

AMENDED

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

DATE: Monday, March 10, 2014
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt March 3, 2014 Regular Council Meeting Minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

- 1 1. Sandra Hamilton, Business Consultant & Marketing Specialist-BC Partner for Social Impact – Request for Letters of Support
- 5 2. C.V. Housing Task Force Recommendations – Request for funding
3. Roger Plamondon, RCMP Acting OIC re: RCMP Performance Plan - Input from Council

4.00 STAFF REPORTS

Pg #

- (a) Community Services
- (b) CAO and Legislative Services
- (c) Development Services
- (d) Financial Services
- (e) Engineering and Operations

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 19 1. Heritage Advisory Commission Minutes
- 21 2. Briefing Note: Courtenay Centennial Celebration Committee Update

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

8.00 RESOLUTIONS OF COUNCIL

1. In Camera Meeting

That notice is hereby given that a Special In-Camera meeting closed to the public will be held March 10 2014 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

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

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 23 1. CVRD Rainwater Management Strategy

12.00 BYLAWS

For Third Reading and Final Adoption

- 63 1. Zoning Amendment Bylaw No. 2778, 2014”
(to amend permitted uses in the MU-3 zone)

For Final Adoption

- 67 1. “City of Courtenay Fees and Charges Amendment Bylaw No. 2781, 2014”
(to amend water and sewer utility user rates for 2014)

13.00 ADJOURNMENT

Karvalics, Susie

Delegation

From: Allen, David
Sent: February-24-14 9:18 AM
To: 'Sandra Hamilton'
Cc: Karvalics, Susie
Subject: RE: Sandra Hamilton - Council delegation request for March 4th

Thanks Sandra,

John Ward is away, but Susie will put you on as a delegation for the March 3rd Council meeting as a delegation.

David Allen

From: Sandra Hamilton [mailto:sandra@sandrahamilton.ca]
Sent: February-24-14 9:07 AM
To: Allen, David
Subject: Fwd: Sandra Hamilton - Council delegation request for March 4th

Dave,
Hit send too early on the last email. Please use this one, which has all the content and spells the Minister's name correctly!!
Thanks
Sandra

Sandra Hamilton - Delegation Request to Council

Topic

- **Social Impact Procurement Pilot**
Overview of the changing landscape
Briefing of provincial interest in Social Impact Purchasing
Request to council - A letter of support to be sent to Don McRae demonstrating the city's interest in supporting and engaging Sandra Hamilton in the province's first Provincial/Municipal Pilot of Social Impact Purchasing
- **Comox Valley as a Social Innovation hot spot**
Updates:

Island Health has agreed to provide their purchasing data and will be working with me to explore the research question.

The Research Question:

By matching commercial scale, local farm supply to secure institutional demand, could Vancouver Island's new hospitals provide the market security needed to re-invigorate commercial scale agricultural production on Vancouver Island?

North Island College will be the legal entity leading this initiative
Pat Pimm, BC Minister of Agriculture is preparing letter of support

Don McRae, BC Minister of Social Development and Social Innovation is preparing a letter of support
A grant application to advance this project is being prepared and will be submitted by the end of March 2014

Request: Letter of support of City of Courtenay.

Can a social enterprise supply local food to Vancouver Island's new hospitals?

By matching supply to demand, and by using a seasonally adjusted menu, Sandra Hamilton believes that it could be economically viable to introduce a brand new, socially innovative local supply chain into Vancouver Island's two new hospitals, one of which will be built in the riding of Don McRae, Canada's first Minister of Social Development and Social Innovation (at the provincial level).

- **Comox Valley could become social innovation hotspot ...**

www.comoxvalleyrecord.com/news/217423671.html

Comox Valley MLA Don McRae's latest cabinet post could help the **Comox Valley** become a showcase for **social innovation** in B.C.

Sandra Hamilton

Business Consultant & Marketing Specialist

BC Partner For Social Impact

Office: 250-890-9386 | Mobile: 250-702-6206 | SandraHamilton.ca

Business for Social Good

Social Enterprises Inspire Passion & Affect Positive Social Change

Featuring: The Go Young Project - Meet 15 Social Entrepreneurs Under 30

Introducing: Canada's First MBA & Executive MBA in Social Enterprise Leadership. SocialMBA.ca

Backgrounder - from Jan 20th, 2014 email

Last week Europe followed the UK and passed new legislation pertaining to social impact purchasing. This happened faster than anyone predicted.

Could it take more than five years for Canada and/or British Columbia to follow and legislate social procurement in the public sector?

But we do not have to wait, there is nothing to stop us taking this knowledge and applying it here today.

Isn't it time we considered how our local tax dollars could be better leveraged to address social needs?

I believe the Comox Valley could lead this type of social innovation in British Columbia.

I am currently seeking a municipality interested in running a pilot, which could be showcased at a Canadian Social Impact Purchasing Summit scheduled for June 2014.

This is an opportunity to demonstrate Social Innovation at the municipal level in British Columbia.

Please contact me if you are interested in learning more about this emerging new area in public sector procurement.

Thank you.
Sandra

Europe: Jan 15, 2014.

EU brings innovation into public procurement rules

The European Parliament has updated EU rules on public procurement on Wednesday (15 January), introducing new provisions allowing for environmental, social considerations and innovation to be taken into account when public contracts are awarded.

The aim of the reform is to open up public tenders to smaller businesses and encourage public authorities to consider how they can better provide their services to taxpayers.

Indeed, by introducing the **Most Economically Advantageous Tender (MEAT) criterion**, environmental and social aspects will also be taken into account more prominently.

Innovation partnership

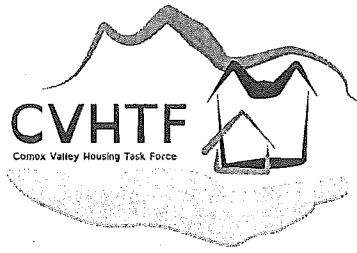
Moreover, by introducing the "Innovation Partnership", public authorities will be able to launch a call for tender without pre-empting the solution, leaving room to the tenderer to come up with innovative solutions together with the authority.

The new rules are also expected to cut administrative burdens and help smaller companies to bid by encouraging the division of contracts into lots. We have successfully fought to divide large contracts into smaller lots. This helps especially SMEs who create most of the jobs in Europe. Our internal market will significantly grow for the benefit of taxpayers and businesses.

Contracting authorities will be able to award procurement contracts on the basis of the 'most economically advantageous tender' and no longer on the lowest price offer.

The **Council of European Municipalities and Regions** welcomed the European Parliament's adoption of the new EU public procurement directives "as it represents a step in the right direction for local government interests. In total, expenditure by regional and local government represents more than a third of all public sector spending. This is why, CEMR has been involved in the shape of the Commission's proposal since 2011, and has advocated relevant amendments. We welcome that many of them are reflected in the adopted text."

<http://www.euractiv.com/future-eu/parliament-approves-new-rules-pu-news-532783#.Utrgiltic8s.gmail>



Delegation

February 24, 2014

CVRD Board of Directors
Comox Valley Regional District
600 Comox Road
Courtenay BC V9N 3P6

Mayor and Council
City of Courtenay
830 Cliffe Avenue
Courtenay BC V9N 2J7

Mayor and Council
Town of Comox
1809 Beaufort Avenue
Comox BC V9M 1R9

Mayor and Council
Village of Cumberland
2673 Dunsmuir Avenue Box 340
Cumberland BC V0R 1S0

Dear Local Government Councils and Board,

**Building Housing Solutions Together
Comox Valley Housing Task Force Recommendations to Local Governments**

Comox Valley local governments recognize the importance of access to safe, affordable, and appropriate housing for the health and success of our communities and since 2011 have supported the Housing Task Force (CVHTF) to build local capacity to address homelessness and affordable housing.

The CVHTF requests to make a presentation at each Municipality and the Regional District in time for 2014 budgets, and requests that the following recommendations be considered:

That the Comox Valley Regional District establish a service to collect funds regionally to address affordable housing and homelessness; and, that within that service, a Local Government Non Profit Corporation be established to fulfill the service mandate.

In addition, that local governments provide \$15,000 in bridge funding (Appendix 1) to the CVHTF in order to bring an orderly closure to the work of the CVHTF, ensure on-going progress on local homelessness and housing matters, and a smooth transition to the next governance entity. Any remaining funds would be turned over to the new Local Government Non-Profit, should the service be established and a new entity created, or returned to local governments.

Direction and support for a permanent, supported backbone organization comes from both the work done in this community over the past 6 years and solidified by the most recent "Building Housing Solutions Together" events hosted by the CVHTF. The Affordable Housing Community Forum (Oct. 16, 2013), was attended by local and provincial professionals, elected officials and stakeholders. The Facilitated Discussion (Jan. 23, 2014) was attended by our local politicians, municipal staff, social service professionals, the faith community, housing providers and local business leaders. These events highlighted the willingness and need for our community to find solutions together. The Report and Recommendation from the Facilitated Discussion is attached for your information.

Why the CVHTF supports a Local Government Non Profit Corporation

- 1. Professional Expertise:** The options considered at the January 23, 2014 Facilitated Discussion provide for a neutral, specialized housing services planner; however, with management by a separate non-profit board, the mandate for the service would be more accountable to all local governments and would be better able to equitably serve all four jurisdictions through delivery of a mutually supported strategy/plan.
- 2. Accountability and Transparency:** Can be built in to the system, with funding conditions and regular service reviews.
- 3. Community Advisory:** The Provincial Government, a major funder for supportive housing, has consistently indicated that the community needs to work together to achieve the success that has eluded us to date. Providing direct government service does not obviate the need for working together locally. A non-profit board ensures such continued effort.
- 4. Regional Participation:** To avoid conflict, a regional service allows all jurisdictions to participate equitably, with confidence of continuity, and without potential conflict of interest between jurisdictions.
- 5. Common Plan:** Every jurisdiction has issues with people becoming homeless or fighting to maintain housing, and the need for supportive housing crosses all jurisdictions. A regional plan that maintains the autonomy of each authority (over zoning, etc), allows buy-in to a comprehensive Comox-Valley wide plan.
- 6. Flexibility:** Housing solutions in today's world require innovative partnerships and collaborations. Maintaining a separate entity from bureaucracy permits increased flexibility and allows for a more supportive role to advance housing solutions.

With your support for these two recommendations, we can all look forward to a bright new future for affordable housing services in the Comox Valley. Thank you for all your support in reaching this point and for your consideration today!

Sincerely,

Ronna-Rae Leonard, Chair
Comox Valley Housing Task Force

Attachments:
Report and Recommendation Jan 23rd CVHTF Facilitated Discussion

Appendix 1

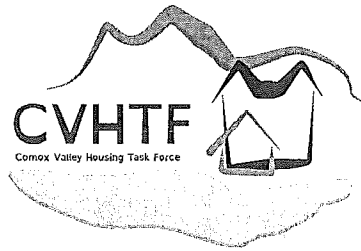
CVHTF Budget Bridge Funding

Background:

When the CVHTF was established in July 2011, \$25,000 was assigned for administrative and contract services and \$75,000 for the Community Capacity grant program. An additional \$14,482 was assigned to the CVHTF in September 2011, which was divided between admin and contract services. The CVHTF also applied for and received, on behalf of the CVRD, a grant of \$5,000 from BC Healthy Communities for the Building Housing Solutions Together forum and facilitated session. This provided \$44,482 of funding from 2011 to date (averaging approximately \$15,000 per year) for the CVHTF to undertake the development and administration of the Community Capacity grant program and the Building Housing Solutions Together project, as well as support the work of the CVHTF.

Bridge Funding Budget:

Activity	Budget
Contracted Website Maintenance/upkeep	\$3600 per annum
General Administration	
Priority tasks to be completed (current CVHTF work left)	\$2000
Administrative support from March 2014 (10 hours per month plus supplies for 6 mnths)	\$2000
Administration Fee (Managing Funds in Trust)	\$2250
Support for establishment of new entity <ul style="list-style-type: none">• Pursue funding opportunities• Preparation of public information regarding new entity• Continued networking and research on new entity• Logo/Website name change etc.• Follow-up implementation support for new entity	\$5,150
Total Budget Request	\$15,000



Report and Recommendation CVHTF Options for Governance Facilitated Discussion

1.0 Facilitated Discussion

Thursday, January 23, 2014, 1:00 pm to 4:00 pm
Courtenay Fire Hall, Upstairs Meeting Room

Facilitator: Jessica McNamara, ADR Education
Presenter: Shannon Pickering, Coordinator, CVHTF

Attendees:

City of Courtenay	Town of Comox	Village of Cumberland	CVRD
Ronna-Rae Leonard	Tom Grant	Roger Kishi	Jim Gillis
Starr Winchester	Barbara Price	Judith Walker	Edwin Grieve
Manno Theos	Patti Fletcher		Bruce Jolliffe
Peter Crawford (until 2:30)	Maureen Swift		Ann MacDonald
Erin Ferguson	Hugh McKinnon (until 3:10)		
	Marvin Kamenz (until 2:30)		
CVHTF			
Anne Davis	Brent Hobden	Erik Eriksson	Michael Pitcher
Joline Martin	Monica Goodheart	Sam Sommers	Tom Beshr
Other			
Roger Albert - Future Organization Sub Committee CVHTF			
John Jessup – Consultant, City of Courtenay			

Purpose

To build on the “Building Housing Solutions Together” Community Forum's learning and dialogue to move toward long-term permanent solutions that will increase local capacity to meet the housing needs of the community. The discussion 'dovetailed' with the work of the CVHTF and the work done since 2008. The intent was to have a clear understanding of the level of support for a backbone organization, and the type of structure that is best suited to the Comox Valley.

Process

In order to familiarize themselves with the background material and working document, all attendees received an Information Package and Appendices prior to the meeting.

A brief overview of the work done in the community leading up to this point established the context for the discussion. The attributes and functions exercise set the stage for the final group work exercise and ensured that all participants understood and had an opportunity to look at each attribute and function. The final group exercise was structured around two questions; participants were asked to brainstorm how each of the 3 options for governance would look in our community and the strengths and weaknesses of each. The groups were also asked to choose which option they believed best suited the needs of the Comox Valley and report back to the whole on the key points of their discussion. Finally, at the end of the session participants were asked to individually rank the options.

Attributes and Functions

The attributes and functions were reviewed with the addition of a note that “stakeholders” refers to all community members, neighbourhoods, businesses etc. See Appendix 1 – Attributes and Functions Table for more information.

Options For Governance

The “3 Options For Governance” as presented in the Information Package were reviewed in 4 small groups and each group reported back to the plenary with highlights of their discussion, including a recommendation on an option. Participants were assigned groups; the groups were structured in an attempt to have representation from each jurisdiction and the CVHTF. The groups had 45 minutes to work through their questions and record their responses. Each group then had 5 minutes to report back to the plenary followed by a 15 minute large group discussion. The discussion focused on how each of those Options may work in the Comox Valley, potential challenges and ways to mitigate and adapt.

2 out of 4 groups recommended Option 2 – Municipal Non Profit¹ (MNP), one group recommended Option 3 – local government function with a Social Planner/Committee and one group did not come to an agreement on a recommendation. It became clear that although the Private Non-Profit option had merit, it was not favoured by any of the 4 groups and therefore was removed as a viable option in the final step of individual selection.

¹ Although the term Municipal Non Profit is commonly used, for communities in British Columbia it is more appropriate to use the term Local Government Non Profit. For future reference the term Local Government will replace Municipal. A Local Government Non Profit Corporation is a non-profit corporation established at the initiative of a local government.

Summary

At the end of day, participants were asked to indicate their individual preference for governance. The majority preferred Option 2 – MNP by a margin of 2 to 1. Not all participants remained at the end of the discussion or chose to vote. See Appendix 2 – Notes from Facilitated Discussion for more details.

Based on the reporting out and large group discussions some themes emerged:

Re: MNP type structure

- The CVEDS is not the right place to deal with affordable housing/homelessness, but as a municipal non-profit the model would work well. Even though affordable housing and economic development are linked and collaboration is needed, conflict in purposes would impede success if mandates merged under auspices of one body.
- Professional expertise is necessary outside of local government and service providers; politicians play a governance role to represent the community, and service providers are busy advocating for their clients, but play an important role in “working together” to identify and prioritize community needs.
- Accountability to local government (i.e. taxpayer through local government) needs to be addressed with requirements built-in (such as strict mandate, conditions to funding, regular service reviews).
- An MNP would be able to access more funding opportunities than local governments alone and not compete with other local not for profits.

Re: Support for local government involvement

- Source of on-going funding required. The community philosophically supports local government dealing with issue – example of only one letter of opposition to the function to purchase the Cliffe Ave land and feedback from the Community Forum. In fact, the community appears eager for action.
- Regional taxation to help finance (everyone contributing).
- May be politically difficult for a Social Planner to have 4 masters or for the other jurisdictions to pay for a Social Planner outside of their jurisdiction.
- The community is looking for leadership from local government on this issue.
- Leadership and political will are necessary to move anything forward.

The session ended positively, with an overall understanding that there is a way to move forward together. Participants acknowledge that affordable housing and homelessness is an issue that needs to be addressed and that local governments need to take a leadership role to make it happen. The community sees this as an important issue, and taking action now will capitalize on the momentum of the Forum and this Session.

The intent of the facilitated session was to have a clear understanding of the level of support for a backbone organization, and the type of structure that is best suited to the Comox Valley. Three options were examined with one option, the Municipal Non Profit emerging as the favourite amongst the majority.

2.0 Recommendation

At the January 31, 2014 meeting of the Comox Valley Housing Task Force the following recommendation was made:

That the Comox Valley Regional District establish a function to collect funds regionally to address affordable housing and homelessness; and, that within that function a Local Government Non Profit Corporation be established to fulfill the service mandate.

The above recommendation is based on the past two years of work of the CVHTF, and the with guidance of the following Comox Valley initiatives and reports:

1. "Building Housing Solutions Together" Facilitated Discussion, CVHTF (January 2014)
2. "Building Housing Solutions Together" Affordable Housing and Homelessness Community Forum, CVHTF, (October 2013)
3. Comox Valley Community Capacity Initiative (Dawn to Dawn, Wachaiy, AVI) - Building Community Capacity Grant, CVHTF (2013)
4. Homelessness, Affordable and Appropriate Housing in British Columbia, Canada and Internationally: Some Accessible Strategies for Local Governments, Roger Albert (2012)
5. Building Community Capacity to Address Affordable Housing and Homelessness in the Comox Valley – Final Report, Butler and Bazink (2011)
6. Creating Certainty within Uncertainty: A Regional Structure to Address Homelessness – Final Report, City Spaces (2009)
7. Mayor's Task Force on Homelessness Final Report (2008)

<http://www.cvhousing.ca/about/cvhtf-background-info/>

Attachments:

Appendix 1 – Attributes and Functions Table

Appendix 2 – Notes from Facilitated Discussion

Attributes and Functions of a Backbone Affordable Housing and Homelessness Organization

The table below outlines the attributes and functions that are necessary for the future backbone organization to have in order to effectively address the issue of affordable housing and homelessness here in the Comox Valley. The list was created by the Comox Valley Housing Task Force, and reviewed by local governments at the January 23, 2014 Facilitated Discussion.

Attribute	Description	Rationale
Permanent	There is no scheduled end date; priorities are flexible to meet the changing needs of the community.	<ul style="list-style-type: none"> Ensures on-going attention to the issue. Provides continuity and long-term programming. Platform for governments and local agencies to work together on long-term solutions.
Accountable	Makes decisions that impact public interest, accountable to the community, funders, and other stakeholders to ensure a level of neutrality and professionalism.	<ul style="list-style-type: none"> Reporting helps to keep on track. Builds trust with stakeholders and community. Ensures sound use of resources.
Transparent	Makes decisions openly in the public realm, all reports, minutes etc., are available to the public.	<ul style="list-style-type: none"> Dealing with public interest and funds. Builds trust with stakeholders, community and funders. Increases capacity for collaboration.
Function	Description	Rationale
Provides legal protection for board/committee members	Through insurance and policies, board or committee members are protected from potential legal action.	<ul style="list-style-type: none"> Undertake initiatives on own Not hampered by fear of potential legal action against individual members.
Professional expertise	Staff and board/committee with expert advice and support in the area of affordable housing and homelessness.	<ul style="list-style-type: none"> Builds confidence in the community and with stakeholders. Provides on-going support required for functions listed below.
Capacity to Access On-Going Funding	An independent entity or under protection of an entity capable of applying for funding, holding funds, and distributing funding. This includes charitable tax status, the ability to receive government grant funding.	<ul style="list-style-type: none"> Funding is required to ensure the professional level of service to the community. Helps to ensure the permanency. Required to be able to carry out the functions listed below.

Taken from Section 2.0 of Information Package: CVHTF Options for Governance 2014

Function	Description	Rationale
Advisory	Makes recommendations to government, stakeholders and shares information within the community and with other communities.	<ul style="list-style-type: none"> Government agencies, such as BCHousing, CMHC prefer to support projects that have local support. Based on the feedback and learning of the "Building Housing Solutions" Community Forum, this community would like to see a community wide housing plan.
Award grants	As in the case of the \$75,000 from the CVRD for the Building Capacity Grants, be able to award grants to local organizations for affordable housing and homelessness projects when the opportunity arises.	<ul style="list-style-type: none"> Local government may not have the expertise or resources to award and monitor funding opportunities and it is important that the community does not miss out on potential access to resources.
Collaborate with partners and Networking	Partners may include; local governments, businesses, entities and individuals in Comox Valley, housing organizations, senior governments, and other Vancouver Island communities.	<ul style="list-style-type: none"> Explore opportunities for housing. Identify barriers. Strengthen local capacity. Creates a more cohesive and responsive strategy for dealing with housing.
Data Collection	Collect, sort and publish housing/homelessness data and statistics, including vacancy rates, affordability stats etc.	<ul style="list-style-type: none"> Local agencies have access to data to help support their mandates and give direction to need gaps. Local service providers do not have the resources to collect data and share with the community.
Evaluation	Evaluate current programs and initiatives regarding housing in the community, including; service agencies, local government affordable housing policies etc.	<ul style="list-style-type: none"> Not all agencies have the resources to effectively evaluate programs. Look at the issue from a community wide perspective and help to identify gaps in housing or services.
Information hub	Centralized place where information related to housing and homelessness can be accessed by stakeholders, government and the public. Such as website, reference materials and contacts.	<ul style="list-style-type: none"> There has been and continues to be a lot of valuable work done in the Comox Valley, this information, data and experience should be accessible to anyone who is looking to develop solutions. Help to coordinate efforts and connect agencies and individuals. Decrease duplication of work.

Taken from Section 2.0 of Information Package: CVHTF Options for Governance 2014

Function	Description	Rationale
Leadership	Is respected and acknowledged as a source of expertise and support by the community, stakeholders, funders, and local/regional government.	<ul style="list-style-type: none"> • Supports the other functions by increasing value and legitimacy to the organization. • Increases the potential for achieving its goals.
Planning	Assisting with and supporting long and short-term community plans regarding affordable housing and homelessness.	<ul style="list-style-type: none"> • A coordinated, defined plan can increase the community's access to funds. • The community, stakeholders and funders have indicated that this is a priority at the "Building Housing Solutions" Community Forum.
Support stakeholders	Provide information, contacts, professional expertise and other forms of support to stakeholders that are working on addressing affordable housing and homelessness.	<ul style="list-style-type: none"> • Many local agencies do not have the resources to carry out needs assessments, or evaluate data. • Increase likelihood of funding and projects in our community.
Make Recommendations to Local Government	Help to strengthen affordable housing policies and programs by making recommendations to local government.	<ul style="list-style-type: none"> • Provide local government with advice that is professional and informed. • Develop relationship with local government and support local government with professional expertise.

Note: Stakeholders refers to all members of the community, neighbourhood, businesses etc.

"Building Housing Solutions Together" Facilitated Session

January 23, 2014, Courtenay Fire Hall

Notes from the Options for Governance Group Activity Reporting to the Plenary

Group #1

Did not take notes on flip chart, one member reported out verbally, other members filled in. Notes from verbal report out taken by Shannon Pickering and Ronna-Rae Leonard.

Option 1 – PNP

Advantages

- More likely to get an charismatic leader
- Independent
- Autonomous

Disadvantages

- Potential conflict of interest if run by service organizations/elected leaders
- Community may not have the volunteer capacity
- Another non-profit, may be competing for limited resources with other non-profits

No consensus on one recommendation. Question is what "house" would a social planner or other professional live in.

Agreed need for some one with professional expertise to provide leadership and credibility. Some of the options considered:

- Courtenay house the Social Planner, show leadership
- MNP with a social planner at the helm which reports to the CVRD

Group #2

Report back with 3 Flip Charts worth of notes and 2 presenters from group.

Option 1 - Private Non Profit

Local Example: CV Social Planning Council

Disadvantage:

- New group, at least 1 year to get charitable tax status. Mitigation: partnership with existing charity
- No secure funding
- Burn out of volunteers (critical to long-term sustainability, changing world means less volunteers)
- Donor fatigue – one of many groups

Group #2 Continued

Advantage:

- No bureaucratic stigma, separateness from government versus legitimacy. Mitigation: well established organization that is already stable.

Philosophical Issue: Is Affordable Housing and Homelessness really the responsibility of private sector or community? Or is it the responsibility of elected government?

Option 2 – Municipal Non profit

Local Example: EDS, Community Justice Centre

- Eligible for grants that are not available to local government
- More likely to get core funding from local government, and stability, particularly if it is a function of RD
- All local governments can participate equitably
- Advantage: autonomy from local government but accountable
- Disadvantage: less accountable to local government
- Advantage: non-partisan, less susceptible to special interest takeover
- Build in service review – increase transparency
- Advantage: built in autonomy of local government jurisdiction as well as collaboration. Seed money from local government
- Likely more Regional buy-in

Option 3 – Function of Local Government, Committee or Social Planner or both

Disadvantages:

- Optics – pessimism, fear of bureaucracy gobbling up funds.
- Not big enough to support social planner staff.
- Strain on social planner, housing part could take back seat
- Perceived risk – jurisdictional competition, how to be fair

Advantages:

- Good concept
- Establishing legitimacy, local government in business of providing services
- Contracting out local expertise – less feasible

Group #2 Recommendation – Option 2 MNP

- Fits economy of scale
- Flexibility – funding, contracting, staff
- Appearance of arms length but strong ties/accountable
- Ability to create hybrid model

Group #3

Option 1 – PNP model

Weaknesses:

- This model already exists, a more over-arching model is needed

Strengths:

- Politicians not in control – independent
- Clearing house or all existing not for profits and supports all groups and fills the gaps

Must be neutral and independent of other not for profits but could include members of the not for profits. Funding could be from community groups i.e. municipal grants.

Barriers: competing for scarce funds and ongoing funding

Option 2 – MNP

Strengths:

- Secure funding mechanism is a strength
- We have this existing body called EDS that could adapt its mandate and take on the needs of housing (the whole continuum)
- All Valley government are engaged with ED
- This model ties economic development and social issues together – we cant keep working in isolation

Barriers: opposition from ED to morphing, could be a lack of expertise on the Board

Recommended Option - MNP

- Ideal model for Comox Valley exists inside the existing Economic Development Society, overarching body that unites the Valley, meets social housing issues with economic activity
- This allow the not for profits to do their work with a neutral supportive body that does not compete for the same scarce funding sources
- We feel that given ED is established this is not a big stretch for them to adapt part of their mandate
- Don't need to reinvent the wheel

Option 3 – LG Function – Social Planner

Con:

- May be difficult to get community support
- Seen as unnecessary expense
- Seen as political hook
- As a staff member they (the social planner) may lose their autonomy

Pro:

- Set structure and funding, better engaged with City Hall, so more aware with inside info, i.e. zoning, land acquisition, bylaws.

Group #4

Did not take notes, one member reported out verbally. Notes from verbal report out taken by Shannon Pickering and Ronna-Rae Leonard.

Option #1 – PNP

Disadvantages:

- May lack credibility and authority
- Conflict of interest with board and other service providers
- May not be representative of the community
- More difficult to be responsive

Advantages:

- Independence/autonomy from government (but this can also be a disadvantage)

Recommendation – LG Function with Social Planner

- Professional expertise
- Collective engagement
- Strong advisory Committee (service providers) to provide input to the function is very important

Individual Preference

At the end of the day, participants were asked to indicate their individual preference. There was a piece of flip chart paper labeled with Option 2 – Municipal Not Profit and a separate one labeled Option 3 – Local Government Function. Participants marked a 1 on their first choice, and a 2 on their second choice. The majority preferred Option 2 – MNP by a margin of 2 to 1. Not all participants remained at the end of the discussion or chose to vote.

Results were as follows:

MNP – 20 responses in total

12 indicated MNP as their first choice

8 indicated MNP as their second choice

LG Function – 18 responses in total

6 indicated LGF as their first choice (2 noting and a strong advisory committee is necessary)

11 indicated LGF their second choice

Minutes of a City of Courtenay Heritage Advisory Commission meeting held January 22, 2014 at 10:00 a.m. in the City Hall Council Chambers

For Info

Present: L. Burns J. Hagen D. Levett D. Griffiths
L. Fortin L. Grant C. Piercy E. Ferguson, Land Use Planner

Absent: R. Smith J. Hagen, D. Griffiths

MINUTES Moved by L. Grant and seconded by C. Piercy that the minutes of the November 27, 2013 meeting be adopted as corrected.

Carried

OPENING REMARKS M. Hobson resigning from the HAC due to health reasons.

CREAMERY BOOKLET Distribution list was finalized. Copies of the creamery booklet will be available for sale at the Museum.

40 HOUSES No further work has been done.

MILES TITUS HEADSTONE C. Piercy is obtaining a quote for engraving.

CENTENNIAL COMMITTEE L. Burns and J. Fortin reported on planning activities for the upcoming centennial celebrations.

HERITAGE APPRECIATION CARDS HAC members to bring nominations to the February meeting.

HERITAGE WEEK L. Burns and E. Ferguson presented draft outline of the revised Courtenay River display for the Cumberland Heritage Faire on Saturday February 15. This year's theme is Heritage Afloat. HAC meeting to be held February 12 to review the draft presentation panels and to arrange logistics for the event.

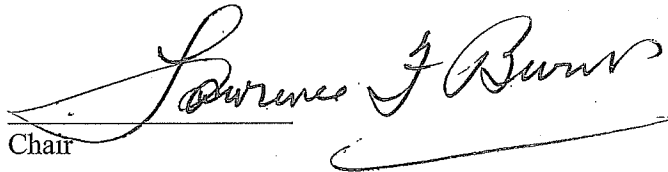
HERITAGE WEBSITE Discussion on the need to update the Heritage Website. It is difficult to find and access information at the present time. Suggestion to put logo for centennial and heritage on the City's homepage for the centennial year. Discussion on having website completed for centennial year and promotion of the website at local events.

COMMISSION MEMBERSHIP Recruitment for the current HAC vacancy. Several people have expressed interest. Discussion to continue at February meeting.

FOR YOUR INFORMATION Winterfest Heritage Tour went well and positive feedback has been received. Heritage walking tours is something that could be explored as part of centennial celebrations.
Inquiry regarding 443 Pidcock Ave.

CORRESPONDENCE Have not received Heritage BC quarterly. Check with S. Blamire regarding Heritage BC membership.

Next Meeting: February 26, 2014 at 10 a.m.
The meeting adjourned at 12:30 pm.


Chair



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE

for info

To: Mayor and Council

File No.: 8100-01

From: Chief Administrative Officer

Date: March 10, 2014

Subject: Courtenay Centennial Celebration Committee (CCCC) Update

ISSUE:

To provide Council with an update on the Courtenay Centennial Celebration Committee activities and plans.

BACKGROUND:

Courtenay is to celebrate its' 100th year as a City in 2015. In June, 2013, Council adopted a terms of reference for the Courtenay Centennial Celebration Committee (CCCC) and requested that a public campaign to recruit committee membership be carried out. A committee of 13 members was formed with Ron Webber appointed Chair. Councillors Winchester and Hillian serve on the committee as Council representatives. There is also representation from the K'omoks First Nations and the Courtenay Heritage Commission, community business, service clubs and the community at large.

The committee has held monthly meetings starting in September, 2013.

KEY CONSIDERATIONS:

The committee has developed a very diverse set of year round activities for the Centennial. Two major events will be organized by the CCCC:

- 1) Launch Event -which will be held on December 31, 2014 and January 1, 2015
- 2) Homecoming Week-June 26-July 5, 2015

Both of these events will see family, fun activities including local entertainment, cultural celebrations, food, BC Lions alumni and football event, local youth sports, and neighbourhood block parties as part of the celebrations.

Many other community activities have come forward with their initial plans:

- Courtenay Volunteer Fire Department 100 years
- Courtenay and District Museum- Courtenay History book
- Courtenay Centennial Marathon
- Heritage Commission week
- Sid Williams Theatre plays
- Comox Valley Art Gallery- First Nations Exhibits
- Elevate the Arts Celebration
- Citizens of the Century
- July 1 Committee

The CCCC has had several meetings with community organizations and partnerships for other initiatives are taking shape:

- Courtenay Downtown Business (DCBIA)
- Comox Valley Economic Development Society (CVEDS)
- K'omoks First Nations
- School District 71
- Comox Valley Chamber of Commerce
- Evergreen Club
- Courtenay Recreational Association
- Community Service Clubs
- Courtenay Church organizations

The City of Courtenay has events planned to compliment the year round activities being planned by the CCCC:

- Association of Vancouver Island and Coastal Communities (AVICC) Conference- April
- Mile of Flowers- special Centennial edition- May
- Annual Volunteer Appreciation night-October
- Park openings and dedications

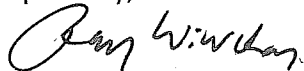
The CCCC has also established a Legacy sub-committee to evaluate all potential legacy proposals. Pending that direction, a legacy grant will be applied for.

The CCCC has made an application for operating funds to Heritage Canada and should find out the amount of funds available by June, 2014. The Committee has also requested 38,000 from the City's operating budget for 2014 planning, promotion, coordination and for the December 31- January 1 events.

Part of these costs will assist in the development and implementation of a Centennial Logo. A local public relations firm was hired to assist in the development of the logo. Several logos were presented to the Committee at their monthly meeting on March 4, 2014. The Committee will work with City staff to develop a communications plan and an implementation plan for use of the logo.

There will be many more community organizations wishing to be involved in Courtenay's Centennial, and the Committee encourages proposals, ideas and suggestions. The draft plans presented are only the beginning. Everyone is welcome be part of Courtenay's biggest party ever.

Prepared by,



Randy Wiwchar

Director of Community Services

Office of the Chief Administrative Officer

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



File: 5225-06

February 27, 2014

Sent via email only: dallen@courtenay.ca

Mr. David Allen
Chief Administrative Officer
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mr. Allen:

Re: Rainwater management strategy

At its February 25, 2014 meeting the Comox Valley Regional District board of directors adopted the following resolution:

THAT a letter be sent to the City of Courtenay, Town of Comox and Village of Cumberland acknowledging staff participation and providing a copy of the staff report dated February 12, 2014 and the Fernhill Consulting report.

Please find enclosed a copy of the staff report dated February 12, 2014 and the Fernhill Consulting report titled "A Rainwater Management Strategy for the Comox Valley Regional District Electoral Areas".

It is with great appreciation that the Comox Valley Regional District acknowledge the assistance and collaboration from the City of Courtenay staff, in developing an integrated watershed development approach for rainwater management in the electoral areas.

It has been a great pleasure to work with your staff and we look forward to continued collaboration to maintain healthy watersheds throughout the Comox Valley.

Sincerely,

D. Oakman

Debra Oakman, CMA
Chief Administrative Officer

Enclosure: Staff report dated February 12, 2014
Fernhill Consulting report



DATE: February 12, 2014

TO: Chair and Directors
Electoral Area Services Committee

FROM: Debra Oakman, CMA
Chief Administrative Officer

RE: Rainwater management strategy

FILE: 5225-06

Purpose

The purpose of this report is to provide an update regarding the development of options for a rainwater management strategy for the electoral areas of the Comox Valley Regional District (CVRD) and to receive the report by Fernhill Consulting and West Coast Environmental Law (WCEL).

Policy analysis

The Ministry of Transportation and Infrastructure (MoTI) is responsible for managing rainwater and drainage outside of municipal boundaries through the construction and maintenance of the provincial road network. Much of the drainage and infrastructure related to rainwater is studied, designed and constructed through the subdivision process controlled by MoTI. The CVRD does play an advisory role as part of the subdivision referral process through the provincial approving officer.

The CVRD does have the responsibility to ensure proper rainwater and drainage management when land alteration occurs as a result of development that was enabled by the CVRD, typically through a rezoning or development permit process.

A rainwater strategy is identified as a NOW priority on the September 2013 strategic plan.

At the August 2011 board meeting, the following resolution was passed:

THAT a legal and technical review of current CVRD bylaws, policies and procedures be included in the 2012 work plan to ensure that the CVRD is exercising due diligence with respect to stormwater management within its existing jurisdiction;

AND FURTHER THAT \$20,000 be committed from Community Works Funds for each of electoral areas A, B, and C for a total of \$60,000 towards the legal and technical review.

At the March 2013 board meeting, the following resolutions were passed:

THAT rainwater management policy statements and development permit area guidelines are developed and include objectives to address climate change impacts, adaptive management and performance standards and are implemented as part of the current official community plan review.

THAT the Comox Valley Regional District enter into a memorandum of understanding with the Ministry of Transportation and Infrastructure to develop a more comprehensive approach to rainwater management.

THAT a report on the resource requirements and next steps for implementing a rainwater management strategy for the Comox Valley Regional District electoral areas be prepared.

THAT the Comox Valley Regional District pursue grant funding for a pilot project to test an integrated rainwater management approach.

Executive summary

In recent years the CVRD has been working to both better understand its roles and responsibilities with respect to rainwater management, as well as to develop options that will help ensure rainwater is well managed within the rural areas of the regional district for the protection of private property and the receiving environment. Fernhill Consulting has been hired as a rainwater coordinator to develop an integrated watershed development approach for rainwater management. In March 2013 a report from Fernhill Consulting and WCEL was received which identified gaps in rainwater management and provided some recommended options including the development of a rainwater management strategy.

Fernhill Consulting and WCEL provided further work later in 2013 by developing options for consideration towards the development of a rainwater management strategy for the electoral areas. The report outlines a rainwater management strategy and identifies short, medium and long term recommendations to help guide rainwater management in the electoral areas.

Fully implementing an interregional, collaborative rainwater management strategy within the electoral areas is a multi-year project that will evolve over time. At this time it is recommended to focus on the implementation of specific “short term” objectives as identified in the Fernhill report.

Recommendations from the chief administrative officer:

1. THAT the Comox Valley Regional District board receive the report from Fernhill Consulting and West Coast Environmental Law titled “The Rainwater Management Strategy for the Comox Valley Regional District Electoral Areas” and dated December 2013.
2. THAT draft Official Community Plan language be sent to Strategic and Long Range Planning department for incorporating into the Official Community Plan update.
3. THAT the 2014 work plan include the development of watershed-specific targets using the Water Balance Methodology and the development of performance standards and design criteria for rainwater management.
4. THAT a letter be sent to the Minister of the Ministry of Transportation and Infrastructure acknowledging staff participation and providing a copy of the staff report dated February 12, 2014 and the Fernhill Consulting report.
5. THAT a letter be sent to the City of Courtenay, Town of Comox and Village of Cumberland acknowledging staff participation and providing a copy of the staff report dated February 12, 2014 and the Fernhill Consulting report.

Respectfully:

D. Oakman

Debra Oakman, CMA
Chief Administrative Officer

History/background factors

In recent years there has been an increase in the number of rainwater and drainage related problems that have arisen in the electoral areas. This includes flooding, slope stability issues and erosion resulting in property damage, public safety concerns, road closures and water quality impacts. While the CVRD has no jurisdiction or responsibility to manage rainwater and drainage in many of these cases, affected residents are contacting the CVRD as the local government responsible for electoral areas. In the CVRD, and throughout the province, MoTI has the primary responsibility for managing rainwater and drainage outside of municipal boundaries. In certain cases, such as the rezoning or development permit process, the CVRD is authorized to require that a storm water management plan be prepared.

The development of a rainwater management strategy to address the above issues is included as a NOW priority on the CVRD's 2013 strategic plan. In order to facilitate this work Fernhill Consulting was hired as a rainwater coordinator to oversee and participate in a legal and technical review of the CVRD rainwater related bylaws, policies and procedures and to develop an integrated watershed development approach for rainwater management. Attached as Appendix A is the Fernhill report outlining a rainwater management strategy that includes the following objectives:

- Develop draft wording for rainwater management, for the official community plan (OCP) update.
- Assisting with collaboration between MoTI and the CVRD to address rainwater management issues.
- Law and policy recommendations from WCEL aimed at improving the way rainwater is managed in the electoral areas.
- Further development of a proposed rainwater management pilot project.
- Recommended next steps in the short, medium and long term including implications for staffing and budgets.

The updated OCP language developed as part of the report will be provided to the strategic and long range planning department for consideration in the current OCP update project. The remaining objectives will be implemented over time as part of short and medium term next steps which are detailed in the report. A summary of these short and medium term objectives is provided below.

Short term (2014-2016):

1. Develop watershed-specific targets using the water balance methodology, working in cooperation with the CVRD municipalities and MOTI.
2. Create language, performance standards and a process for a subdivision and development servicing bylaw for the core settlement areas, and relevant updates to the CVRD building bylaw.
3. Include language in the 2014 OCP update requiring developers to prepare detailed watershed or hydrologic studies that can inform rainwater management approaches in new subdivisions.
4. Continue to work with the CVRD municipalities under the CAVI umbrella.
5. Develop a regionally-specific version of the water balance model express and use it as a tool for public education and as part of a checklist in the building permit process.
6. Create a development permit area for water courses that includes all riparian areas and all parcels of land that include riparian areas.

7. Review existing CVRD floodplain regulations in light of climate change projections related to sea level rise and increased risk of extreme precipitation events, and update floodplain mapping and floodplain construction requirements.

Medium-term (2016-2018):

8. Enact the subdivision and development servicing bylaw and associated service area(s) for monitoring and maintenance of works.
9. Together with other local governments and stakeholders, developers and landowners, create a watershed management plan for a high priority watershed(s) as the first step of a region-wide watershed management strategy.
10. Gather information on the current condition of CVRD watersheds, through studies and by working with local groups and municipalities.
11. Identify areas within the CVRD that may be subject to erosion and landslip hazards, and establish tree cutting permit areas and natural hazard development permit areas.
12. Establish topsoil requirements that will apply to all development and re-developments within the CVRD and which specify both the depth and quality of soil to be used.

Long-term (2018+):

13. Maintain current minimum parcel sizes in rural areas.
14. Consider processes to regulate and require onsite rainwater management for lands within the rural areas.
15. Explore the creation of a region-wide service areas for water stewardship.
16. Working with the CVRD municipalities, K'ómoks First Nation, local non-governmental groups, community members, developers and landowners, develop a region-wide integrated watershed management strategy.
17. Develop a region-wide design and policy manual for rainwater management.

As can be seen above the full implementation of a rainwater management strategy is a multi-year, inter regional and collaborative process involving many stakeholders. The pursuit of “medium term” objectives will likely require additional resource and consulting time in order to fully implement. However, in the short term, many of the recommended next steps provided in the Fernhill report can be pursued within the existing staff resource. Beginning in 2014 it is recommend to move forward with the development of specific watershed targets using the water balance methodology, as well as determining performance standards and design criteria for rainwater management. In addition, the draft OCP language can be sent to the strategic and long range planning department for incorporating into the OCP update.

Options

The CVRD has the following options with respect to rainwater management:

1. Continue with the status quo.
2. Begin implementation of a rainwater management strategy for the electoral areas.

In recent years there has been an increase in the number of rainwater and drainage related problems that have arisen in the electoral areas. Rainwater management is listed as a NOW priority on the CVRD's strategic plan. The CVRD is currently undergoing an OCP update and it is timely to include updated policy statements regarding rainwater management. The implementation of a full rainwater management strategy is a multi-year process that can be started now with the

implementation of several short term objectives aimed at further improving rainwater management in the electoral areas. As such, only option two above is recommended

Financial factors

To date, the contract to Fernhill Consulting and WCEL to complete the development of a rainwater management strategy (2012 and 2013) has cost approximately \$47,000. Further funding has been allocated in the proposed 2014-2018 liquid waste management service (340) financial plan to continue work on rainwater management. Funding is provided from the community works funds (CWF) gas tax program.

Legal factors

A legal review of options was completed by WCEL and is contained in the Fernhill Consulting report dated February 2013. Jurisdiction and risk were reviewed and it is the opinion of WCEL that the CVRD would likely not expose itself to additional liability by taking a more active role in rainwater management, provided that it ensures that any program or service is offered with reasonable care to those likely to be impacted by the program or service. The CVRD may decrease its liability in some cases by properly addressing rainwater management.

Sustainability implications

The Comox Valley sustainability strategy contains several targets applicable to addressing stormwater management within the electoral areas and support an integrated watershed approach.

Intergovernmental factors

In order to manage rainwater and drainage according to best practices, an integrated, basin-wide approach is needed. This will involve close collaboration between the CVRD and member municipalities as well as MoTI, and large private land owners such as forestry companies and representation from the stewardship industry. The CAVI-Comox Valley leadership team includes these members and has been meeting regularly over the past five years to discuss these issues.

At the March 2013 board meeting, the following resolution was passed:

THAT the Comox Valley Regional District enter into a memorandum of understanding with the Ministry of Transportation and Infrastructure to develop a more comprehensive approach to rainwater management.

In support of the above resolution the CVRD and MoTI have formed a joint steering committee to further collaborate on intergovernmental rainwater issues. This committee has now met twice to review issues and to better understand how the CVRD and MoTI can work together to resolve rural rainwater issues. This steering committee will continue to work together throughout 2014.

Interdepartmental involvement

The engineering services and planning services departments as well as the strategic and long range planning department are all involved in dealing with issues around rainwater and drainage management. Coordination amongst these and other departments will be critical to improving the way in which CVRD handles rainwater and drainage issues in the electoral areas.

Citizen/public relations

Proper management of rainwater runoff and drainage is an important issue to many residents in the electoral areas as it can and has significantly impacted their properties, primarily as a result of flooding. These residents are often in contact with the CVRD as the local government in their area.

Prepared by:

M. Rutten

Marc Rutten, P. Eng.,
Senior Manager of
Engineering Services

Concurrence:

K. Lorette

Kevin Lorette, P. Eng., MBA
General Manager of Property
Services Branch

Attachment: Appendix A: report titled “A Rainwater Management Strategy for the Comox Valley Regional District Electoral Areas”, December 2013

A Rainwater Management Strategy For The Comox Valley Regional District Electoral Areas

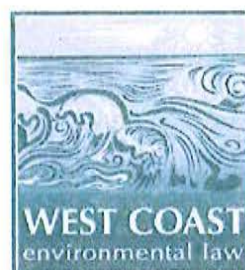


DECEMBER 2013

Prepared for the Comox Valley Regional District by:

Tanis Gower, RPBio
Fernhill Consulting
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Acknowledgements

This project was supported and directed by staff at the CVRD Property Services Branch. Staff at the local office of the Ministry of Transportation and Infrastructure (Bob O'Brien and Larry Park) were helpful participants, as were Kim Stephens and Jim Dumont from the Partnership for Water Sustainability. Kate Miller from the Cowichan Valley Regional District provided useful examples of local performance standards.

Cover Photo credits:

Agricultural ditch photo credit: Don La Vange
Brooklyn Creek: Brooklyn Creek Watershed Society
Flooding storm sewer photo credit: Paul Chenoweth
Rain garden photo credit: Michigan State University Facility Records Department

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Executive Summary

The Comox Valley Regional District (CVRD) continues to attract new residents, and incremental development and re-development is ongoing in the rural areas. In addition, there are three rural “core settlement areas” described in the Regional Growth Strategy (2010), where 90% of new development is expected to occur. The CVRD is aware that runoff from existing development is causing problems in some areas, and that increasingly dense development will only exacerbate these problems. The District has made it a priority to determine how they might take a more integrated, watershed-based approach to rainwater management.

This report builds on initial work done in 2012 and early 2013, which examined existing bylaws, policies and procedures to determine whether the CVRD was exercising due diligence with respect to rainwater management. The resulting February 2013 report identified gaps in rainwater management and provided some recommended options, including the development of a rainwater management strategy

This current report outlines a rainwater management strategy. The deliverables include:

- i) Providing draft wording for rainwater management, for the Rural Official Community Plan update to occur in 2014 (see Appendix One).
- ii) Assisting with collaboration between the Ministry of Transportation and Infrastructure (MOTI) and the CVRD, to address rainwater management issues.
- iii) Law and policy recommendations from West Coast Environmental Law, aimed at improving the way that rainwater is managed in the electoral areas.
- iv) Further development of a proposed rainwater management pilot project.
- v) Recommended next steps in the short, medium and long term, including implications for staffing and budgets.

The short, medium and long term recommendations will help ensure that rainwater is well managed within the rural areas of the CVRD, for the protection of private property and the receiving environment. A longer-term ambition is to foster and participate in multi-party efforts to maintain healthy watersheds throughout the Comox Valley. This type of collaboration has already begun through the CVRD’s involvement in CAVI (Convening for Action on Vancouver Island), where the regional working group is seeking funding to begin a watershed management pilot project for the Brooklyn Creek Watershed, starting in 2014.

The following are the suggested next steps to develop and implement a rainwater management strategy in the short, medium and long term.

Short term (2014 – 2016)

1. Develop watershed-specific targets using the Water Balance Methodology, working in cooperation with the CVRD municipalities and possibly MOTI;
2. Create language, performance standards and a process for a subdivision and development servicing bylaw for the core settlement areas, and relevant updates to the CVRD building bylaw. This will provide the basis for development servicing agreements and will include :
 - a. performance standards and design criteria;
 - b. requirements for the property owner to grant rights of way to accommodate ongoing operation, maintenance and replacement of rainwater infrastructure (and/or requirements for s.219 covenants to secure on-site infiltration and detention facilities);
 - c. erosion and sediment control requirements during construction;
 - d. a process that links the issuance of building permits to site servicing, to ensure that rainwater infrastructure complies to the subdivision and development servicing bylaw;
 - e. a review of CVRD administrative processes to determine future roles and responsibilities with respect to inspection and monitoring of rainwater management systems;
 - f. investigation and establishment (as appropriate) of a local service area(s) for ongoing monitoring and maintenance of offsite rainwater management works that service new subdivisions. This task will also require coordination with MOTI.
3. Include language in the 2014 Official Community Plan update that requires developers to prepare detailed watershed or hydrologic studies that can inform rainwater management approaches in new subdivisions, either in subdivision servicing regulations, or by creating Development Approval Information Areas. These studies should incorporate and be compatible with the watershed targets developed using the Water Balance Methodology referred to Item #1. (Draft rainwater management-related OCP language is attached as Appendix One to this document.)

4. Continue to work with the CVRD municipalities under the CAVI (Convening for Action for Vancouver Island) umbrella, including work to begin a watershed management plan (and a planning process) for the Brooklyn Creek watershed.
5. Develop a regionally-specific version of the Water Balance Model Express, and use it as a tool for public education and as part of a checklist in the building permit process.
6. Create a development permit area for watercourses that includes all riparian areas, and all parcels of land that include riparian areas;
7. Review existing CVRD floodplain regulations in light of climate change projections related to sea level rise and increased risk of extreme precipitation events, and update floodplain mapping and floodplain construction requirements.

Medium term (2016 – 2018)

8. Enact the subdivision and development servicing bylaw and associated service area(s) for monitoring and maintenance of works.
9. Together with other local governments and stakeholders, developers and landowners, create a watershed management plan for a high priority watershed(s) (e.g. Brooklyn Creek Watershed), as the first step of a region-wide watershed management strategy.
10. Gather information on the current condition of CVRD watersheds, through expert studies and by working with local groups and municipalities.
11. Identify areas within the CVRD that may be subject to erosion and landslip hazards, and establish tree cutting permit areas and natural hazard development permit areas (DPAs).
12. Establish topsoil requirements that will apply to all development and re-developments within the CVRD, and which specify both the depth and quality of soil to be used.

Long term (2018+)

13. Maintain current minimum parcel sizes in rural areas, that is, for hectares, or two hectares in particular circumstances, and place a cap on the number of two- and four-hectare parcels that can be created.
14. Consider processes to regulate and require onsite rainwater management for lands within the rural areas.
15. Explore the creation of a region-wide service area for water stewardship that would include research, planning and public education. This will allow for longer term planning, capacity building, assessment of priority areas, coordination with member municipalities, and assist in building public support for action. One of the outcomes of this service could be a region-wide integrated watershed management strategy.
16. Together with the CVRD municipalities, K'omox First Nation, local non-governmental groups, community members, developers and landowners, develop a region-wide integrated watershed management strategy and associated actions.
17. Develop a region-wide design and policy manual for rainwater management.

Some of the above actions will be accomplished by existing CVRD staff members. Other tasks will require outside expertise. For immediate planning purposes, a draft budget has been developed for the short term actions requiring outside expertise. In the time period between 2014 and 2018, a budget in the range of \$75,000 can be expected. More information will be required to determine the exact cost of these activities. Starting in the medium term, most costs will be of an ongoing, operational nature and these costs cannot be estimated at this time. In the medium to long term, it's possible that an additional watershed management and planning service area(s) will be established, as required.

1. Introduction

The Comox Valley Regional District (CVRD) continues to attract new residents, and small subdivisions and other developments and redevelopments are ongoing in the rural areas of the District. As well, three areas are identified in the Comox Valley Regional Growth Strategy (2010) as “core settlement areas”, where a significant amount of new housing will likely be built. 90% of development is expected to occur in these core settlement areas within the District.

Runoff from development is currently causing problems in some areas of the District, with erosion, flooding, slope stability issues, public safety concerns, water quality impacts and private property damage being brought to the CVRD’s attention. Given these concerns and the ongoing nature of development, the District has made it a priority to review how runoff and drainage is currently managed, and to determine how the CVRD might take a more integrated, watershed-based approach to rainwater management.

In general, urbanization has well-documented negative effects on the surrounding stream networks and the life they support. The streams in the Comox Valley are no exception. Managing rainwater (stormwater) properly and preserving and restoring aquatic and riparian ecosystems are objectives of both the Regional Growth Strategy and the Comox Valley Regional Sustainability Strategy (2010).

The CVRD currently controls some aspects of rainwater management, particularly when rezoning or development permits are required. However, the current rainwater-related requirements vary in scope and effectiveness, and their limited geographical application does not allow the CVRD to manage rainwater in a consistent or comprehensive manner.

A note on terminology:

“Rainwater management” is the term used in this report. This reflects the current goal to manage most rain where it falls, rather than allowing it to become problematic “runoff” or drainage from developed areas.

“Stormwater” is a commonly used term to describe the runoff or drainage from developed areas.

For subdivision applications where the correct zoning is in place, the Ministry of Transportation and Infrastructure (MOTI) reviews and approves the detailed subdivision designs, including roads and drainage works.¹ The CVRD is in an advisory role, except for any requirements imposed via development permits.

¹ Note: The MOTI has jurisdiction over road drainage, among other things. Neither the CVRD nor the MOTI oversee the drainage infrastructure built on the individual lots that result from subdivision. More detail on current land development processes and standards of practice can be found in the following report: *Partnership for Water Sustainability in BC. 2012. Primer on Land Development Process in BC: Industry Standards of Practice in Implementing Rainwater Management. September 2013.*
http://waterbucket.ca/wp-content/uploads/2012/05/4_Primer-on-Land-Development-Process-in-BC_September-2013.pdf

A February 2013 report by Fernhill Consulting and West Coast Environmental Law² gives more detail on the CVRD's current rainwater management practices. The report concluded that there are gaps in rainwater management that the CVRD can help address, and gave a list of possible next steps, including the further development of a rainwater management strategy.

This current report outlines a rainwater management strategy to ensure that rainwater is well managed within the rural areas of the CVRD, for the protection of private property and the receiving environment. A longer-term ambition is to foster and participate in multi-party efforts to maintain healthy watersheds throughout the Comox Valley. This requires a shift in thinking and a more coordinated approach to action, but does not necessarily involve any increase to the cost of new development in the Comox Valley. This type of collaboration has already begun through the CVRD's involvement in CAVI (Convening for Action on Vancouver Island), where the regional working group is seeking funding for a watershed management pilot project on the Brooklyn Creek Watershed, starting in 2014.

2. Project Scope

Fernhill Consulting and West Coast Environmental Law were engaged to develop a rainwater management strategy for the Comox Valley Regional District electoral areas. Fernhill Consulting focused on the coordination and technical tasks while West Coast Environmental Law addressed the legal and policy aspects. Fernhill Consulting and West Coast Environment Law worked together to develop recommendations and next steps. The project included:

- i) Providing draft wording for rainwater management, for the Rural Official Community Plan update to occur in 2014 (see Appendix One).
- ii) Assisting with collaboration between the Ministry of Transportation and Infrastructure (MOTI) and the CVRD, to address rainwater management issues.
- iii) Law and policy recommendations from West Coast Environmental Law, aimed at improving the way that rainwater is managed in the electoral areas.
- iv) Further development of a proposed rainwater management pilot project.

² Gower, Tanis. 2013. Rainwater management in the Comox Valley Regional District electoral areas: current practices and future options. Prepared by Fernhill Consulting for the Comox Valley Regional District, February 2013. (*This report includes a legal and policy review provided in 2012 by Deborah Carlson of West Coast Environmental Law.*)

- v) Recommended next steps in the short, medium and long term, including implications for staffing and budgets.

3. Wording for the Official Community Plan 2014 update

Draft wording was developed to guide the management of watersheds, coastlines and floodplains. It is expected that this wording will be incorporated as appropriate into an Official Community Plan (OCP) update occurring in 2014.

The draft OCP wording was based on current best practices as well as guidance from the following documents:

- Comox Valley Regional Growth Strategy (2010)
- Comox Valley Sustainability Strategy (2010)
- Existing Comox Valley Rural OCP language (1998)

It's important to note that some of the relevant guidance from the Regional Growth and Sustainability Strategies is informed by the document "Nature Without Borders – The Comox Valley Land Trust Regional Conservation Strategy" (2008). This document was endorsed by the CVRD board and local municipal councils in 2008. Nature Without Borders was updated in 2013, thus some terminology used in the draft OCP language (Appendix One) is from the most recent version.

Other information sources reviewed in the preparation of the draft language included:

- Ongoing work with the regional Convening for Action on Vancouver Island (CAVI) group, including the draft document, "A Guide to Waterwise Development"
- Draft performance standards from the Cowichan Valley Regional District Water Balance Model Express (beta version).
- OCP language from the following jurisdictions: Cumberland draft OCP (2013), Town of Comox OCP (2011), City of Courtenay OCP (2011), Metro Vancouver's Integrated Liquid Waste Resource Management Plan, District of North Vancouver OCP (2011), City of Coquitlam OCP (2011), Tofino draft OCP language.
- The Capital Regional District's proposed Integrated Watershed Management Program Plan (2008).
- Draft Courtenay River Estuary Management Plan (2000)
- Keeping it Living: A Vision and Guiding Principles for the Courtenay River Estuary (2009)
- Millard-Piercy Watershed Gap Analysis (2009)
- Nature Without Borders (Comox Valley Conservation Strategy) second edition (2013) and first edition (2008)
- Comox Valley Regional District (January 2011). A Natural Selection: Rural Comox Valley Parks and Greenways Strategic Plan 2011-2030

- CVRD corporate climate action plan
- NE Comox Neighbourhood Stormwater Management Plan - Phase 1 of 3 (2013)

The following subject areas were not part of the scope of work but are related. These may require additional goals, objectives, policies and/or implementation actions.

- “Greenshores” approaches to coastline management and development
- Form of development – land use patterns and appropriate servicing
- Natural hazards (floodplain, steep slopes, coastal erosion, wildfire)
- Tree retention (tree cutting permit areas/covenants)
- Carbon sequestration or off-sets as part of a greenhouse gas emission reduction strategy under the BC Climate Action Charter and the Zero Net Deforestation Act. (This may include estuary restoration or preservation/restoration of forested areas.)
- Management and preservation of natural areas and ecosystem services (priority ecological areas) within parks, open spaces and recreational greenways
- Groundwater protection (for water quality/safe drinking water and water quantity, as well as provision of base flows to streams), including aquifer mapping, studies and risk assessments, and managing the impact of septic systems
- Water conservation, rainwater harvesting and grey water re-use; sewage infrastructure
- Protecting water quality in drinking water supply watersheds
- Specific water quality measures for Baynes sound
- Managing invasive non-native plants and animals
- Managing runoff, erosion and sediment during construction
- Climate change mitigation (greenhouse gas reduction) and climate change adaptation for sewage and solid waste.
- Agricultural land uses and their effect on riparian buffers and water quality and quantity.

Note: surface water quality is not explicitly addressed in the draft OCP wording because water quality is usually protected if onsite rainwater management is put in place in developing areas. Further measures (e.g., managing sediment and erosion) will be required to protect surface water quality during development.

Coastal shorelines (coastlines) were included in the goals for their relevance to climate change adaptation and shared responsibility, but this aspect may need further development. For example, The Comox Valley Sustainability Strategy refers to exploring the Green Shores rating system for shoreline development. It also suggests revising development regulations and zoning for the estuary. The current (1998) OCP has a development permit area for shoreline protection devices (DPA #18) that could be updated to include environmental and climate change related concerns.

The draft OCP wording is attached as Appendix One.

4. Collaboration with the Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure (MOTI) and the Comox Valley Regional District (CVRD) have shared interests and jurisdiction for managing rainwater and stormwater in the Comox Valley Region. In particular, the MOTI is in charge of subdivision approvals and the CVRD provides recommendations to this process. MOTI's jurisdiction with respect to subdivisions includes road drainage along with many other considerations. The CVRD provides zoning and building permits for the individual lots within the newly created subdivisions. These developments may also be subject to one or more development permits to be issued by the CVRD.

The CVRD and the MOTI are developing a process to guide closer collaboration. This may eventually result in new procedures and a greater joint capacity for managing rainwater and stormwater in the region. Fernhill Consulting has provided some information to a new joint committee, which began meeting in late 2013.

5. Law and policy recommendations for rainwater management

West Coast Environmental Law ("West Coast") was asked by Fernhill Consulting to prepare a list of law and policy recommendations for integrating rainwater management practices³ into development and re-development of lands within the Comox Valley Regional District (CVRD) outside municipal areas. In preparing these recommendations West Coast reviewed relevant CVRD bylaws, obtained information from Tanis Gower, Fernhill Consulting about CVRD policies and practice, reviewed examples from other jurisdictions, and held two afternoon meetings with CVRD staff to discuss, respectively, rainwater management approaches in general, including a demonstration of the Water Balance Model Express, and practical application of rainwater management in the CVRD, taking into account existing and proposed land use within the district, current practices and capacity, and availability of data regarding watershed function. West Coast also consulted Jim Dumont, P.Eng. and Water Infrastructure Specialist, to obtain advice about the technical information and standards which be necessary to inform any law or policy framework that would be adopted by CVRD. Mr. Dumont has also provided information about practical and administrative aspects of implementing the law and policy framework required to manage rainwater on and offsite.

³ These practices were described in a previous report prepared for CVRD in 2012, which was included in Fernhill Consulting's February 2013 report.

After a brief summary of this technical information and standards, West Coast discusses a number of possible steps with respect to land use planning and regulation, in addition to the Official Community Plan amendments and increased collaboration with the Ministry of Transport and Infrastructure outlined in other sections of this report. It should be noted that the options described by West Coast Environmental Law are necessarily limited to legal advice about how CVRD land-use planning and regulatory powers might be used to implement rainwater management approaches within the CVRD. This legal advice does not address the appropriateness or likely effectiveness of any particular technical measure or standard that is used or adopted or may be used or adopted by CVRD for the purpose of rainwater management and related objectives.

5.1 Technical prerequisites for rainwater management in the CVRD

Developing an integrated approach to rainwater management involves looking at a watershed as a system, and understanding how existing natural and manmade components of the watershed interact. This understanding can then be used as the basis for developing tools and policies to manage the watershed in a coordinated way to address a range of issues including not only drainage, but also environmental protection, water quality, slope stability, agriculture, and others.⁴ As well, as previous studies have indicated,⁵ climate change impacts such as increased precipitation and sea level rise may have, now and more so in the future, a significant impact on flooding events in the region, and these factors may be relevant over the longer term as well.

Translating this information into practical requirements means developing watershed-specific targets to manage the complete rainfall spectrum, not just storm events. Using the Water Balance Methodology⁶ these targets can be set at a level that not only provides future flood protection, but also meet rainwater management requirements and supports healthy watershed function as described above.

In terms of the process undertaken to develop watershed targets, there is potential for significant variation in scope of the investigation and the amount of consultation with stakeholders. An estimated cost to prepare this type of study for CVRD, based on existing levels of physical information available at a watershed level, that would be sufficient to inform the rainwater management options described below over the short

⁴ The Regional Growth Strategy (RGS) recognizes the need to acquire information relevant to rainwater management. See Goal 3.7, recommended policy: "Work with the development community to establish and adopt progressive stormwater/rainwater management practices, based on integrated watershed management plans, including source controls and treatment systems in all new development, where appropriate, including use of the Water Balance Model (www.waterbalance.ca)."

⁵ Northwest Hydraulic Consultants, *Tsolum River Flood Hydrology Investigation*, June 2011.

⁶ See, for example, *Water Balance Methodology: Integrating the Site with the Watershed and the Stream* <http://www.waterbucket.ca/cfa/sites/wbccfa/documents/media/555.pdf>

and medium term is included in the Resource and Budgeting Implications in section 7 of this report.

There may also be opportunities in the development process to require that property owners provide some relevant information, as discussed below.

At the subdivision and site level, watershed targets and rainwater management objectives need to be reflected in performance standards, standard details and/or design criteria. Ideally this would be coordinated by CVRD with the municipalities in the region to avoid a multiplicity of standards and an eventual race to the bottom. This would mean an agreement on a single set of standards. As well, regarding flood protection in areas other than floodplain the design standards included in standards applicable to subdivisions and roadways should be included.⁷

To address single parcel developments in rural areas, the use of the Water Balance Model Express could be explored⁸, informed by the watershed targets outlined above, and in cooperation with the Convening for Action on Vancouver Island process and the Water Sustainability Partnership.⁹

It is important to note that watershed targets, performance and design standards, and solutions to guide rainwater management on single parcels are relevant not only for CVRD, but also the municipalities of Comox, Courtenay and Cumberland and possibly MOTI as well. Costs associated with producing these technical requirements may potentially be shared among these authorities.

5.2 Opportunities for rainwater management in the CVRD

Development and re-development activity within the CVRD outside municipalities appears to be focused in two areas: new subdivision developments within the three core settlement areas designated in the RGS, and development and re-development activities on single parcels within the rural areas, where minimum parcel sizes are set at two hectares.¹⁰

⁷ BC Supplement to Transport Association of Canada Geometric Design Guide, 2007 edition.
http://www.th.gov.bc.ca/publications/eng_publications/geomet/TAC/TAC_2007_Supplement/Ch1000-2007.pdf

⁸ The Water Balance Model Express (WBM Express) is a user friendly application that facilitates rainwater management at the site level. The WBM Express enables users to assess how well different site designs and measures meet three performance targets: baseflow release rate, storage volume and infiltration area. See *Water Balance Model Express for Landowners*, online at http://waterbucket.ca/cfa/files/2013/06/8_Hastings-Blueprint_WBM-Express-for-Landowners_May-2013.pdf

⁹ <http://waterbucket.ca/viw/2012/08/25/home-cavi-convening-action-vancouver-island/>

¹⁰ See RGS, Section 4, Managing Growth, 4.5 Rural Areas.

The recommendations below are divided into three types of measures:

1. Specific to core settlement areas;
2. Specific to single parcels in rural areas; and
3. Of general application throughout the unincorporated areas of the CVRD.

Each measure and a discussion of its authority and application are discussed below.

A note on legal authority of regional districts to support and regulate rainwater management

Regional districts have a variety of legal powers, including Part 26 Planning and Land Use Management powers related to zoning, subdivision and site servicing, development permitting, landscaping, parking, erosion control, and run-off, as well as powers related to the regulation of drainage, soil deposit and removal, and building and other types of permitting that can be used to implement aspects of rainwater management.

5.3 Analysis and recommendations for rainwater management in the CVRD

5.3.1 Core Settlement Areas

The Regional Growth Strategy (RGS) identifies core settlement areas and notes that 90% of development is expected to occur in these areas. The core settlement areas include three settlement nodes: Union Bay, Saratoga Beach and Mount Washington.

Recommendations for Core Settlement Areas:

1. Adopt a subdivision and development servicing bylaw that will incorporate design criteria and performance standards for rainwater management for subdivisions and on-site, applicable to core settlement areas, and implement the requirements of the bylaw through development servicing agreements¹¹;
2. Where the scale of development allows, consider requiring that developers prepared detailed watershed studies or obtain other locally relevant information (incorporating the watershed targets prepared for CVRD, as discussed in section 7) that can support rainwater management

¹¹ See *Local Government Act*, RSBC 1996, c.353, s.940(2)(b). A development servicing agreement between a developer and a local government, including the provision of security, enables construction to begin (i.e. the issuance of a building permit) while providing assurance that all required site servicing requirements will be completed by the developer. Otherwise the developer would be required to complete site servicing before construction, which may not be practical, particularly in the case of rainwater management techniques which often involve landscaping.

- approaches in new subdivisions. This can be required either through a subdivision and development servicing bylaw or by creating development approval information areas;
3. Require that the property owner grant rights of way to the CVRD to allow operation, maintenance and replacement of rainwater infrastructure as appropriate and/or require s.219 covenants to secure on-site infiltration and detention facilities;
 4. Require erosion and sediment control through development agreements, and through the creation of a bylaw;
 5. Establish local service area(s) for ongoing monitoring and maintenance of offsite works that serve the subdivision; and,
 6. Link the building permit approval process to the construction of servicing requirements, and require security from property owners.

Discussions with staff confirmed that intensive development of core settlement areas is proceeding or will be proceeding, at the scale of subdivisions. Zoning in these areas to date appears to be for comprehensive development, i.e. Kensington Comprehensive Development Zone (K-CD), Saratoga Beach Estates Comprehensive Development Zone One (SBE-CD1), and Mountain Washington Comprehensive Development Zone (MTW-CD).¹² Provisions in two of these comprehensive development zones suggest that “on-site stormwater detention” is being encouraged, but not mandated. See for example: (K-CD, e.g. 1102.4, Mixed-Residential (MR), s. 4, Sustainability Requirements), and plans for on-site stormwater retention ponds (SBE-CD1, Appendix 1). However, it does not appear that these subdivision developments are being required to meet performance standards with respect to rainwater management that would ensure surface flow, interflow and groundwater flow to maintain or mimic the natural hydrologic regime.¹³

At present CVRD has no subdivision and development servicing bylaw applicable to these core settlement areas, either for works designed to address rainwater management on individual parcels or at the scale of a subdivision. In the absence of regulation of site and subdivision servicing by CVRD, these areas are subject to the *Local Services Act*¹⁴ and Regulations, as applied by the approving officer at the time of subdivision.¹⁵ Those regulations primarily address natural hazards and public safety.¹⁶

¹² Bylaw No. 2781, Comox Valley Zoning Bylaw, 2005.

¹³ Master development agreements for the comprehensive development zones identified have not been reviewed in the preparation of this analysis.

¹⁴ RSBC 1996, c. 276

¹⁵ According to the Subdivision Regulations, BC Reg 262/70, subdivision may be refused where the approving officer finds that the proposed subdivision (a) contains

(i) land which is subject to erosion, or

(ii) a parcel which is divided by land subject to erosion into areas not suited to the use to which it is intended,

(b) contains land which

(i) may slip when developed, used or occupied,

(ii) when developed, used or occupied may cause land on an adjacent parcel to slip, or

Site requirements are dealt with through the CVRD building inspection service, but are limited to the requirements set out in the Comox Valley Regional District Building Bylaw.¹⁷ Generally these requirements relate to public safety and the protection of property.

However, relying on the regulatory powers provided in the *Local Government Act*¹⁸, ss. 694 and 938, the CVRD can adopt requirements for on-site servicing such as rainwater management performance standards that must be achieved before a building permit can be issued.¹⁹ Sequencing needs to be considered. Rainwater management techniques typically involve landscaping, and it may not be practical to undertake these measures prior to building construction. To address this issue CVRD can require security and a service agreement that confirms that these works will be completed by the property owner at a later date.²⁰

To the extent that offsite works such as rain gardens, street trees, ponds, pipes, etc. will be located on Crown land or MOTI rights of way, ongoing operating, maintenance and replacement costs will most likely need to be addressed by the CVRD through the creation of a local service area, subject to agreement by MOTI that CVRD will undertake ongoing management of these works. Annual levies or parcel taxes for properties within the service area would be set to cover costs. However, in accordance with the subdivision servicing and development servicing bylaw the developer-owner would be responsible for construction costs of on- and off-site works.

Other regional districts that have adopted subdivision and development servicing bylaws include the Squamish-Lillooet Regional District (SLRD), the Regional District of Central Okanagan and the Regional District of Nanaimo. The SLRD has taken the step of requiring proponents of new subdivisions to prepare and pay for integrated stormwater management plans for the watershed where the subdivision will be located, if one has not already been done.²¹ Relevant information can also be obtained through Development Approval Information Areas.²²

(iii) may be inundated by a land slip if land above on another parcel slips,
(c) contains land which is subject to flooding so as to render it unsuitable for the use to which it is intended, or

(d) contains land which because of inadequate drainage is not suitable for the use to which it is intended.

¹⁶ With respect to off-site drainage, the Approving Officer should also be taking into consideration the specifications in the BC Supplement to Transport Association of Canada Geometric Design Guide, 2007 edition.

http://www.th.gov.bc.ca/publications/eng_publications/geomet/TAC/TAC_2007_Supplement/Ch1000-2007.pdf

¹⁷ Bylaw No. 142, 2011.

¹⁸ RSBC, 1996, c.323.

¹⁹ s.938(7), s.940.

²⁰ S.940.

²¹ SLRD, Electoral Area D Subdivision and Development Servicing (Planned Communities) Bylaw No. 741, 2002, Schedule A, 3.3.2. "A subdivision will not be permitted until an ISWMP addressing engineering,

Further examples of subdivision and development servicing bylaws that incorporate performance standards and information from watershed studies include the District of North Vancouver, the City of Coquitlam, and the City of Surrey.

The regulation of erosion and sediment control is a critical part of a rainwater management strategy. The CVRD can specify requirements related to erosion and sediment control as part of a development services agreement for a subdivision, but may also use its power to regulate run-off in the *Local Government Act*,²³ s.907 to specify how “an owner of land who carries out construction of a paved area or roof area, manage[s] and provide[s] for the ongoing disposal of surface runoff and storm water.” Regional districts also have the power to impose fines, penalties and costs for the purposes of enforcing bylaws, and a related power to enter property for inspection purposes.²⁴

5.3.2 Rural Areas

The RGS anticipates that 10% of future population growth within the CVRD will occur in Rural Areas. While this is a relatively small proportion of overall growth, it is nonetheless recognized that development in rural areas over time has a cumulative effect on the watershed where it occurs, and in the interest of reducing flood risks and protecting downstream habitat it is important to address rainwater management in this rural context as well.

Recommendations for Rural Areas

1. Maintain current zoning and do not allow parcel sizes smaller than four hectares (two hectares in certain circumstances), and place a cap on the number of parcels that can be created at these minimum sizes;
2. Develop a regionally specific version of the Water Balance Model Express, and use it as a tool for public education and as part of a checklist in the building permit process.
3. Conduct a feasibility study to determine:

planning and environmental concerns has been completed for the watershed in which the land is situated. If an ISWMP has not previously been completed for that watershed, the Owner will be responsible for the costs of preparing one for the entire watershed in which the proposed subdivision or development is situated. The process must follow that described in the GVRD publication “Integrated Stormwater Management Planning - Terms of Reference Template” amended appropriately to the requirements of the Squamish Lillooet Regional District.”

²² *Local Government Act*, RSBC 1996, c.353, ss. 920.01, 920.1.

²³ RSBC, 1996, c.323.

²⁴ *Local Government Act*, RSBC 1996, c. 353, ss. 266, 268.

- a. impacts of on-site rainwater management in Rural Areas at site and watershed level, taking into account the Water Balance Methodology²⁵ and,
 - b. appropriate measures to promote use of the Water Balance Model Express within the CVRD.
4. Regulate run-off, including erosion and sediment control, over the longer term, through a bylaw under s. 907, for example.²⁶

Land use planning and regulation is an important aspect of rainwater management because it shapes development at the watershed scale. One of the key land-use tools available to CVRD that can have an impact at this scale is zoning. The RGS acknowledges existing pressure to subdivide lands within Rural Areas, but notes that this may compromise the valued rural character of Rural Areas. The RGS specifies minimum lot sizes to be included in the Comox Valley Rural OCP, ranging from four - 20 hectares, or as small as two hectares where opportunities for intensive small-scale farming can be demonstrated. The RGS also promotes an overall cap on the number of two-hectare lots within the CVRD. Without appropriate data specific to the CVRD it is not possible to gauge the impact of lot size and accompanying levels of development in rural areas on the natural hydrologic regime. Nonetheless, without that data, a precautionary approach would suggest that the RGS policies related to minimum lot size should be rigorously implemented.

At the site level, although in principle it is possible to enact regulations, it appears challenging to propose a regulatory approach to on-site rainwater management for lands within the Rural Areas that can be effective in the CVRD at present. For example, the CVRD has the power to regulate run-off, and set requirements and performance standards for run-off, but does not appear to have enough relevant information about watershed impacts and area-specific concerns such as high water tables and impacts of onsite infiltration on septic systems. Further, it is assumed that owners of single parcels in the Rural Areas do not have expertise in rainwater management techniques, and it may be cost-prohibitive for this group of property owners to engage a consultant.

The Water Balance Model Express²⁷ is a tool that allows property owners to decide their own approach to onsite rainwater management. Owners supply a minimum amount of information about the site and their proposed rainwater approaches, and the tool allows the property owner to tailor their on-site plans to meet overall targets. Being able to specify that property owners use this tool or something similar would enable the CVRD to regulate onsite rainwater management through permitting.

²⁵ See, for example, Partnership for Water Sustainability in BC, *Water Balance Methodology, Integrating the Site with the Watershed and the Stream*, March 2012. Available online at <http://www.waterbucket.ca/cfa/sites/wbccfa/documents/media/555.pdf>

²⁶ *Local Government Act*, RSBC 1996, c. 353.

²⁷ Before the Water Balance Express could be used in the CVRD, it would need to be modified for CVRD conditions.

With this type of information available the CVRD could use its planning and land-use tools to regulate run-off.²⁸ An example of the regulation of rainwater management using the power related to run-off and drainage is the Surface Water Management Plan Bylaw developed by the District of Central Saanich.²⁹

5.3.3 General

In addition to targeted approaches tailored for areas that will experience denser development and rural areas where growth is expected to be accommodated, there are also region-wide issues related to rainwater management and watershed health that the CVRD should take into consideration.

Recommendations – General

1. Gather information on the current condition of CVRD watersheds, through expert studies as described in s. 5.1 and by working with local groups and municipalities;
2. Create a development permit area (DPA) for watercourses that includes all riparian areas, and all parcels of land that include riparian areas;
3. Identify areas within the CVRD that may be subject to erosion and landslip hazards related to natural topography and possibly land clearing or disturbance, and, consider establishing tree cutting permit areas and natural hazard DPAs;
4. Establish topsoil requirements that will apply to all development and re-developments within the CVRD, and which specify both depth and quality of soil to be used, and implement requirements through subdivision and development servicing regulation or landscaping requirements; and
5. Review existing CVRD floodplain regulations in light of climate change projections related to sea level rise and increased risk of extreme precipitation events, and update floodplain mapping and floodplain construction requirements.

As noted above, in order to be effective, regulation of rainwater management needs to be informed by relevant information. Further studies focused on information needed for implementation of rainwater regulation should be undertaken.

²⁸ LGA, s.909.

²⁹ District of Central Saanich, Bylaw No.1606, 2010.

6. A rainwater management pilot project

The CVRD wishes to develop a rainwater management pilot project to facilitate learning and capacity building. Currently there are limited opportunities for the District to take the lead in such a project, due to their lack of jurisdiction over roads and subdivisions. Thus the District wishes to collaborate with the MOTI and a developer on the next major subdivision to occur in an electoral area. A “green streets” approach would be explored, and individual lot drainage may also be addressed.

This type of collaborative project would be fairly unique. However, Fernhill Consulting has consulted with a major funder, the Federation of Canadian Municipalities’ Green Municipal Fund (GMF), to determine whether such a project would be supported. GMF personnel have indicated that this project would be eligible for funding under their current criteria.

To be eligible for Green Municipal Fund support, any rural “green streets” or “green subdivision” pilot project must:

- Have the CVRD as the main proponent;
- Meet stringent performance standards for rainwater management, and
- Fund consultant’s fees and not staff time.

Other funding sources may also be available. For example, a provincial Infrastructure Study Grant could provide \$5,000 to \$10,000 towards a pilot “green streets” project.

7. Next steps

7.1 Recommendations

The following are suggested next steps to develop and implement a rainwater management strategy in the short, medium and long term.

Short term (2014 – 2016)

1. Develop watershed-specific targets using the Water Balance Methodology, working in cooperation with the CVRD municipalities and possibly MOTI.
2. Create language, performance standards and an administrative process for a subdivision and development servicing bylaw for the core settlement areas, and relevant updates to the CVRD building bylaw. This will provide the basis for development servicing agreements and will include:
 - a. performance standards and design criteria related to rainwater management;
 - b. requirements for the property owner to grant rights of way to accommodate ongoing operation, maintenance and replacement of rainwater infrastructure (and/or requirements for s.219 covenants to secure on-site infiltration and detention facilities);
 - c. erosion and sediment control requirements during construction;
 - d. a process that links the issuance of building permits to site servicing, to ensure that rainwater infrastructure complies to the subdivision and development servicing bylaw;
 - e. a review of CVRD administrative processes to determine future roles and responsibilities with respect to inspection and monitoring of rainwater management systems; and
 - f. investigation and establishment (as appropriate) of a local service area(s) for ongoing monitoring and maintenance of offsite rainwater management works that service new subdivisions. This task will also require coordination with MOTI.
3. Include language in the 2014 Official Community Plan update that requires developers to prepare detailed watershed or hydrologic studies that can inform rainwater management approaches in new subdivisions, either in subdivision servicing regulations, or by creating Development Approval Information Areas. These studies should incorporate and be compatible with the watershed targets

developed using the Water Balance Methodology referred to Item #1. (Draft rainwater management-related OCP language is attached as Appendix One to this document.)

4. Continue to work with the CVRD municipalities under the CAVI (Convening for Action for Vancouver Island) umbrella, including work to begin a watershed management plan (and a planning process) for the Brooklyn Creek watershed.
5. Develop a regionally-specific version of the Water Balance Model Express, and use it as a tool for public education and as part of a checklist in the building permit process.
6. Create a development permit area for watercourses that includes all riparian areas, and all parcels of land that include riparian areas.
7. Review existing CVRD floodplain regulations in light of climate change projections related to sea level rise and increased risk of extreme precipitation events, and update floodplain mapping and floodplain construction requirements.

Medium term (2016 – 2018)

8. Enact the subdivision and development servicing bylaw and associated service area(s) for monitoring and maintenance of works.
9. Together with other local governments and stakeholders, developers and landowners, create a watershed management plan for a high priority watershed(s) (e.g. Brooklyn Creek Watershed), as the first step of a region-wide watershed management strategy.
10. Gather information on the current condition of CVRD watersheds, through expert studies and by working with local groups and municipalities.
11. Identify areas within the CVRD that may be subject to erosion and landslip hazards, and establish tree cutting permit areas and natural hazard development permit areas (DPAs).
12. Establish topsoil requirements that will apply to all development and re-developments within the CVRD, and which specify both the depth and quality of soil to be used.

Long term (2018+)

13. Maintain current minimum parcel sizes in rural areas, that is, for hectares, or two hectares in particular circumstances, and place a cap on the number of two- and four-hectare parcels that can be created.
14. Consider processes to regulate and require onsite rainwater management for lands within the rural areas.
15. Explore the creation of a region-wide service area for water stewardship that would include research, planning and public education. This will allow for longer term planning, capacity building, assessment of priority areas, coordination with member municipalities, and assist in building public support for action. One of the outcomes of this service could be a region-wide integrated watershed management strategy.
16. Together with the CVRD municipalities, K'omox First Nation, local non-governmental groups, community members, developers and landowners, develop a region-wide integrated watershed management strategy and associated actions.
17. Develop a region-wide design and policy manual for rainwater management.

7.2 Resource requirements

The following is a suggested approach that identifies new resource requirements as well as items that can be addressed with existing staff capacity.

Short term (2014 – 2016):

The following could be accomplished in whole or in large part with existing staff and existing budgets:

- Developing draft language for a development permit area for watercourses and riparian areas.
- Determining costs and logistics for a service area(s) for monitoring and maintenance of off-site rainwater works that service new subdivisions.
- Continuing ongoing work with CAVI, e.g., with plans for a Brooklyn Creek Watershed Blueprint.

The following may require additional resources, prepared by, or with the assistance of outside service providers:

- Developing watershed-specific targets using the Water Balance Methodology, working in cooperation with the CVRD municipalities and possibly MOTI;
- Incorporating watershed targets for the CVRD into the Water Balance Model Express, and operationalizing for the CVRD, to be used as a tool for public education and as part of a checklist in the building permit process.
- Performance standards for rainwater management.
- Developing draft language for a subdivision and development servicing bylaw.
- Linking the building permit process to site servicing compliance. This would entail the following: (1) reviewing CVRD administrative processes to determine capacity and future roles and responsibilities and training requirements with respect to inspection and monitoring of rainwater management systems; (2) depending on the outcome of (1), it may be necessary to identify qualifications and identify qualified service providers; and (3) create the necessary bylaws/amend existing bylaws, regulatory framework and cost recovery mechanisms.
- Reviewing and improving floodplain regulations/requirements and mapping.

It may be feasible to accomplish some of the above tasks with additional staff resources instead of outside service providers, and the CVRD will determine the most effective approach as this process unfolds.

Medium term (2016 – 2018)

The following could be accomplished in whole or in large part with existing staff and budgets:

- Creating tree cutting permit areas and natural hazard development permit areas.
- Creating a watershed management plan for a high priority watershed (e.g., Brooklyn Creek).

The following will require additional resources. For planning purposes we have assumed these resources will be supplied by an outside service provider rather than new staff, but the CVRD will determine the most effective approach for each item as the process unfolds:

- Determining compliance with the subdivision and development servicing bylaw, and issuing development permits after compliance is achieved.
- Conducting monitoring and maintenance on offsite rainwater management infrastructure.
- Working with consultants, municipalities, K'omox First Nation and local groups and individuals to obtain relevant watershed information, and using this information to understand current conditions and to inform planning and development of a watershed management plan for a high priority watershed.
- Establishing topsoil requirements (note, some of these requirements will be worked out as the subdivision and development servicing bylaw is drafted)

Long term (2018+)

The following could likely be accomplished in whole or in large part with existing staff resources:

- Maintaining current zoning and disallowing parcel sizes smaller than four hectares (two hectares in certain circumstances), and placing a cap on the number of parcels that can be created at these minimum sizes.
- Considering processes to regulate and require onsite rainwater management for lands within the rural areas.

The following would require an increase in resources:

- Ongoing work to coordinate and manage efforts to maintain and improve the health of priority and/or regional watersheds. This may include a new service area, and may include the development of a region-wide design and policy manual for rainwater management

7.3 Budget requirements

Short term

The following is a rough estimate of the funds required for outside service providers in the short term. The CVRD may determine that some tasks are better handled by staff; in that case a different cost estimate can be made. All tasks need to be better defined before a definitive cost can be attached, and the following table is for immediate planning purposes only.

Short term budget (2014 – 2016)
--

Develop draft language for a subdivision and development servicing bylaw (legal and engineering costs)	\$10,000
Link the building permit process to site servicing compliance – administrative procedures and cost recovery mechanisms	\$15,000
A study to establish watershed targets using the Water Balance Methodology	\$15,000 ³⁰
Performance standards and design criteria for rainwater management	\$15,000 ³¹
Incorporate watershed targets for CVRD into WBM Express, and operationalize for CVRD, including staff education.	\$7,000 ³²
Legal costs (revisions to building bylaw, service establishing bylaw)	\$5,000 ³³
Reviewing/improving floodplain regulations/requirements and providing specifications for new mapping	\$10,000

Medium term

With the exception of establishing topsoil requirements, most medium term costs cannot be quantified at this time.

Medium term budget (2016 – 2018+)	
Establishing topsoil requirements for areas outside of settlement nodes	\$5,000
Ongoing operational and planning costs: see below	TBD

Medium term costs will primarily involve the oversight and enforcement of a new subdivision and servicing bylaw. This will be an ongoing, annual budget item. The amount of effort required will partially depend on how much development is occurring in the District. It is expected that this activity can be carried out by an outside service provider for less than it would cost to hire a dedicated staff member for this purpose.

Other medium term activities include working with other parties for watershed management planning. The CVRD is already allocating a small amount of its existing budget towards these activities as well as seeking grant funding through its membership in CAVI (Convening for Action on Vancouver Island). A watershed management function or service may be established in future.

Long term

³⁰ Note that these costs could be shared among CVRD, CVRD municipalities and possibly MOTI.

³¹ Note that these costs could be shared among CVRD, CVRD municipalities and possibly MOTI.

³² Note that these costs could be shared among CVRD, CVRD municipalities and possibly MOTI.

³³ Amount could vary depending on in-house capacity/contributions of external consultants preparing design standards, etc.

Long term resource requirements are to be determined. Costs will likely be for ongoing operations rather than one-time tasks. A new watershed management related service area(s) may be developed in the medium to long term, as required.

Appendix 1: Draft wording for the 2014 Official Community Plan Update

Official Community Plan 2013 update: Watershed and coastline management

Proposed wording for goals, objectives, policies and implementation actions

DRAFT

Goals

1. Implement rainwater management that preserves or restores the natural hydrology regime during development and redevelopment, in order to maintain and improve watershed health and protect downstream properties and infrastructure.
2. Foster shared responsibility among all levels of government and the community, for protecting and restoring watershed, estuary and coastline health.
3. Identify, protect, and where appropriate, restore the following *priority ecological areas* as identified in the Comox Valley Conservation Strategy: *aquatic habitat corridors, upland habitat corridors, sensitive ecosystems*, aquatic ecosystems, community drinking water sources and estuaries.
4. Prepare for climate change by increasing the resilience of natural systems.

Goals, objectives, policies and implementation actions

1. Implement rainwater management that preserves or restores the natural water balance during development and redevelopment, in order to maintain and improve watershed health and protect downstream properties and infrastructure.
 - a. Objective: maintain or restore the natural hydrological regime in CVRD watersheds, including natural rates of surface runoff, infiltration to shallow groundwater (interflow) and infiltration to deep groundwater.
 - b. Policy: utilize the ecological services provided by natural systems (such as rainwater interception and water quality treatment), and restore damaged watercourses wherever practical
 - c. Policy: encourage retrofitting of existing development and infrastructure to incorporate techniques that preserve or restore the natural hydrologic regime of the watershed.
 - d. Policy: hydrological studies and watershed management plans shall be required as necessary to guide major developments such as large subdivisions.

- e. Policy: on-site rainwater management will be required for all new development and redevelopment, to ensure that the pre-development (natural) hydrologic regime is maintained.
 - f. Implementation action: update bylaws, policies and procedures to support implementation of on-site rainwater management.
 - g. Implementation action: develop performance standards to mimic, preserve or restore the natural hydrologic regime through the land development or redevelopment process.
 - h. Implementation action: explore incentives and funding mechanisms for retrofitting existing development to preserve or restore the natural hydrologic regime.
 - i. Implementation action: develop an adaptive management approach to monitor, and as necessary, refine on-site rainwater management performance targets.
2. Goal: Foster shared responsibility among all levels of government and the community, for protecting and restoring watershed, estuary and coastline health.
- a. Implementation action: develop a process and/or mechanisms to work collaboratively with CVRD municipalities, provincial and federal government agencies, First Nations governments, non-governmental organizations, community members, developers and private landowners to protect and restore watershed, estuary and coastline health.
 - b. Policy: recognize and support the efforts of local non-governmental groups in promoting watershed, estuary and coastline health.
 - c. Implementation action: together with the CVRD municipalities, develop a region-wide watershed management strategy and associated actions.
 - d. Implementation action: work with CVRD municipalities and others to coordinate and prepare watershed management plans for high priority watersheds
 - e. Implementation action: develop or encourage watershed stewardship and education programs, and, where feasible, work with land owners to protect and restore the sensitive environmental and unique natural features on their land.
 - f. Implementation action: develop or identify tools, resources, workshops and education programs for local government staff, developers and the public, in order to increase capacity and shared responsibility for managing watershed, estuary and coastline health.
 - g. Implementation action: together with other local governments including the Ko'moks First Nation, commit to the principles and planning recommended in the draft Ko'moks Estuary Management Plan (2013).
3. Identify, protect, and where appropriate, restore the following *priority ecological areas* as identified in the Comox Valley Conservation Strategy: *aquatic habitat corridors, upland habitat corridors, sensitive ecosystems, aquatic ecosystems, community drinking water sources and estuaries.*

- a. Objective: cooperating with CVRD municipalities as appropriate, implement regional conservation planning throughout the CVRD using The Comox Valley Conservation Strategy's *priority ecological areas* as a framework, along with other resources and stewardship tools.
 - b. Objective: protect *priority ecological areas* through purchase, conservation covenants, voluntary protection by landowners (e.g., tax relief/exemption), dedication of park land, or through designation of development permit areas.
 - c. Objective: Further map, update and ground-truth *priority ecological areas*, through collaboration with provincial and federal government agencies, CVRD municipalities, First Nation governments, private landowners and non-governmental organizations, and as part of the development process for individual properties.
 - d. Implementation action: identify priority locations for protection and restoration and recommend conservation and management strategies and procedures.
 - e. Implementation action: monitor the implementation and effectiveness of regional conservation planning through the development and use of appropriate indicators.
4. Prepare for climate change by increasing the resilience of natural systems.
- a. Policy: design developments with nature to reduce environmental, social and economic vulnerabilities and to build community and ecological resiliency.
 - b. Objective: encourage the protection and restoration of *priority ecological areas* to increase the resilience of the natural environment.
 - c. Implementation action: assess vulnerabilities and develop strategies to address the effects of sea level rise and projected changes in precipitation on stormwater infrastructure and natural streams.
 - d. Implementation action: designate coastline and floodplain areas as Hazardous Area Development Permit Areas, and specify measures to mitigate future property damage and costs due to erosion, sea level rise, flooding, and expected increasing severity of storms.
 - e. Implementation action: review existing CVRD floodplain regulations in light of climate change projections related to sea level rise and increased risk of extreme precipitation events, and update floodplain mapping and floodplain construction requirements.
 - f. Implementation action: ensure climate change adaptation is being considered in the design of rainwater management infrastructure.

Glossary

Aquatic habitat corridors: *biodiversity corridors* designated to protect watercourses, and the wetlands and fisheries sensitive zones surrounding them. Aquatic habitat corridors include 30 meter buffers to protect and link aquatic and *riparian ecosystems*.³⁴

Biodiversity: The variety of life on earth in all its forms including genes, species, and ecosystems and the natural processes that link and maintain them.

Biodiversity corridors: the land and water pathways that link core parks and protected areas. They incorporate intact and restored ecosystems, as well as areas under human use, such as forestry and agriculture. These habitat connections are critical to maintaining health and *biodiversity* in plant and animal populations. They provide birthing and rearing spaces, and protection from predators. They include areas of public and private ownership. The two types of biodiversity corridors are *aquatic habitat corridors* and *upland habitat corridors*.³⁵

Estuary: An estuary is a partly enclosed coastal body of water with one or more rivers or streams flowing into it and a free connection to the open sea. Estuaries form a transition zone between river environments and ocean environments and are subject to both marine influences, such as tides, waves, and the influx of saline water; and riverine influences, such as flows of fresh water and sediment. These conditions make estuaries among the most productive natural habitats in the world.

Habitat refuge: a small patch of habitat that provides food, shelter and/or other needs for wildlife. Habitat refuges may include human-modified ecosystems, and generally are not large enough to maintain the genetic diversity of a population.³⁶

Habitat reservoir: a large area of relatively natural habitat that has sufficient size and ecological integrity to support a range of native species, including species that need interior habitats and those that are less tolerant of human presence. The size of the habitat reservoir depends on the species being managed. Habitat reservoirs are often hotspots of biodiversity in or near disturbed urban and rural landscapes.³⁷

³⁴ Aquatic Habitat Corridors are mapped in: Fyfe, L. 2013. Nature Without Borders Second Edition: Comox Valley Conservation Strategy. Produced by Juniper Environmental Services in collaboration with the CVCS Community Partnership.

³⁵ Definition from Fyfe 2013

³⁶ BC Ministry of Environment. 2006. Develop with Care: Environmental Guidelines for Urban and Rural Development in British Columbia.

³⁷ BC Ministry of Environment 2006.

Priority Ecological Areas: the following areas as identified in the Comox Valley Conservation Strategy³⁸: *biodiversity corridors*, *sensitive ecosystems*, aquatic ecosystems, community drinking water sources and *estuaries*.

Riparian ecosystem: a distinct ecological system surrounding streams and wetlands and delineated by site-specific vegetation, soil and elevation features. Riparian ecosystems support high levels of biodiversity, protect adjacent aquatic areas and stabilize stream banks. They are critical refuges and natural aquatic corridors for wildlife.³⁹

Sensitive ecosystems: rare, threatened and/or fragile ecosystems and other ecosystems of high biodiversity that have been identified during a Sensitive Ecosystems Inventory. For the East Vancouver Island SEI these sensitive ecosystems include the following: Coastal Bluff, Sparsely Vegetated, Terrestrial Herbaceous, Wetland, Riparian, Woodland, Older Forest, Seasonally Flooded Agricultural Fields and Older Second Growth Forests.⁴⁰

Upland habitat corridors: biodiversity corridors that provide connectivity between terrestrial ecosystems. Upland habitat corridors are mapped to recognize the existing or potential connections between *habitat refuges* and *habitat reservoirs* including core protected areas such as nature parks and conservation lands.⁴¹

Watershed Management Plan: a guidance document for managing a specific watershed, which assists local governments, landowners and others to maintain and restore watershed health. They contain high-level planning guidance as well as specific implementation items for all land users and land stewards. This guidance will typically be incorporated into local government planning documents as well as staff work-plans and budgets.

³⁸ Fyfe, L. 2013. Nature Without Borders Second Edition: Comox Valley Conservation Strategy. Produced by Juniper Environmental Services in collaboration with the CVCS Community Partnership.

³⁹ Definition from Fyfe 2013

⁴⁰ These nine ecosystem types are identified in Comox Valley Regional District. 2010. Comox Valley Regional Growth Strategy Bylaw No. 120, 2010. Map No. 4 Regional Conservation Framework Concept. More detailed information can be found in the Vancouver Island Sensitive Ecosystem Inventory publications: http://www.env.gov.bc.ca/sei/van_gulf/publications.html and in the CVRD's Sensitive Habitat Atlas.

⁴¹ Upland Habitat Corridors are mapped in Fyfe 2013

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2778

A bylaw to amend 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. 2778, 2014**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:

(a) By replacing Section 8.15.1 in its entirety with the following:

8.15.1 Permitted Uses

In the MU-3 zone, the following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- (1) Residential**
- (a) *Single residential dwelling*
- (b) *Duplex dwellings*
- (c) *Multi residential dwellings*
- (d) *Accessory buildings and structures*
- (e) *Boarding*
- (f) *Home occupation*

- (2) Commercial**
- (a) *Accessory buildings and uses*
- (b) *Bakery and Deli*
- (c) *Care facility*
- (d) *Community service*
- (e) *Day care*
- (f) *Facility for adults with a disability*
- (g) *Fitness facility*
- (h) *Financial institution*
- (i) *Laundromat*
- (j) *Medical clinic*
- (k) *Micro-brewing limited to 400 m² and including the accessory retail sale of goods produced on site*
- (l) *Office*
- (m) *Personal Service*
- (n) *Printing and Publishing*
- (o) *Restaurant*
- (p) *Retail store*
- (q) *Second hand store*
- (r) *School and studio*

- (3) Combined Commercial Residential Uses**
- Residential units contained within a dual-use *building* shall be located above *storeys* used for commercial purposes and no *storey* can be used for both commercial and residential purposes.

- (s) *Small item sales, service,
repair and rental*
- (t) *Veterinary clinic*

The sale of drug paraphernalia is expressly prohibited in this zone.

(b) That Schedule No. 8 be amended accordingly.

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

Read a first time this 11th day of February, 2014

Read a second time this 11th day of February, 2014

Considered at a Public Hearing this 3rd day of March, 2014

Read a third time this day of , 2014

Finally passed and adopted this day of , 2014

Mayor

Director of Legislative Services

repair and rental
(t) *Veterinary clinic*

The sale of drug paraphernalia is expressly prohibited in this zone.

(b) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.

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

Read a first time this day of , 2014

Read a second time this day of , 2014

Considered at a Public Hearing this day of , 2014

Read a third time this day of , 2014

Finally passed and adopted this day of , 2014

Mayor

Director of Legislative Services

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

Debbie O'Brien

Approved under the **Transportation Act**

this 26th day of February 2014

D O'Brien.

Sr. District Development Technician
Ministry of Transportation and Infrastructure

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

City of Courtenay Fees and Charges Amendment Bylaw No. 2781, 2014

REASON FOR BYLAW

To amend water and sewer utility user rates for 2014 in accordance with Council resolutions of February 11th and 17th, 2014.

STATUTORY AUTHORITY FOR BYLAW

Section 194 of the *Community Charter*

OTHER APPROVALS REQUIRED

STAFF COMMENTS AND/OR REPORTS

OTHER PROCEDURES REQUIRED

February 25, 2014

T. Manthey
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2781, 2014

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

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 **“City of Courtenay Fees and Charges Amendment Bylaw No. 2781, 2014.”**
2. That “City of Courtenay Fees and Charges Bylaw No. 1673, 1992” be amended as follows:
 - (a) That Schedule of Fees and Charges, Section III, Appendix I, “Waterworks Distribution System”, and Appendix II “Sanitary Sewer System” be hereby repealed and substituted therefore by the following attached hereto and forming part of this bylaw:

Schedule of Fees and Charges Section III, Appendix I – Waterworks Distribution System
Schedule of Fees and Charges Section III, Appendix II – Sanitary Sewer System
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 3rd day of March, 2014

Read a second time this 3rd day of March, 2014

Read a third time this 3rd day of March, 2014

Finally passed and adopted this day of March, 2014

Mayor

Director of Legislative Services

**SCHEDULE OF FEES AND CHARGES
CITY OF COURTENAY FEES AND CHARGES
AMENDMENT BYLAW NO. 2781, 2014
SECTION III, APPENDIX I**

WATERWORKS DISTRIBUTION SYSTEM

1. CONNECTION FEES

- (a) Pursuant to Section 3.2 of Water Regulations and Rates Bylaw No. 1700, 1994, and amendments thereto, every applicant shall pay to the City before any work is done on the connection, a connection fee as follows:

Connection Size

Within the City

Connection from either side of road to property line

20 millimetres (3/4 inch) \$2,500.00

25 millimetres (1 inch) \$3,500.00

Outside the City

20 millimetres (3/4 inch)

Actual City cost plus 25%

with a minimum charge of \$3,500.00

- (b) Where a larger connection than those listed above is required, the connection will be installed at City cost plus 25%.

(c) Water Turn On and Turn Off

If turn on or turn off is for a purpose other than maintenance or the commissioning of a new service the following fees will apply:

Inside the City \$35.00 for each water turn on or turn off

Outside the City \$55.00 for each water turn on or turn off

(d) Abandonment Fee

Fee for disconnecting an abandoned service connection at the water main irrespective of the size of the connection

Actual City cost plus 25%, with a minimum charge of \$500.00

2. WATER UTILITY USER RATES

(a) Unmetered Water

The minimum user rate per year or portion thereof for unmetered accounts shall be as follows:

Category	Inside the city Per Unit	Outside the City Per Unit
Residential/Duplex	\$348.38	\$601.09
Multi-Family (three or more connected units)	\$294.27/unit	\$530.75/unit
Commercial	\$332.92	All outside commercial are metered

(b) Metered Water

All metered accounts for the quantity of water used each quarter shall be calculated at the following rates:

For volumes of water consumed	Charge per Quarter
Multi-Family Metered	
0 – 48.0 m3	Minimum rate per unit \$46.94
48.1 – 566.0 m3	\$1.35
Greater than 566.0 m3	\$1.08
Commercial Metered	
0 – 48.0 m3	Minimum rate per unit \$49.60
48.1 – 566.0 m3	\$1.35
Greater than 566.0 m3	\$1.08
Regional Standpipe, Regional Playfields	
Bulk water rate plus 30%	
Outside City – Multi-Family Metered	
0 – 48.0 m3	Minimum rate per unit \$98.07
48.1 – 566.0 m3	\$1.76
Greater than 566.0 m3	\$1.40
Outside City - Commercial Metered	
0 – 48.0 m3	Minimum rate per unit \$101.53
48.1 – 566.0 m3	\$1.76
Greater than 566.0 m3	\$1.40

- (c) Where a meter is found not to register, the charge shall be computed on the basis of the amount of water used during the time the meter was working, or from any other information or source which can be obtained, and such amount so composed shall be paid by the consumer.
- (d) Where a commercial or industrial consumer has not been connected to a water meter through non-availability of the water meter or because of special exemption being granted by the City, water charges to the consumer will be computed on the basis of consumption recorded for other similar purposes in the City, or from any other information or source which can be obtained, and such amount so computed shall be paid by the consumer.
- (e) Where it has been determined that a water leak has occurred during the last billing period on the buried portion of the service between the water meter and the point where the service pipe enters the building, a maximum one time rebate of 40% of the metered water utility fee to compensate for the water leak will be made at the discretion of the Finance Officer based on the following:
 - i. The leak occurred on the buried water service;
 - ii. That a leak of that nature would have caused the volume of excess water usage;
 - iii. The leak did not occur as a result of negligence of the owner;
 - iv. The owner has provided satisfactory evidence that the leak has been permanently repaired.

WATER METER RENTALS

- (a) Water meter fee shall be as follows:

Meter Size	Fee
up to 3/4"	\$1.25 per month
1"	\$2.50 per month
1 1/4"-1 1/2"	\$5.10 per month
2"	\$7.60 per month
3"	\$12.70 per month
4"	\$25.20 per month
6"	\$38.10 per month
8"	\$50.80 per month
10"	\$63.55 per month

The above meter fee shall be added to the monthly water rates and will apply both inside and outside the City.

METER READING CHARGE

Each call after the first one of each month if access has not been provided or if readings extra to the quarterly reading are requested

\$35.00 per call

3. SUPPLY OF WATER FROM FIRE HYDRANTS OR OTHER SOURCE

- (a) Water may be supplied from a fire hydrant or other for the use of developers during the course of construction of multi-family, industrial, and commercial developments. The charge for such water usage shall be:

For buildings with a gross floor area up to and including 250 square meters	\$250.00
For buildings greater than a gross floor area of 250 square meters	Minimum charge of \$250.00, plus \$0.10 per square meter for floor area in excess of 250 square meters.

- (b) Where water is supplied from a fire hydrant or other non-metered source for other uses, the amount of water supplied will be invoiced in accordance with Section 2 – Water Utility Users Rates – Metered Water.

- (c) Charge to service fire hydrant after use:

\$95.00 and/or any service costs that may arise from servicing a hydrant in respect of its use.

4. UTILITY BILLING ADJUSTMENTS AND COLLECTION

- (a) Where a billing error is suspected by the consumer, notification in writing must be made to the City of Courtenay Finance Department within one year of the original billing date for review and consideration. Upon investigation, if it is determined by the City that an error occurred and the consumer has been overcharged, an adjustment will be made to the utility bill in question in an amount to be determined by the City. The City will not provide refunds or adjustments to billing errors made more than two years prior to the date of the notification being received by the City.
- (b) The rates and charges, enumerated in this Bylaw, are hereby imposed and levied for water supplied or ready to be supplied by the City and for the provision of the service and other water related services. All such rates and charges which are imposed for work done or services provided to lands or improvements shall form a charge on those lands which may be recovered from the Owner of the lands in the same manner and by the same means as unpaid taxes.

**SCHEDULE OF FEES AND CHARGES
CITY OF COURTENAY FEES AND CHARGES AMENDMENT
BYLAW NO. 2781, 2014
SECTION III, APPENDIX II
SANITARY SEWER SYSTEM**

1. CONNECTION FEES

(a) Connection Fees

Connection from either side of road to property line

10.16 centimetres (4" inch) \$3,000.00

Where a larger connection than the one listed above is required, the connection will be installed at City cost plus 25%.

(b) Abandonment Fee

Fee for disconnecting an abandoned service connection at the sanitary sewer main irrespective of the size of the connection

Actual City
cost plus 25%,
min charge
\$500.00

(c) Connection Charges for Annexed Areas

For owners where commitment letters were issued between 1997 and 2006 quoting a sewer connection bylaw fee of \$1,500 (plus a capital contribution fee of \$5,000), this bylaw fee amount shall be in effect until October 31, 2007, after which the following schedule of connection fees will apply.

Property Use	Connection Charge		
	Capital Contribution		Connection Fee
	Existing Building	New Development	
Single Family Home OR Duplex	\$5,000.00	\$5,000.00	Either side of road from main - \$3,000.00
Multifamily, Strata OR Apartment OR Mobile Homes	\$5,000.00	\$5,000.00 for first unit, \$2,500.00 per unit for the next five units, \$2,000.00 per unit for the next five units, \$1,500.00 per unit for the next five units and \$1,000.00 per unit for all units thereafter	For a 100 mm diameter connection or the Bylaw rate for larger pipe sizes: Either side of road from main \$3,000.00

Industrial OR Commercial OR Public Assembly	\$5,000.00	\$5,000.00 minimum or the greater amount calculated based on the design sewage flows from the development.	For a 100 mm diameter connection or the Bylaw rate for larger pipe sizes: Either side of road from main \$3,000.00
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Note: Under the heading of 'Capital Contribution' an 'Existing Building' is defined as a building that existed or a property that had a building permit application in place on or before April 14, 2004. 'New Development' is defined as a property on which a building permit application was made on or after April 15, 2004.

2. SANITARY SEWER USER RATES

Part 1 - Residential Users

Cost Per Annum

1.	Single Family Dwelling	\$221.92
2.	Multiple Family Dwelling -per unit	\$221.92
3.	Mobile Home Park -per space	\$221.92
4.	Kiwanis Village -per unit	\$221.92

Part 2 - Commercial Users

1.	Hotels and Motels -per unit	\$ 89.34
2.	Trailer Park and Campsite -per serviced site	\$ 46.10
3.	Wholesale and Retail Stores	\$221.92
4.	Car Wash	\$221.92
5.	Bus Depot	\$221.92
6.	Funeral Parlour	\$221.92
7.	Garage	\$221.92
8.	Machine Shop and Repair Shop	\$221.92
9.	Bakery	\$221.92
10.	Photographer	\$221.92
11.	Business Office - per office	\$221.92
12.	Professional Office -per office	\$221.92
13.	Barber and Hairdresser	\$221.92
14.	Pool Room and Recreation Facility	\$221.92
15.	Theatre	\$443.83
16.	Department Store	\$443.83
17.	Supermarket	\$443.83
18.	Bowling Alley	\$443.83
19.	Bank	\$443.83
20.	Nursing Home	\$443.83
21.	Cafe and Restaurant (including drive-in or take-out)	\$443.83
22.	Dry Cleaner	\$443.83
23.	Beverage Room	\$443.83
24.	Laundry and Coin Laundry	\$1,773.85
25.	Sawmill	\$2,210.85

26.	Dairy Product Processing Plant	\$16,464.31
27.	Other Commercial Users not enumerated in this schedule	\$443.83
28.	Cheese Processing Plant	\$3,678.68

Part 3 - Institutional Users

1.	Church	\$221.92
2.	Public Hall	\$221.92
3.	Utility Office	\$443.83
4.	School -per classroom	\$397.73
5.	Regional Recreation Complex	\$17,660.34
6.	Regional District Administrative Office	\$4,744.85

3. UTILITY BILLING ADJUSTMENTS AND COLLECTION

- (a) Where a billing error is suspected by the consumer, notification in writing must be made to the City of Courtenay Finance Department within one year of the original billing date for review and consideration. Upon investigation, if it is determined by the City that an error occurred and the consumer has been overcharged, an adjustment will be made to the utility bill in question in an amount to be determined by the City. The City will not provide refunds or adjustments to billing errors made more than two years prior to the date of the notification being received by the City.
- (b) The rates and charges, enumerated in this Bylaw, are hereby imposed and levied for sewer utility services supplied or ready to be supplied by the City. All such rates and charges which are imposed for work done or services provided to lands or improvements shall form a charge on those lands which may be recovered from the Owner of the lands in the same manner and by the same means as unpaid taxes.

