

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

**DATE:** Monday, June 9, 2014  
**PLACE:** City Hall Council Chambers  
**TIME:** 4:00 p.m.

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**1.00 ADOPTION OF MINUTES**

1. Adopt May 20, 2014 Regular Council Meeting Minutes and May 26, 2014 Committee of the Whole Meeting Minutes

**2.00 INTRODUCTION OF LATE ITEMS**

**3.00 DELEGATIONS**

1. Sherwin Strong and Mason Kenny – “Promoting our Abilities” BC Self Advocacy Foundation update
2. Daniel Pizarro and Maria Lockley – Comox Valley Transit Future Plan

**4.00 STAFF REPORTS**

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**(a) Community Services**

**(b) CAO and Legislative Services**

- 5 1. Financial Plan Amendment – East Courtenay Fire Hall/Training Grounds
- 13 2. CVRD Bylaw No. 325-Victim Services Program
- 31 3. Liquor Licence Amendment – Locals Restaurant

**(c) Development Services**

- 41 4. Development Variance Permit No. 1406 – 2891 Gatehouse Place

**(d) Financial Services**

- 67 5. Gaming Funds Annual Grant – July 1<sup>st</sup> Committee

**(e) Engineering and Operations**

**5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

- 73 1. Heritage Advisory Commission Minutes
- 75 2. Letter from Area C Director Edwin Grieve re: East Courtenay Training Centre and Fire Hall

**6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

77 1. Memorandum – Upcoming Downtown Courtenay Events

79 2. Memorandum – Arden Road Sidewalk

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

**8.00 RESOLUTIONS OF COUNCIL**

**9.00 UNFINISHED BUSINESS**

**10.00 NOTICE OF MOTION**

**11.00 NEW BUSINESS**

87 1. Village of Cumberland re: Maple Lake Fundraising Committee

**12.00 BYLAWS**

**13.00 ADJOURNMENT**

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## Employment

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Community Action Employment Plan

## Community Action Employment Plan



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Community Living British Columbia released a three-year [Employment Plan](#) to help increase the number of job opportunities for adults with developmental disabilities who wish to work in their communities. Among other things, the plan sets a target to increase employment of individuals served by CLBC by 1,200 people over three years – from the current estimate of 2,200 participating in employment.

The Plan will be implemented during the 2013–14 fiscal year and includes a number of elements in addition to establishing a three-year job target:

- **Employment First** – Helping to create a shift in attitude and culture among all stakeholders toward a belief that individuals with developmental disabilities have a valuable contribution to make in inclusive employment situations.
- **Local Plans** – Employment solutions can be tailored to the unique characteristics of a region. The Plan includes an emphasis on building local capacity, promoting employers as leaders and developing community collaborations.
- **Transitioning Youth** – Approximately 600 youth leave school and become eligible for services with CLBC each year. Most expect to make contributions in the community as their peers do and many want jobs. The Plan identifies key strategies to help more youth find employment when they leave school.
- **CLBC Leadership** – CLBC will increase the number of adults with developmental disabilities it employs and contracts with.
- **Collaboration** – The partnerships developed to prepare the Plan will be maintained and expanded to ensure goals are achieved – employers, schools, service providers, families and the Ministry of Social Development are key partners in implementing the Plan.
- **Individualized Funding** – While most individuals receive CLBC services through traditional services, a growing number are choosing person-directed services. Resources from the Plan will be devoted to enhancing the capacity of people using individualized funding to find and maintain work.

In addition to supporting recommendations of the provincial government's 12-point plan to improve services for adults with developmental disabilities, CLBC's employment strategy reflects feedback from self-advocates, families, service providers, provincial government partners and CLBC staff over the past year and the efforts of numerous community partners who have contributed to its creation.

For more information please see the full Backgrounder below or to ask any questions, please contact us at [info@communitylivingbc.ca](mailto:info@communitylivingbc.ca).

#### BACKGROUNDER – CLBC Community Employment Action Plan

CLBC has released a three-year Employment Action Plan (the Plan) to help increase job opportunities for adults with developmental disabilities who wish to work in their communities. Since 2007, CLBC has focused resources and efforts on developing policy,

supports and awareness to help increase employment opportunities for people with developmental disabilities.

CLBC believes employment is a critical pathway to achieving a good life for the majority of adults we serve. Participation in employment leads to improvements in numerous quality of life outcomes, including financial well-being, relationships, belonging, contribution, self-esteem and health.

CLBC defines employment as work which pays minimum wage or higher and meets conditions of B.C.'s Employment Standards Act. Employment can be part-time, full-time or self-employment.

Between October 2011 and September 2012, close to 17 per cent of the people eligible for CLBC supports declared employment income – approximately 2,200 individuals.

The deputy ministers' report released in January 2012 called for increased employment, planning and supports for people with developmental disabilities. CLBC's 2012–2015 Strategic Plan also makes a commitment to deliver increased employment supports for the people served by CLBC.

During the first three quarters of 2012–13, CLBC engaged individuals, families, service providers, CLBC staff, school and government representatives, and employers to develop a three-year employment plan. This consultation culminated in a provincial employment summit that took place in October 2012, with over 150 attendees from around the province.

Strategies within the Plan have been developed within CLBC's current and anticipated funding envelope. Its goals are also reflective of available staff and resources.

Input from this extensive outreach process has helped shape the Plan. The strategy's core planning team was co-chaired by Dan Collins, executive director, Langley Association for Community Living, and Jack Sytan, vice president of strategic initiatives, CLBC.

CLBC's three year Employment Action Plan focuses on:

**Employment First** – To promote a shift in attitude and culture among all stakeholders toward a belief that individuals with developmental disabilities have a valuable contribution to make in inclusive employment situations. An employment first approach will also help remove employment barriers for young people entering the system and encourage people in inclusion programs to consider employment options if they choose.

**Targets** – The Plan includes a commitment to increase employment of individuals served by CLBC by 1,200 people over three years – from the current estimate of 2,200 participating in employment. Reliable mechanisms will be established to measure the number of individuals we serve who are employed, the rate of employment and the rate of employment among young adults.

**Local Plans** – Advancing an employment agenda will require collaboration with partners within local communities. Solutions can be tailored to the unique characteristics of a region because the nature of work opportunities differs in each region. The Plan focuses on building local capacity, promoting employers as leaders, establishing pilot projects and collaborating with community councils, service providers, regional business organizations and self-advocates.

**Transitioning Youth** – Approximately 600 youth leave school and become eligible for services with CLBC each year. These youth are a priority for employment services because most expect to make contributions in the community as their peers do and most expect their services to support their personal goals, instead of determining them. The Plan will provide funding to help ensure youth and their families are adequately served and experience a smoother transition from school to work – if they choose.

**CLBC Leadership** – The Plan commits CLBC to becoming a model employer, including an increase in the number of adults with developmental disabilities that it employs and contracts with. CLBC will introduce an updated human resources strategy that will include collaboration with the BC Government and Services Employee Union. Implementing an employment first strategy more broadly across government is also considered in the Plan.

**Transforming Community Inclusion** – Community inclusion services are working to better meet the personalized aspirations of individuals and their families. Many are

expressing a desire to work. The Plan will provide support for individuals, families and service providers to make the shift as directed in their personal plans.

**Collaboration** – Partnerships made to prepare the Plan will be maintained and expanded to ensure goals are achieved. Ongoing collaborations with the Minister's Council on Employment and Accessibility, service providers, employers, self-advocates, media and organizations such as Inclusion BC, BCGEU, Family Support Institute, BC Employ Net, BC Centre for Social Enterprise, First Nations, Rotary Clubs and BC Centre for Employment Excellence are proposed.

**Employment Program of BC** – The Plan promotes stronger co-ordination of roles with the Ministry of Social Development's Employment Program of BC and its service providers to clarify pathways and assist individuals and their families to navigate employment and related supports as they transition out of school. This collaboration will also include outreach with service providers to help promote and co-ordinate relationships with employers.

**Individualized Funding** – The deputy ministers' 2012 report included a recommendation to support greater utilization of individualized funding models. The Plan recognizes a growing number of people are choosing person-directed models of services. Resources will be devoted to enhancing the capacity of people using individualized funding to find and maintain work.

**Self Employment** – Social enterprise and self-employment have the potential to provide many adults with developmental disabilities opportunities to pursue meaningful economic and community activities. However, many CLBC service providers may not be aware of resources to assist people in pursuing these opportunities. The Plan proposes a review of CLBC's self-employment policies to better support individuals pursuing this option, promotion of key resources and creation of a supported self-employment program at post-secondary institutions.

**BC Disability Benefits** – BC Disability Benefits represents long-term financial security for a significant number of individuals and families. The Ministry of Social Development has made improvements to make employment a more attractive option for people to pursue. The Plan proposes CLBC work with the ministry to de-mystify rules around employment and BC Disability Benefits, in addition to evaluating other options that may provide incentives for individuals to pursue work and/or for employers to hire people with developmental disabilities.

A full copy of the plan is available at: [www.communitylivingbc.ca](http://www.communitylivingbc.ca).

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THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

To: Council

File No.: 760-20

From: Chief Administrative Officer

Date: June 9, 2014

Subject: 2014-2018 Financial Plan Amendment - East Courtenay Fire Hall/Training Grounds

### PURPOSE:

The purpose of this report is to request that Council determine the funding source for Phase 1 of the East Courtenay satellite fire hall/training ground project, as well as request approval for an amendment to the 2014-2018 Financial Plan Bylaw No. 2785, 2014. Approval of an amendment will provide staff with the financial authority to proceed in accordance Council's adopted May 20<sup>th</sup>, 2014 resolutions in regards to the East Courtenay Fire Hall and Training Grounds.

### EXECUTIVE SUMMARY:


On May 20, 2014, Council voted unanimously to proceed with a new satellite fire hall and training ground in East Courtenay. For most immediate action, Council approved phasing the project, with Phase 1 being to proceed with the design and construction of the training ground without delay in 2014 to be ready for service in early 2015. To provide staff with the financial authority to move forward, Council is now requested to consider an amendment to the 2014-2018 Financial Plan Bylaw so that the capital project is included in the 2014 budget year.

### CAO RECOMMENDATIONS:

That based on the June 9, 2014 staff report "2014-2018 Financial Plan Amendment-East Courtenay Fire Hall/Training Grounds" Council approve OPTION 1 as follows:

1. That Council approve the use of Prior Year Surplus as the source of capital funds for the site preparation/construction of training grounds in East Courtenay; and
2. That Council direct staff to prepare an amendment to the 2014-2018 Financial Plan Bylaw No. 2785, 2014 to include this capital project and the related funding in the plan.

Respectfully submitted,

  
David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

## BACKGROUND:

At their regular meeting held May 20, 2014, Council adopted the following resolutions:

*Moved by Winchester and seconded by Anglin that based on the May 20, 2014 staff report "East Courtenay Satellite Fire Hall/Training Centre Project Review Committee – Report and Recommendations" Council approves OPTION 1 in regards to approval of the following Committee recommendations:*

- 1. That the City of Courtenay review Bylaw No. 2556 to ensure that the Courtenay Fire Department is granted authority to provide specific services as determined by Council; and*
- 2. That the City of Courtenay construct a scenario based fire training ground at the Waters Place site without further delay so firefighter training can be proactively managed to most effectively meet the City's firefighter training needs; and*
- 3. That the Courtenay Fire Department develop a practical fire officer training program which complements the Comox Fire Training Centre firefighter training program; and*
- 4. That the Council approves Phasing Option 1 – CFD Fire Training Ground Proceed with the design and construction of the Courtenay Fire Training Ground without delay in 2014 to be ready for service in early 2015; and*
- 5. That, subject to further design and cost review, the planning for an East Courtenay Fire Hall start in 2015, and be constructed in 2016 with a target ready for service date of early 2017; and*
- 6. That staff prepare a public communication plan for the East Courtenay Satellite Fire Hall/Training Centre Project.*

## DISCUSSION:

This report addresses Council Resolutions #2, 3, 4, and 6.

In keeping with Council Resolution #2, 3 and 4 – to proceed with the design and construction of the Courtenay Fire Training Ground without delay in 2014 to be ready for service in early 2015, along with developing the related training programs, an amendment to the 2014 -2018 Financial Plan is needed. The capital project cost for Phase 1 is estimated to be \$1,510,984 for site preparation and \$965,891 for construction of the training grounds. The following options for funding have been examined:

Funding Option	Budget Impact	Conditions
Long Term Capital Borrowing	<ul style="list-style-type: none"><li>• New debt of \$2,477,000</li><li>• Estimated debt payments \$182,000 x 20 years</li><li>• Estimated tax levy increase for the average residential home \$10 (<i>mitigated by reduced debt payments of retiring debt</i>)</li></ul>	<ul style="list-style-type: none"><li>• Loan authorization bylaw</li><li>• Approval of the Municipal Inspector</li><li>• Elector approval</li></ul>
General Fund - Prior Year Surplus	<ul style="list-style-type: none"><li>• Reduction in the surplus funds held</li></ul>	<ul style="list-style-type: none"><li>• Council approval of an amendment to the 2014-2018 Financial Plan Bylaw</li></ul>
Short Term Capital Borrowing	<ul style="list-style-type: none"><li>• Will vary depending on the amount financed</li></ul>	<ul style="list-style-type: none"><li>• Loan authorization bylaw</li><li>• Approval of the Municipal Inspector</li><li>• Elector approval</li></ul>



Should Council determine that long-term borrowing is preferred; staff anticipate that the necessary loan authorization bylaws and approval processes require a timeline of approximately six months.

Alternatively, if utilization of surplus funds is selected, the use of \$2.48M will leave a sufficient balance of over one million dollars in surplus funds to carry forward for future needs.

Council Resolution #6 directed staff to prepare a public communications plan for East Courtenay Satellite Fire Hall/Training Centre project. Communications implemented to date include the following:

1. Website Information: <http://www.courtenay.ca/firehall/east-courtenay-fire-service-review.aspx>

A separate section on the City's website section has been set up and contains numerous resources including the FireWise Consulting report and the Fire Underwriters Survey, frequently asked questions about the project, and a video clip of Councillor Ambler's presentation to Council on May 20, 2014.

2. Publication of the "East Courtenay Fire Service Review" brochure (*attached*)
3. News Release , June 2, 2014

**FINANCIAL IMPLICATIONS:**

Cost implications will vary dependent on the funding option selected by Council. In addition to the capital outlay for construction, and once the training ground is in service, the general operating budget would need to include provisions for operation of the grounds, such as the purchase of natural gas used in training.

**ADMINISTRATIVE IMPLICATIONS:**

Staff resources have been utilized to work with the Committee in their review of the proposed project. Further staff time will be committed to carrying out the works approved, as well as to working with the Committee on the design and cost review for a satellite hall.

**STRATEGIC PLAN REFERENCE:****2012-2014 Strategic Plan**

Ensure protective services meet community needs. Create a combined emergency services building in East Courtenay for Fire Department, Ambulance, CV Ground Search and Rescue, and Comox Valley Emergency Program.

**Action:**

- (1) *Staff and the firm of Fletcher Pettis Consultants Ltd reported to Council in June 2012, and Council was provided with a copy of the project definition report. Council was provided with further reports and recommendations from the Select Committee of Council*
- (2) *Select Committee report and recommendations to Council on May 20, 2014.*

**Sept 2013 Strategic Corporate Priorities:**

The East Courtenay Fire Service: Analysis Report to Council is Council's #3 Strategic Priority.

*Action: Select Committee report and recommendations to Council on May 20, 2014.*

**OFFICIAL COMMUNITY PLAN REFERENCE:**

**4.11.3 Fire and Rescue**

To improve firefighting capacity, consideration will be given to the development of a fire hall on the eastern side of the City.

**REGIONAL GROWTH STRATEGY REFERENCE:**

**Goal 7: Public Health and Safety**

The regional district operates five volunteer fire departments and has working arrangements with member municipalities and improvement districts within the regional district to provide fire service. The location of new developments and provisions of services should be considered in the location of new developments.

**Supporting Policy #7C-2**

Support coordinated efforts to identify and eliminate fire service gaps in the region.

**CITIZEN/PUBLIC ENGAGEMENT:**

During the project final definition and costing phase, and prior to tender, staff will engage with the immediate neighbourhood to determine potential sound attenuation needs, and if required include sound attenuation solutions in the site design.

Should Council select long-term borrowing as the preferred funding source, elector approval of the borrowing is required.

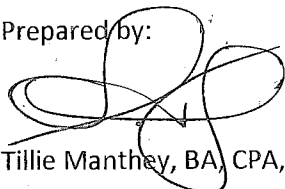
**OPTIONS:**

**OPTION 1:** That Council approve the use of Prior Year Surplus as the source of capital funds for the site preparations and construction of training grounds in East Courtenay; and  
That Council direct staff to prepare an amendment to the 2014-2018 Financial Plan Bylaw No. 2785, 2014 to include this capital project and the related funding in the plan.  
(Recommended)

**OPTION 2:** That Council approve the use of long-term borrowing as the source of capital funds for the site preparations and construction of training grounds in East Courtenay; and  
That Council directs staff to prepare the a loan authorization bylaw for consideration; and  
That Council directs staff to prepare an amendment to the 2014-2018 Financial Plan Bylaw No. 2785, 2014 to include this capital project and the related funding in the plan.

**OPTION 3:** That Council determine a combination of the funding options detailed in the report.

Prepared by:



Tillie Manthey, BA, CPA, CGA

Director, Financial Services/Deputy CAO

Attachment: Brochure – Frequently Asked Questions, East Courtenay Fire Service Review



## Frequently Asked Questions

# East Courtenay Fire Service Review

*The City of Courtenay has completed a lengthy and thorough evaluation of fire services and requirements. Two separate, independent third-party reports have concluded that a second fire hall in East Courtenay is needed, along with a training ground tailored to Courtenay's specific community needs. Courtenay City Council has voted unanimously to proceed with plans to construct a scenario-based training ground in East Courtenay without further delay, and to begin planning for an East Courtenay Fire Hall in 2015, subject to further design and cost review. Construction would begin in 2016 with a target opening date in early 2017.*

## Why does Courtenay need a second fire hall?

Courtenay's population has doubled over the past 20 years, with most growth occurring in East Courtenay. Fire department responses in the City are fairly evenly split between East and West Courtenay.

Commercial construction in East Courtenay built in the last 20 years includes North Island College, Home Depot, Costco, and Thrifty Foods. A new \$334 million hospital is being built in East Courtenay, opening in 2017. East Courtenay represents a significant part of Courtenay's economy; the assessed value of property and improvements is over \$287 million higher in East Courtenay than West Courtenay. Meanwhile, residential development in East, West and South Courtenay is expected to continue to grow.

A second fire hall will enable the Courtenay Volunteer Fire Department to respond more quickly to calls on the east side of the river and ensure they are less vulnerable to delays that are out of their control, such as those caused by traffic or even bridge closures. It will also expand the department's volunteer recruiting base.

Two separate, independent third-party reports have concluded that a second fire hall in East Courtenay is needed, along with a training ground tailored to Courtenay's specific community needs.

## Where will the new fire hall and training facility be located?

The City owns a 3.359 acre property at 220 Waters Place, off Lerwick Road (Veteran's Memorial Parkway). The property is behind the BC Hydro substation. The City purchased this property in 2005 for the future location of a second fire hall. (See map on page 2)

## How will a second fire hall affect response times?

Traffic crossing both the 5th and 17th Street bridges has increased, lengthening the response time for fire and emergency calls. Right now, if one or both of Courtenay's bridges were closed for maintenance, an accident, flooding, or earthquake, not only would the fire department have difficulty reaching East Courtenay, but the fire department volunteers would have a hard time getting to the fire hall in the first place. A second fire hall will greatly improve the volunteers and Courtenay Fire Department's ability to respond to fire and emergency calls on both sides of the river within target response times.



For more information on this project, visit [www.courtenay.ca](http://www.courtenay.ca) or contact us:  
City of Courtenay • 250-334-4441 • [eastcourtenayfirehall@courtenay.ca](mailto:eastcourtenayfirehall@courtenay.ca)



## How does Courtenay's fire department compare to other similar municipalities?

Courtenay provides a very cost-effective service to the public. For example, the City of Courtenay covers a larger population and area compared to the City of Campbell River, but at a significantly lower cost:

### *Campbell River Fire Department*

Population served: 31,000

Covers 143 square kilometres

Two fire halls

2014 operating budget = \$3.88 million

### *Courtenay Fire Department*

Population served: 38,000

Covers 181 square kilometres

One fire hall

2014 operating budget = \$1.72 million

If we want to maintain this cost-effective volunteer force, we must invest in training and facilities.

## Why is it important to meet target response times?

Responding quickly to fire and emergency calls is of course important; those requesting emergency assistance need help to arrive as soon as possible. But there are other issues to consider that have broader implications for the community.

From the Firewise Report: "Where the response time, measured according to the parameters in BC Building Code exceeds 10 minutes in 10% or more of the calls to the building location, requirements related to separation between structures and permitted window openings may be affected along with other design restrictions." Some areas of East Courtenay are at risk of not meeting this target response time. A second fire hall will prevent stricter building code regulations from being enacted in these areas.

In addition, a new fire hall in East Courtenay could be an opportunity for insurance rate premium reductions based on response distances for businesses and for some residents located in East Courtenay.

## How much will the new facility cost?

Staff have been monitoring similar fire hall and training ground projects underway in View Royal, Central Saanich, and most recently East Sooke. Based on the costs experienced by those communities, the estimated cost for the Courtenay facility is approximately \$5.7 million. This is substantially lower than the original 2012 cost estimate.

### Cost estimate breakdown:

- Site preparation: \$1,511,000
- Training ground: \$966,000
- Fire hall: \$3,215,000

The new facility will be a basic volunteer-based fire hall, designed to operate as a satellite facility to the main fire hall on Cumberland Road.

An initial concept design was prepared in 2012 which included space in the facility for other organizations. The project scope has now been reduced to a simple fire hall housing only the Courtenay Volunteer Fire Department. Further design work will take place to ensure the final design is correct, and costs are minimized.

## Could Courtenay rely on the Comox Fire Department to respond to calls in East Courtenay?

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Both the Fire Underwriter Survey and the Firewise Consulting report recommend that Courtenay construct its own fire hall in East Courtenay, rather than rely on the Town of Comox for assistance. The Comox Fire Department is sized, equipped and located for their community.

In addition, in the event of an earthquake, “it is possible both access bridges over the river between east and west Courtenay could be compromised and your mutual aid partners will likely be overwhelmed by demands for service in their own immediate jurisdictions.” (Firewise Consulting Report p.5).

## Why does Courtenay need a training facility?

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Our volunteers risk their lives to protect us and our property. We have a legitimate moral obligation to provide them with the correct equipment, professional leadership, and realistic training to enable them to safely face the anticipated dangers.

All volunteer fire departments have turnover in personnel over time. In Courtenay, approximately 60 percent of fire fighters have less than five years experience. Continuous training is necessary to prepare them for a variety of potentially life-threatening situations. Training is one of the key elements in retaining volunteer firefighters.

Currently, the Courtenay Fire Department training facilities are limited to a single tower, used for ladder and high angle rescue training. The total fire hall site is not large enough to accommodate props, multi-engine scenarios, or live fire training.

The size of the new training facility would allow for multiple crews to train on several different scenarios at once. Other city employees could also use the training facility, such as confined space training for Public Works employees.

## What is simulated real-scenario training?

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Simulated real-scenario training is important to prepare firefighters for fire and emergency response. This means providing situations and environments that replicate the conditions a firefighter could expect when responding to fire and emergency calls. The difference is, these conditions would be in a controlled and safe environment.

An example would be a fire simulation building with movable partition walls to create new and unexpected environments, similar to what would be found in real life in the City of Courtenay. This could include hotel, motel and apartment fire training. Most current training opportunities in the Comox Valley are skills-based, not scenario-based.

Training technology has made significant advances in the last 20 years. Natural gas simulation and artificial smoke, which will be used in the East Courtenay training grounds, provide a safe, realistic environment. At the same time, they minimize the impact on neighbouring properties, the environment, and the health of firefighters.

The Firewise Consulting report also recommends that the Courtenay Fire Department develop a practical fire officer training program which complements the Comox Fire Training Centre firefighter training programs. As explained in the report, “fire events are high risk, low frequency, time compressed in nature with little time to think things through.” A scenario-based training ground will allow simulated, controlled events using stressful situations, multiple engines and ladder companies, to ensure officers and volunteers are prepared when responding to real life emergencies.

## What about the Comox Training Centre?

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The Courtenay Fire Department will continue to use the Comox Training Centre for “live fire” training after the Courtenay facility is built, as do many other communities with their own training facilities. The new training ground in East Courtenay would complement the Comox Training Centre, offering training tools not available at the Comox facility or elsewhere in the Comox Valley.

Both the Fire Underwriter Survey and the Firewise Consulting report concluded that Courtenay needed its own training facility. A training facility would allow greater control over variables such as costs, scheduling, risk management, and unique training opportunities, as well as provide Courtenay volunteer firefighters with training that is specific to the City's major fire and emergency risks.



# Independent Reports - Highlights

*The City of Courtenay commissioned two separate, independent third-party reports to analyze fire service in Courtenay. The complete reports are available at [www.courtenay.ca](http://www.courtenay.ca)*

## East Courtenay Fire Hall

Both studies have concluded that the City of Courtenay needs a fire hall in East Courtenay.

### Firewise Consulting

"A second fire station located in east Courtenay makes both fiscal and operational sense for the following reasons.

Should a significant seismic event or flooding occur, a second station in east Courtenay would ensure at least some degree of fire/rescue services for the area where currently more than 50% of the city's population reside. In a seismic type of an event, it is possible both access bridges over the river between east and west Courtenay could be compromised and your mutual aid partners will likely be overwhelmed by demands for service in their own immediate jurisdictions.

The economic drivers for your community that operate in this area will benefit from the increased level of service.

There may be an opportunity for insurance rate premium reductions based on response distances for businesses and for some residents located in East Courtenay.

While it is true that service levels will be more equitable for East Courtenay residents, a second station also will improve the operational readiness throughout the city."

### Fire Underwriters Survey

*Recommendation 8.2-4 Improve Distribution of Resources with Additional Fire Station in City of Courtenay*

"Personal Lines and Commercial Lines insured properties located in the eastern area of the City of Courtenay did not receive full credit due to the number of excessive responses that were not within the recommended responses distances for first due, second due, and total concentration for engine and ladder companies.

Additional credit can be received for fire insurance grading purposes if a second fire station was built in the City of Courtenay."

## Training Ground

Both studies have concluded the Courtenay Fire Department needs its own training ground.

### Firewise Consulting

"We believe the training ground is a good long term investment for the City of Courtenay. The project as proposed will offer decades of training opportunities for firefighters and workers in other City of Courtenay departments such as Public Works for confined space training. The site is considerably larger than the training site in Comox and as such offers increased opportunity for multi-engine company scenario based training.

The Courtenay Fire Department would still use the Comox facility for "live fire" training but most other firefighter training and skills maintenance drills would take place at the new training grounds. A new properly planned training ground would complement the Comox facility by offering other training not available through the Comox Training Centre or elsewhere in the immediate area.

Building your own facility offers control over future training costs, scheduling availability and the ability to build training props to cover off specific risks factors that may be unique to the City of Courtenay."

### Fire Underwriters Survey

*Recommendation 8.2-9 Improve Training Facilities*

"The Courtenay Fire Department does not have adequate props and facilities for training. The following props and facilities are recommended to be developed with the City of Courtenay:

- Smoke facilities and alternative for protective B.A. (Breathing Apparatus) Training
- Wet drill facilities
- Pumper test facilities
- Flammable liquid fire facilities

Training facilities should be developed by the fire department in relation to the level of fire risk within the community so that realistic fire fighting training can be conducted."



**City of Courtenay**

830 Cliffe Avenue Courtenay, British Columbia V9N 2J7

250-334-4441 • [www.courtenay.ca](http://www.courtenay.ca) • [eastcourtenayfirehall@courtenay.ca](mailto:eastcourtenayfirehall@courtenay.ca)



THE CORPORATION OF THE CITY OF COURTENAY  
**STAFF REPORT**

**To:** Council

**File No.:** 0470-20

**From:** Chief Administrative Officer

**Date:** June 9, 2014

**Subject:** CVRD Proposed Bylaw No.325 – Victim Services Program and Crime Stoppers Grant Contribution Service

**PURPOSE:**

The purpose of this report is to request Council consideration of the CVRD Bylaw No.325 Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No.2250, 2000, Amendment No.2.

**CAO RECOMMENDATIONS:**

That based on the June 9, 2014 staff report "CVRD Proposed Bylaw No.325 – Victim Services Program and Crime Stoppers Grant Contribution Service" Council approve OPTION 1 as follows:

"That the City of Courtenay support the adoption of the Comox Valley Regional District Bylaw No.325 being "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No.2250, 2000, Amendment No.2."

Respectfully submitted,

T. Manthey, Deputy CAO for  
David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

**BACKGROUND:**

In November 2013, the Comox Valley Crimestoppers Society presented to the CVRD Board and made a request for an annual grant of \$12,000. The Board directed the regional staff to investigate options for the provision of an annual grant to this Society, and have since adopted three readings of Bylaw 325 "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No.2250, 2000, Amendment No.2".

**DISCUSSION:**

Attached to this report is the April 30, 2014 letter from the CVRD which seeks consent from the City of Courtenay in support of the service bylaw amendment which would then include an annual grant of \$12,000 to Comox Valley Crime Stoppers.

The attached January 6, 2014 CVRD staff report to the Board provides the background detail leading to the amendment of this regional service bylaw.

In order for the CVRD to submit this bylaw for approval to the Ministry of Community, Sport and Cultural Development, consent from the participating municipalities is required. As a result, Council consideration in adopting a supporting resolution has been requested.

**FINANCIAL IMPLICATIONS:**

While there is direct financial impact on the City's operational budget, the addition of an annual grant by the CVRD to Comox Valley Crimestoppers will increase the CVRD annual requisition by that same amount, and the CVRD regional tax levy imposed. The CVRD's estimated impact for a residential property with a value of \$300,000 is reported to be \$0.29 annually.

**ADMINISTRATIVE IMPLICATIONS:**

There are minimal administrative implications for City staff as the service is established and managed by the Comox Valley Regional District.

**STRATEGIC PLAN REFERENCE:**

Value Statement 1: A safe and caring community

Goal #1 – Ensure protective services meet community needs.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

Not applicable

**REGIONAL GROWTH STRATEGY REFERENCE:**

Not applicable

**CITIZEN/PUBLIC ENGAGEMENT:**

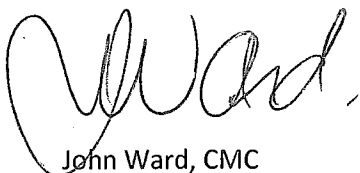
Public engagement on this bylaw amendment is not required.

**OPTIONS:**

OPTION 1: That the City of Courtenay support the adoption of the Comox Valley Regional District Bylaw No.325 being "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No.2250, 2000, Amendment No.2"

OPTION 2: That Council not support the adoption of the CVRD Bylaw.

Prepared by:



John Ward, CMC

Director of Legislative Services

Attachments (1)



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: 3900.20

April 30, 2014

Sent via email only: jward@courtenay.ca

John Ward, Director of Legislative Services  
City of Courtenay  
830 Cliffe Street  
Courtenay, BC V9N 2J7

Dear Mr. Ward:

**Re: CVRD Bylaw No. 325 being "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No. 2250, 2000, Amendment No. 2"**

At the Comox Valley Regional District board meeting of April 29, 2014 the CVRD board gave three readings to Bylaw No. 325 being "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No. 2250, 2000, Amendment No. 2". By adopting this bylaw, the CVRD will be able to provide grant funding to the Comox Valley Crime Stoppers. Attached to this letter is the staff report presented in February 2014 that describes funding the Crime Stoppers under the victim services program.

In order to submit this bylaw for approval by the Ministry of Community, Sport and Cultural Development, we would seek consent on behalf of municipal participating areas, as per section 801.4 of the *Local Government Act*. Therefore, we request the City of Courtenay council to adopt the following resolution:

THAT the City of Courtenay support the adoption of Comox Valley Regional District Bylaw No. 325 being "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No. 2250, 2000, Amendment No. 2";

AND FURTHER THAT the CVRD be advised of this resolution.

If you have any questions please call me at 250-334-6007 or email me at [jwarren@comoxvalleyrd.ca](mailto:jwarren@comoxvalleyrd.ca).

Sincerely,

*J. Warren*

James Warren  
Corporate Legislative Officer

Enclosures: Staff report dated January 6, 2014  
Bylaw No. 325 at third reading

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**DATE:** January 6, 2014**FILE:** 4710-01 & 3900-02**TO:** Chair and Directors  
Committee of the Whole**FROM:** Debra Oakman, CMA  
Chief Administrative Officer**RE:** Crime Stoppers under the Victim Services Program

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**Purpose**

The purpose of this report is to present options to the board on a funding request from the Comox Valley Crime Stoppers.

**Policy analysis**

A regional district board may operate any service that the board considers necessary or desirable for all or part of the regional district, under section 796 of the *Local Government Act*. The Comox Valley Regional District (CVRD) currently provides the service of victim services program in Electoral Areas 'A', 'B' and 'C', the City of Courtenay, the Town of Comox and the Village of Cumberland under Bylaw No. 2250 being "Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000". At its November 2013 meeting, the board directed staff to investigate the potential for addressing a Comox Valley Crime Stoppers annual funding request under the victim services program (function number 200).

The current CVRD strategic priorities does not include addressing funding requirements of the Comox Valley Crime Stoppers.

**Executive summary**

The CVRD board approved the following resolution at its November 26, 2013 meeting:

THAT staff investigate the feasibility of Comox Valley Crime Stoppers being included in the victim assistance service to provide stable and consistent funding from the Comox Valley Regional District.

The victim services program (function 200) is comprised of all participants and an amendment to the service establishment bylaw would be required in order to expand upon the current purpose and to change the name of the service. No recommendation is presented in this report. Should the board support providing annual funds from the victim service program to Comox Valley Crime Stoppers, a resolution is included under the options section of this report.

**Recommendation from the chief administrative officer:**

No recommendation is presented in this report, as the board requested that staff investigate options.

Respectfully:

*D. Oakman*

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Debra Oakman, CMA  
Chief Administrative Officer

### History/background factors

Comox Valley Crime Stoppers appeared as a delegation at the November 19, 2013 committee of the whole meeting and presented information on its community activities and requested the CVRD to provide ongoing annual funding. Correspondence from Crime Stoppers indicates that the organization received a \$17,000 gaming grant in 2010 though further funding assistance is not forthcoming. The delegation advised that the gaming funds were not continued as the Comox Valley Crime Stoppers maintained a financial surplus and therefore was deemed ineligible for further funds. At the November meeting, Crime Stoppers indicated that an ongoing \$12,000 annual contribution would be sufficient to meet the organization's needs. Though a formal survey of other local governments' relationships with Crime Stoppers was not conducted for the purposes of this report, it is apparent from Comox Valley Crime Stoppers' own literature (Appendix 'A') that there are a wide variety of models across B.C. to fund Crime Stoppers. Further, some local governments do not provide any funds to their local Crime Stoppers at this time.

During the discussion at the November committee and board meetings, the directors raised the possibility of providing funds to the Comox Valley Crime Stoppers from the victim services program service (function no. 200), which is a police-based victim services program, operated within a community-based program. The CVRD provides up to \$70,000 annually to the Comox Valley Transition Society as a contribution towards delivering on-the-ground services for victims of crime or other related events. The program is meant to reduce the impact of crime on victims and their families, increase victim safety, help reduce the risk of further victimization, and provide a sense of empowerment to the victim throughout their involvement with the criminal justice system.

The regional district was first given authority to deliver a victim assistance program in 1989 through supplementary letters patent. The victim assistance program was converted to a service and renamed to the victim services program in 2000. Consolidated Bylaw No. 2250 being "Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000" describes service parameters including the boundaries (Electoral Areas 'A' (including Denman and Hornby Islands), 'B' and 'C', the City of Courtenay, the Town of Comox and the Village of Cumberland), purpose, maximum requisition and cost recovery. Should the board choose to proceed with providing funds to the Comox Valley Crime Stoppers from this service, amendments to the purpose and service name would be required.

### Options

Options available to the board include:

- a) Status quo – no change to any service bylaws and advise Comox Valley Crime Stoppers that ongoing annual funds are not available from the CVRD (Crime Stoppers' options at that point could be to reapply for gaming grants, seek other funding sources, apply for CVRD grant-in-aid funds, apply for funds from individual municipalities, etc.)
- b) Provide ongoing annual funds from the victim services program service – requires an amendment to the victim services program service establishment bylaw to update the service name and purpose. Due to timing of bylaw amendment process and financial plan requirements, funds may not be available to Crime Stoppers in 2014.
- c) Other options could include investigating a new service dedicated to the Comox Valley Crime Stoppers or grouping like services, such as victim services program and community justice, to determine any economies of scale that may arise.

This report further describes option b. Should the board choose to proceed with option b, the following draft resolution captures the legislative requirements for this process:

THAT an amendment to Bylaw No. 2250 being “Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000” be considered to:

- a) amend the service name from ‘victim services program’ to ‘victim services program and Comox Valley Crime Stoppers contribution’; and
- b) amend the purpose to provide for the victim services program and contribute funds to the Comox Valley Crime Stoppers;

AND FURTHER THAT under section 802 of the *Local Government Act* the board amend Bylaw No. 2250 with the consent of at least 2/3 of the participants.

From a timing perspective, the changes to Bylaw No. 2250 would require approval by member municipalities’ councils, electoral area directors and the inspector of municipalities. At the time of preparing this staff report, it is unknown whether the Ministry of Community, Sport and Cultural Development will support the changes to Bylaw No. 2250. Tentative approval would be sought from the ministry prior to introducing the bylaw for readings and that may delay the approval process.

### Financial factors

The current financial plan for the victim services program service shows \$70,000 under ‘grants operational’ and represents the CVRD’s portion of the funds paid to the Comox Valley Transition Society to deliver the victim services program annually. Providing funds to the Comox Valley Crime Stoppers would require an increase of \$12,000 annually. This represents an increase of 20% or \$0.29 annually for a homeowner whose property is assessed at \$300,000.

As part of the consideration for this new funding, the directors should note other pending increases that will be further discussed during the 2014 to 2018 financial planning processes. Some of these increases are related to protective services while others are related to physical infrastructure that the CVRD is responsible for:

- North Island 9-1-1 Corporation funding requirements
- Vancouver Island Regional Library increases
- Comox Strathcona waste management operational and capital costs
- Comox Valley water supply system capital improvements
- Sewage system upgrades and new capital commitments
- Vancouver Island Health Authority north island hospitals project

Should the board proceed with funding Comox Valley Crime Stoppers, an agreement between the CVRD and Crime Stoppers would be expected to ensure accountability and transparency for public resources.

### Legal factors

Regional district services are governed by the *Local Government Act* and regional district bylaws. An amendment to the victim services program bylaw would require either elector approval or consent on behalf of the electors. Staff would recommend that consent be given by the electoral area directors and municipal councils on behalf of their electors due to the relative minor nature in the change to the bylaw. Appendix B illustrates the proposed changes that are required if the board proceeds with option b.

### Sustainability implications

The Comox Valley sustainability strategy lists a number of objectives related to crime reduction and safer communities. Providing funds to the Comox Valley Crime Stoppers would assist in meeting these objectives, though a specific return on investment with respect to tax dollars provided in

response for level of safety achieved is a very difficult target to measure. One objective of note in the sustainability strategy reads:

- a) Objective 7.1.3: Safety services are provided to all residents to ensure appropriate, responsive security, and crime reduction, including crises services and restorative and community justice approaches.

### **Intergovernmental factors**

The Comox Valley Crime Stoppers presented information to municipal councils and the CVRD committee of the whole in the fall 2013. Should funds be dedicated from a regional district service, no further involvement by member municipalities would be required. However, there may be value in having the Comox Valley Crime Stoppers report to the CVRD elected officials and each municipal council on a regular basis. This could be explored in an agreement between the CVRD and the Crime Stoppers.

### **Interdepartmental involvement**

The legislative services department and the community services branch have collaborated on this report with the assistance of the financial services department. Should the board proceed with providing funds to the Comox Valley Crime Stoppers, the community services branch would develop and administer an agreement between the parties.

### **Citizen/public relations**

The Comox Valley Crime Stoppers currently has a public profile and works with a variety of public organizations in carrying out its mandate. This is a relationship that would continue and possibly be enhanced with participation by the CVRD.

Prepared by:

*J. Warren*

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James Warren  
Corporate Legislative Officer

Concurrence:

*I. Smith*

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Ian Smith  
General Manager of  
Community Services

Attachments: Appendix A – Correspondence dated November 20, 2013 from Comox Valley Crime Stoppers regarding operations and financial situation  
Appendix B – Draft Consolidated Bylaw No. 2250 being “Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000” with proposed updates (redline version)





November 20, 2013

Comox Valley Regional District  
600 Comox Road  
Courtenay, B. C. V9N 3P6

Dear Regional District:

The Comox Valley Crime Stoppers program is a board run non-profit society formed in 1989. Since then it has partnered with the local media and police to combat criminal activity in the

Comox Valley. Tips received by the Crime Stoppers program can contribute significantly to the success of police investigations. During our 25 years of existence our tips line has received thousands of tips and many of those tips have been used to bring criminals to justice. Hundreds of thousands of dollars of stolen property has been recovered and over 18 million dollars of narcotics have been seized as a result of local tips. Crime Stoppers is a proven program with the full support of the RCMP and the Crime Stoppers brand is one of the most recognized brands in the province.

For many years our organization received an annual grant from the gaming branch of the provincial government. But the last such grant in the amount of \$17,000 was received in 2010. Since then we have been without any significant funding source and, as a small board, it is difficult for us to raise funds. We do have some other sources of funding but they do not nearly cover our operating costs. Our program does not have any paid employees, our board carefully scrutinizes all expenses and, you will note, our expenditures are modest compared to what we achieve.

Of the numerous provincial crime stopper organizations that I have spoken with recently the only one that receives provincial funding on a regular basis is Greater Vancouver Crime Stoppers which receives money under a regional program. But Vancouver Crime Stoppers also has other funding sources including per capita grants from each of the municipalities it serves. Comox Valley Crime Stoppers has never received direct financial support from the municipalities or the regional district but the time has come for us to ask for financial assistance. We have recently made presentations to the City of Courtenay and the Town of Comox and have met with the Mayor of Cumberland. Since what we do is a substantial benefit to the entire regional district it seems appropriate for us to make a presentation to and request funding assistance from your board.

Should you require any further information please do not hesitate to contact any one of the following board members. Stuart Hartman can be contacted at (250)339-7828 or hil@shaw.ca.

Yours Truly

A handwritten signature in blue ink, appearing to read "Stuart Hartman".

Stuart Hartman  
President

Tom Gray  
Vice President

A handwritten signature in blue ink, appearing to read "Grant Lawrence".

Grant Lawrence  
Treasurer

A handwritten signature in blue ink, appearing to read "Susan Granberg".

Susan Granberg  
Secretary

### **Purposes of the Comox Valley Crimestoppers Society**

1. To provide support to the local R.C.M.P. detachment in their efforts to prevent and solve crimes by advertising campaigns and the offering of rewards.
2. To encourage the public to volunteer information that might assist in solving crimes.
3. To heighten public awareness of the level and nature of criminal activity in the community.

**COMOX VALLEY CRIME STOPPERS**

Financial Report for the period September 1, 2012 TO August 31, 2013

**INCOME:**

Memberships	\$ 115.00
Fundraising	929.50
Web Advertising	0.00
Donations	250.00
Ministry of Justice Grant	<u>5,000.00</u>

TOTAL \$ 6,294.50

**EXPENSES:**

Accounting	\$ 756.00
Advertising & Promotion	770.56
Awards	750.00
Bank Charges	24.00
Conventions & Seminars	750.75
Fundraising Costs	0.00
Liability Insurance	560.00
Legal	25.00
Membership Fees, Etc.	550.00
Mountie Camp	1,000.00
Office & Administration	425.36
Rent/Storage	1,560.52
Tipsoft	1,274.70
Van Insurance	1,312.00
Miscellaneous	<u>50.00</u>

TOTAL \$ 9,808.89

Deficit for the Period ( \$ 3,514.39 )



**COMOX VALLEY CRIMESTOPPERS SOCIETY**  
**Operating Budget for 2013/14**

**REVENUE**

Memberships	\$ 200.00
Fundraising/Donations	2,000.00
Web Advertising	1,000.00
Breakfast With Santa	900.00
Other	
<b>Total</b>	<b>\$ 4,100.00</b>

**EXPENSES**

Accounting	\$ 750.00
Advertising	3,000.00
Awards	2,500.00
Bank Charges	50.00
Computer Equip/Software	1000.00
Conv/Seminars	1,500.00
Fundraising	300.00
Insurance - Van	1,350.00
Insurance - Liability	600.00
Legal Fees	25.00
Memberships/Dues	550.00
Office & Administration	400.00
Storage Rental	1,800.00
Tipsoft	1,300.00
Website	100.00
<b>Total</b>	<b>\$ 15,225.00</b>
<b>Projected Deficit For TheYear</b>	<b>-\$ 11,125.00</b>

### **Government Funding For Crime Stoppers Organizations**

Other provincial crime stopper organizations that are known to be receiving municipal and/or regional district funding include:

- Greater Victoria Crime Stoppers has had two police officers acting as co-ordinators paid for by the City of Victoria with a small contribution from Oak Bay for a total cost of approximately \$180,000. That is being changed to two civilian co-ordinators paid for on a proportionate basis by the municipalities in the greater Victoria area.
- Campbell River Crime Stoppers has a civilian co-ordinator for 30 hours per week paid for by the municipality of Campbell River. They also cover the northern part of the island and plan to approach other municipalities for funding assistance.
- Kamloops District Crime Stoppers receives \$99,000 from the municipality and \$20,000 from the regional district.
- South Okanagan Similkameen have a full time co-ordinator paid for by the regional district and also receives money from the City of Penticton.

And North Okanagan/Shuswap Crime Stoppers is in the process of applying to all ten local governments in their area for funding assistance.



# VICTIMS SERVICES PROGRAM ESTABLISHMENT

The following is a consolidated copy of the victims assistance service establishment bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
2250	Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000	May 29, 2000	A bylaw to convert the victims assistance function to an extended service
2895	Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000 Amendment No. 1	August 28, 2006	A bylaw to amend the victim assistance service to change the maximum requisition amount
<u>XXX</u>	<u>Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000 Amendment No. 2</u>	<u>To be determined</u>	<u>A bylaw to expand the purpose of the victim services program establishment bylaw to include a financial contribution to the Comox Valley Crime Stoppers</u>

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. **THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES.** Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

**COMOX VALLEY REGIONAL DISTRICT****BYLAW NO. 2250****A bylaw to convert the victims assistance function to an extended service**

**WHEREAS** supplementary letters patent were issued to the Comox Strathcona Regional District on the 29<sup>th</sup> day of April 1989 which granted the function of victims assistance program;

**AND WHEREAS** the victims assistance program, granted under letters patent, was converted to a regional district service and had its name changed to victim services program on May 29, 2000;

**AND WHEREAS** the conversion process included the:

- councils of the Town of Comox, the Corporation of the City of Courtenay and the Corporation of the Village of Cumberland consenting to the adoption of the bylaw by resolution;
- directors of Electoral Areas 'A', 'B', 'C' and 'K' consenting to the adoption of the bylaw in writing;

**AND WHEREAS** the Comox Strathcona Regional District was restructured by letters patent to form the Comox Valley Regional District and the Strathcona Regional District on February 15, 2008 and the victim services program was deemed a service of the Comox Valley Regional District;

**AND WHEREAS** Electoral Area 'K' was merged with Electoral Area 'A' in 2008 by letters patent;

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Extended Service Established**

1. The function of Victims Assistance Program granted by supplementary Letters Patent dated April 29<sup>th</sup>, 1989 is hereby established as an extended service and shall be operated as the Victim Services Program. Additionally the service shall include the contribution of funds to the Comox Valley Crime Stoppers to assist with operational activities. This service is named the 'victim services program and Crime Stoppers grant contribution service.'

**Boundaries of the Service Area**

2. The boundaries of the ~~"Victim Services Program Extended Service Area"~~ victim services program and Crime Stoppers grant contribution service shall be the boundaries of the Town of Comox, the City of Courtenay, the Village of Cumberland and ~~Electoral Areas 'A', 'B', 'C' and 'K' of the Regional District of Comox-Strathcona~~ Electoral Area 'A' (Baynes Sound – Denman / Hornby Islands), Electoral Area 'B' (Lazo North) and Electoral Area 'C' (Puntledge – Black Creek).

**Participating Area**

3. The Town of Comox, the City of Courtenay, the Village of Cumberland, ~~and Electoral Areas 'A', 'B', 'C' and 'K'~~ Electoral Area 'A' (Baynes Sound – Denman / Hornby Islands), Electoral Area 'B' (Lazo North) and Electoral Area 'C' (Puntledge – Black Creek) are the participating areas in this extended service.

**Cost Recovery**

4. As provided in section 803 of the *Local Government Act*, the annual cost of providing the service shall be recovered by one or more of the following:
  - (a) property value taxes imposed in accordance with division 4.3 of part 24 (Requisition and Tax Collection) of the *Local Government Act*;
  - (b) parcel taxes imposed in accordance with division 4.3 of part 24 (Requisition and Tax Collection) of the *Local Government Act*;



## CONSOLIDATED

Bylaw No. 2250 – "Victim Services Program Extended Service Area Conversion Bylaw No. 2250, 2000"

Page 3

- (c) fees and charges imposed under section 363 (Imposition of fees and charges) of the *Local Government Act*;
- (d) revenues raised by other means authorized by the *Local Government Act* or another act; and
- (e) revenues received by way of agreement, enterprises, gift, grant or otherwise.

**Maximum Requisition**

2895  
Aug. 2006

5. The maximum amount that may be requisitioned annually under section 800.1(1)(e) of the *Local Government Act* for the service shall be the greater of:
  - (a) \$50,000.00; or
  - (b) \$0.02 per \$1,000 of assessed value.

**Apportionment**

6. The annual cost of the extended service established by this bylaw shall be apportioned between the participating areas on the basis of assessed values. For this purpose, the assessed values shall be determined using the:
  - (a) assessment for general purposes for the participating municipalities, and
  - (b) assessment for Regional Hospital District purposes for the participating electoral areas.

**Citation**

7. ~~This bylaw may be cited for all purposes as "Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000".~~

This Bylaw No. 2250 may be cited for all purposes as the "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No. 2250, 2000".

**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 325**

**A bylaw to amend the victim services program service establishing bylaw to amend the purpose to include grant funding for the Comox Valley Crime Stoppers**

**WHEREAS** the victim services program service was created by the adoption of Bylaw No. 2250 being "Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000" on the 29<sup>th</sup> day of May 2000;

**AND WHEREAS** the board wishes to amend the victim services program service purpose to include grant funding for the Comox Valley Crime Stoppers;

**AND WHEREAS** the board has approved amending Bylaw No. 2250 with the consent of at least 2/3 of the participants under section 802 of the *Local Government Act*;

**AND WHEREAS** participating area approval has been obtained in writing from the directors of Electoral Areas 'A' (Baynes Sound – Denman / Hornby Islands), 'B' (Lazo North) and 'C' (Puntledge – Black Creek) under section 801.5 of the *Local Government Act*;

**AND WHEREAS** pursuant to section 801.4 of the *Local Government Act* the councils of the Town of Comox, the Corporation of the City of Courtenay and the Village of Cumberland have consented to the adoption of this bylaw;

**AND WHEREAS** the approval of the inspector of municipalities has been obtained under section 801(1)(a) of the *Local Government Act*;

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Amendment**

1. Bylaw No. 2250 being "Victim Services Program Extended Service Conversion Bylaw No. 2250, 2000" is hereby amended by:

- (a) Replacing section 1 (extended service established) which reads:

"The function of Victims Assistance Program granted by supplementary Letters Patent dated April 29<sup>th</sup>, 1989 is hereby established as an extended service and shall be operated as the Victim Services Program."

with the following:

"The function of victims assistance program granted by supplementary letters patent dated April 29<sup>th</sup>, 1989 is hereby established as an extended service and shall be operated as the victim services program. Additionally the service shall include the contribution of funds to the Comox Valley Crime Stoppers to assist with operational activities. This service is named the 'victim services program and Crime Stoppers grant contribution service'."

- (b) Replacing section 2 (boundaries of the service area) which reads:

"The boundaries of the "Victim Services Program Extended Service Area" shall be the boundaries of the Town of Comox, the City of Courtenay, the Village of Cumberland and Electoral Areas 'A', 'B', 'C' and 'K' of the Regional District of Comox-Strathcona."

with the following:

"The boundaries of the victim services program and Crime Stoppers grant contribution service shall be the boundaries of the Town of Comox, the City of Courtenay, the Village of Cumberland and Electoral Area 'A' (Baynes Sound – Denman / Hornby Islands), Electoral Area 'B' (Lazo North) and Electoral Area 'C' (Puntledge – Black Creek)."

- (c) Replacing section 3 (participating area) which reads:

"The Town of Comox, the City of Courtenay, the Village of Cumberland and Electoral Areas 'A', 'B', 'C' and 'K' are the participating areas in this extended service."

with the following:

"The Town of Comox, the City of Courtenay, the Village of Cumberland, Electoral Area 'A' (Baynes Sound – Denman / Hornby Islands), Electoral Area 'B' (Lazo North) and Electoral Area 'C' (Puntledge – Black Creek) are the participating areas in this service."

### Citation

This Bylaw No. 325 may be cited as "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No. 2250, 2000, Amendment No. 2".

Read a first and second time this 29<sup>th</sup> day of April 2014.

Read a third time this 29<sup>th</sup> day of April 2014.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 325 being "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No. 2250, 2000, Amendment No. 2" as read a third time by the board of the Comox Valley Regional District on the 29<sup>th</sup> day of April 2014.

*J. Warren*

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

Approved by the  
Inspector of Municipalities this

day of 2014.

Adopted this

day of 2014.

\_\_\_\_\_  
Chair

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

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 325 being "Victim Services Program and Crime Stoppers Grant Contribution Service Establishment Bylaw No. 2250, 2000, Amendment No. 2" as adopted by the board of the Comox Valley Regional District on the day of 2014.

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





THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Locals – Liquor Licence Amendment

**File No.:** 4320-20  
**Date:** June 9, 2014

### PURPOSE:

The purpose of the report is to respond to the application by "Locals- Food from the Heart of the Island" restaurant for a permanent change to its liquor licence.

### CAO RECOMMENDATIONS:

That, based on the June 9, 2014 staff report, "Locals – Liquor Licence Amendment", Council approve Option 1 and direct staff to publish notice for two consecutive weeks in a local newspaper and posted on the City's website requesting input on the proposed licence change for Council consideration at the Council meeting scheduled for July 7, 2014.

Respectfully submitted,

Deputy CAO for: \_\_\_\_\_

David Allen  
Chief Administrative Officer

### BACKGROUND:

As per the attached request, "Locals – Food from the Heart of the Island" restaurant is requesting a permanent change to its liquor licence to allow the hosting of special dinner evenings with the possibility of dancing.

### DISCUSSION:

The *Liquor Control and Licencing Regulations* require a local government resolution for amendments to food-primary establishments requesting "patron participation". In addition, prior to recommending approval of an application, the local government must gather the views of residents if it considers the amendment may affect nearby residents and businesses.

With these types of applications, Council has resolved to publish a notice in a newspaper and on the City's website. Given the very minor nature of this liquor licence change, staff are of the opinion that notices in a local newspaper and on the City's website will satisfy the requirements of the Liquor Control and Licencing Branch.

Once Council receives public input on the applications, resolutions addressing the following points must be forwarded to the Liquor Control and Licencing Branch:

1. *The potential for noise if the application is approved;*
2. *The impact on the community if the application is approved;*
3. *Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.*
4. *The views of the residents if the licence may affect nearby residents(a description of the views and the method used to gather the views is required)*

Once the views of the residents have been gathered, a proposed resolution will be presented to Council for consideration at the regular meeting scheduled for July 7, 2014.

Council may choose not to comment on the application provided reasons are given for this decision.

**FINANCIAL IMPLICATIONS:**

Cost of advertising is anticipated to be in the range of \$250.00.

**ADMINISTRATIVE IMPLICATIONS:**

Administration of liquor licence amendments is included in the general statutory duties of the Legislative Services Department work plan.

**STRATEGIC PLAN & PRIORITIES REFERENCE:**

Statutory in nature.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

Not referenced.

**REGIONAL GROWTH STRATEGY REFERENCE:**

Not referenced.

**CITIZEN/PUBLIC ENGAGEMENT:**

Public notice recommended in Option 1.

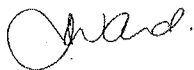
**OPTIONS:**

Option 1: Direct staff to publish notice for two consecutive weeks in a local newspaper and posted on the City's website requesting input on the proposed licence change for Council consideration at the Council meeting scheduled for July 7, 2014 (recommended).

Option 2: Direct staff to obtain public input through an alternative method.

Option 3: Provide no comment with reasons.

Prepared by:



John Ward, CMC  
Director of Legislative Services



**From:** Chef Ronald St-Pierre

**Date:** 5/9/2014

**Re:** Application for a permanent change to a Liquor License

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To whom it may concern,

Locals-Food from the Heart of the Island is applying for a change to our liquor license #301604 so we may comply with the Liquor Control and Licensing regulation regarding; Food Primary Licenses – Patron Participation Entertainment Endorsement.

The reason for Locals to request this change is to be able us to host special dinner evenings (weddings, special parties, and Christmas parties) when a group wishes buy out our entire restaurant location for the evening, and possibly have some dancing as well. Many of these guests often have large bookings with the Old House Hotel, and wish to have the evening hosted at the Restaurant.

There is no intent from Locals-Food from the Heart of the Island to host dinner dance evenings on a regular base, nor to do so with our regular customers on a typical evening. We would have this option for rare special occasions only.

There is no defined dance floor area in our licensed area, so its location would be variable depending upon the seating arrangement. We would create a small dance floor to meet the guests' needs, and our flooring is the same throughout the restaurant.

We are in agreement with our neighbor, the Old House Hotel, that the quiet time is 11 pm and that there will be no more dancing after 11pm.

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If you wish additional information, please contact me by phone at 250-338-6493, or at [chef@localscomoxvalley.com](mailto:chef@localscomoxvalley.com) and I would be pleased to be of further assistance.

Sincerely,

Ronald St-Pierre CCC  
Executive Chef / Owner

[www.localscomoxvalley.com](http://www.localscomoxvalley.com)  
1760 Riverside Lane, Courtenay, BC V9N 8C7  
Ph 250-338-6493



# Application for a Permanent Change to a Liquor Licence

## All Licence Types

Liquor Control and Licensing Form LCLB005b

### FILLING OUT THIS FORM:

Complete all applicable fields then submit with payment as outlined in Part 9 of this application form.

- If you have any questions about this application, call Liquor Control and Licensing Branch (LCLB) toll-free at: **1 866 209-2111**.
- LCLB forms and supporting materials referred to in this document can be found at: **www.pssg.gov.bc.ca/lclb**

### Application Contact Information

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: Ronald St Pierre

Phone number: 250 338 6493

Fax number: N/A

E-mail address: chef@localscomoxvalley.com

### Licensee Information

Licensee name [as shown on licence]: Locals-Food from the Heart of the Island

Establishment name [as shown on licence]: Locals-Food from the Heart of the Island

Establishment

Location address: 1760 Riverside Lane

Courtenay

BC

V9N 8C7

(as shown on licence):

Street

City

Province

Postal Code

Mailing address:

(All correspondence will go to this address)

1760 Riverside Lane, Lower Level

Courtenay

BC

V9N 8C7

Street

City

Province

Postal Code

Business Tel with area code: 250 338 6493

Business Fax with area code: N/A

Business e-mail: chef@localscomoxvalley.com

Contact Name: Ronald St Pierre

Title/Position: Owner

last / first / middle

### Type of Change Requested

Please check (✓) appropriate box(es) below and provide licence numbers affected for each requested change. You may complete more than one change section on this form. **An incomplete application will be held for a maximum of thirty (30) days.** If still incomplete after the thirty (30) day period, the application may be terminated.

Type of change requested	Licence numbers affected MANDATORY	JOB NUMBER Office Use ONLY
<input type="checkbox"/> 1. Establishment/business or licence name change (p.2)		(C2-LIC) (sub)
<input checked="" type="checkbox"/> 2. Food-primary entertainment endorsement (p.2)	301604	(C2-LIC) (sub)
<input type="checkbox"/> 3. Request for change in terms and conditions (p.2)		(C3-LIC) (sub)
<input type="checkbox"/> 4. Live theatres requesting liquor service (p. 2)		(C3-LIC) (sub)
<input type="checkbox"/> 5. Request for tied house restrictions exemption (p. 3)		(C3-LIC) (sub)
<input type="checkbox"/> 6. Change to hours of sale (p.3)		(C3-LIC) (sub)
<input type="checkbox"/> 7. Catering endorsement (p.4)		(C3-LIC) (sub)

**REFER TO PART 12 TO SEE THE APPROVAL PROCESS FOR THE TYPE OF CHANGE YOU HAVE REQUESTED**

### Applying for other permanent changes to your licence?

- To apply for alterations or additions to a licensed establishment (structural changes), use an *Application for a Structural Change*. For Liquor Primary and Liquor Primary Club, use form LCLB012a; for Food Primary, use LCLB012b; for Manufacturer and Winery Endorsements, use LCLB013; for Wine Store and Licensee Retail Store, use LCLB012c.
- To apply to have a third party management firm or lessee operate your licensed establishment, use the *Application to Add or Change a Licensee's Third Party Operator* (LCLB026) or to apply for a resident manager to operate your establishment, use the *Application to Add or Change a Licensee's Resident Manager* (LCLB025).
- To apply for a change to the shareholders, directors, licensee name or to add a receiver or executor, use the *Application for a Permanent Change to a Licensee* (LCLB005a).

**PART 1: Establishment or Business Name Change and/or Licence Name Change** C2 - LIC

To be completed when the licensee wishes to change the name of an establishment or business and/or licence.

**Note:** If a name change results in a change in exterior signs, the signs are subject to branch approval.

Fee: \$220 per licence x   licences = \$  

**Establishment or business name change:**

Current establishment or business name as shown on licence:

Proposed name:

**Licence name changes:**

Licence #:   Current licence name:

Proposed licence name:

Licence #:   Current licence name:

Proposed licence name:

**Attach the following:**

☐ Sketch or picture of the proposed establishment or business signage.

**Also complete Parts 8 and 9**

**PART 2. Entertainment Endorsement (Food Primary licenses only)**C2 - LIC

According to the type of entertainment being applied for, complete either (A) or (B) below and attach required documents:

**A) Patron non-participation entertainment endorsement (e.g., musicians)**

**Note:** Patron non-participation entertainment must end by 1:00 a.m. Fee: \$220 per licence x   licences = \$  

☐ Submit a letter of intent describing, in detail, the form of patron non-participation entertainment proposed and where it will take place in your restaurant.

**B) Patron participation entertainment endorsement (e.g., dance floor):**

**Note:** Patron participation entertainment must end by midnight. Fee: \$330 per licence x 1 licences = \$ 330

☒ Submit a letter of intent describing, in detail, the form of patron participation entertainment proposed and where it will take place in your restaurant.

☒ Request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form. For further information on local government resolutions, read Part 10).

**There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, consult with licensing staff at LCLB in Victoria (see contact information on page 5 of this form).**

*NOTE – When relocating a Food-Primary establishment: An endorsement for patron participation entertainment cannot transfer location without local government/First Nations comment and LCLB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the establishment's new location. Use this form to reapply for the endorsement but do not pay the application fee(s).*

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☒ No

**Also complete Parts 8 and 9**

**PART 3. Request of Change in Terms and Conditions**C3 - LIC

This section may be used for requests to change the terms and conditions on a liquor licence including requests to the general manager for an exercise of discretion. Depending on the nature of the licence change requested, local government and public input may be required.

Fee: \$220 per licence x   licences = \$  

**Attach:**

☐ A letter of intent describing, in detail, the proposed change to your licence and compelling reasons for your request. To request discretion, provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. If a staff report is prepared in regards to your request, you will be provided with a copy and will have two weeks to provide any comment before the request for discretion is considered by the General Manager. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf>)

**Also complete Parts 8 and 9**

**PART 4. Live theatres requesting liquor service in conjunction with films/broadcasts**C3 - LIC Fee: \$330

Licensed live event theatres may apply for permission to serve liquor in conjunction with films and broadcasts. Please provide a written proposal detailing your request.

See Policy Directive 12-02 for the conditions that apply to liquor service at live theatres during films and broadcasts.

LCLB will forward your application to your local government/first nation for comment. Consideration will also be given to the compliance history of the establishment.

**Also complete Parts 8 and 9**

**PART 5. Request for Exemption from Tied House Restrictions (Manufacturers only)****C3 - LIC**Fee: \$220 per licence x  licences = \$ 

As of March 1, 2013, licensed manufacturers may own or have an association with up to 3 licensed establishments (LP, LRS, FP, Catering) that are not located on the same site as the manufacturer and where the manufacturer's products may be sold.

**Attach** a signed letter for each manufacturing licence that you are applying for above, stating the following:

- ☐ Identify the manufacturer (by licence name and licence number) applying for the exemption. If the manufacturer is not yet licensed, provide the proposed licence name, location address and the job number assigned to your file.
- ☐ Identify the liquor licences (by name and number) that you wish to have exempted from the tied house restrictions (maximum you can ever apply for is three).
- ☐ Disclose the manufacturer's production amount (minus spillage) for the previous year.

For more information on requests for exemption, see Policy Directive 13-03.

**Also complete Parts 8 and 9**

**PART 6. Change to Hours of Sale****C3 - LIC**

(Liquor Primary, Liquor Primary Club, Food Primary & Manufacturer endorsements)

Pursuant to Section 12(3) of the Liquor Control and Licensing Act, the general manager may limit the days and hours that an establishment is permitted to be open for the sale of liquor.

Hours of liquor sales for Food Primary establishments must meet with the dining habits of the clientele expected. Liquor must not be served unless the establishment is open for the service of a varied selection of menu items.

Licensees may apply to revise hours of sale, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing. In some instances, the general manager of the Liquor Control and Licensing Branch may require the licensee to post public notices before a decision to alter licence hours is considered.

Check (☒) the appropriate change, and provide the requested information and documents:

**A) Food Primary**

- ☐ (i) Request to change hours of liquor sales before midnight Fee: \$220 per licence x  licences = \$   
• complete proposed hours of sale table below
- ☐ (ii) Request to extend hours of liquor sales later than midnight Fee: \$330 per licence x  licences = \$   
• complete proposed hours of liquor sale table below, and  
• request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form; for further information on local government/First Nations resolutions, read Part 10).

**Note: if you have patron participation entertainment, it must end by midnight**

**B) Liquor-Primary, Liquor-Primary Club, Manufacturer Special Event Area or Manufacturer Lounge**

- ☐ (i) Request to change the hours of liquor sales within the hours currently approved:  
• complete proposed hours of sale table below Fee: \$220 per licence x  licences = \$
- ☐ (ii) Request to change the hours of liquor sales outside the hours currently approved:  
• complete proposed hours of liquor sale table below, and Fee: \$330 per licence x  licences = \$   
• request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form; for further information on local government/First Nation resolutions, read Part 10).

**Complete the table below, indicating proposed hours of liquor sales:**

**Current Hours of Liquor Sale:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
CLOSED	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Proposed Hours of Liquor Sale:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
CLOSED	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**NOTE – When relocating a Food-Primary establishment:** An endorsement for hours of liquor service after midnight cannot transfer location without local government/First Nations comment and LCLB approval. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☐ No

**Also complete Parts 8 and 9**

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## PART 7. Request for Catering Endorsement (Food Primary and Liquor Primary licences only)

Food primary and liquor primary licensees (**excluding** liquor primary club licensees) may apply for a catering endorsement if they wish to be licensed to transport and sell liquor at catered events where they have been hired to provide food service. The catered events must be hosted by other people and must take place outside the 'red-lined area' (the area where liquor is sold, served and consumed) and generally away from the establishment. The caterer must be present for the duration of a catered event. Licences with a catering endorsement are subject to an annual licensing fee of \$100 in addition to the annual renewal fees.

Fee: \$330 per licence x  licences = \$

To qualify for an endorsement the applicant must demonstrate at the time of inspection:

- Catering service is focused on the preparation and serving of food.
- The applicant has the personnel and infrastructure necessary to prepare and serve food at events hosted by others. This includes a requirement to have a full commercial kitchen at the applicant's existing licensed establishment.

**NOTE:** If a licence is approved with a catering endorsement, **the licensee must notify LCLB of all catered events** (except in private residences) using OneStop ([www.bcbusinessregistry.ca](http://www.bcbusinessregistry.ca)). Some events may require approval from LCLB before the catered event can take place. Further information about how to notify LCLB will be provided by your local liquor inspector when they complete their final inspection.

LCLB will review your application and if approved you will be required to arrange a final inspection. If the liquor inspector is not satisfied with your kitchen equipment, food selection, advertising and staffing, you may be required to make changes and schedule a second (2<sup>nd</sup>) inspection to confirm you meet the requirements of a catering endorsement. **A fee of \$200 will be charged if a second (2<sup>nd</sup>) inspection is required.**

*Also complete Parts 8 and 9*

## PART 8: Declaration

My signature (the licensee's) below indicates that I understand and acknowledge:

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or **all** individuals in a partnership is required below:

**Note:** An agent, lawyer, resident manager or third party operator **may not** sign the declaration on behalf of the applicant.

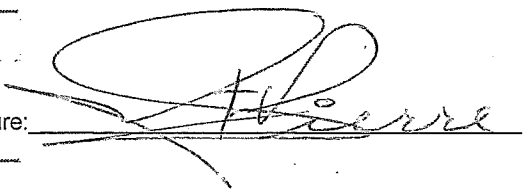
Name of Official: Ronald St Pierre

(last / first / middle)

Position: President / Owner

Date: May 9, 2014

(Day/Month/Year)

Signature: 

Name of Official:

(last / first / middle)

Position:

Date:

(Day/Month/Year)

Signature:

Name of Official:

(last / first / middle)

Position:

Date:

(Day/Month/Year)

Signature:

Name of Official:

(last / first / middle)

Position:

Date:

(Day/Month/Year)

Signature:

## PART 9: Application Fees

TOTAL FEE Submitted: \$ 660

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check ☒ one):

☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)

☐ Money order, payable to Minister of Finance

☐ Credit card: ☒ VISA ☐ MasterCard ☐ AMEX

☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☒ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

### Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb) E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

LCLB005b

5 of 7

Application for Permanent Change to Liquor Licence

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number:

Expiry date:

(Month)

(Year)



## PART 10: Local Government/First Nation Resolutions: (Information for the Applicant)

For the following changes a resolution from your local government or First Nation, commenting on the application is required:

- Part 2(B): Food-primary patron participation entertainment endorsement, and
- Parts 5(A)(ii) and 6(B)(ii): Change to hours of sale

### Licence responsibilities:

- Fill out appropriate change application sections in this form.
- **Request your local government/First Nation to sign and date Part 11 of this form.**
- Provide a photocopy of this form to the local government/First Nation and request that a resolution be provided within 90 days and sent directly to the Liquor Control and Licensing Branch, Victoria Head Office.
- Send the original form and application fees to the branch.
- The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution stating this decision and this resolution must be submitted to the Liquor Control and Licensing Branch.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

## PART 11: Local Government/First Nation Confirmation of Receipt of Application

This application serves as notice from the Liquor Control and Licensing Branch (LCLB) that an application for one or more of the following changes to a liquor licence has been made within your community:

- Hours of liquor service past midnight for a food primary licence.
- Change to hours of liquor service for a liquor primary, liquor primary club, winery lounge or winery special event endorsement
- Addition of patron participation entertainment endorsement for a food primary licence.


Local government/First Nation (name): City of Courtenay

Name of Official: JOHN WARD  
(last / first / middle)

Title/Position: Dir of Lic. Services

Date of receipt of application: 16/05/2014  
(Day/Month/Year)

Phone Number: 250-703-4853

Signature of Official: 

The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt.

### To comply with section 53 of the Liquor Control and Licensing Regulation, this resolution must:

- Comment on the following regulatory criteria:
  - the potential for noise if the application is approved;
  - the impact on the community if the application is approved; and
  - whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose (provide comments only if the application is from a food-primary licence for an extension of hours of liquor service past midnight or the addition of patron participation entertainment).
- Indicate whether or not the views of residents were gathered, and if not, provide reasons why they were not gathered (residents include residents and business owners).
- If the views of residents were gathered explain:
  - the views of the residents;
  - the method used to gather the views of the residents; and
  - comments and recommendations with respect to the views of residents.
- Provide recommendation as to whether the amendment should be approved.

You must refer to and attach any report presented by an advisory body or sub-committee to the council or board.

If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch. Please be advised that if the LCLB does not receive a resolution or a request for an extension within 90 days, the general manager is authorized to review the application without a resolution and make a decision about the application.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

## **PART 12: Application and Approval Process – What happens next?**

### **For the following change requests (all C2):**

- Part 1 Establishment or Licence Name Change
- Part 2 Food-Primary Entertainment Endorsement (may require local government/First Nations resolution).

#### ***The process is:***

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

### **For the following change requests:**

- Part 3 Change to Terms and Conditions (all C2)
- Part 4 Live theatres requesting liquor service (all C2)
- Part 5 Request for exemption from tied house restrictions (all C3)
- Part 6 Change to Hours of Sale (may require local government/First Nations resolution) (all C3)

#### ***The process is:***

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff may request your local liquor inspector to provide comments regarding your application.
5. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

### **For the following change request:**

- Part 7 Catering Endorsement (all C1)

#### ***The process is:***

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. If the application requirements have been met, the applicant will be asked to contact the inspector for an interview/final inspection. Before contacting the inspector for the interview/final inspection, the applicant must have the inspector interview letter.  
**Note:** The applicant must contact the local area inspector to arrange for a final inspection by the date noted on the letter (30 days from the date on the letter). If the inspector is not contacted to arrange for a final inspection or for an extended time, the application will be terminated.
5. At your final inspection, the inspector will verify that your business location meets the requirements for a catering licence by reviewing the food selection, the kitchen equipment, advertising and staffing resources. If the inspector is not satisfied your business location meets the requirements of a catering licence you may be asked to make changes and schedule a second (2<sup>nd</sup>) inspection to confirm you meet the requirements of a catering licence. **A fee \$200 will be charged if a second (2<sup>nd</sup>) inspection is required**
6. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

**Freedom of Information and Privacy Act** - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Phone - Victoria: 250 952-5787. Outside Victoria: 1-866 209-2111. Fax: 250 952-7066



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council  
**From:** Development Services Department  
**Subject:** Development Variance Permit No. 1406 - 2891 Gatehouse Place

**File No.:** 3090-20-1406

**Date:** June 9, 2014

### PURPOSE:

The purpose of this report is to consider a Development Variance Permit to increase the maximum floor area permitted for an accessory structure.

### CAO RECOMMENDATIONS:

That based on the June 9, 2014 staff report "Development Variance Permit No. 1406 – 2891 Gatehouse Place" Council approve Development Variance Permit No. 1406 (OPTION 1).

Respectfully submitted,

T. Manthey, Deputy CAO for:  
David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The subject property is located on Gatehouse Place and is adjacent to the shared BC Hydro Right-of-Way and City greenway. The property is currently developed with a single residential dwelling. The applicants are proposing to construct a new one and a half storey accessory structure in the rear yard which exceeds the maximum floor area permitted in the Comprehensive Development Twelve Zone (CD-12). Drawings showing the proposed structure are included in this report. Surrounding land use includes single residential dwellings to the west, north and east, and utility and parkland to the south.

### DISCUSSION:

The intent of regulating accessory structures is to minimize the impact that accessory structures have on the surrounding neighbourhood including visual



Figure 1. Aerial view of subject property (shown in blue).



Figure 2. Street view of property



character, stormwater runoff, and the use and enjoyment of private outdoor space for adjacent properties.

The proposed accessory structure is a one and a half storey detached building located in the rear yard. The applicants are requesting a variance to *Section 8.41.10 (2)* of the *Zoning Bylaw* to increase the maximum floor area of an accessory structure from 60 m<sup>2</sup> to 131 m<sup>2</sup>. The total floor area includes the floor area of the main level with proposed garage/workshop type uses and the floor area of the second level with storage and craft room uses. The proposed structure complies with the remainder of the zoning provisions including height, building setbacks and lot coverage as shown in the table below.

CD -12 Zoning Regulation	Required	Proposed
Lot Coverage (includes house & accessory structures)	40 %	< 30%
Height	4.5 m	4.5 m
Floor Area	60 m <sup>2</sup>	131 m <sup>2</sup>
Setbacks		
- Rear yard	2.0 m	2.0 m
- Side yard	2.0 m	5.5 m

The CD-12 zone applies to properties on Gatehouse Place which have a larger minimum lot area (1250 m<sup>2</sup>) than typical single residential properties in Courtenay. This area provides a transition between urban residential areas to the south and suburban residential areas to the north. While the proposed variance represents a significant increase in the permitted size of accessory buildings in the CD-12 zone resulting in a much larger accessory structure than those on adjacent properties, the 90 m<sup>2</sup> building footprint is consistent with the allowable floor space for accessory structures on the Rural Residential zoned properties (RR-3 and RR-4) in the surrounding neighbourhood to the north (Figure 3).

The applicant has been advised that there is building scheme registered on the property title. The building scheme requires the approval of the developer prior to the construction of any buildings or structures on the land while the developer still owns property in the development. As it is a private agreement between the developer and landowners, the City has no ability to enforce the building scheme. However, all property owners within 30 m of the subject property were notified of the development proposal and none of the property owners have indicated opposition to the project. To better integrate the accessory building with the neighbourhood, the applicant is proposing to finish the structure with the same materials as the house.

Staff has reservations regarding the size of the proposed structure and the potential impact on neighbourhood character if many accessory structures of this size were constructed as they are more in keeping with rural properties. However, staff believes this potential impact can be managed on a case-by-case basis through the variance process, and as indicated in the Civic Engagement section of this report, there appears to be a high level of neighbourhood support for this project.

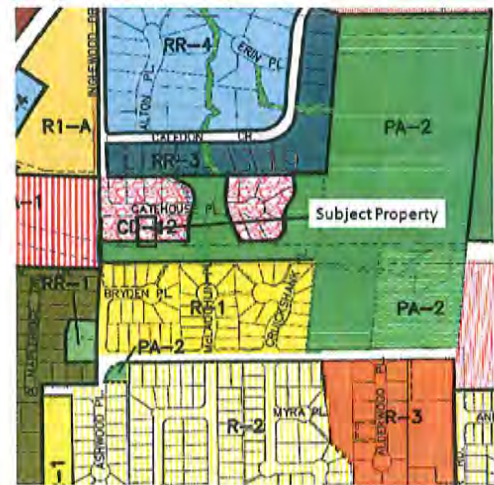


Figure 3. Zoning Map of Surrounding Area

**FINANCIAL IMPLICATIONS:**

There are no direct financial implications as a result this project as development variance permit and building permit application fees cover the cost of administration.

**ADMINISTRATIVE IMPLICATIONS:**

The processing of development applications is included in the current work plan as a statutory component.

**STRATEGIC PLAN REFERENCE:**

No specific reference.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

No specific reference.

**REGIONAL GROWTH STRATEGY REFERENCE:**

No specific reference.

**CITIZEN/PUBLIC ENGAGEMENT:**

The applicant held a neighbourhood public information meeting with respect to the proposed variance on May 9, 2014. There were no attendees but many of the property owners provided written feedback. Twelve of the fourteen households notified indicated support for the project, one indicated that they were indifferent, and one property owner did not respond. A copy of the public information summary report and copies of the comment sheets are attached for reference.

As required by the *Local Government Act*, the City has also notified surrounding property owners and tenants of this Development Variance Permit application prior to Council's consideration. To date, no correspondence has been received.

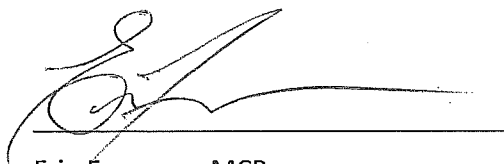
**OPTIONS:**

**OPTION 1** (Recommended): Approve Development Variance Permit No. 1406.

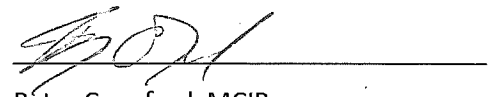
**OPTION 2:** Defer consideration of Development Variance Permit No. 1406 pending receipt of further information.

**OPTION 3:** Not approve Development Variance Permit No. 1406.

Prepared by:



Erin Ferguson, MCP  
Land Use Planner



Peter Crawford, MCIP  
Director of Development Services



ATTACHMENT NO. 1  
Applicants' Project Description

**Backyard Garage/Shop Project**

The purpose of this application is to request a variance on the floor size of a proposed backyard garage/shop from the 60 m<sup>2</sup> to 90 m<sup>2</sup> on the ground floor level.

When we first arrived in the Valley in 2006, as a result of being posted to 19 Wing Comox, we built our home with idea that we would eventually sell the house. However, due to wanting to stay for my wife's medical practice, I retired from the Military. As a result, we are now planning our living space around settling in Courtenay and enjoying the hobbies that we have such as motorcycles, scuba diving, wood working, stain glass, golfing, etc. All of this requires storage space and working/maintenance space. Not to mention the normal equipment and household/yard maintenance equipment that everyone uses.

Initially, I had pursued this idea last year, and learned that the most that the people at city hall would support would be an increase to 90 m<sup>2</sup> based on that fact we have a larger lot (approx. 1/3 acre) and houses in our area with similar lots sizes. As per my diagrams, I also have plans to develop the attic into useable space. However, whether or not the attic is developed, this in no way alters the footprint size of 90 m<sup>2</sup> or height of the allowed building height of 4.5 m (mid-roof).

The main level will be the "his" space used for storage and "dirty work", for example, woodworking, motorcycle (2 bikes and trailers) maintenance/winter storage, yard equipment, etc. Whereas the attic will be considered the "hers" space for our hobbies that require a cleaner area, such as stain glass work, sewing, storage, etc.

We are all getting older, and as some of us that have had physically demanding careers are more quickly learning, our bodies start to show signs of wear. As a result, we are trying to establish space that will more easily allow us to enjoy our hobbies for many more years to come.

**\*\*Note that application is to vary from 60 m<sup>2</sup> to 131 m<sup>2</sup> (90 m<sup>2</sup> refers to the footprint only)**



ATTACHMENT NO. 2  
Page 1 of 2

**Report of Public Meeting**

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

This report outlines the results of our public meeting, per the Public Information Meeting Handout.

- a) The meeting was scheduled for our backyard, 9 July 2014 at 1830 hrs;
- b) There were no attendees;
- c) The meeting was advertised through an invitation/RSVP letter and package of information. I put together a package that included diagrams and information of our proposed project. The package also included a letter inviting them to the meeting and giving them the opportunity to indicate whether or not they could attend. If they could not attend, they could also indicate their level of support (support, not support, or really do not care one way or the other) and any comments that they might have.
- d) I received returns from everyone on the list except Mr Kemp. His property is, as of yet, undeveloped. I mailed his package to him in Campbell River.
- e) As a result of the returns that I received no one was available attend the meeting. Further, there was no one that did not support my application. Only one person did not indicate outright support, because they really did not care one way or the other and indicate as much on the letter.

ATTACHMENT NO. 2  
Page 2 of 2

Proposed Backyard Garage

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

RECEIVED  
MAY 12 2014  
CITY OF COURTENAY

DARLENE COTE & REX NIGHTINGALE are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

We will remain within all other regulations such as side/rear setbacks and 40% total building footprint, see the attached diagram.

Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      No (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

support      not support      do not have an opinion either way

Comments:

No problem with it!

Darlene Cote  
Signature

9 May 14  
Date

Proposed Backyard Garage

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

RECEIVED

MAY 12 2014

CITY OF COURTENAY

CLAUDETTE & EDWARD ERDMAN are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

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Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      No (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

support      not support      do not have an opinion either way

Comments:

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Claudette Erdman

Signature

May 5/14

Date

Proposed Backyard Garage

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

RECEIVED  
MAY 12 2014  
CITY OF COURTENAY

ROBERT & NAOMI BLACKBURN are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance -- The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

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Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      ☒ No      (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

☒ support      not support      do not have an opinion either way

Comments:

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Naomi Blackburn  
Signature

May 4, 2014  
Date

Proposed Backyard Garage

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

RECEIVED  
MAY 12 2014  
CITY OF COURTENAY

FRANCIS LEVESQUE & MARY PENNEY are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

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Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      No (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

support      not support      do not have an opinion either way

Comments:

  
\_\_\_\_\_  
Signature

May 4, 2014  
\_\_\_\_\_  
Date

Proposed Backyard Garage

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

RECEIVED  
MAY 12 2014

CITY: .....

Jason Foreman are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

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Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      ☒ No      (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

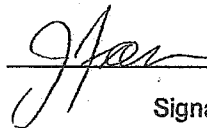
☒ support      not support      do not have an opinion either way

Comments:

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\_\_\_\_\_  
Signature

9 May 14  
\_\_\_\_\_  
Date



Proposed Backyard Garage

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

RECEIVED  
MAY 12 2014

**RONALD & SANDRA ROOS** are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

We will remain within all other regulations such as side/rear setbacks and 40% total building footprint, see the attached diagram.

Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

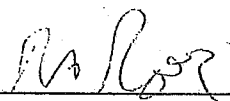
Will you be able to attend:      Yes      No (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

support      not support      do not have an opinion either way

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Signature

4 MAY 14

Date

Proposed Backyard Garage

Gerry & Erica Maynard

2891 Gatehouse Place, Courtenay, BC

RECEIVED  
MAY 12 2014

KEITH & SHARON LANGHORN are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

We will remain within all other regulations such as side/rear setbacks and 40% total building footprint, see the attached diagram.

Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      ☒ No      (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

☒ support      not support      do not have an opinion either way

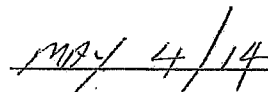
Comments:

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Signature

  
\_\_\_\_\_  
Date

**Proposed Backyard Garage**

**Gerry & Erica Maynard**

**2891 Gatehouse Place, Courtenay, BC**

Antonio & Aida Apostolakis are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

We will remain within all other regulations such as side/rear setbacks and 40% total building footprint, see the attached diagram.

Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      No (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

support      not support      do not have an opinion either way

Comments:

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Aida Apostolakis  
Signature

May 1, 2014  
Date

**Proposed Backyard Garage**

**Gerry & Erica Maynard**

**2891 Gatehouse Place, Courtenay, BC**

 Neil + Barbara Rowed

~~John Finnick & Melvina Morneau~~ are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

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Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      ☒ No      (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

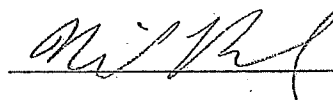
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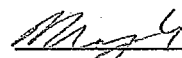
Comments:

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\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

**Proposed Backyard Garage**

**Gerry & Erica Maynard**

**2891 Gatehouse Place, Courtenay, BC**

RECEIVED  
MAY 12 2014  
CITY OF COURTENAY

Patricia Petersen are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

1. Floor Space Variance – The current limit on floor space is 60 sq m. We are requesting a variance to 131 sq m (main floor and developed attic).

We will remain within all other regulations such as side/rear setbacks and 40% total building footprint, see the attached diagram.

Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      No (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

support      not support      do not have an opinion either way

Comments:

Enjoy



Signature

May 10 2014

Date

**Proposed Backyard Garage**

**Gerry & Erica Maynard**

**2891 Gatehouse Place, Courtenay, BC**

RECEIVED  
MAY 12 2014  
CITY OF COURTENAY

George Helou are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

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Time: 6:30 pm      Date: 9 May, 2014

Place: 2891 Gatehouse Place, Courtenay (backyard)

Will you be able to attend:      Yes      ☒ No      (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

☒ support      ☐ not support      ☐ do not have an opinion either way

Comments:

*Good luck with hope all works for you.*

*George Helou*  
\_\_\_\_\_  
Signature

*6 May 2014*  
\_\_\_\_\_  
Date



**Proposed Backyard Garage**

**Gerry & Erica Maynard**

**2891 Gatehouse Place, Courtenay, BC**

RECEIVED  
MAY 12 2014

CITY OF COURTENAY

Anne & Edward Waugh are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

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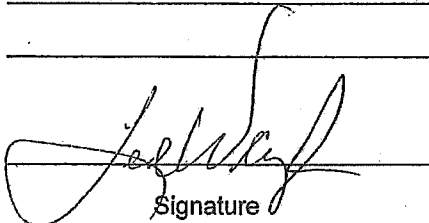
Will you be able to attend:      Yes      ☒ No      (Please circle one)

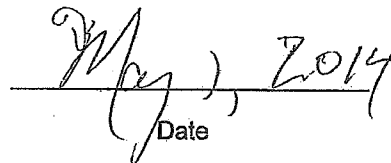
If you are unable to attend, based on the information provided so far, do you (Please circle one):

☒ support      ☐ not support      ☐ do not have an opinion either way

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Signature

  
Date

**Proposed Backyard Garage**

**Gerry & Erica Maynard**

**2891 Gatehouse Place, Courtenay, BC**

RECEIVED

MAY 12 2014

CITY OF COURTENAY

John Finnick & Melvina Morneau are cordially invited to a public information meeting to discuss our plan to erect a garage in our backyard. This meeting is a required step in the Variance Application Process. The variances that we are applying for are as follows:

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Will you be able to attend:      Yes      No (Please circle one)

If you are unable to attend, based on the information provided so far, do you (Please circle one):

support      not support      do not have an opinion either way

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*E. Finnick*  
Signature

*MAY 6 / 14*  
Date

*M. Finnick*

*May 7 / 14*

ATTACHMENT NO. 3  
DRAFT PERMIT

THE CORPORATION OF THE CITY OF COURTENAY  
BYLAW NO. 2699

Permit No. DVP No. 1406

DEVELOPMENT VARIANCE PERMIT

June 9, 2014

To issue a Development Variance Permit

To: Name: Gerry and Erica Maynard  
Address: 2891 Gatehouse Place

Property to which permit refers:

Legal: Lot 53, Section 19, Comox District, Plan VIP81643  
Civic: 2891 Gatehouse Place

Conditions of Permit:

Permit issued to vary *Section 8.41.10 (2) of the City of Courtenay Zoning Bylaw No. 2500, 2007* to increase the maximum floor area of an accessory structure from 60 m<sup>2</sup> to 135 m<sup>2</sup> subject to the following conditions:

1. Development must be in conformance with the plans and drawings contained in Schedule No. 1;
2. The accessory structure must have the same exterior finishes as the single residential dwelling on this property.

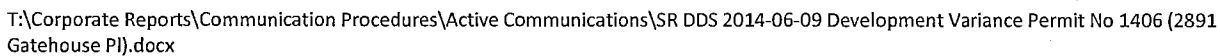
Time Schedule of Development and Lapse of Permit

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

\_\_\_\_\_  
Date

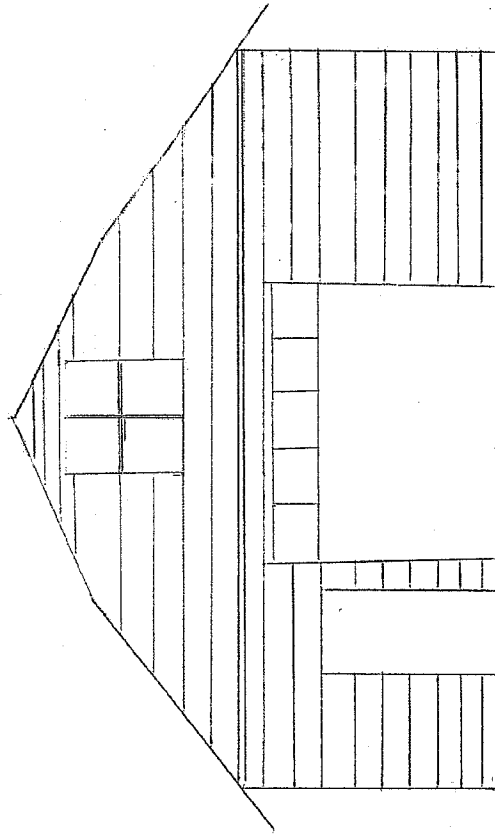
\_\_\_\_\_  
Director of Legislative Services

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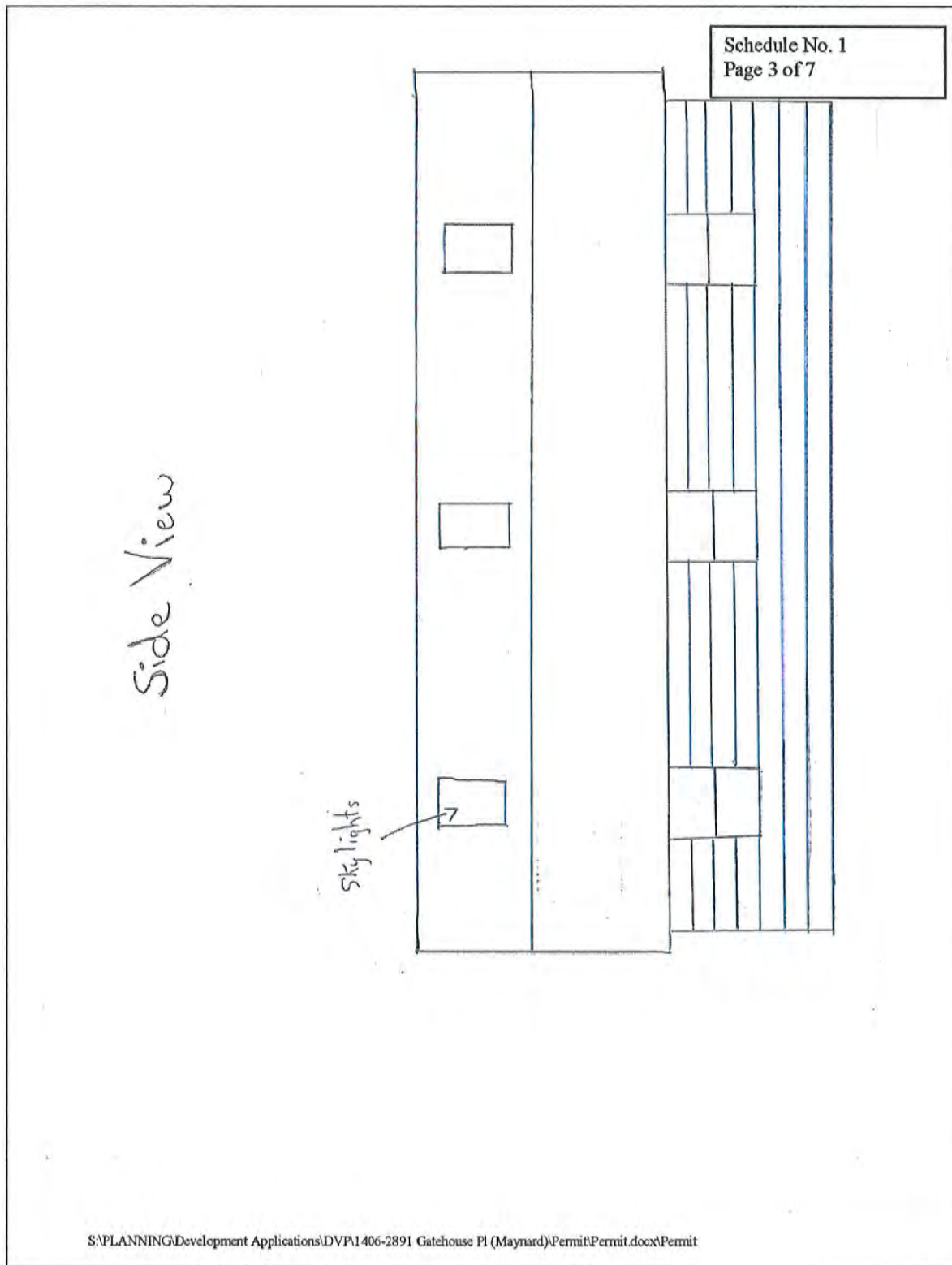


Schedule No. 1  
Page 2 of 7

Front View



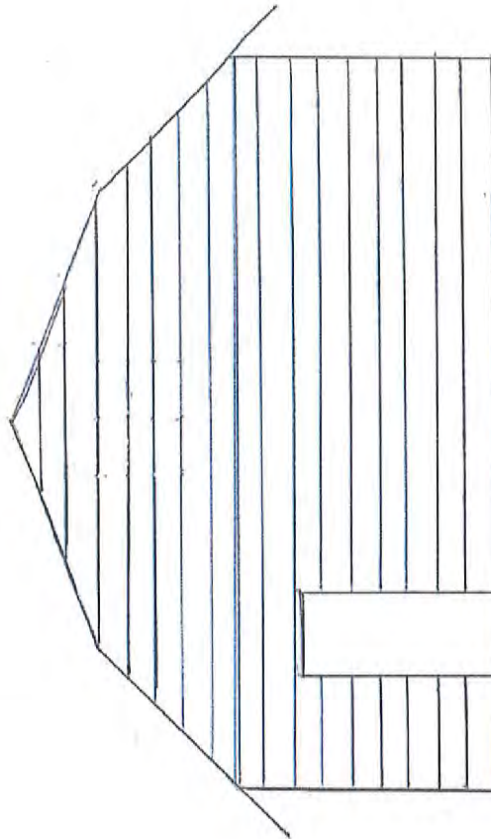
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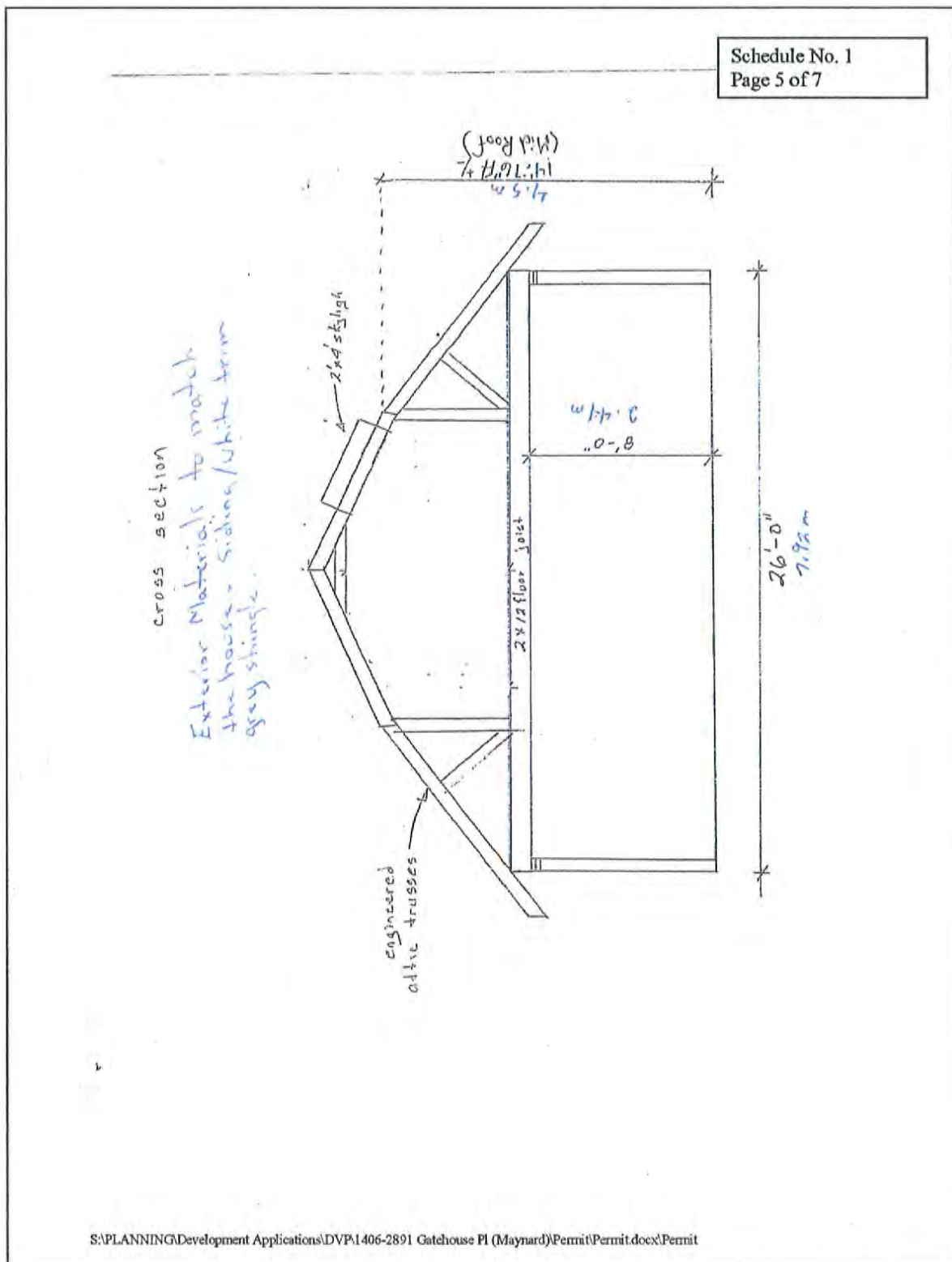


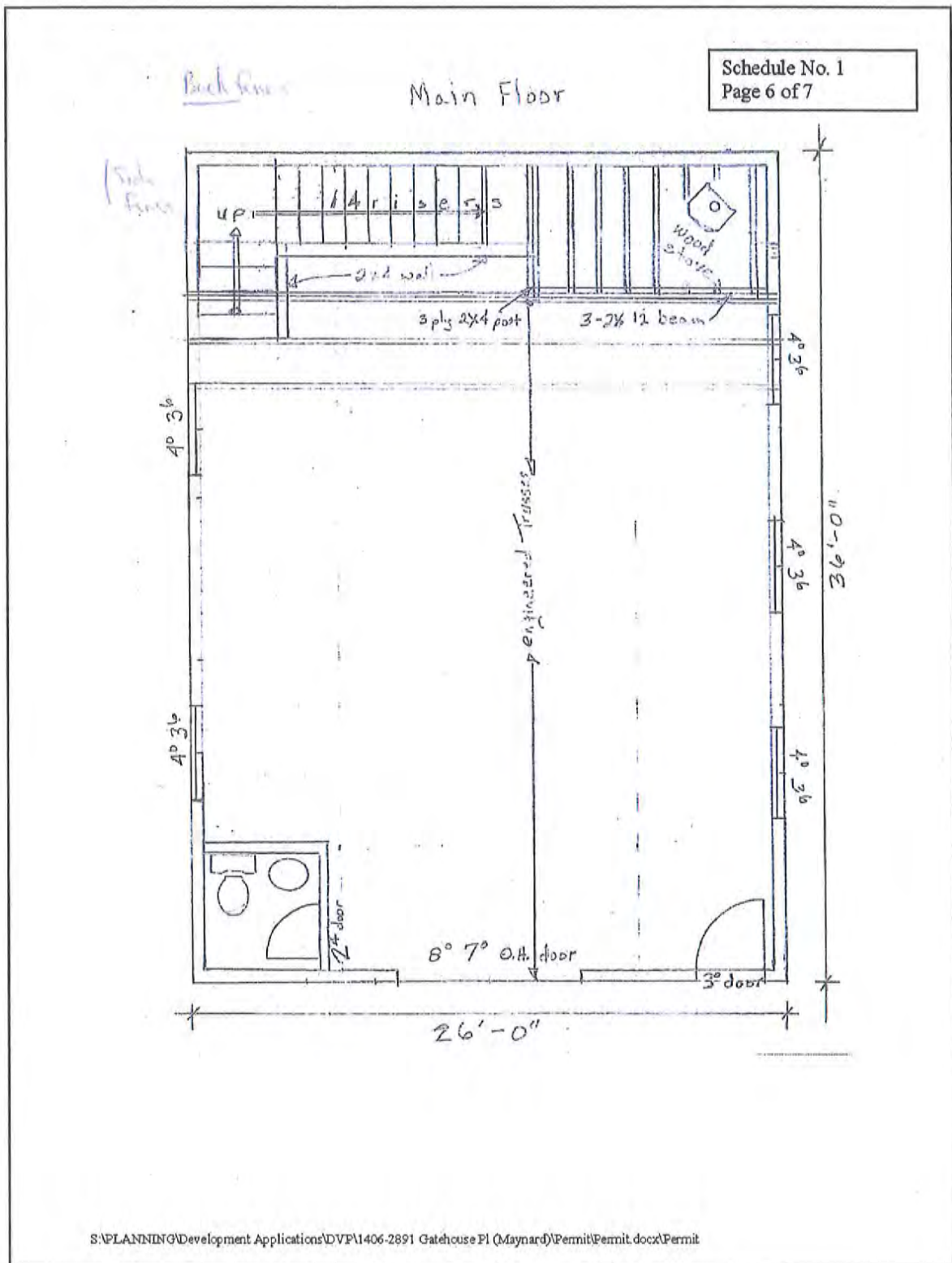
Schedule No. 1  
Page 4 of 7

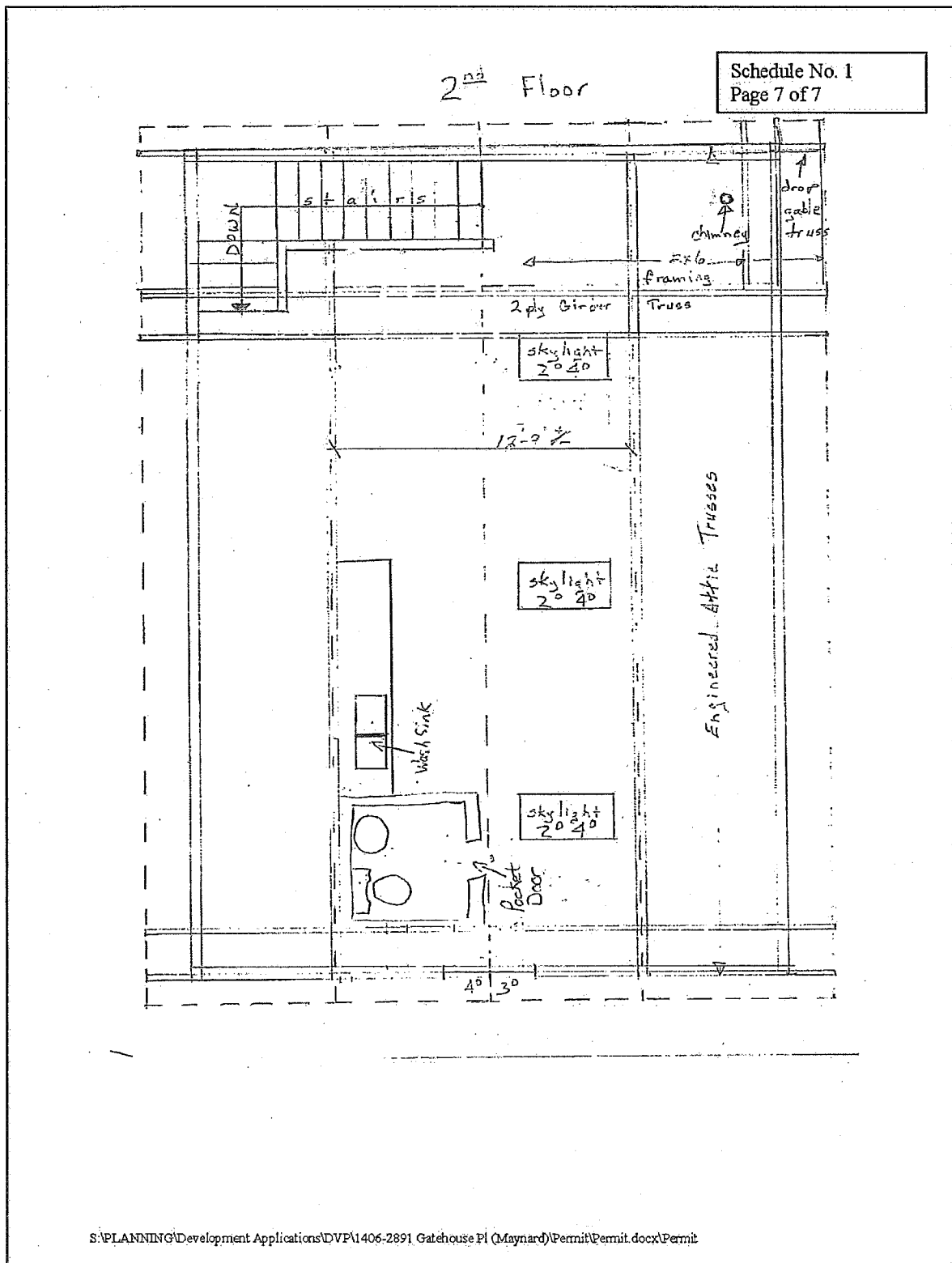
Back View



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THE CORPORATION OF THE CITY OF COURTENAY  
**STAFF REPORT**

**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Gaming Funds Annual Grant – July 1<sup>st</sup> Committee

**File No.:** 0550-20  
**Date:** June 9, 2014

**PURPOSE:**

The purpose of this report is to request Council approval of an annual Gaming Funds grant to the July 1<sup>st</sup> Committee to cover the premium cost of the Canada Day event liability insurance coverage required each year for the event.

**CAO RECOMMENDATIONS:**

That based on the June 9, 2014 staff report "Gaming Funds Annual Grant-July 1<sup>st</sup> Committee" Council approve OPTION 1 and approve an annual grant from Gaming Funds to the July 1<sup>st</sup> Committee to cover the premium cost of the July 1<sup>st</sup> Canada Day Event Liability Coverage Insurance Policy.

Respectfully submitted,

for David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

**BACKGROUND:**

In 2013, after examining various options for insuring this event through other venues, it was determined that the preferred solution was for the event committee to obtain the necessary coverage through its own arrangements. Council then approved a gaming grant of \$5,000 to the July 1<sup>st</sup> Committee from the City's Gaming Funds to the cost of the event's liability insurance premium. The insurance premiums for this coverage were \$4,870 in both 2012 and 2013.

A copy of the 2013 staff report to Council is included for reference.

**DISCUSSION:**

Securing event insurance is an annual requirement for the July 1<sup>st</sup> Committee and the event insurance premium will be \$5,000 for this year. As an alternative to seeking Council approval each year for grant approval to cover the cost of the insurance premium, Staff propose that Council provide approval for an annual grant from Gaming Funds to the event Committee for this portion of the event costs. The balance of the grant to the committee has traditionally been sourced from the general operating budget, and for 2014 the general fund grant amount is \$16,000.

**FINANCIAL IMPLICATIONS:**

There is no financial impact on the general operating budget. The Gaming Funds Account holds sufficient funds for the provision of this grant.

**ADMINISTRATIVE IMPLICATIONS:**

There are minimal administrative implications for City staff in administering the issuance of this gaming funds grant.

**STRATEGIC PLAN REFERENCE:**

Value Statement 1: A safe and caring community

Goal #2 – Support community initiatives and distinct neighbourhoods.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

Not applicable

**REGIONAL GROWTH STRATEGY REFERENCE:**

Not applicable.

**CITIZEN/PUBLIC ENGAGEMENT:**

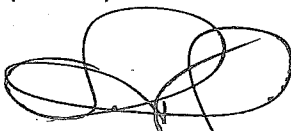
Public engagement on the approval of this grant is not required.

**OPTIONS:**

OPTION 1: That Council approve an annual grant from Gaming Funds to the July 1<sup>st</sup> Committee to cover the premium cost of the July 1<sup>st</sup> Canada Day Event Liability Coverage Insurance Policy.

OPTION 2: That Council approve the grant for the 2014 calendar year only.

Prepared by:



Tillie Manthey, BA, CPA, CGA

Director of Financial Services/Deputy CAO

Attachments (1)



**.04**  
JULY 1<sup>ST</sup> EVENT  
INSURANCE  
550-20

**MAR 11 2013**

Moved by Winchester and seconded by Hillian that Council increase the July 1<sup>st</sup> committee event grant from the 2012 amount of \$16,000 to an amount of \$21,000 for 2013;

That the increase of \$5,000 is provided to cover the premium cost for the July 1<sup>st</sup> Canada Day Event Liability Coverage Insurance Policy; and

That the source of revenue for the additional funding be **Gaming Funds**.  
**Carried**



# THE CORPORATION OF THE CITY OF COURTENAY


## REPORT TO COUNCIL

**FROM:** Director of Financial Services/Deputy CAO      **FILE #:** 0550-20  
**DATE:** March 6, 2013

**SUBJECT:** Event Liability Insurance: July 1<sup>st</sup> Canada Day Celebration Activities

### CAO COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Financial Services/Deputy CAO be accepted.

  
Sandy T. Gray

### RECOMMENDATION:

That Council increase the July 1<sup>st</sup> committee event grant from the 2012 amount of \$16,000 to an amount of \$21,000 for 2013; and

That the increase of \$5,000 is provided to cover the premium cost for the July 1<sup>st</sup> Canada Day Event Liability Coverage Insurance Policy.

### PURPOSE:

The review the request from the July 1<sup>st</sup> committee to have the City's liability insurers provide coverage for the July 1<sup>st</sup> event.

### BACKGROUND:

On November 19<sup>th</sup>, 2012, the Chair of the July 1<sup>st</sup> event committee attended Council as a delegation to request that Council consider having the liability coverage for July 1<sup>st</sup> event covered by the City's insurer, the Municipal Liability Insurance Association of BC.

Subsequently, Council passed the following resolution:

*"Moved by Winchester and seconded by Hillian that staff provide a report to Council regarding the insurance request from the July 1<sup>st</sup> Committee."*

**Carried**

### DISCUSSION:

Staff have researched and confirmed with our liability insurer, the Municipal Insurance Association (MIA) that the organizers and the City would have liability coverage through the City's MIA policy if the event committee were officially recognized as a Committee or Commission of Council.

The response from MIA in part follows:

*"The definition of "Insured Party" will include:*

*Any board, greater board, commission, committee or council authorized under the BC Local Government Act, the Community Charter, the Vancouver charter, or any other act*

---

*or statute authorizing a local government to establish such entities, provided such entity is established by bylaw but only to the extent that any such entity is carrying on business or providing services solely for or on behalf of a Subscriber or Subscribers in connection with the purpose for which the entity was established."*

This coverage language is new and took effect on January 1<sup>st</sup>, 2013.

The following possible courses of action were examined:

1. Establish a Council Committee or Commission

The Community charter stipulates:

Standing committees of council

- 141 (1) *The mayor must establish standing committees for matters the mayor considers would be better dealt with by committee and must appoint persons to those committees.*
- (2) *At least half of the members of a standing committee must be council members.*
- (3) *Subject to subsection (2), persons who are not council members may be appointed to a standing committee.*

Typically, committees are established to investigate, or research, and advise council. In practice a committee has limited ability to act independently of Council. A committee also requires council members to be on the committee.

The charter also allows for the establishment of a commission.

Municipal commissions

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

Under s. 143, a commission could be established to operate a service that consisted of managing the events of the annual July 1<sup>st</sup> celebration. The relationship is formal and the scope of operations, board structure, responsibility, reporting, accounting, authority to act, and a variety of other parameters would have to be defined in the establishing bylaw. There is no *requirement* for Council members to be members of such a commission.

While commissions may act with moderate independence from Council, their authority to act is delegated by Council.

If Council were to consider establishing the July 1<sup>st</sup> event committee as a Committee or Commission of Council, it is recommended that legal advice is obtained to clarify any changes in the City's liability due to the change in the relationship.

Currently the City is protected by inclusion as an “additional insured” in the July 1<sup>st</sup> Committee’s event liability insurance coverage policy.

2. Increase the Annual Financial Support provided to the July 1<sup>st</sup> committee

Council may choose to increase the annual contribution to the event committee to help offset the costs of the required liability insurance.

With this option in mind, it is proposed that Council increase the annual grant to the July 1<sup>st</sup> committee by an amount equal to cover the annual premium cost for the committee’s independent liability policy. This option does not require any change in what has been a successful relationship between Council and the event committee over the span of many years.

**FINANCIAL IMPLICATIONS:**

Creation of a new Council Committee or Commission may require the expense of seeking legal advice. It may also expose the municipality to increased liability risk.

The premium cost for the 2012 Event Liability Coverage Insurance Policy was \$4,870.00. The 2013 proposed budget already includes a provisional increase of \$2,000 in the annual grant to the July 1<sup>st</sup> committee. However, the annual grant provision would need to be increased by a further \$3,000 to provide the committee with total sufficient funds of \$5,000 to offset the anticipated cost of the 2013 policy premium.

From a financial perspective, this can be accomplished, and could be provided for in the “final” 2013-2017 Financial Plan.

**STRATEGIC PLAN REFERENCE:**

Goal 2: Support community initiatives and distinct neighbourhoods.

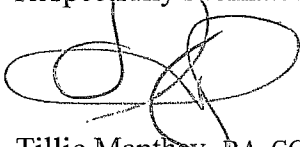
**OCP SUSTAINABILITY REFERENCE:**

n/a

**REGIONAL GROWTH STRATEGY REFERENCE:**

n/a

Respectfully submitted,



Tillie Manthey, BA, CGA  
Director of Financial Services/Deputy CAO

**Minutes of a City of Courtenay Heritage Advisory Commission meeting held April 23, 2014 at 10:00 a.m. in the City Hall Council Chambers**

**Present:** L. Burns J. Hagen H. Squires L. Grant  
L. Fortin C. Piercy R. Smith D. Levett

**Absent:** D. Griffith E. Ferguson

*for  
10/10*

**MINUTES** Moved by J. Hagen and seconded by C. Piercy that the minutes of the March 26, 2014 meeting be adopted as circulated.

**Carried**

**CREAMERY  
BOOKLET**

Copies to identified groups have been delivered. Remaining booklets: 50 with museum, 50 with HAC. The project is now complete.

**40 HOUSES**

Work is in progress for the heritage register.

**MILES TITUS  
HEADSTONE**

C. Piercy showed photos of the headstone being installed at the cemetery. The Anglican Church is to arrange a dedication and HAC members and City staff involved in the project are invited to attend. J. Hagen will contact Father Anthony to arrange the time, and will also do a press write-up on Miles Titus. Thanks go to J. Hagen and C. Piercy for their work. The project is now complete.

**HERITAGE  
APPRECIATION  
CARDS**

Tabled until next meeting.

**HERITAGE BC  
MEMBERSHIP**

Lawrence read the text of his submission to Heritage BC on our contribution to Heritage Week 2014. Erin will update us on our membership.

**HERITAGE TREES**

Postponed until next meeting.

**COMMISSION  
MEMBERSHIP**

Lawrence will talk to Susie about policy on HAC membership before the commission makes a decision.

**NEW BUSINESS**

Moved by R. Smith and seconded by L. Grant that a letter of appreciation recognizing her long service and dedication to the Heritage Advisory Commission be sent by the Mayor and Council to Maude Hobson.

**Carried.**

**CORRESPONDENCE** Heritage BC re: conference Sept. 26-27 in Cloverdale. Details TBA

FOR YOUR  
INFORMATION

L. Burns reported on the wind-up celebration of the Lake Trail Living History project. He described the video which is available online, and circulated the companion book

Next Meeting: May 28, 2014 at 10 a.m.  
The meeting adjourned at 12:00 pm.

A handwritten signature in cursive script, appearing to read "L. Burns", written over a horizontal line.

Chair

A long, horizontal, sweeping handwritten flourish or underline stroke.

FOR  
INFO

File: 470-20/Courtenay

May 22, 2014

Sent via email only: [jward@courtenay.ca](mailto:jward@courtenay.ca)

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

Dear Mayor and Council;

As the Director for Puntledge/Black Creek (Area C) of the Comox Valley Regional District, I would like to congratulate you on your recent decision to proceed with the "East Courtenay Firefighter Training Centre and Fire Hall.

As the representative for area "C" my concern is for the many residents who rely on fire services supplied by contract to the Courtenay Fire Department.

Having a fire hall on the North East side of the Courtenay River will reduce response times to the more than 10,000 people who rely on this service in the rural areas outside the City of Courtenay limits.

It will also strengthen existing mutual aid agreements with Comox and Oyster River Fire Services.

The training centre has the potential to enhance the skill levels and effectiveness of all firefighters in the Comox Valley and will be an asset that will reinforce and complement the excellent training currently being offered by Comox and other Fire Departments.

Sincerely,



Edwin Grieve  
Director

cc: David Allen, chief administrative officer, City of Courtenay





THE CORPORATION OF THE CITY OF COURTENAY  
**MEMORANDUM**

For  
info

**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Upcoming Events in the City of Courtenay

**File No.:** 5460-08  
**Date:** June 2, 2014

The purpose of this memo is to advise Council of recently approved Event Applications and associated road closures for upcoming events in downtown Courtenay.

Over the past few weeks, the Engineering department has received, reviewed and accepted Event Applications for the following:

1. *Elevate the Arts*, June 4 to June 7, 2014

In support of the event, road closures are required of the following roadways on Friday June 6<sup>th</sup> (5pm) to Sunday June 8<sup>th</sup> (10am):

- The alleyway between 4<sup>th</sup> Street and 5<sup>th</sup> Street from Cliffe Avenue to Duncan Avenue
- Simms Street, the alleyway between 5<sup>th</sup> Street and 6<sup>th</sup> Street from Cliffe Avenue to Duncan Avenue
- Duncan Avenue between 5<sup>th</sup> Street and 6<sup>th</sup> Street

2. *The Comox Valley Farmers' Market*, Wednesdays from July 2 to September 24, 2014 (from 7am to 2pm).

In support of this ongoing event, a road closure is required for England Avenue between 5<sup>th</sup> and 6<sup>th</sup> Streets.

All applicable insurances have been received, as well as a letter of support from the DCBIA. As in previous years, road closure barriers and traffic detour signage are available for each event to borrow in coordination with Public Works. Where insufficient signage is available, events are required to rent the materials from a local supplier at their cost.

**BACKGROUND:**

The City's Traffic Control Bylaw #1926 authorizes senior staff to permit the placement of traffic control devices for the purposes of temporary road closures, as is required to facilitate the use of the roadway for these events.


This is the third season that *Elevate the Arts* has been held in the downtown core. It is a four day culture celebration featuring visual art, craft, design, music, photography, dance, film, healing arts, children's activities and more.

Staff has contacted and met with the "Too Good to be Threw" thrift store to confirm that their concerns with respect to the rear lane closure have been addressed.

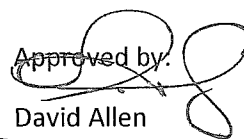
The *Farmers' Market* returned to downtown Courtenay last year and enjoyed a successful season on England Avenue.

The DCBIA is in full support of both events.

Prepared by:

  
Lesley Hatch, P.Eng.  
Senior Manager of Engineering

Approved by:

 (Dep CAO)  
For David Allen  
Chief Administrative Officer







THE CORPORATION OF THE CITY OF COURTENAY

## MEMORANDUM

FOR  
INFO.

**To:** Mayor and Council  
**From:** Chief Administrative Officer  
**Subject:** Arden Road Sidewalk

**File No.:** 5420-01

**Date:** May 30, 2014

### ISSUE:

The purpose of this memorandum is to provide Council with a staff commentary on the May 30, 2014 e-mail sent to Council, and copied to the press, from Ms. Jordan Huber in regards to a sidewalk for Arden Road.

### BACKGROUND:

At a Council meeting held on May 5, 2014, Council passed the following resolution:

*Moved by Leonard and seconded by Winchester that based on the May 5, 2014 staff report "Citizen Request for Sidewalk on Arden Road", Council direct staff to proceed with OPTION 1, to conduct a speed survey and traffic count of the roadway to evaluate driver behaviour, and where speed is determined to be an issue, provide the information to the RCMP for their review, and;*

*That, based on this, Council direct staff to provide a written response to Ms. Jordan Huber's email of concerns.*

**Carried**

### KEY CONSIDERATIONS:

There are references in the Arden Local Area Plan (LAP) to multi-modal transportation as mentioned in the Jordan Huber email to Council dated May 30, 2014. That said, based on extensive public consultation, the final Arden Area Plan outlines an intent by the public to maintain these existing rural characteristics. This is only one of the reasons to fully consider where alternative engineering solutions, like sidewalks, should be considered.

The author of the email is unfamiliar with the DCC process and has misinterpreted the estimate provided by staff in regards to the cost of the sidewalk installation proposed. Specifically, the following information is provided for Council reference:

- Staff is aware that the request was for one sidewalk, not two. The estimate provided reflects the cost of one sidewalk, not two.
- Arden Road, in its entirety, is in the jurisdiction of the City of Courtenay. The author has referred to this point repeatedly, but is incorrect in alleging that the City is trying to transfer ownership to another road authority. The City is the road authority.

- The Arden LAP covers all of Arden Road and all of Copperfield Road. It also covers additional area outside of the current City of Courtenay municipal boundary. The map detailing the Arden LAP area is found on page 7 of the LAP plan, which is posted on the City's website and referenced in the email.
- The design stage of the Copperfield Development project was concurrent with the Arden LAP process. In the absence of the completed plan, the City applied the existing road cross-section configuration for Cumberland Road (major collector road), which includes sidewalks. This is also reflective of the work completed by the developer at Cumberland/20<sup>th</sup> Street and the existing plan to eventually provide a sidewalk link along Cumberland from Willemar to the west. No road improvements were requested on Arden Road as the Arden LAP process was to define cross-section information for this road, which was not available for the developer or staff to implement at that time.
- Staff agree that speed is only one factor of concern with respect to the flow of traffic on Arden Road. Another factor is motor vehicle accidents. Data does not show a history of incidents on Arden Road over the past 5 years, and this is an indicator of a safe road. The City will continue to monitor traffic incidents. Speed, volume and vehicle classification assessment is planned to be undertaken by staff in the next month.
- Widening Arden Road would be as difficult as constructing a new sidewalk. Both suggestions would include filling in an open ditch system at a very high cost.
- The City's engineering staff did physically attend and inspect the Arden Road field site several times to visually review the area. Site attendance is fundamental element in making informed decisions.
- The Arden LAP does incorporate some discussion in regards to multi-modal transportation; however it also puts emphasis on the importance of the environment. *"The objective of the LAP is to protect and respond to anticipated growth in the Arden Corridor through regulation of land use and servicing that is in keeping with the values of the community, the identity of the City and the City's commitment to environmental protection. A foundational principle of the Plan is that development must not be permitted to compromise environmental features of high ecological value.....the goal of the Plan is to limit the extent that site disturbances have on:*
  - .....fish, the waters they inhabit and the riparian areas that support them
  - hydrological features and function.....

While there is some discussion on transportation in the LAP, the overriding message from the plan is to protect the environment. It will be challenging to install a sidewalk without negatively impacting a storm system which leads to fish bearing streams. The following additional information is sourced from the Arden LAP report:

1. The Environmental protection policy #4 (page 27 of the report), states: "Retain an open-channel stormwater drainage system as the primary means of conveying water (rather than stormwater

*infrastructure pipes). The open-channel stormwater drainage system envisioned for the area does and will consist of natural watercourses and wetlands, ditches, and other water retention and detention opportunities to enhance water quality and environmental features."*

2. Page 56 of the report states: *"All of the roads west of and including Arden Road are currently of a rural standard in that they do not contain curbs, gutters, sidewalks or street lights. Most of these roads have narrow pavement widths, mature tree canopies and rougher road surfaces than urban roads. The road characteristics play a significant role in typifying the rural character of the neighbourhood, and care must be taken in designing new roads, or upgrading old roads, to ensure that this character is not compromised."* The report, in fact, suggests a separated trail adjacent to Arden Road rather than the construction of a sidewalk.
3. Maintaining the character of the rural roads is one of the objectives listed under Mobility objectives (page 60). Two of the Mobility policies listed are:
  - *"The rural road character will be maintained where feasible for collector and residential roads within the study area. Variances to the engineering specifications for roads within the study area will be supported where they are necessary to maintain the rural character."* The City is willing to consider a variance to engineering specs in favour of the rural characteristic. Cumberland Road has a "pre-planned" road cross-section which includes sidewalks.
  - *Ensure that safe provisions for walking and cycling are provided on Cumberland Rd, Arden Rd, and Lake Trail Rd, recognizing that the primary strategy for accommodating walking and cycling in the Arden Corridor is through the development of a functional and safe greenway network.* A greenway network does not imply or advocate a sidewalk.

Staff agrees that the Arden LAP discusses multi-modal transportation, but also recognize that the LAP prioritizes environmental considerations, and rural character over and above engineered solutions such as sidewalks. Staff does advocate increased walkability in the Arden LAP area, as long as it is implemented in accordance with the principles and policies of the Arden Local Area Plan.

The information provided above is based on a cursory review of the project objective and mobility sections of the LAP and not a complete review.

Prepared by:



Lesley Hatch, P.Eng.  
Senior Manager of Engineering

## **Manthey, Tillie**

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**From:** Jangula, Larry  
**Sent:** May-30-14 12:01 PM  
**To:** Manthey, Tillie  
**Subject:** FW: Arden Road Sidewalk and Dishonesty and Misrepresentation of the Arden Corridor LAP by the city engineer  
**Attachments:** sc00001e3e.jpg

**From:** jordan knox [mailto:jordknox@hotmail.com]

**Sent:** May-30-14 11:35 AM

**To:** Ambler, Jon; Hillian, Doug; Theos, Manno; Anglin, Bill; Jangula, Larry; Leonard, Ronna-Rae; Winchester, Starr; EngineeringAlias; mbriones@comoxvalleyecho.com; dpenner@comoxvalleyecho.com; pround@comoxvalleyecho.com; Mark Allan

**Subject:** Arden Road Sidewalk and Dishonesty and Misrepresentation of the Arden Corridor LAP by the city engineer

Lesley Hatch, Courtenay City Council Members, and Mayor Larry Jangula,

Regarding the letter I received from Lesley Hatch dated May 21, 2014, I have some questions regarding your responses as well as some clarifications too please. Please note that in my original letter, as well as the reply I received from Lesley Hatch, I clearly requested a sidewalk, not sidewalks, singular, not plural. Never have I requested a sidewalk on each side of the road on this Arden stretch. Yet, in your responses and and your estimated costs, you did this for a sidewalk on each side of Arden Road. I have never requested that. I believe only one side of Arden pays Courtenay City Taxes, as well as my road, Copperfield Road, which connects to the stretch of Arden we have been discussing.

Does the Arden Local Area Plan include the side of Arden Road and Copperfield Road which pays City taxes? What about the new development that borders Arden Road and Cumberland, is that inclusive of the Arden LAP? If so, why do these restrictions or rules not apply to new developments? It seems that rules apply only when it is convenient or doesn't infringe on the city making money or spending it where they don't want to. Every time I read a reply or an article it seems that the City side keeps mentioning speed. As I've stated before, speed is only one factor. This stretch of Arden Road is a busy thoroughfare, with no sidewalk, no white line, and new developments which will make this stretch busier. There are constantly large dump trucks and work trucks on this road. I had asked the councillors before if no sidewalk then why not make it a no truck route, widen the road, put a white line so there is a visual for children who are walking to school?

Above all, it is a safety issue. Safety trumps the Arden LAP, the cost, and any other excuse the City seems to come up with to not make this stretch of road safe for the children and people of our community. Although after reading through the Arden LAP, I believe it supports the addition of a sidewalk on Arden Rd. There is only one side of this stretch of Arden Rd with a ditch. I would ask that all of you take a walk down this stretch of road, rather than crunch numbers and come up with excuses from behind a desk and then I have no doubt you will see my and many others points of view. Please do not make your decisions based on a review from an obviously incompetent engineer who clearly did not take the time to read through the 84 pages of the Arden Corridor Local Area Plan (of which I did read) to not construct a sidewalk on this stretch of Arden road. This Engineer has simply taken the Vision Statement from the Arden LAP, and has not looked at everything else within it which actually supports the construction of a sidewalk. She has oversimplified the view of the Arden LAP so the city would not have to spend some of our tax dollars on something that may seem unimportant or futile to the councillors or mayor perhaps because they, their children, or grandchildren do not live on this "less

desirable" part of town. This letter looks to me a dishonest and calculated account of the Arden LAP by the engineer to simply toss these concerns aside and once again, "pass the buck" so as to not spend the tax dollars to make this a safe pedestrian route for all, but especially the children.

And since the focus of your reply was regarding the wishes of the Arden Corridor Local Area Plan (Reference Plan, December 2013), I took the liberty of reading up on it.

<http://www.courtenay.ca/planning/arden-local-area-plan.aspx>

If you would take a look at page 10, Plan Design Principles, number 3, it states under

**Design Principle** - "Multiple mobility modes are provided along major roads INCLUDING Arden Road, Cumberland Road and Lake Trail Road.

**How addressed in the Plan** - Updated standards that provide provisions for WALKERS and cyclists are identified as PRIORITIES in this Plan, and are being further explored in a City-wide Transportation Master Plan.

Furthermore if you would now refer to page 44 and of the Arden LAP,

Leverage development to pay for new sidewalks and environmental restoration through rezoning amenity contributions.

Provide sidewalks or trails along side roads

Please now refer to page 47 of the Arden LAP, which talks about Higher Density Developments (which stated on page 42 of the Arden LAP, under Housing, number 3, includes Arden Road at the intersection of Arden and Cumberland) and as stated easier to serve the public with public transportation as more residents will be in WALKING distance, and this promotes less greenhouse gas emissions which is a key point of design.

I will add to that, that obviously sidewalks for children to walk to school would also lessen greenhouse gas emissions, as is part of the wishes of the Arden LAP.

Refer to page 56 of the Arden LAP where it states residents spoke frequently about their desire to use alternative forms of transportation to the automobile, but need the infrastructure to do so.

Page 57 speaks about accommodating the movements and cyclists safely.

Page 58 marks this stretch of Arden Road an "area of concern", for cyclists, therefore we can deduct for pedestrians as well if there is no space on the road for cyclists.

Page 60 once again states

- Contribute to a multi-modal regional transportation network with an explicit goal of increasing cycling, WALKING, transit and carpooling mobility modes and decreasing single occupancy vehicle modes.
- Maintain safe mobility networks for all road users
- Ensure that safe provisions for walking and cycling are provided on Cumberland Rd, Arden Rd and Lake Trail Rd

Page 67 Arden Area development checklist

14. Is there opportunity for road upgrades associated with development? If yes, have improvements that will increase the pedestrian and cycling safety of the road including traffic calming been included?

Page 71 Opportunities Summary :

1. Traffic calming on Arden Road
2. Supporting alternative modes of transport including an expanded multipurpose trail system

Page 71 Constraints Summary:

4. Car oriented community. Would like a range of transportation options including transit and roads allocated to a range of users (known as 'complete streets')

Page 73 Appendix B- Design Charette Workshops, 2nd Session

1. Arden school is likely to get busier with growth.
2. Maximum walking distances to plan for are :4km for high school, 1.6km for elementary. Family oriented neighborhoods need safe walking paths (separated from traffic) to bus pick up points and a good 'wait' station.

Page 74, 3rd Session

Connectivity theme group :

- Traffic calming needed
- School Corridor needs to be connected. Connectivity between schools and trails.

Character Theme group :

- Safety
- **Lack of sidewalks a concern**

Land Use/Housing theme group:

- Traffic in adjacent area is a problem
- Crosswalks
- Traffic calm

Design with Nature theme group:

- Provide safe school crossings
- Limit speeds
- Concern over existing roads being used as through roads
- Density and transit viability

Page 75, Fifth Session

5. Traffic Calming

Page 78, Question 16 and 19 (to support the concept of transit oriented streets)

Page 81, Question 35

**70% of people polled strongly agreed that,**

- **Arden, Cumberland and Lake Trail road should be designed and rebuilt to an enhanced street cross section to include safe, separated pathways for pedestrian and cycling travel.**

Page 81, Question 36

**63% of people polled strongly agreed that,**

- **If a comprehensive system of trail networks was created as an outcome of this plan you use your car less and bike/walk more often.**

I urge all of you to read through the Arden Corridor LAP (which is online) and see that what Ms Hatch has told you is a very narrow view of the Arden LAP, it in fact supports the construction of a sidewalk to make a safe pedestrian walk way. I am disgusted that this is how this process has gone and I have no trust in the city's ability to be fair and honest.



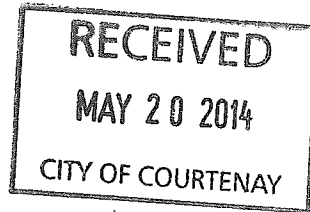
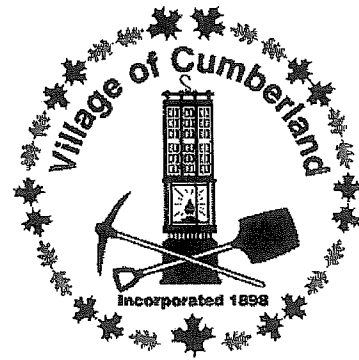
Please reconsider and make this a safe route for our kids.

Sincerely, Jordan Huber  
Concerned Parent  
Citizen with the Arden Corridor LAP

250 334 1843  
250 650 7428  
jordknox@hotmail.com



# OFFICE OF THE MAYOR



File No. 0540-20

May 13, 2014

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

Dear Mayor Jangula and Council members,

I am pleased to extend an invitation to Courtenay Council to select a Council representative for Cumberland's Maple Lake Fundraising Committee. The goal of the Committee is to pursue grant funding and to regionally promote public donations towards the purchase of the Maple Lake lands. The proposed acquisition is of 40 hectares of land, including 20 hectares of lake-bottom, a 100 metre buffer around the lake, adjacent wetlands, as well as Teal Lake and road access from Bevan Road. It is envisioned that fundraising will also finance a Maple Lake park master plan to clearly identify future use and development of the land. I have enclosed a revised Committee terms of reference for your information.

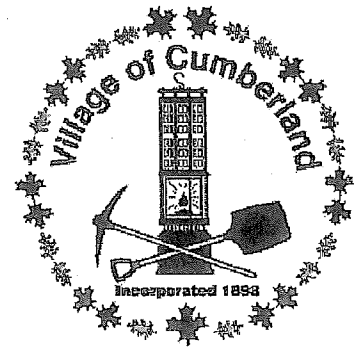
Cumberland Council is encouraging wide regional representation on the Committee to promote cooperation and collaboration of parties interested in the acquisition of the property for public park. Please provide the name and contact information of Courtenay Council's representative to Ms. Jaclyn Casler, Deputy Corporate Officer, at [jcasler@cumberland.ca](mailto:jcasler@cumberland.ca). The first Committee meeting is scheduled for June 6, 2014 at 10 a.m. in the Cumberland Council Chambers.

In addition to Council's participation on the Committee, the Village would appreciate your assistance with a general letter of support for any funding applications for the project. Thank you for your consideration.

Yours sincerely,

Leslie Baird  
Mayor

# COUNCIL POLICY



<b>Title: Maple Lake Fundraising Policy</b>  Authority: Community Charter Adopted Date: May 27, 2013 Amended Date: April 28, 2014	<b>No. 1.5</b>  Section: Administration Motion No. 13-287
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The acquisition of the Maple Lake lands for park is identified as a priority A area of interest - Cumberland regional park in the 2010 *Parks and Greenways Master Plan*. Its acquisition is also identified as one of Council's 2014 strategic priorities. The proposed acquisition is of 40 hectares of land, including 20 hectares of lake-bottom, a 100 metre buffer around the lake, and adjacent wetlands; as well as Teal Lake and road access from Bevan Road.

On August 20, 2012, the Village announced the start of a fundraising campaign to purchase the Maple Lake lands. The goal to raise funds from throughout the region, rather than utilize Cumberland property taxes, has been identified by members of Council.

## **Part A: Maple Lake Fundraising Select Committee - Terms of Reference**

### **Purpose of the Committee**

The role of the committee is to pursue grant funding either directly or through partnering organizations, regionally promote public donations to the Village, and to raise funds towards the purchase of the Maple Lake lands.

### **Membership**

The Council may appoint up to 12 individuals who are not council members to the Committee. In appointing members, Council will strive to ensure a balance of knowledge, abilities and interests. Preference will be given to individuals at large or individuals representing regional organizations having experience with

- obtaining grant funding and other fundraising
- outdoor and recreational pursuits
- habitat and wildlife conservation

Members of the committee do not have to be residents or electors of Cumberland. Council will appoint one Council member to the Committee. The Council member will be a voting member of the Committee and will represent the Council on the Committee. The Council member will act as a liaison between Council and the Committee.

Elected officials representing the Town of Comox, the City of Courtenay and the Comox Valley Regional District may be appointed as voting members of the Committee.

Members of Cumberland Council, elected officials representing the Town of Comox, the City of Courtenay and the Comox Valley Regional District may not act as chair or vice-chair of the committee.

The local member of parliament and member of the legislative assembly, and their staff representatives, may attend Committee meetings as non-voting liaisons.

### **Scope of Work**

1. To prepare applications for grant funding for consideration by the Village.
2. To liaise with partnering organizations in the application of grant funding.
3. To promote opportunities for public financial donations to the Village.
4. To liaise with the public and organizations to raise funds.
5. To collect donations to the Village.

### **Procedures and Administration**

1. Regular meetings will take place quarterly, or as needed, or as called by the chair.
2. A chair, vice-chair, recording secretary, treasurer and vice-treasurer will be selected by the members of the Committee.
3. Draft minutes will be provided to the Corporate Officer for receipt by the Council in a public meeting.
4. The Committee and any of its subcommittees are subject to the rules of procedure set out in the Council Procedure Bylaw and the open meeting rules, conflict of interest rules, and council proceeding rules of the *Community Charter*.
5. The Committee will comment and make recommendations on matters referred to it by Council or staff.
6. The Chair may, through the Chief Administrative Officer, use staff members as resources.

### **Duties and Responsibilities of the Chair/Vice-Chair**

1. Preparation of meeting agendas.
2. Ensure order at committee meetings.
3. Lead the committee in carrying out its terms of reference.

4. When appropriate, delegate work to committee members and/or establish subcommittees for specific tasks.
5. Sign minutes adopted by the committee.
6. Liaise with the deputy corporate officer to clarify questions that may arise at the committee meetings; and advise of all fundraising and public events.

#### **Duties and Responsibilities of the Recording Secretary**

1. Distribution of meeting agendas to committee members and to the deputy corporate officer.
2. Arrange for access to the council chamber on meeting nights.
3. Record minutes of committee meetings.
4. Liaise with the deputy corporate officer to
  - a. advise of every meeting called in advance of the meeting,
  - b. advise if a meeting is cancelled or rescheduled in advance of the meeting,
  - c. submit original signed minutes.

#### **Duties and Responsibilities of the Treasurer/Vice-Treasurer**

1. Responsible for all funds donated to the Village through the committee until deposited to the designated bank account.
2. Account for all funds donated to the Village through the committee with required deposit slips and documentation.
3. Liaise with Village Finance Department staff
4. Seek out all available grant opportunities.
5. Assist and liaise with partnering organizations applying for grant applications.
6. Ensure that partnering organizations provide copies of grant applications and funding agreements to the Village Finance Department at the time of submission or receipt.
7. Ensure that partnering organizations transfer grant funding to the Village or, if the grant funding is not yet issued, provide a written funding commitment before the Village enters into any agreements which include financial liabilities, e.g. request for proposals, land transfer agreements.
- 8.\* Deposit all grants and donated funds to the designated bank account upon receipt.

#### **Committee Budget**

1. A budget has not been allocated for the Committee for 2014.
2. All requests for expenditures by the Committee must be submitted to the deputy corporate officer for pre-approval.
3. Purchases for fundraising purposes, must be made by Village staff and paid for by the fundraising account.
3. Advertising must be pre-approved and arranged by staff through the deputy corporate officer.

4. The Committee will develop an annual work plan by the second Monday in January each year for consideration by Council. A request for an annual budget may accompany this work plan.

#### **Maple Lake Park Master Plan**

1. The Village will engage a consultant to develop a park master plan.
2. Funding for the master plan must be provided through the fundraising account.
3. The consultant will engage the Committee as a stakeholder for input into the master plan.

### **Part B - Fundraising Procedures**

#### **Grant Applications**

Grant applications prepared by the Committee must be submitted to Village staff for review and submission. Grant applications must be approved by the chief administrative officer and financial officer. The committee may not submit grant applications on behalf of the Village.

#### **Donations**

All funds must be donated to the Village of Cumberland directly at the Village office or through the treasurer or vice-treasurer of the committee.

A bank account in the name of the Village has been established and all funds donated through the committee must be deposited by the committee treasurer or vice-treasurer to this bank account on the day the donation was made. Donations to this account will be reconciled by Village staff.

Donations and deposits to the account must be accounted for separately for the following purposes:

- (a) donations requiring a receipt for income tax purposes
- (b) donations not requiring a receipt for income tax purposes

Access to the account funds, for reasons other than deposit, is only available by the Village's financial signing authorities through the accounts payable cheque system.

#### **General Receipts**

The Committee must provide all donors with a general numbered (duplicate) receipt at the time of donation.

#### **Donations Requiring a Receipt for Income Tax Purposes**

Donations of \$20 or more made through the committee are eligible for a receipt for income tax purposes. Donations of less than \$20 must be made at the Village office to be eligible for a receipt for income tax purposes.



Donations for which the donor requests a receipt for income tax purposes must be marked by the committee on a spreadsheet provided by the Village. The total donations marked on the spreadsheets for that day must equal the amount deposited to the Village's bank account for charitable receipts on that day. Spreadsheets and a copy of the deposit slip must be submitted to the Village at the time of deposit of the funds.

Charitable receipts will be issued by the Village of Cumberland.

**Fundraising Event Revenue and Donations Not Requiring Charitable Receipt**

Funds collected through sales at fundraising events, along with donations, must be deposited to the Village bank account on the day of collection.

**Part C - Alternate Use of Funds**

1. In the event that the purchase of Maple Lake by the Village of Cumberland is not possible, any grant funding received will be returned in full to the granting agency unless the granting agency approves and the Council of the Village of Cumberland approves of a suitable transfer of funds to another organization for the same purpose.
2. In the event that the purchase of Maple Lake by the Village of Cumberland is not possible, donations will be used by the Village for the restoration and conservation of fish habitat, including land acquisition for that purpose (50%) and community parks capital projects (50%), unless the Village is directed by the donor that their donation must be returned by mail to them at the address provided at the time of donation.
2. Individuals who donate \$20 or more must declare that their donation may be used for the alternate use set out in this policy or be returned to them at the address provided.
3. If an individual indicates that their donation must be returned to them in this circumstance, and that individual cannot be contacted by mail at the address provided at the time of donation, the donation will be used for the alternate use set out in this policy.