

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

**DATE:** Tuesday, October 9, 2012  
**PLACE:** City Hall Council Chambers  
**TIME:** 4:00 p.m.

---

**1.00 ADOPTION OF MINUTES**

1. Adopt October 1, 2012 Regular Council Meeting Minutes

**2.00 INTRODUCTION OF LATE ITEMS**

**3.00 DELEGATIONS**

1. Lawrence Burns, Chair, Heritage Advisory Commission re: Annual Report

**4.00 COMMITTEE/STAFF REPORTS**

**(a) Operational Services**

1. 1. 5<sup>th</sup> Street Bridge and Old Island Highway Update Update

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

3. 1. Heritage Advisory Commission Minutes and Annual Report

**6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

**7.00 RESOLUTIONS OF COUNCIL**

1. In Camera Meeting

That under the provisions of Section 90(1)(c) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held October 9, 2012 at the conclusion of the Regular Council Meeting.

**8.00 UNFINISHED BUSINESS**

**9.00 NOTICE OF MOTION**

**10.00 NEW BUSINESS**

7. 1. Letter of Support – C.V. Cycling Coalition

## **11.00 BYLAWS**

### **For Final Adoption**

- 9      1. “Churches Tax Exemption 2013 Bylaw No. 2716, 2012”  
(to provide an annual permissive exemption for churches)
- 13     2. “Tax Exemption 2013 Bylaw No. 2717, 2012”  
(to provide permissive exemption for certain not for profit organizations)
- 19     3. “Zoning Amendment Bylaw No. 2724, 2012”  
(to consider minor amendments to the CD-21 Zone)

## **12.00 COUNCIL MEMBER ROUND TABLE**

## **13.00 ADJOURNMENT**

Delegation Oct 1 / 2012

**Ward, John**

---

**From:** Margaret Harris [courtenaymarg@gmail.com]  
**Sent:** August-28-12 3:06 PM  
**To:** Ward, John  
**Subject:** Re: Delegation

*John Ward, CMC*

*Director of Legislative Services*

*City of Courtenay*

250-703-4853

---

**From:** Margaret Harris [mailto:[courtenaymarg@gmail.com](mailto:courtenaymarg@gmail.com)]  
**Sent:** August-28-12 12:53 PM  
**To:** Ward, John  
**Subject:** Re: Delegation

Hi John,

Thank you for your e-mail. Yes, I am requesting a delegation on October 1st in order to present the plaque for Bike to Work Week and to provide the Mayor and Council with information regarding the New Horizons for Seniors Project being undertaken by the Cycling Coalition with funding from the Federal Government. I understand the 10 minute time constraint.

Thank you  
Margaret

Margaret Harris  
President - Comox Valley Cycling Coalition



DELEGATION  
OCT 1 / 2012

To The Mayor and City Council - Courtenay BC - Sept 27, 2012

To be spoken to on October 1, 2012

Re: Cummings & Sheraton Rd Watermain and Sanitary Sewer Extension

History

- in 2007 the city paid for installation of a sewer line from the patio homes on Blue Jay Crescent south along the Lerwick bicycle path and Sheraton Road to the junction with Evans Place
- the sewer line was to facilitate service for the new Evans Place development
- on Mar 30 2007 Cameron (2650 Sheraton) and Waterton (2620 Sheraton) paid \$6500 each for Mandatory Sewer Connections on Sheraton Rd as a result
- despite petitioning to wait until service came to Cummings, 2650 was instructed to hook up; 2620 was given an extension as there was no water on the property
- from 2007 - 2012 both properties paid \$312/yr (\$1872 total) tax assessment for sewer frontage
- 2635 Sheraton was not required to pay the mandatory fee, nor hook up in 2007

Current

- 2650 and 2620 have been included in the water delivery segment of the current project and have been assessed the same dollar amount as the rest of the neighbourhood; (projected cost \$9934)
- the projected sewer cost for the residents of Cummings Road is \$4995
- 2635 is not required to hook up to the existing sewer service nor be included in the sharing of the new cost
- 2635 is not required to hook up to the new water service

Request

- 2650 & 2620 Sheraton Rd respectfully request city council reassess the costs that were paid for the mandatory sewer service in 2007 to reflect the amount being paid by the rest of the properties in the current project

Justification

- 2650 and 2620 believe they were singled out in 2007 to pay for a sewer service that was not requested nor required (in fact not used by 2620); a service whose primary goal was to facilitate the subdivision, sale and development of the Evans Place property
- 2650 and 2620 have always been a part of any project that involves Cummings and Sheraton Rd vis-a-vis the water instillation
- Cameron and Waterton wish to be considered on an individual basis not as a precedent setting

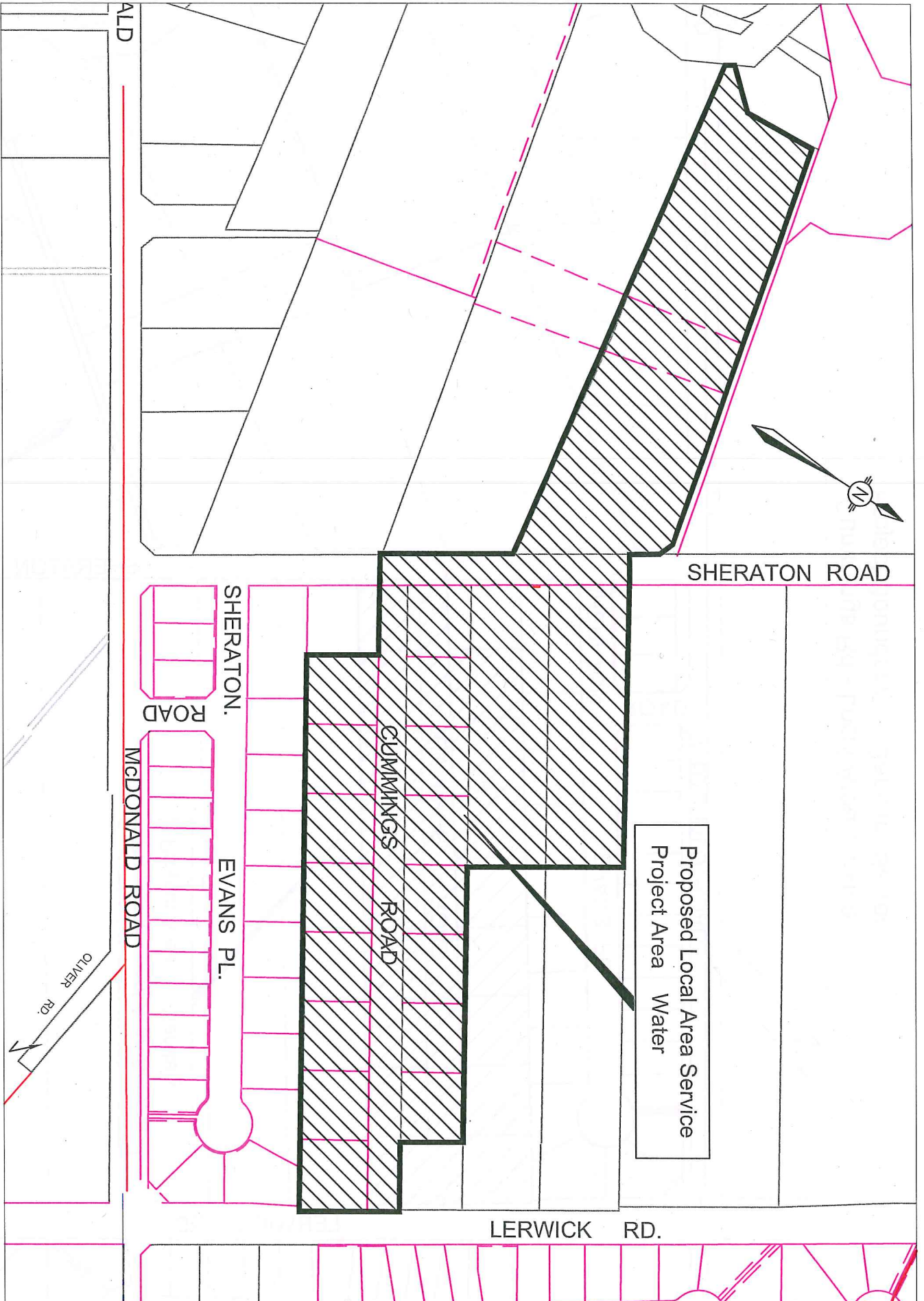
example

- the engineering department's concern of precedent setting fails to consider that 2635 Sheraton is being given special concessions

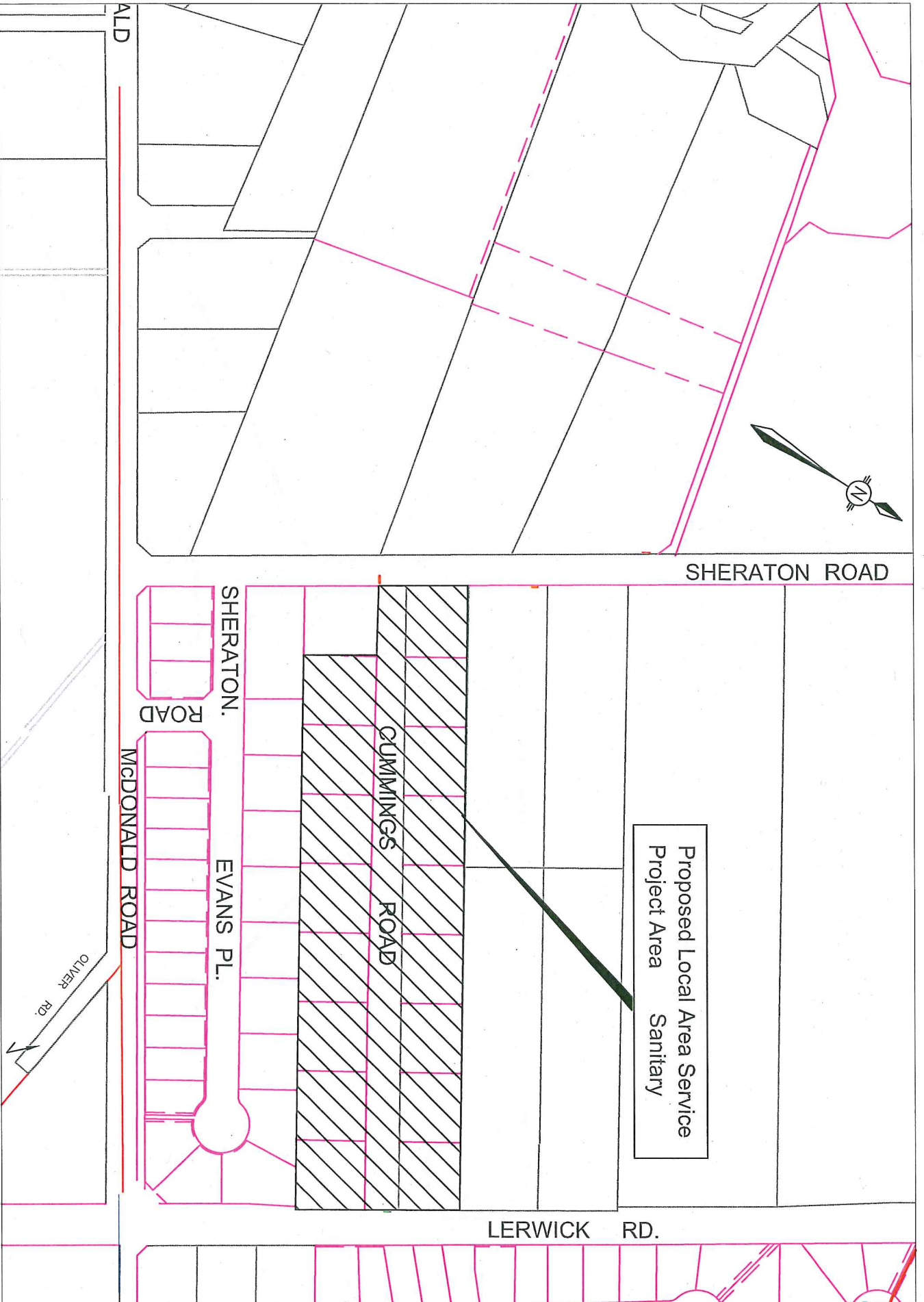
Respectfully submitted by

Brian Cameron - 2650 Sheraton

Peggy Waterton - 2620 Sheraton



Cummings Rd - Local Area Service  
Project Boundary -- Water



Cummings Rd - Local Area Service  
Project Boundary -- Sanitary Sewer



# THE CORPORATION OF THE CITY OF COURTENAY

## REPORT TO COUNCIL

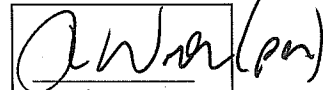
**FROM:** Kevin Lagan, P.Eng  
Director of Operational Services

**FILE #:** 5460-08  
**DATE:** September 25, 2012

**SUBJECT:** Trevor Linden Road Hockey Tournament, October 18<sup>th</sup>, 2012 – Temporary Closure of England Avenue between Eighth Street and Tenth Street.

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

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

  
Sandy T. Gray

### RECOMMENDATION:

That Council receives the report on the closure of England Avenue on October 18, 2012 between Eighth Street and Tenth Street from 3:00pm to 5:00pm;

That the applicant advise all emergency services of the road closure at least five working days prior to the event; and

That the necessary insurance be in place prior to the event.

### PURPOSE:

To consider the temporary closure of England Avenue on October 18, 2012 for a road hockey tournament.

### BACKGROUND:

As described in the attached permit application package.

### DISCUSSION:

The applicant will provide the City of Courtenay with a traffic management plan and will require barricades at either end of England Avenue.

### FINANCIAL IMPLICATIONS:

Minimal cost for barricades being provided and collected by the City.

### STRATEGIC PLAN REFERENCE:

N/A

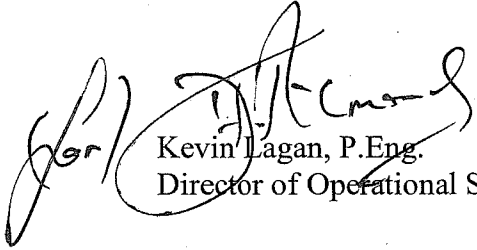
### OCP SUSTAINABILITY REFERENCE:

N/A

### REGIONAL GROWTH STRATEGY REFERENCE:

N/A

Respectfully submitted,



Kevin Lagan, P.Eng.  
Director of Operational Services



# CITY OF COURTENAY

APPLICATION FOR EVENT/PARADE PERMIT  
(To be completed and returned, with insurance acceptable to the City, prior to issuance of permit and at least 7 working days prior to the event)



Name of Applicant (or contact person): FIRST INSURANCE

Mailing Address: 4448 A MAKINE AVE POWELL RIVER BC V8A2K2

Phone No: 604 489 2011 Fax No: 604 485 1231 Email: charlene.reinisch

@firstcu-ca

Name of Event, Group etc: TREVOR LINDEN ROAD HOCKEY

Date(s): OCTOBER 18

Time(s): 3pm - 5pm

No. of Vehicles (if applicable) 2

No. of Participants (if applicable) 500?

Proposed Route: (attach copy of map)  
(If Yes which Streets?)

Closure of Street Required? ☒ Yes ☐ No

PROPOSED CLOSURE OF ENGLAND AVE BETWEEN 8TH ST AND 10TH ST

If street closures are required a report must be submitted to Council for approval. Please allow adequate time for this to occur prior to the event.

Traffic Control Arrangements: (Name of Company/Group and Contact Person)  
(All traffic control persons to be certified)

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Are Signs and/or Barricades required? ☒ Yes ☐ No If yes how many 2

Will any Pavement Marking Occur? ☐ Yes ☒ No  
(If Yes give details on marking and product used etc.)

Is there any electrical wiring or installations required for the event? ☐ Yes ☒ No

If Yes a Scope of Work and a separate certificate of insurance from electrical contractor is required. See Property Manager for details. If yes, attach copy of BC Safety Authority Entertainment Permit.

## Office Use Only

Insurance Accepted by Finance ☐

DCBIA notified ☐

Council Report ☐

Public Works Inspector Report ☐

Public Works notified ☐

Copied to Property Manager ☐

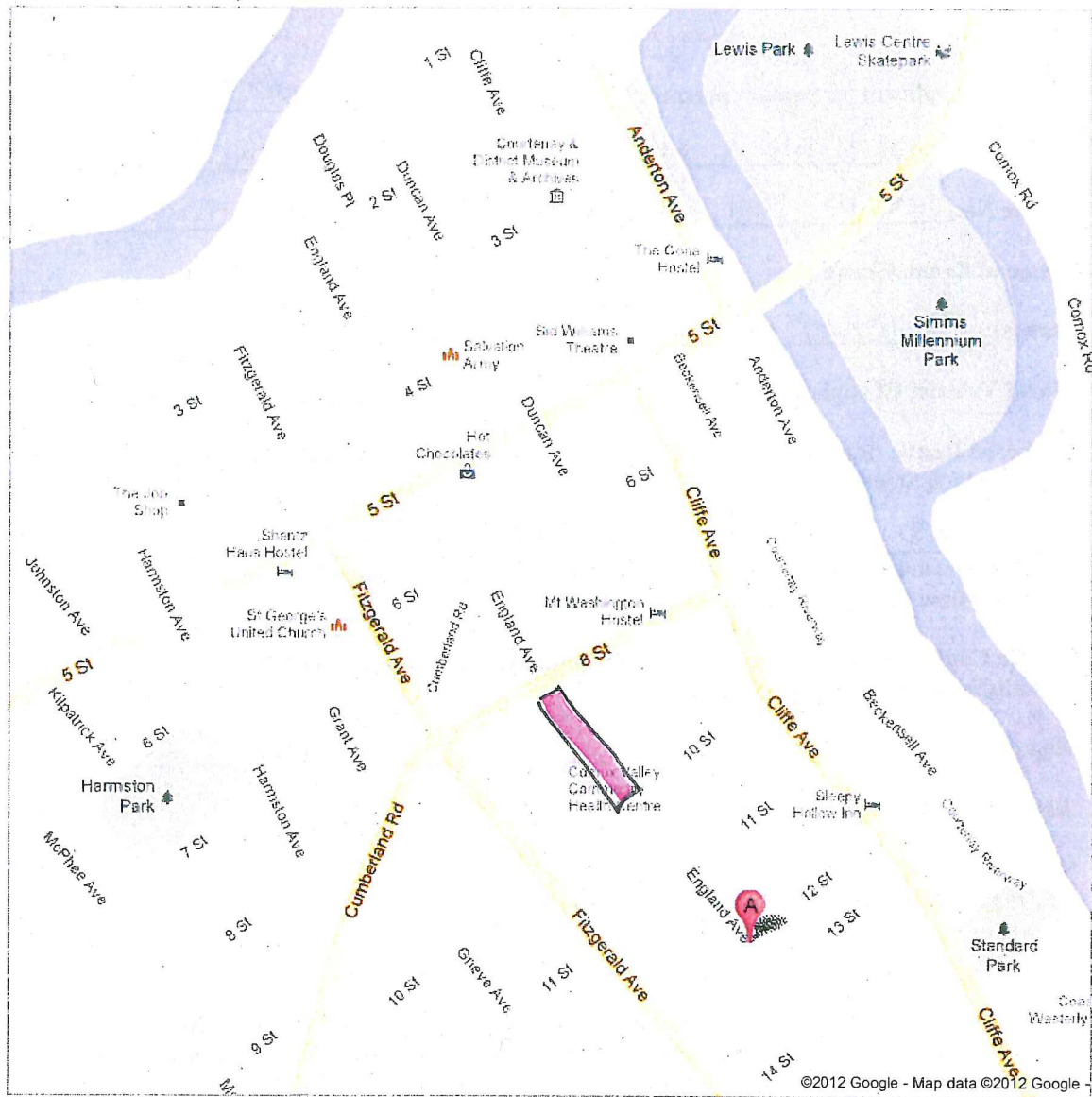
Parade Permit letter Authorized \_\_\_\_\_

Parade Permit Letter issued date: \_\_\_\_\_

KAL pw  
File No: 5460-08  
July 28, 2009



Address England Ave  
Courtenay, BC V9N



©2012 Google - Map data ©2012 Google



FIRST INSURANCE IS PROUD TO BRING YOU

# Trevor Linden

**In the Comox Valley: Thursday, October 18th**

**Trevor Linden is coming to the Comox Valley, and you can be there to see him in action!**

**2 EXCITING EVENTS:**

**3:30 - 4:30 Road Hockey Mixer**

**@ First Insurance 8th St,**

**Downtown Courtenay**

**AND**

**7:30 Puck Drop**

**@ CV Glacier Kings**

**Alumni game**

Join us at First Insurance to hear Trevor Linden talk about his experiences in the NHL and to watch him face off against Comox Valley players in some exciting mixed road hockey! And keep the hockey going strong by cheering our local players on after Trevor gets the Glacier Kings alumni game started by dropping the puck!

**FREE  
community  
event!**

If you're a child between the ages of 4-12, you can enter to win a chance to play hockey with Trevor Linden! Get your **FREE** entry by visiting any Comox Valley First Insurance office.

Deadline for entries is Oct. 12. For more details, visit:

**[www.firstins.ca](http://www.firstins.ca)**





# THE CORPORATION OF THE CITY OF COURTENAY

## REPORT TO COUNCIL

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

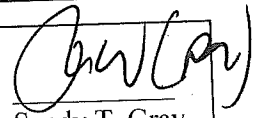
**FILE#:** 5600-20-CummingsRd

**DATE:** Sept 21<sup>st</sup>, 2012

**SUBJECT:** Cummings/Sheraton Local Area Service Project  
2620/2650 Sheraton Road Requested Rate Reduction

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

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

  
Sandy T. Gray

### RECOMMENDATION

That the request made by the owners of 2620 & 2650 Sheraton Road (Peggy Waterton & Brian Cameron) for a reduction to their pending Local Area Service Parcel Tax be denied.

### PURPOSE

To respond to a letter of request from Margaret (Peggy) Waterton & Brian Cameron requesting a \$1,400.00 reduction to the Parcel Tax that is to be applied as per the Cummings/Sheraton Local Area Service Plan (Water).

### BACKGROUND:

In May of 2004 an area was annexed into the City of Courtenay inclusive of 2620 and 2650 Sheraton Road.

In April of 2004 Council adopted "City of Courtenay Fees and Charges Amendment Bylaw No. 2329, 2004". This bylaw established a \$5,000 Capital Cost Contribution fee for properties receiving a new Sanitary Sewer Service Connection and having been annexed into the City after 1996.

In September of 2006 the City constructed a new Sanitary Sewer Main on Sheraton Road extending from a point 210m South of Hawk Drive to the intersection of Sheraton Road and Cummings Road. The project was constructed as a City Capital Project. Sanitary Sewer Service connections were provided to 2620 Sheraton Road and 2650 Sheraton Road as part of the project and current bylaw rates for the service connections applied; the service connection fees comprised of a \$1,500 Sanitary Sewer Service Connection Fee and a \$5,000 Capital Cost Contribution.

In 2007, Brookmere Developments extended the Sanitary Sewer from the intersection of Sheraton Road and Cummings Road to service the Evans Pl subdivision. This extension was constructed and funded by Brookmere Developments.

On August 2<sup>nd</sup>, 2011 City Council passed a resolution to initiate the Cummings/Sheraton Local Area Service project (LASP). The LASP project provides 19 properties with Water Service Connections and 17 properties with Sanitary Sewer Connections. The total estimated project cost is \$525,500.00.

Construction on the Local Area Service Project began August of 2012 and is expected to be complete by mid-October 2012.

The Cummings/Sheraton Local Area Service project (LASP) consists of two separate Local Area Service Projects. One project for Sanitary Sewer and one project for Water. The properties located at 2620 and 2650 Sheraton Road are included in the LASP for water only. Both properties have existing Sanitary Sewer Service Connections and thus are not eligible to be included in the LASP for Sanitary Sewer.

Service Connection charges for the LASP are calculated based upon actual construction costs and applied as a Parcel Tax. The Parcel Tax value is calculated by dividing the actual construction costs evenly among benefitting properties. For this project the City provided an assist factor for both services. Estimated Parcel Tax values are:

- \$6,232 for Water (City Parcel Tax Only)
- \$5,099 for Sanitary Sewer (City Parcel Tax Only).

Property owners of 2620 and 2650 Sheraton Road have paid \$6,500 for a Sanitary Sewer Service Connection and will have a Parcel Tax applied for a Water Service Connection as per the LASP (Water).

#### **DISCUSSION:**

The owners of 2620 & 2650 Sheraton Road have requested a \$1,400 reduction in their pending LASP Parcel Tax (Water) with the following rationale:

- In 2007 they were required to pay \$6,500 for a mandatory Sanitary Sewer Connection. In 2012 properties in the LASP (Sewer) are being offered the same service at an estimated charge of \$5,099.
- *"2635 Sheraton Rd was not required to pay \$6500 in 2007 and has been included in the proposed charges of \$5,099."*
- *"in 2007 the sewer line was being run up Sheraton to service the Evans Pl development at the same time as the Blue Jay project was under way. Neither the Camerons nor I benefited from this Mandatory hook up and it was merely our location that allowed the city to charge us a share of the construction"*

The fees assessed to 2620 & 2650 Sheraton Road for Sanitary Sewer Service Connections were applied in accordance with City Bylaws. The rates applied are consistent with the rates applied to approximately 250 other properties in the City of Courtenay serviced under the same procedures. The pending Parcel Tax to be applied for the Water Service Connections will be assessed and applied as per the terms of the Local Area Service Project (Water).

Since adopting "City of Courtenay Fees and Charges Amendment Bylaw No. 2329, 2004" the City has provided approximately 250 homes, having been annexed into the City post 1996, with Sanitary Sewer Service Connections. These properties were assessed the \$5,000 Capital Cost Contribution along with current Sanitary Sewer Service Connection Bylaw Rates. 2620 & 2650 Sheraton Road were serviced by a City Capital Project and thus assessed the same Bylaw rates.



While the owners of 2620 & 2650 Sheraton Road may feel that there is a disparity in the Sanitary Sewer Service Connection charges it should be noted that the rates applied to them are the standard City of Courtenay bylaw rates. The rates received by the properties in the Cummings/Sheraton LASP (Sewer) are the anomaly.

The owners of 2635 Sheraton Rd are not required to connect to the City Sanitary Sewer System due to a large elevation drop between Sheraton Rd and the existing house. It is not possible to provide a gravity sewer connection; forcing connection would require the property owner to construct a costly pumping system. Should a gravity Sanitary Sewer Service Connection be made available, or the property redeveloped, the owner will be required to connect to the City Sanitary Sewage System and be subject to current Bylaw rates for that connection. 2635 Sheraton Rd is included in the Cummings/Sheraton LASP (Water) and will be required to connect to the City Water system.

The City was able to initiate the Cummings/Sheraton LASP (Sewer) as a Local Area Service Project because the Sanitary Sewer Main benefits only those properties within the LASP boundaries. The resulting LASP Parcel Tax is a direct result of construction charges. Construction costs for this Sanitary Sewer Main are relatively low on a per lot basis due to lot density and relatively low construction costs. This allows the City to offer the relatively low rates to those properties in the LASP (Sewer) for Sanitary Sewer Service Connections.

#### **FINANCIAL IMPLICATIONS:**

Should Council recommend granting the requested reduction, \$1,400.00 per property would be required to be paid out of the Sewer Operating Budget to subsidize the individual Local Area Service Parcel Taxes for 2620 & 2650 Sheraton Road. The Sewer Operating budget is primarily funded by parcel taxes and user fees.

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

None.

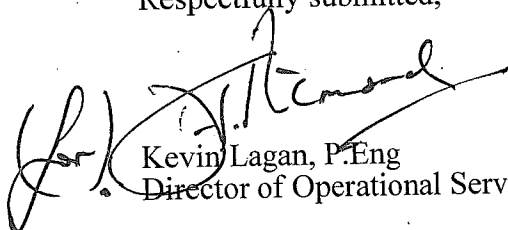
#### **OCP SUSTAINABILITY REFERENCE:**

None.

#### **REGIONAL GROWTH STRATEGY REFERENCE:**

None.

Respectfully submitted,

  
Kevin Lagan, P.Eng  
Director of Operational Services

PC/ca

**From:** peggy waterton [<mailto:peggywaterton@yahoo.ca>]  
**Sent:** June-01-12 11:49 AM  
**To:** Ward, John  
**Subject:** Attn: City clerk re: sewer & water for 2620 Sheraton Rd

June 1, 2012

John Ward  
Director of Legislative Services

Good Morning John

Thanks John  
Peggy Waterton

#### Background

June 2003 I moved to Courtenay and in correspondence received from Kevin (June 26 2003) it was suggested that the estimated time for provision of sanitary sewer was 3 years (2006) at which time I would be required to pay \$6500 toward costs. It was also agreed by VIHA and City Hall that I would be permitted to use a composting toilet and water holding tanks in the interim. March 30 2007 I paid \$6500 (Receipt # 37202) for MANDATORY sewer connections, this amount was made up of \$1500 sewer connection and \$5000 capital contribution. When I informed Kevin I was unable to hook up as I had only a limited water supply he agreed I might continue to use my composting toilet, however I would still be required to pay the \$6500 and the annual sewer frontage property tax amount (\$300 + per annum) and would be permitted to withhold connection until city water was available on Sheraton Rd.

A recent letter from Craig Armstrong (May 24 2012) indicates construction is to begin in the later part of June to provide both services to Cummings Road and water connections to Sheraton Rd.

The proposed costs for water and sewer (Aug 12 2011 letter from Kevin Lagan) are \$6232.00 water and \$5099.00 sewer for a total of \$11331.00. This letter was sent to all residents of Cummings and Sheraton Rd and recent correspondence does not indicate a change in these rates.

My request to council:

Given the proposed charge for sewer connection on Cummings Road is \$5099.00 and given I was required to pay \$6500 in 2007 as well as having paid close to \$1500 in frontage property tax fees for a service I have not been able to use, that I be granted a \$1400 discount on the water charge for the current project.

As further justifications for this request: a) it is my understanding that 2635 Sheraton was not required to pay \$6500 in 2007 and has been included in the proposed charges of \$5099; b) in 2007 the sewer line was being run up Sheraton to service the Evans Place development at the same time as the Blue Jay project was under way. Neither the Camerons nor I benefited from this Mandatory hook up and it was merely our location that allowed the city to charge us a share of the construction.

I have attached a letter I sent to Kevin in August 2011 and have copied his response below. However I wish to request a time to speak to this issue with city council.

Thank you

Margaret (Peggy) Waterton  
[peggywaterton@yahoo.ca](mailto:peggywaterton@yahoo.ca)

2620 Sheraton Rd  
Courtenay BC  
V9N 0A3  
August 29 2011

City of Courtenay  
Engineering Division  
830 Cliffe Ave  
Courtenay BC  
V9N 2J7

Re: LASP for Cummings/Sheraton Water/Sewer Service

Margaret Waterton - 2620 Sheraton Rd, Courtenay and Brian Cameron - 2650 Sheraton Rd, Courtenay respectfully request a review of the \$6500.00 each paid on or about March 30 2007. These monies were for the Mandatory Sewer Connections when development of a sanitary septic line occurred south of Hawke drive along Sheraton Rd to Evans Place.

Dialogue began on this issue in 2003. Many of the letters received suggested that if we were to postpone paying the Capital Contribution and Sanitary Sewer Connection future costs would be similar at best and could reach an amount of \$8750.00. In the spring of 2007 we received correspondence requesting payment of our portion of the project, at that time \$6500.00. We were informed this payment was mandatory and both Cameron and Waterton complied. An exception was given to actually hooking up to the service for 2620 as there was no water available to facilitate sewer requirements.

On August 12 2011 a registered letter was sent to residents of Cummings Rd and Sheraton Rd outlining the August 2, 2011 resolution passed by Council for a proposed water-main and sanitary sewer extension. Both Cameron and Waterton would welcome water service to their properties and are willing to pay the monies required to participate in this project.

With respect however we request review of the fees we paid in 2007 for the Mandatory Sewer Connect. Table C: LASP Cost per parcel as outlined in the August 12 letter estimates Sanitary Sewer connection at \$5099.00. In light of our payments 4 years earlier we strongly feel we should be reimbursed \$1401.00 each for overpayment of the same service.

Your consideration is appreciated.

Yours truly,

Brian Cameron  
bgcameron@shaw.ca

Margaret Waterton  
peggywaterton@yahoo.ca

# THE CORPORATION OF THE CITY OF COURTENAY

**BYLAW NO. 2724**

# **A bylaw to amend Corporation of the City of Courtenay Zoning Bylaw No. 2500, 2007**

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

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

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2724, 2012**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - (a) By deleting subsection (1) and (2) from to Part 47 – Comprehensive Development Twenty One Zone (CD-21) Section 8.47.7 Setbacks and replacing with the following:
    - (1) *Front Yard*                      7.5 metres except where a *lot* fronts onto Buckstone Road in which case the minimum distance can be 4.5 metres.
    - (2) *Rear Yard*                      9.0 metres except where a *lot* is less than 36 metres in depth in which case the minimum distance can be 7.5 metres.
  - (b) By deleting subsection (1) from Part 47 – Comprehensive Development Twenty One Zone (CD-21) Section 8.47.8 Height of Buildings and replacing with the following:
    - (1) The height of a *principle building* shall not exceed 9.0 m.

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

Read a first time this 17<sup>th</sup> day of September, 2012

Read a second time this 17<sup>th</sup> day of September, 2012

Public Hearing waived this 17<sup>th</sup> day of September, 2012

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2012

Finally passed and adopted this                      day of                      , 2012

Mayor

Director of Legislative Services

