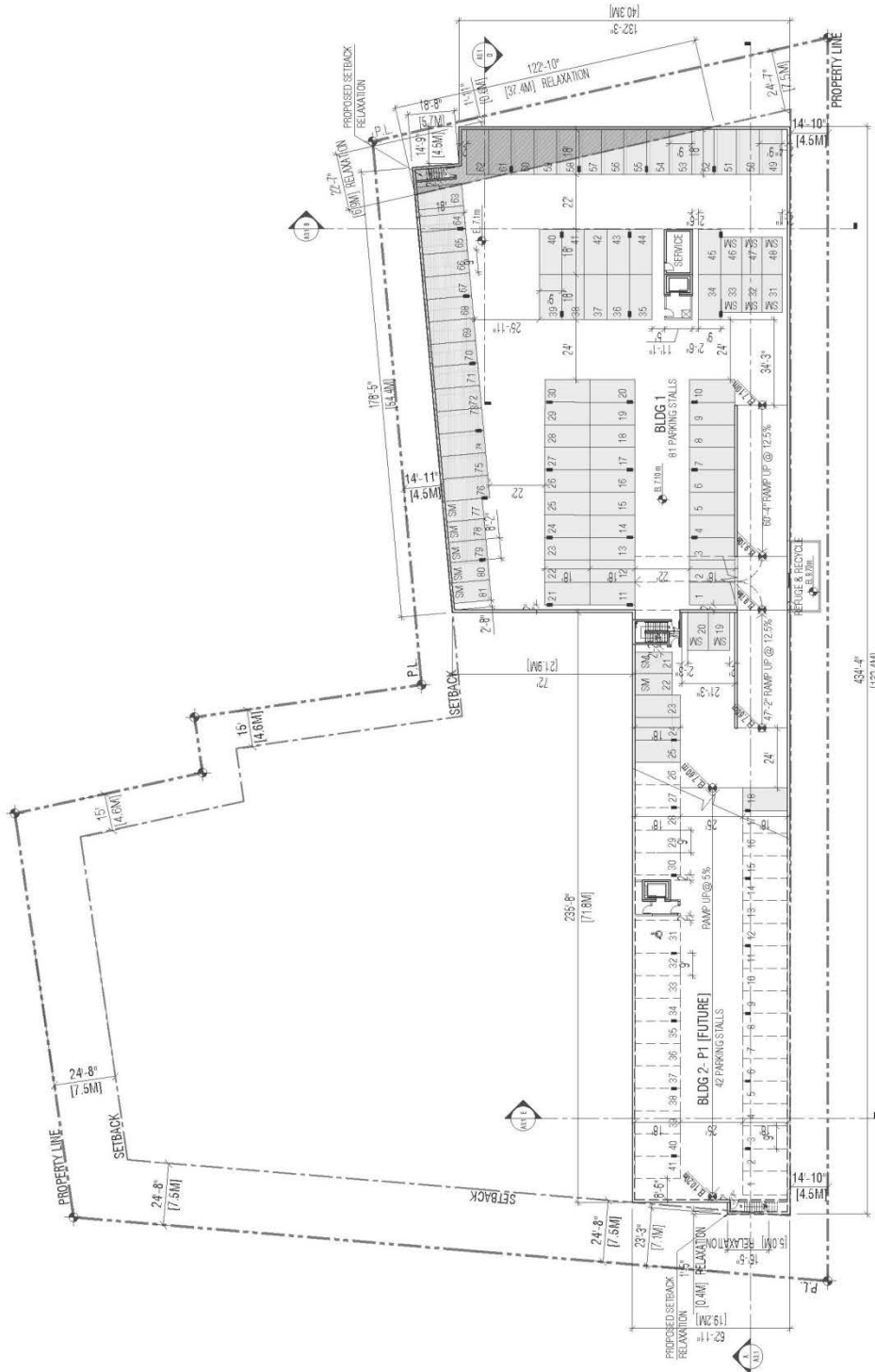
- 1- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CLV 11411N OR SIMILAR
- 2- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CL 1656N OR SIMILAR
- 3- CEMENTITIOUS SIDING BOARDS OR PANELS PAINTED
COLOR: CL 2932W OR SIMILAR
- 4- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CLC 1288N OR SIMILAR
- 5- ARCHITECTURAL FINISH EXPOSED CONCRETE PAINT
COLOR: CL 3214M OR SIMILAR
- 6- CULTURED STONE CLADDING
ASPEN COUNTRY OR SIMILAR
- 7- VINYL DOUBLE GALZED WINDOWS
COLOR: WHITE FRAME
- 8- ALUMINUM STOREFRONT WINDOWS AND DOORS
- 9- METAL BALCONIES
COLOR: BLACK



East Elevation Building 3
1 : 500

SCHEDULE C

Note: Please refer to full size drawings in file 3360-20-1611



U/G PARKING PLAN
SCALE 1:500

PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

SCHEDULE D

Note: Please refer to full size drawings in file 3360-20-1611

(b) By rezoning Lot B, Section 67, Comox District, Plan VIP81460 and Lot 3, Section 67, Comox District, Plan 35438 (3040 & 3070 Kilpatrick Avenue), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Commercial Two Zone (C-2) to Comprehensive Development Twenty Six Zone (CD-26).

(b) That Schedule No. 8, Zoning Map be amended accordingly.

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

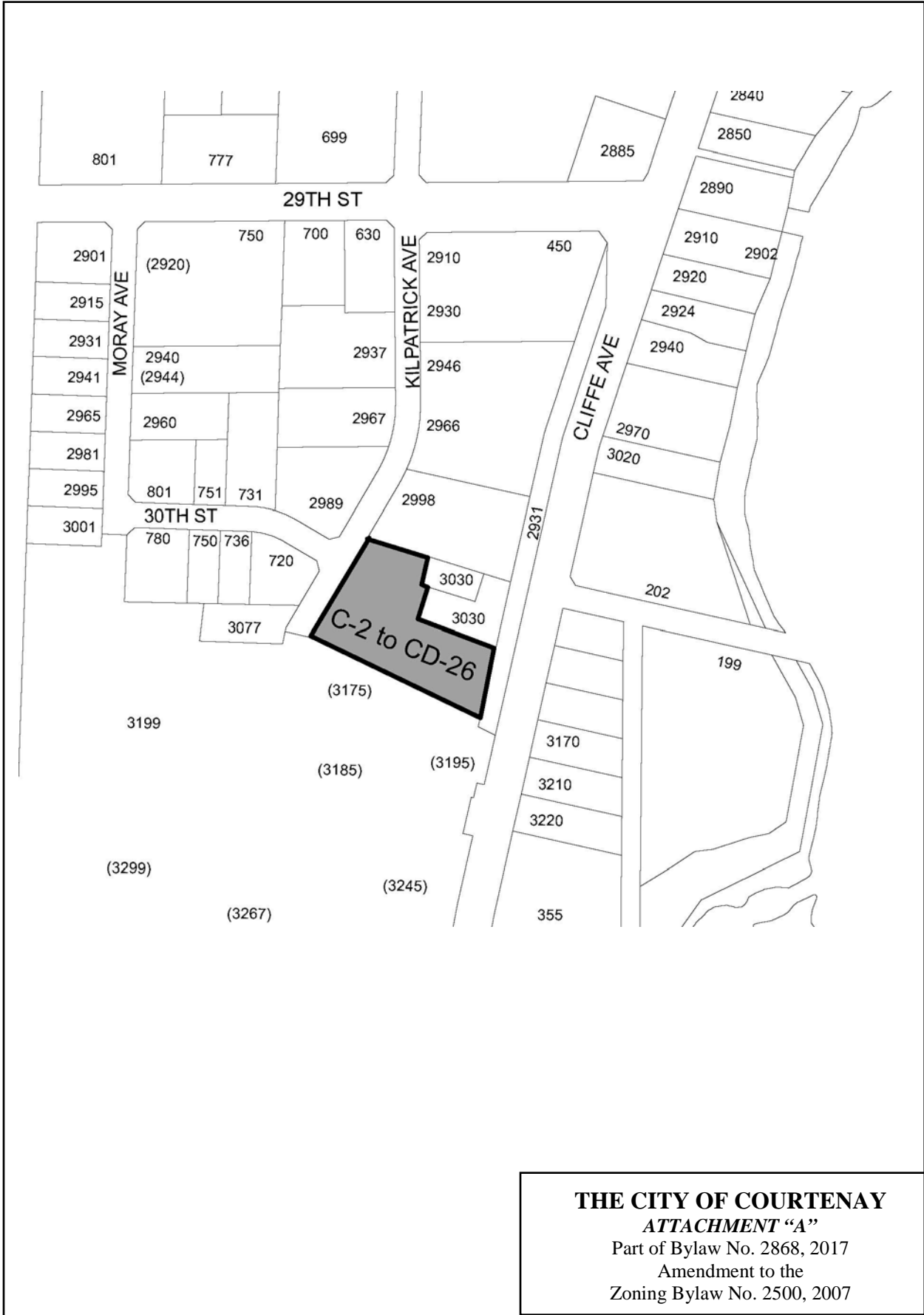
Read a first time this	day of	, 2017
Read a second time this	day of	, 2017
Considered at a Public Hearing this	day of	, 2017
Read a third time this	day of	, 2017
Finally passed and adopted this	day of	, 2017

Mayor

Director of Legislative Services

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

Brendan Kelly
Development Technician
Ministry of Transportation and Infrastructure



THE CITY OF COURTENAY

ATTACHMENT "A"

Part of Bylaw No. 2868, 2017

Amendment to the

Zoning Bylaw No. 2500, 2007

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2870

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. 2870, 2017”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) By rezoning Lot 3 and Lot 7, Section 67, Comox District, Plan VIP55151, as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Commercial Two (C-2) to Residential Four A (R-4A);
 - (b) By amending Section 8.4.11 to add “(7) *Care facility*”;
 - (c) By amending Section 8.4.11 to add “(8) Accessory commercial services for the personal care and convenience of onsite residents;
 - (d) By amending Section 8.4.11 to add “(9) *Community Service* limited to adult daycare”;
 - (e) By amending Section 8.4.14 to add “(3) *Care facility* – 1.0 floor area ratio”;
 - (f) That Schedule No. 8 be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 15th day of May, 2017

Read a second time this 15th day of May, 2017

Considered at a Public Hearing this 8th day of August, 2017

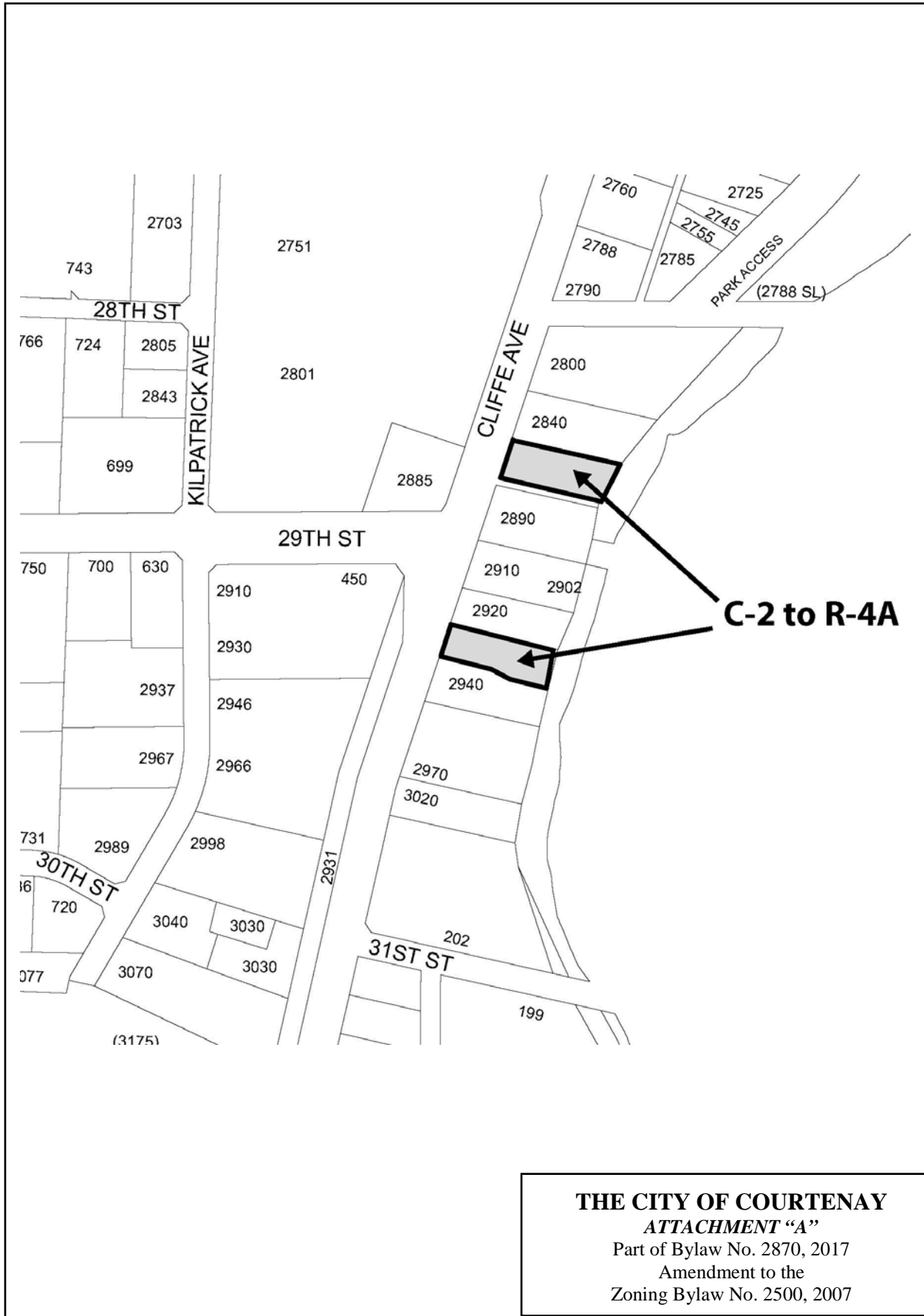
Read a third time this 21st day of August, 2017

Finally passed and adopted this day of , 2017

Mayor

Director of Legislative Services

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



C-2 to R-4A

THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No. 2870, 2017
 Amendment to the
 Zoning Bylaw No. 2500, 2007