

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

DATE: Monday, July 21, 2014
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt July 7 2014 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS

Pg #

(a) Community Services

(b) CAO and Legislative Services

- 1 1. First and second reading of Zoning Amendment Bylaw No. 2792, 2014
 - Readings of Zoning Amendment Bylaw No. 2792, 2014 were inadvertently missed on July 7th, 2014. Council must give first and second reading of the bylaw prior to the Public Hearing scheduled for 5:00 p.m. The required public notice was published.

- 3 2. Locals – Liquor Licence Amendment

- 27 3. UBCM – Meetings with Ministers

(c) Development Services

- 47 4. Development Permit No. 1409 – 208-2nd Street

- 65 5. Development Variance Permit No. 1407 – 2106 Urquhart Avenue

- 77 6. Zoning Amendment – 601 Crown Isle Blvd & 3303 Ryan Road

(d) Financial Services

- 83 7. 2015 Permissive Property Tax Exemptions

(e) Engineering and Operations

5.0 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 99 1. Letter from Ministry of Community, Sport and Cultural Development re: medical marihuana production in BC

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 105 1. Staff Memorandum re: Upcoming Events

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

8.00 RESOLUTIONS OF COUNCIL

1. In Camera Meeting

That notice is hereby given that a Special In-Camera meeting closed to the public will be held July 21, 2014 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 107 1. Jay Baker-French appeal staff decision to deny delegation request

12.00 BYLAWS

For First and Second Reading

- 111 1. "Zoning Amendment Bylaw No. 2796, 2014"
(to rezone a portion of Crown Isle Boulevard from CD-1I to CD-1F and from CD-1F to CD-1I)

For Final Adoption

- 113 1. "Zoning Amendment Bylaw No. 2770, 2013"
(CD-25 Zone - 2368, 2498 and 2650 Arden Road)
- 117 2. "Development Application Procedures Bylaw No. 2790, 2014"

13.00 ADJOURNMENT

Note: there is a public hearing at 5:00 p.m. in relation to "Zoning Amendment Bylaw No. 2792", "Official Community Plan Amendment Bylaw No. 2794" and Zoning Amendment Bylaw No. 2795"
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/

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2792

A bylaw to amend Zoning Bylaw No. 2500, 2007

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

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2792, 2014**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Amended Lot 4, (DD 78131N), Block 8, Section 69, Comox District, Plan 480, as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential Two Zone (R-2) to Residential Two B Zone (R-2B);
 - (b) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 21st day of July , 2014

Read a second time this 21st day of July, 2014

Considered at a Public Hearing this day of , 2014

Read a third time this day of , 2014

Finally passed and adopted this day of , 2014

Mayor

Director of Legislative Services



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

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

File No.: 4320-20

Date: July 21, 2014

PURPOSE:

The purpose of the report is to provide an amended Council resolution to the Liquor Control and Licencing Branch (LCLB) relating 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 July 21, 2014 staff report, "Locals – Liquor Licence Amendment", Council of the City of Courtenay recommends the amendment of the Old House restaurant Food Primary Liquor Licence to allow for patron participation; and

That Council forward the resolution to the Liquor Control and Licencing Branch as recommended in Option 1 of the report from the Director of Legislative Services dated July 21, 2014.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "T. Manthey".

T. Manthey, Deputy CAO for

David Allen, BES, CLGEM, SCLGM
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.

At its regular meeting held July 7, 2014 Council considered a staff recommendation to approve the change for a one year trial period.

At the request of Council, Trish and Ronald St. Pierre, owners of Locals, addressed Council regarding the complaints raised from an outdoor wedding on June 29th, 2014. This appears to be an isolated incident and is not directly related to the "Patron Participation" licence amendment being considered by Council.

DISCUSSION:

Subsequent to the submission by the owners, Council passed the following resolution:

“That the report be referred back to staff to draft an amended resolution removing the trial period to be considered at the regular meeting of Council scheduled for July 21st, 2014.”

The recommendation contained in Option 1 reflects the direction given by Council at the July 7, 2014 meeting.

A detailed resolution in the specific format outlined in Option 1 is required by legislation. Alternatively, Council may choose not to comment on the application provided reasons are given for this decision.

FINANCIAL IMPLICATIONS:

No further costs are anticipated.

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 was published, and submissions are attached.

OPTIONS:


- Option 1:
1. *“Be it resolved that the Council of the City of Courtenay recommends the amendment of the Old House restaurant Food Primary Liquor Licence to allow for patron participation for the following reason:*
 - (a) *The amendment to allow patron participation (dance floor) inside the restaurant will not have a negative impact on the community based on the submissions received from the public and the applicant regarding the application.”*
 2. *Council’s comments on the prescribed considerations are as follows:*
 - (a) *If the Old House Restaurant application were approved, it would not result in an increase of noise in the area if events are permitted inside the building;*

- (b) *If the application were approved, it would not have a negative impact on the community based on the submissions received from the public and the applicant;*
- (c) *The amendment would not result in the establishment being operated in a manner that is contrary to its primary purpose; and*
- (d) *In order to gather the views of residents, the City of Courtenay posted a notice in two consecutive issues of a newspaper and on the City's website outlining the "Locals" application and accepting written submissions concerning the application. Three submissions were received, with two expressing concerns regarding an outdoor event held on the restaurant property." (Recommended).*

Option 2: Not recommend approval of the liquor licence amendment.

Option 3: Provide no comment with reasons.

Prepared by:



John Ward, CMC
Director of Legislative Services

.02
LOCALS LIQUOR
LICENCE
4320-20

JUL - 7 2014

At the request of Council, Trish and Ronald St. Pierre, owners of Locals, addressed Council regarding the complaints raised from an outdoor wedding on June 29th, 2014.

Moved by Theos and seconded by Winchester that, based on the July 7, 2014 staff report, "Locals – Liquor Licence Amendment", that Council of the City recommends the amendment of the Old House restaurant Food Primary Liquor Licence to allow for patron participation for a one year trial period;

And that Council forward the resolution to the Liquor Control and Licencing Branch as recommended in Option 1 of this report.

Subsidiary Motion

Moved by Ambler and seconded by Hillian that the report be referred back to staff to draft an amended resolution removing the trial period to be considered at the regular meeting of Council scheduled for July 21st, 2014.

Carried



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

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

File No.: 4320-20

Date: July 7, 2014

PURPOSE:

The purpose of the report is to provide a Council resolution to the Liquor Control and Licencing Branch (LCLB) relating 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 July 7, 2014 staff report, "Locals – Liquor Licence Amendment", that Council of the City recommends the amendment of the Old House restaurant Food Primary Liquor Licence to allow for patron participation for a one year trial period;

And that Council forward the resolution to the Liquor Control and Licencing Branch as recommended in Option 1 of this report.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
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.

At its regular meeting held June 9, 2014 Council passed the following resolution:

"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."

DISCUSSION:

Notice was published as directed by Council. Three submissions were received and are attached for Council's reference.

Locals restaurant held a special event (wedding) on June 29th, 2014. This wedding was permitted under a special event permit issued by LCLB to allow the extension of the licenced area outside the building.

As outlined in two of the submissions, the wedding resulted in complaints regarding excessive noise from some area residents.

Although the request for a permanent change to the liquor licence for "patron participation" does not permit events outside the building, the recent wedding is an indication that the permanent change could potentially affect the surrounding neighbours if the events are not managed well.

Based on these facts, staff are recommending a one year trial period for the "patron participation" endorsement. This trial period will give the restaurant an opportunity to prove to the neighbours that the special events will be managed well in the future. Once the trial period is over, Council can then consider the permanent change based on input from the neighbourhood.

Staff believe this is a fair compromise to balance the legitimate concerns of the neighbourhood with the equally legitimate business concerns of the restaurant, and do not feel it is reasonable to deny the application based on one, hopefully isolated, incident.

A detailed resolution in the specific format outlined in Option 1 is required by legislation. Alternatively, Council may choose not to comment on the application provided reasons are given for this decision.

FINANCIAL IMPLICATIONS:

No further costs are anticipated.

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 was published, and submissions are attached.

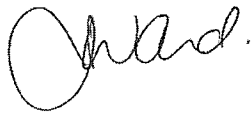
OPTIONS:

- Option 1:
1. *"Be it resolved that the Council of the City of Courtenay recommends the amendment of the Old House restaurant Food Primary Liquor Licence to allow for patron participation for a one year trial period for the following reason:*
 - (a) *The amendment to allow patron participation (dance floor) has the potential to have a negative impact on the community based on the submissions received from the public regarding the application."*
 2. *Council's comments on the prescribed considerations are as follows:*
 - (a) *If the Old House Restaurant application were approved, it could potentially result in an increase of noise in the area if events are permitted to be held outside the building;*
 - (b) *If the application were approved, it could have a negative impact on the community based on the submissions received from the public;*
 - (c) *The amendment would not result in the establishment being operated in a manner that is contrary to its primary purpose; and*
 - (d) *In order to gather the views of residents, the City of Courtenay posted a notice in two consecutive issues of a newspaper and on the City's website outlining the "Locals" application and accepting written submissions concerning the application. Three submissions were received, with two expressing concerns regarding the application." (recommended).*

Option 2: Not recommend approval of the liquor licence amendment.

Option 3: Provide no comment with reasons.

Prepared by:



John Ward, CMC
Director of Legislative Services

Ward, John

From: bill heidrick <T.W.H@shaw.ca>
Sent: June-23-14 3:44 PM
To: Ward, John
Subject: Fwd: Locals Restaurant - liquor license amendment

----- Original Message -----

Subject: Locals Restaurant - liquor license amendment

Date: Mon, 23 Jun 2014 15:41:42 -0700

From: bill heidrick <T.W.H@shaw.ca>

To: info@courtenay.ca

CC: chef@localscomoxvalley.com

Attention John Ward:

As some of the closest residents to Locals Restaurant we wish to lend our support for an amendment to their liquor license to allow occasional music and dancing INSIDE until 11PM as stated by Ronald St-Pierre in his application.

Our neighborhood is very fortunate to have such a quality operator reactivate this exceptional heritage site and we wish the family all best wishes for their future success. If this change in their license will help them achieve that we are all for it.

Bill Heidrick and Kathie Woodley
104-1836 Riverside Lane
Courtenay, BC V9N8C7

"If there is magic on this planet, it is contained in water"

Loren Eiseley

Resident of Strata Corporation VIS 3297/1830 Riverside Lane, Courtenay, B.C.

Date: June 30th/2014 (Monday)

Re: Report To Courtenay Council /Locals Liquor License Application .June 8th/2014

Attention: JOHN WARD

On this date: June 29th.2014 (Sunday Evening) It is noted that a booking/party took place at Locals/1760 Riverside Lane, Courtenay, B.C. V9N 8C7. Music started at 7.p.m. Right from the start the music was POUNDING and Over The Top Extremely Ear-Aching Loud.

With Windows completely closed and having to resort to ear -plugs I was unable to retire and sleep. The POUNDING of Music continued to 12:45, then the SCREAMING/ YELLING/ SHOUTING till after 1 p.m.

Violating/Abuse of a priviledge and the laxity and unrestrained liberty of the regulations of quiet time 11 pm. was not complied,endorsed or followed at all.

It is noted that Chef Ronald St-Pierre/ Executive Chef/Owners has applied for a Permanent change to their present liquor license/changing the intentions of Locals structure of the Food /R.estaurant Business.

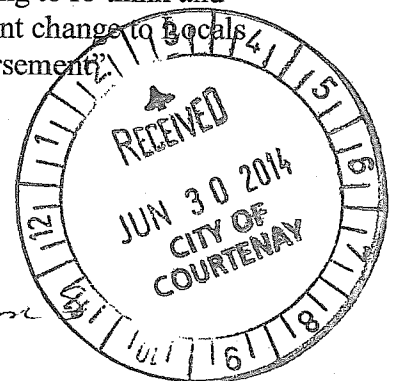
This was a week day night that many people still have responsibiltes, and had to be at work the next day. Personally there will be no hesitating to call the police if this occurs again.

It does not say /copy of application that bookings are not restricted to week-ends, and would council reconsider and reevaluate this Food Primary License/Patron Participation Entertainment Endorsement /which may have huge negative impact on surrounding residential privacy and rights

This application is for Permanent change /, all intentions are just not acceptable, if the rules and regulations are not complied, and residential rights are dismissed and disregarded.

Repeated violation of reasonable quiet time would give council reasoning to re-think and examine /regard the effects and think carefully about passing a permanent change to Locals liquor license specifically to "Patron Particiaption Entertainment Endorsement".

Sincerely with Respect



R.S. Williams/Resident 1830 Riverside Lane, Coutenay, B.C.

Resident of Strata Corporation /1830 Riverside Lane,Courtenay. B.C.

To : Old House Hotel & Suites/1730 Riverside Lane , Courtenay. B.C.

Date:June 30th/2014

Attention: Roger McKinnon:

On June 29th/30th2014 (Sunday evening/Monday Morning)

It is to inform the Management & Staff of Old House Hotel & Suites that a private function completely got out of control and is unacceptable to the residence surrounding our environment. The Music was so loud that my windows were vibrating and I had to use ear-plugs to retire. The Music started at 7p.m. Running till 12:45 . Pounding /Ear Aching Loud for hours non-stop is not acceptable in this residential area. Then the SCREAMING/ YELLING and SHOUTING started and was not stopped till after 1 in the morning. This is not the first/ second or third time this has happened/it is escalating. You leave us with no choices /but the police will be called next time and a report is going to city Council.

We have been tolerant and very forgiving/ but to disregard and dismiss our residential rights constantly says something about the integrity of your business.

. This has been going on since last YEAR . Why can't your staff & mangement ensure that regulations and rules be applied.???????

We are informing Locals of Last nights violations.....Having a copy from Locals that they are in agreement with your business that quiet time is 11 p.m

There will be a copy of this letter going to Courtenay / City Council.

Sincerely with Due Respect

R. S. Williams

R. S. Williams/1830 Riverside Lane, Courtenay, B.C.



Ward, John

From: SPRTGRPBAM@aol.com
Sent: July-02-14 5:17 PM
To: Ward, John
Subject: Locals Restaurant/City of Courtenay Special Event Permit

John... further to our telephone conversation of Monday June 30, 2014 regarding the Sunday evening event at locals restaurant:

My name is Brian McMahon and I live at 201 1830 Riverside Lane, Courtenay. We are the condo building just to the south of The Old House Suites Hotel. Our unit faces the river on the north east corner of the complex.

The City issued a special event permit to the Locals Restaurant for a wedding on Sunday June 30, 2014. From the onset the Band set up in the gazebo on the river side of the property adjacent to the walkway. Amps were turned up and we immediately were blasted with their music in our home. The music continued throughout dinner as we tried to BBQ on our deck... we could hardly talk to one another on our deck above the blasting music. We have two decks... a north facing deck and an east facing deck on the river... we couldn't go out on either one. Later that evening with all windows and doors closed tight we attempted to watch a little TV... couldn't above the music. Giving up about 10 PM... we tried going to bed but the sound of the base was even in our pillows which we tried to burry our heads into.

As a dry run for the proposed change of the licensing for Locals... it was a failure.

Having said this and as a businessman myself I don't want to throw Ronald St Pierre and Locals "under the bus". We don't oppose his application for live music as long as it is contained within the restaurant and not allowed to flow out into the garden area and become a nuisance to the area residents. Soft dining music would be enjoyed by all and special events within the restaurant would be appreciated by all those who attend but not a free for all blast in the garden. I appreciate that the restaurant was surprised by the level of music and attempted to tone it down several times but didn't want to ruin the wedding by shutting it down completely.

Unfortunately the buck stops at the restaurants door and that of City Hall for future Special Event Permits.

We definitely do not want to experience another outdoor event such as the Locals June 30 wedding event.

Brian A. McMahon and Debora E. McMahon

Confidentiality Notice

This communication and any attachment(s) contains information which is confidential and may also be legally privileged. It is intended for the exclusive use of the recipient(s) to whom it is addressed. If you have received this communication in error please E-mail us by return mail and then delete the E-mail from your system together with any copies of it. Thank you.



City of Courtenay
www.courtenay.ca
250-334-4441

**HAVE
YOUR
SAY:**



830 Cliffe Ave.
Courtenay, BC
V9N 2J7



info@courtenay.ca

PUBLIC NOTICE

Locals – Food from the Heart of the Island **Permanent Change to Liquor Licence**

Locals – Food from the Heart of the Island restaurant located at 1760 Riverside Lane, Courtenay B.C. is requesting a permanent change to its liquor licence, specifically a "Patron participation entertainment endorsement" to allow private functions and dancing.

The City of Courtenay is now requesting the views of area residents and businesses on this request.

Written comments on this application must be received by the undersigned by 4:00 p.m., Thursday July 3, 2014.

Get more information:

View a copy of the application and relevant documents at City Hall from 8:30 am to 4:30 pm Monday through Friday, excluding holidays, until July 7, 2014.

This information is also available on our website at www.courtenay.ca

John Ward, CMC
Director of Legislative Services

This notice is pursuant to the provisions of sections 11.3 and 53 of the Liquor Control and Licensing Act (RSBC 1996)

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LOCALS – LIQUOR
LICENCE AMEND
4320-20

JUN 09 2014

Moved by Anglin and seconded by Winchester 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.
Carried



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

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.

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

Sincerely,

Ronald St-Pierre CCC
Executive Chef / Owner

www.localscomoxvalley.com
1760 Riverside Lane, Courtenay, BC V9N 8C7
Ph 250-338-6493



BRITISH
COLUMBIA

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 (X) 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 licences = \$

☒ 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

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). 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 (2nd) inspection to confirm you meet the requirements of a catering endorsement. **A fee of \$200 will be charged if a second (2nd) 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 9.2914

(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 E-mail: 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)

Signature: _____

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 Title/Position: Dir of Leg. Services
(last / first / middle)

Date of receipt of application: 16/05/2014 Phone Number: 250-703-4853
(Day/Month/Year)

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 (2nd) inspection to confirm you meet the requirements of a catering licence. **A fee \$200 will be charged if a second (2nd) 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: Chief Administrative Officer
Subject: UBCM – Meetings with Ministers

File No.: 390-20
Date: July 21, 2014

PURPOSE:

The purpose of the report is to seek direction from Council regarding booking of additional meetings with Cabinet Ministers and/or Ministry Staff at the 2014 UBCM Convention.

CAO RECOMMENDATIONS:

That, based on the July 14, 2014 staff report, "UBCM – Meetings with Ministers", Council approve Option 1 and decide which additional 2014 UBCM Minister and/or Ministry staff meeting requests are to be submitted.

Respectfully submitted,

T. Manthey, Deputy CAO for:

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

To date, staff have requested the following meetings with provincial Cabinet Ministers for the 2014 UBCM Convention:

- Minister of Justice and Attorney General – Regional Policing Services
- Minister of Natural Gas Development and Minister Responsible for Housing – Funding for City of Courtenay Supportive Housing Project

DISCUSSION:

Council may submit additional meeting requests as it sees fit. Meeting requests should be made as soon as possible.

FINANCIAL IMPLICATIONS:

None.

ADMINISTRATIVE IMPLICATIONS:

Administration of UBCM convention attendance and meeting organization is included in the general statutory duties of the Legislative Services Department work plan.

STRATEGIC PLAN & PRIORITIES REFERENCE:

Topics for the Minister or Ministry staff meetings could potentially relate to some of Council's strategic priorities including:

- Supportive Housing Project (#1)
- Cultural Funding
- Downtown Viability
- Affordable Housing
- North Connector Project

OFFICIAL COMMUNITY PLAN REFERENCE:

Not referenced.

REGIONAL GROWTH STRATEGY REFERENCE:

Not referenced.

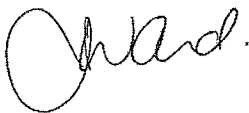
CITIZEN/PUBLIC ENGAGEMENT:

Not required.

OPTIONS:

- Option 1: Decide which additional 2014 UBCM Minister and/or Ministry staff meeting requests are to be submitted. (Recommended)
- Option 2: Not submit additional meeting requests.

Prepared by:



John Ward, CMC
Director of Legislative Services

Ward, John

From: UBCM Meeting Request Coordinator <UBCM.Meetings@gov.bc.ca>
Sent: June-18-14 11:00 AM
To: Ward, John
Subject: UBCM Meeting Request Received



2014 UBCM Convention

DATE: June 18, 2014
TO: John Ward
Courtenay, City of
FROM: Tara Zwaan, UBCM Meeting Request Coordinator
RE: **UBCM Meeting Request Received**

Your request to meet with a **Provincial Cabinet Minister** at the 2014 UBCM Convention has been successfully submitted. Please keep a copy of this email for your records. Information about the status of your meeting request will be sent out via email in early September. The details of your request are as follows:

Contact Information:

Meeting ID: 65
Municipality/Regional District: Courtenay, City of
Contact: John Ward, Director of Legislative Services
Phone: 250-703-4853
Fax: 250-334-4241
Email: jward@courtenay.ca

Cabinet Minister in attendance:

Cabinet Minister: Justice and Attorney General
Preference: 1

Council Attendees:

Bill Anglin, Councillor; David Allen, CAO; Doug Hillian, Councillor; Larry Jangula, Mayor; Manno Theos, Councillor; Starr Winchester, Councillor

Topics to be discussed:

The provision of policing services in the Comox Valley. In particular the costs for the City of Courtenay versus the rest of the Comox Valley (Comox, Cumberland, and the Regional District unincorporated areas)

Additional Information:

The Comox Valley is serviced by the RCMP Comox Valley detachment. This is a "hybrid" detachment service over 60,000 people.

Please contact Tara Zwaan with any questions 604-775-1600.

Ward, John

From: UBCM Meeting Request Coordinator <UBCM.Meetings@gov.bc.ca>
Sent: July-02-14 11:35 AM
To: Ward, John
Subject: UBCM Meeting Request Received



2014 UBCM Convention

DATE: July 02, 2014
TO: John Ward
Courtenay, City of
FROM: Tara Zwaan, UBCM Meeting Request Coordinator
RE: **UBCM Meeting Request Received**

Your request to meet with a **Provincial Cabinet Minister** at the 2014 UBCM Convention has been successfully submitted. Please keep a copy of this email for your records. Information about the status of your meeting request will be sent out via email in early September. The details of your request are as follows:

Contact Information:

Meeting ID: 168
Municipality/Regional District: Courtenay, City of
Contact: John Ward, Director of Legislative Services
Phone: 250-703-4853
Fax: 250-334-4241
Email: jward@courtenay.ca

Cabinet Minister in attendance:

Cabinet Minister: Natural Gas Development (Responsible for Housing)
Preference: 1

Council Attendees:

Bill Anglin, Councillor; David Allen, CAO; Doug Hillian, Councillor; Larry Jangula, Mayor; Manno Theos, Councillor; Starr Winchester, Councillor

Topics to be discussed:

Capital and operational funding for a supportive housing project in the City of Courtenay.

Additional Information:

The City of Courtenay wishes to construct a supportive housing facility on City owned land. Currently in the RFP stage. The City wishes to secure funding for the project, including ongoing operational funding.

Please contact Tara Zwaan with any questions 604-775-1600.



2014 PROVINCIAL APPOINTMENT BOOK

to schedule meetings with staff from

**Provincial Government
Ministries, Agencies, Commissions and Corporations**

at the

2014 UBCM CONVENTION

**September 22 – 26, 2014
Whistler Conference Centre
Whistler, BC**

2014 PROVINCIAL APPOINTMENT BOOK

To request an online meeting with:

Honourable Christy Clark, Premier and Cabinet Ministers **(except Minister of Community, Sport and Cultural Development)**

click here: <http://www.fin.gov.bc.ca/ubcm/>

The invitation code is: MeetingRequest2014

Deadline: Friday, August 15, 2014

Questions? Contact Tara Zwaan at 1-604-775-1600

Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development

click here: [Minister Oakes' Meetings](#)

Deadline: Friday, August 15, 2014

Questions? Contact Danielle Woodcock at 1-250-387-9108, or Cristina Scott at 1-250-387-4013 or via email at CSCD.UBCM.MeetingRequests@gov.bc.ca

Provincial Government Staff **(Ministries, Agencies, Commissions and Corporations)**

click here: [Provincial Government Staff Meetings](#)

Deadline: Friday, August 29, 2014

Questions? Contact Danielle Woodcock at 1-250-387-9108, or Cristina Scott at 1-250-387-4013 or via email at CSCD.UBCM.MeetingRequests@gov.bc.ca

2014 PROVINCIAL APPOINTMENT BOOK

Provincial Government Staff Meetings *(Ministries, Agencies, Commissions and Corporations Staff)*

This document contains a listing of all Provincial Government Ministries, Agencies, Commissions and Corporations who will be attending the 2014 UBCM Convention and are available to meet with local government delegates.

Meetings will be held from Tuesday, September 23 to Thursday, September 25, 2014.

Once your meetings are scheduled, you will receive confirmation of your meeting via email.

The deadline for receiving online meeting requests is: Friday, August 29, 2014.

The Provincial Appointments Desk staff will be taking meeting requests during the Convention and will be located at the Whistler Conference Centre and the Hilton Whistler Hotel as per the dates below.

The on-site Provincial Appointments Desk will be open on the following dates:

Monday, September 22, 2014

Grand Foyer, Whistler Conference Centre
8:30 am – 4:00 pm

Tuesday, September 23 to Thursday, September 25, 2014

Lobby, Cheakamus Room, Hilton Whistler Hotel
8:30 am – 4:00 pm

2014 PROVINCIAL APPOINTMENT BOOK

Ministry of Aboriginal Relations and Reconciliation

DIVISION/BRANCH	TOPIC
Aboriginal Relations and Reconciliation	New Relationship, treaty negotiations, reconciliation issues, Aboriginal relations, closing the socio-economic gap.

Ministry of Advanced Education

DIVISION/BRANCH	TOPIC
Sector Strategy and Quality Assurance	Post-secondary quality assurance, governance, legislation, audit, accountability, data, strategic policy, planning, human capital planning and sector labour relations.
Institutions and Programs	25 public post-secondary institutions and their programs including skills and training, international education, Aboriginal education, adult basic education and medical and health.
Student Services and Sector Resource Management	Post-secondary funding and capital, student aid funding and services, and Ministry organizational development and technology solutions.

Ministry of Agriculture

DIVISION/BRANCH	TOPIC
Food Safety and Inspection Branch	Establish provincial and regulatory standards along the food system (processors, packers, distributors), assess industry food safety compliance, and support industry to adopt food safety standards.
Sector Development Branch	Builds (agricultural) industry capacity by supporting business development, First Nations agriculture, youth participation and succession, and agroforest and range use development; provides in-depth knowledge of the challenges and needs of various sectors, and emergency preparedness and coordination required for the Agrifood sector in BC.
Business Risk Management Branch	Helps producers manage risks that cause income losses and lead to financial instability, including weather hazards, natural disasters, wildlife, diseases, pests and market declines. The Branch delivers three programs to help farmers manage financial risk: Production Insurance - which offers insurance protection for agricultural crops against weather perils; Agri-Stability - which protects farm enterprises from the financial impacts of significant margin declines which can be caused by increasing input costs or reduced agricultural revenues; and Wildlife Damage Compensation - compensates farmers for losses due to wildlife.
Innovation and Adaptation Service Branch	Provides innovative solutions to the agriculture, food and seafood sectors as essential parts of the social and economic fabric of BC; facilitates competition, adaptation and innovation in response to economic, environmental, social influences and market change.

Ministry of Children and Family Development

DIVISION/BRANCH	TOPIC
	NOT ATTENDING CONVENTION

2014 PROVINCIAL APPOINTMENT BOOK

Ministry of Community, Sport and Cultural Development

DIVISION/BRANCH	TOPIC
Local Government Division	
Governance and Structure Branch	
Local Government Structure	Incorporation, restructure, boundary extensions, structure-related legislation and processes, and local and regional governance/services.
Advisory Services	Local government administration, elections, governance/administration-related legislative requirements/powers, and local and regional governance/services.
Community Relations	Local government First Nations relations and Free Crown Grant/Nominal Rent Tenure sponsorships.
Infrastructure and Finance Branch	
Local Government Finance	Local government finance, including development cost charges, unconditional grant eligibility criteria and funding, financial plans, taxation issues and cost recovery options.
Infrastructure and Engineering	Asset management, sewer, water, rainwater and other capital grants, infrastructure planning grants and infrastructure programs.
Intergovernmental Relations and Planning Branch	
Planning Programs Intergovernmental Relations	Regional growth strategies, regional and community land use planning and development, community amenity contributions, dispute resolution services (including RD service review/withdrawal) and capacity building, Northwest Community Readiness Community Planning Program, <i>Miscellaneous Statutes Amendment Act</i> , streamlining legislation (Land Use Contracts, repeal of RD bylaw approval requirements, protection from DCC increases), renewed Gas Tax Agreement, climate action initiatives (mitigation and adaptation), carbon neutral local government and Climate Action Charter.
Property Assessment Services	Valuation of restricted use properties (BC Ferry Services, NavCan), <i>Tourist Accommodation (Assessment Relief) Act</i> amendments for rural resort properties.
Integrated Policy, Legislation and Operations Division	
	General policy and legislation including local elections campaign finance.
Arts, Culture, Gaming Grants and Sport Division	
BC Arts Council	Eligibility criteria and application process for programs of the BC Arts Council; arts and cultural development in communities.
Arts and Culture Unit	Policy and program support for the creative sector including development of community engagement and special initiatives.
Community Gaming Grants	Eligibility criteria and application process.
Sport	Sport policy issues; programs supporting the delivery of services through provincial sport organizations.

2014 PROVINCIAL APPOINTMENT BOOK

Ministry of Education

DIVISION/BRANCH	TOPIC
Libraries Branch	Public library services.
Resource Management Division	School capital and school funding.

Ministry of Energy and Mines (and responsible for Core Review)

DIVISION/BRANCH	TOPIC
Mines and Mineral Resources Division	Provincial mines, mineral exploration and mineral resources policy.
Electricity and Alternative Energy Division	Electricity and alternative energy policy and programs including hydroelectric generation, the <i>Clean Energy Act</i> , energy efficiency and conservation and the Innovative Clean Energy Fund.

Ministry of Environment (including Environmental Assessment Office)

DIVISION/BRANCH	TOPIC
Environmental Protection Division	Air quality, reducing toxins, pollution prevention, environmental emergencies/provincial spill response, <i>Environmental Management Act</i> , contaminated sites, brownfields, hazardous and industrial waste, <i>Integrated Pest Management Act</i> , product stewardship, waste management (incineration, landfilling, municipal liquid and solid waste), permitting and compliance reporting for industrial operations' emissions, Japan tsunami debris.
Environmental Sustainability and Strategic Policy	Species at Risk policy development, species, habitat and ecosystems conservation and sustainability, terrestrial and aquatic conservation science, wildlife inventory and monitoring, ecosystem stewardship outreach, biodiversity, conservation data centre, ecosystem information, climate change adaptation strategies. Living Water Smart, <i>Water Sustainability Act</i> , water conservation, source water protection, water quality, groundwater hydrology, groundwater protection, monitoring and network management for water (surface and groundwater) quantity and quality, air quality, water stewardship outreach, environmental and natural resource sector laboratory and knowledge (library) services. Overarching policy and legislation, compliance planning, intergovernmental relations, State of Environment Reporting and Service Plan.
BC Parks	Responsible for all matters (policy, planning and management) of conservation, recreation and cultural values in the province's protected areas system including parks, conservancies, and recreation areas under the Park Act, ecological reserves under the <i>Ecological Reserves Act</i> , and protected areas designated under the <i>Environment and Land Use Act</i> .
Climate Action Secretariat	Province-wide management of systems to address and respond to climate change including: Community design, energy and food supply and the <i>Community Charter</i> ; in association with Ministry of Community, Sport and Cultural Development, legislated short and long-term, province-wide greenhouse gas reduction targets Carbon Neutral Government and Public Sector Organizations - schools, universities and colleges and hospitals; eight climate action pieces of legislation - vehicle standards, fuel standards, carbon tax, cap and trade, deforestation, electricity, provincial targets; province-wide and sector-wide climate and emissions policy; green economic development and strategy; recent integration of the Pacific Carbon Trust into the Climate Investment Group.
Environmental Assessment Office	Environmental assessment process. One process, one environmental assessment. Substitution and Equivalency. Compliance and enforcement of certified projects. Public consultation.

2014 PROVINCIAL APPOINTMENT BOOK

Ministry of Finance (and Government House Leader)

DIVISION/BRANCH	TOPIC
Tax Policy Branch	Tax policy.

Ministry of Forests, Lands and Natural Resource Operations

DIVISION/BRANCH	TOPIC
Integrated Resource Operations	Compliance and enforcement, wildfire management, recreation sites and trails, GeoBC, base mapping and Cadastral, Mountain Resorts, Archaeology, Heritage.
Resource Stewardship	Resource practices, land based investment planning, sustainable forest management, tree improvement, forest analysis, forest inventory, resource management objectives, fish and wildlife management, habitat management, water management, river forecasting, dam safety, flood safety, water use planning, utility regulation, water stewardship.
Timber Operations, Pricing and First Nations	BC timber sales, timber pricing, engineering, resource roads, resource worker safety, First Nations Relations.
Tenures, Competitiveness and Innovation	Forest tenures, community forests, woodlots, tree farm licences, volume and area-based licences, science and carbon accounting, land tenures, private land policy, tourism policy, Crown Land opportunities and restoration, brownfields, contaminated sites, aggregate management policy review.
Regional Operations	FrontCounter BC, resource management coordination, land use planning and implementation, Crown Land tenuring, community forest agreements, species at risk program delivery, urban deer, clean energy projects, First Nations Consultation, ecosystem based management, range.

Ministry of Health

DIVISION/BRANCH	TOPIC
Health Services and Health Authorities	Health services delivery, including rural health.
Mental Health and Addictions	Mental health and addictions services.
Population and Public Health	Community Care.

Ministry of International Trade (and responsible for Asia Pacific Strategy and Multiculturalism)

DIVISION/BRANCH	TOPIC
International Business Development Division	International Missions, Trade and Investment Representatives Network, Export Development.
Strategic Investment and Key Accounts Branch	Investment Attraction Programs.
International Strategy and Competitiveness Division	International strategy and policy, international and domestic trade negotiations and agreements, trade policy and regulatory dispute management, international marketing, business and market intelligence. Venture capital tax credit programs, venture capital investments, and employee investment tax credits.
Corporate Initiatives and Multiculturalism Branch	Multiculturalism programs, Anti-racism programs, Chinese Historical Wrongs Apology Legacy Projects.

2014 PROVINCIAL APPOINTMENT BOOK

Ministry of Jobs, Tourism and Skills Training (and responsible for Labour)

DIVISION/BRANCH	TOPIC
Major Investments Office	Support for significant major projects.
Tourism and Small Business	Tourism Policy. Small Business Initiatives and Programs. Regulatory Reform. Film Policy and Creative Sector.
Labour Market and Immigration	Immigration programs, settlement services, Canada Job Fund (LMA), skills training, labour market information.
Labour	Employment Standards, Labour Relations, Workers' Compensation.
Economic Development	Jobs Plan, regional and community economic development, community adjustment and transition, Mountain Pine Beetle epidemic response, industrial sectors (aerospace and manufacturing).

Ministry of Justice (and Attorney General)

DIVISION/BRANCH	TOPIC
Policing and Security Branch	Police Services: provides central oversight of all policing and law enforcement in the province by developing and administering policing policy and programs. Ensures the adequate and effective levels of policing throughout the province. Security Programs: administration of the Protection Order Registry, the Criminal Records Review Program, and the regulation of the security industry in BC.
Emergency Management BC	Emergency Coordination: the Province's response to emergencies and disasters and provides specialized technology resources to support emergency response activities. BC Coroners Service: investigation of all unnatural, sudden and unexpected, unexplained or unattended deaths. Mitigation and the Office of the Fire Commissioner: enhances the capacity of communities and partners to reduce the potential impacts of emergencies or disasters. Strategic Business Services: delivers Disaster Financial Assistance (provincial funding) and oversees the Disaster Financial Assistance Arrangements cost-sharing program (federal funding). Administers the province's Flood Mitigation Program and provides cross-government leadership for significant and complex post-event recovery activities.
Community Safety and Crime Prevention Branch	Civil Forfeiture; Victim Services; Violence Against Women and Children; Crime Prevention; and Combating Trafficking in Persons
Corrections Branch	Community Corrections: supervision and programs to reduce reoffending to offenders who live outside of correctional centres. Adult Custody: operation of correctional centres.
Office of the Superintendent of Motor Vehicles	Operates provincial road safety programs and is the policy and regulatory agency responsible for ensuring the safe and responsible operation of motor vehicles in BC.
Court Services Branch	Court Administration: delivery of all court administration services. Sheriff Services: maintaining courtroom and courthouse security, prisoner custody and escort, document service, and jury administration.

2014 PROVINCIAL APPOINTMENT BOOK

Ministry of Justice (and Attorney General) continued

Justice Services Branch	<p>Criminal Justice and Legal Access: promotes access to justice through funding and oversight of legal aid programs, collaborative solutions to criminal justice problems through the integration of justice, health and social services, and oversees the Province's commitment to federal/provincial/territorial criminal justice reform initiatives.</p> <p>Dispute Resolution Office: promotes access to justice through dispute resolution alternatives, procedural efficiencies and case management in civil courts, agencies, boards, commissions, tribunals and government ministries.</p> <p>Family Justice Services: facilitates resolution of family disputes, operates justice access centres, family justice centres and the Parenting After Separation program.</p> <p>Maintenance Enforcement and Locate Services.</p>
Liquor Control and Licensing Branch	Regulates and monitors the liquor industry in BC by issuing licences for the manufacture and sale of liquor and supervising the service of liquor in licensed establishments.
Liquor Distribution Branch	Responsible for the importation of beverage alcohol into the province as well as the operation of an efficient wholesale and retail business.

Ministry of Natural Gas Development (and responsible for Housing)

DIVISION/BRANCH	TOPIC
Oil and Strategic Initiatives Division	Guide developments of recommendations related to energy exports and opening new energy markets related to inter-provincial pipelines, oil products and value-added natural gas products.
Upstream Development Division	Royalty and regulatory policy for British Columbia's petroleum and natural gas industry, including royalty programs, tenure issuance and administration, public geoscience and policies to address potential future resource opportunities, such as unconventional petroleum and natural gas.
Liquefied Natural Gas Task Force	The development of BC's new LNG industry, including its fiscal framework, regulatory requirements, industrial land use and marine planning, and First Nations and community consultation/accommodation.
Oil and Gas Division	Royalty and regulatory policy for British Columbia's petroleum and natural gas industry, including royalty programs, tenure issuance and administration, public geoscience and policies to address potential future resource opportunities, such as unconventional petroleum and natural gas.
Office of Housing and Construction Standards	Partnering with local government, non-profits and private developers to build affordable housing; housing policy development, including market and non-market housing; housing policy related to strata properties; governance of the building and safety regulatory system, including development of building, fire and safety codes and standards, and policy advice relating to building and safety, the regulatory framework for landlords and tenants, including conventional residential and manufactured home park tenancies; and, adjudication of landlord and tenant disputes.

Ministry of Social Development and Social Innovation

DIVISION/BRANCH	TOPIC
Policy and Research Division	Moving Forward on an Accessible BC Action Plan. Social Innovation.
Employment and Labour Market Services Division	How to Access Supports and Services through the Employment Program of BC.

2014 PROVINCIAL APPOINTMENT BOOK

Ministry of Technology, Innovation and Citizens' Services (and Government Communications and Public Engagement)

DIVISION/BRANCH	TOPIC
Technology and Innovation	Promote the technology industry in BC through BC Innovation Council, Premier's Technology Council, BC Knowledge Development Fund and BC's Technology Strategy.
Services to Citizens	Include Service BC offices in 61 communities in BC; BC Registry Services for business; Enquiry BC; BC Stats; and BC Online.
Shared Services BC	Provides services to government ministries, Crown corporations, health authorities and other broader public sector organizations. Services include: real estate; property management; accommodation planning; procurement and supply services (includes Queen's Printer and BC Mail Plus); and FOI requests.
Office of Chief Information Officer	Policy and Standards for Information Management and Information Technology for government ministries; Information Privacy and Security; Information Management and Information Technology Services; Network BC; IT Procurement Services for Ministries and Broader Public Sector; and Connecting communities and people across BC through Broadband services.
Government Communications and Public Engagement	Provides a variety of communications services and expertise, and works closely with other provincial, federal and municipal government representatives, media, industries, associations, interest groups, and the general public. Services include: strategic communications, planning and advice; issues management; media relations; media monitoring; writing and editorial services; communications research; coordinating cross-government projects; event planning; advertising and marketing; graphic design; online communications, including social media.

Ministry of Transportation and Infrastructure (and Deputy House Leader)

DIVISION/BRANCH	TOPIC
Various Divisions	Transportation issues.
If you have any questions regarding your Ministry of Transportation meeting request(s), please contact Gloria Valle directly at 1-250 387-7589, or via email at Gloria.Valle@gov.bc.ca , or via fax at 1-250 356-8767.	

2014 PROVINCIAL APPOINTMENT BOOK

Provincial Agencies, Commissions and Corporations

ORGANIZATION	TOPIC
Agricultural Land Commission	Information and advice regarding the Agricultural Land Reserve (ALR) and work of the Provincial Agricultural Land Commission (ALC). ALC Chair, Deputy CEO and Chief Tribunal Officer in attendance.
BC Emergency Health Services	BC Ambulance.
BC Hydro	BC Hydro's vision is to power BC with clean, reliable electricity for generations. BC Hydro's Community Relations staff will be present at the Convention and look forward to addressing any questions that you may have related to their operations.
BC Oil and Gas Commission	The BC Oil and Gas Commission regulates oil and gas activities for the benefit of British Columbians and looks forward to addressing any questions you may have on our regulatory oversight.
BC Transit	Transit matters in BC communities outside Metro Vancouver. Please specify transit issue in the online meeting request.
Insurance Corporation of British Columbia (ICBC)	ICBC provides universal compulsory auto insurance (basic insurance) to drivers in British Columbia, with rates regulated by the British Columbia Utilities Commission (BCUC), and also sells optional auto insurance in a competitive marketplace. Our insurance products are available across BC through a network of independent brokers, and claims services are provided at ICBC claims handling facilities located throughout the province. We also invest in road safety and loss management programs to reduce traffic-related deaths, injuries and crashes, auto crime and fraud. In addition, we provide driver licensing, vehicle registration and licensing services, and fines collection on behalf of the provincial government at locations across the province. ICBC will have staff present at the Convention who would be pleased to discuss or meet on any issues related to ICBC's operations.
Royal Canadian Mounted Police	Various police issues.



Ministry of Community,
Sport and Cultural
Development

UBCM Convention
Coordination

MEMORANDUM

June 25, 2014

UBCM Members (sent via email only)

**Re: 2014 UBCM Convention – “Leading Edge”
Whistler, September 22 – 26, 2014**

Further to Minister Oakes' June 11, 2014 letter regarding the 2014 UBCM Convention, I am pleased to attach the 2014 Provincial Appointment Book for your use in requesting meetings with provincial government staff (ministries, agencies, commissions and corporations) available to meet with delegates at Convention.

To request a meeting with provincial government staff, you must complete the form located at: [Provincial Government Staff Meetings](#). Note: the website will go live July 2, 2014.

The deadline for submitting meeting requests online is **Friday, August 29, 2014**. Meeting confirmation details will be sent to the contact identified on your meeting request form.

After August 29, 2014, requests for appointments can be made at the Provincial Appointments Desk, during Convention at the following locations:

Monday, September 22, 2014

Grand Foyer, Whistler Conference Centre
8:30 am – 4:00 pm

Tuesday, September 23 to Thursday, September 25, 2014

Lobby, Cheakamus Room, Hilton Whistler Hotel
8:30 am – 4:00 pm

For information on requesting meetings with the Premier, Cabinet Ministers, and Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development, please see page 2 of the 2014 Provincial Appointment Book or the click on the [Provincial Government Meeting Request Page](#).

If you have any questions, please contact Danielle Woodcock at 1-250-387-9108 or Cristina Scott at 1-250-387-4013 or via email at CSCD.UBCM.MeetingRequests@gov.bc.ca.

Birgit Schmidt, Manager
Client Services
Local Government Division

pc: Danielle Woodcock, UBCM Meeting Coordinator
Cristina Scott, UBCM Meeting Coordinator

Attachment



June 6, 2014

Dear Mayors and Regional District Chairs:

As we prepare for the upcoming 2014 UBCM Convention in Whistler this September, I wanted to let you know that my caucus colleagues and I are once again looking forward to listening to the discussions around the issues and initiatives that affect your communities. Our work depends on your input and insight, and my colleagues and I will be there to learn about your priorities.

The theme of the 2014 Convention, *Leading Edge Local Governance*, is definitely fitting for our province as we take advantage of the once-in-a-lifetime liquefied natural gas opportunity. The Convention will certainly bring forward inspiring discussions, debate and decisions on how best to move to a brighter future for all British Columbians. I look forward to participating.

If you would like to request a meeting with me or a Cabinet Minister on a specific topic during this year's convention, please fill out the online form at www.fin.gov.bc.ca/UBCM/. The invitation code is MeetingRequest2014 and it is case sensitive.

It'll be great to see you at the UBCM Convention – a wonderful opportunity to connect and share ideas to make BC meet its goal for a secure tomorrow for all British Columbians in all regions of the province. If you have any questions, please contact my UBCM Meeting Request Coordinator, Tara Zwaan, at 604-775-1600.

Sincerely,

A handwritten signature in blue ink that reads "Christy Clark". The signature is fluid and cursive, with the first name "Christy" and the last name "Clark" clearly distinguishable.

Christy Clark
Premier



June 11, 2014

Dear Mayors and Chairs:

I am pleased to inform you of opportunities to schedule appointments with me at the upcoming annual UBCM Convention taking place in Whistler, September 22 to 26, 2014.

You will have recently received a letter from Honourable Christy Clark, Premier, containing information about the online process for requesting a meeting with Premier Clark and other Cabinet Ministers. I am pleased to provide you with information regarding the process for requesting a meeting with me, as well as with provincial government, agency, commission and corporation staff.

If you would like to meet with me at the Convention, please complete the online form available from **June 16** at: [CSCD Minister's Meeting](#) and submit it to the Ministry of Community, Sport and Cultural Development before **August 15, 2014**. Meeting arrangements will be confirmed by early September. I will do my best to accommodate as many meeting requests as possible. In the event I am unable to meet with you, arrangements may be made for a meeting post-Convention.

Ministry staff will email the provincial appointment book. This lists all government, agency, commission and corporation staff available to meet with delegates at the Convention, as well as details on how to request a meeting online.

I look forward to another productive Convention and working with you in the year ahead.

Sincerely,

Coralee Oakes
Minister

pc: Honourable Christy Clark, Premier
Ms. Rhona Martin, President, Union of British Columbia Municipalities



THE CORPORATION OF THE CITY OF COURTENAY
STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Development Permit with Variances No. 1409 – 208 2nd Street

File No.: 3060-20-1409

Date: July 21, 2014

PURPOSE:

The purpose of this report is to consider issuing a Development Permit with Variances for a proposed single residential dwelling within the Old Orchard area.

CAO RECOMMENDATIONS:

That based on the July 21st, 2014 staff report "Development Permit with Variances No. 1409 – 208 2nd Street", Development Permit with Variances No. 1409 be approved (Option 1).

Respectfully submitted,

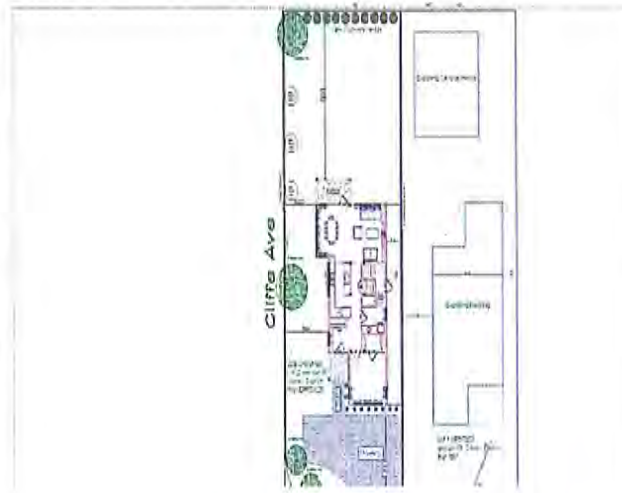
T. Manthey, Deputy CAO for:

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is an undeveloped lot located at the corner of Cliffe Ave and 2nd Street. The property (formerly part of the Laurel Lodge site) was re-designated from Public-Institutional use to Urban Residential in the Official Community Plan and rezoned from Comprehensive Development Nine (CD-9) to Residential Two B (R-2B) to accommodate the proposed single residential dwelling and granny flat in 2012. This application is for a development permit for the form and character of the proposed development and to request a variance to the side yard setback adjacent to Cliffe Avenue.

DISCUSSION:



As noted above, the subject property is designated as Urban Residential in the Official Community Plan. The Urban Residential designation is for single and duplex residential development and supports infill that is consistent with the character and scale of the existing neighbourhood. The proposed development is also subject to the Old Orchard Area Development Permit Guidelines. The intent of the Old Orchard development permit guidelines is to ensure that new development “respects historic patterns of development and contributes positively to the heritage character and strong sense of neighbourhood”.

The applicant is proposing a heritage style single residential dwelling which compliments the scale, character and development pattern of the area. The proposed building will use wood shingle siding in a consistent colour scheme. Features that reflect the heritage homes in the area include steeply pitched roofs, accented gables and front porches. It is staff’s opinion that this proposal meets the development permit guidelines of the Old Orchard Development Permit Areas.

Zoning Bylaw Review:

The applicant is requesting to vary the side yard setback for a portion of the single residential dwelling adjacent to Cliffe Avenue. *Section 8.2.27 (3)*, of the *Zoning Bylaw* requires a minimum building setback of 4.5 metres where a side yard flanks a street. As shown in *Schedule No. 1* of the attached permit, the applicant is proposing a minimum building setback of 3.34 metres to allow the dining room to extend into the required setback. The remainder of the development meets the requirements of the R-2B zone.

Staff have no objection to the proposed variance and feel that the reduced setback will have little impact on neighbouring properties or future servicing requirements.

FINANCIAL IMPLICATIONS:

N/A

ADMINISTRATIVE IMPLICATIONS:

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

STRATEGIC PLAN REFERENCE:

Not referenced.

OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed development is consistent with OCP policy to create compact, complete communities located near neighbourhood commercial areas and encouraging active transportation options. The proposed project is also consistent with OCP policy to maintain the character of existing neighbourhoods and create attractive streetscapes with new development.

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is consistent with the RGS goals and objectives to ensure a diversity of housing options to meet evolving demographics and needs, and to locate housing in core settlement areas close to existing services.

CITIZEN/PUBLIC ENGAGEMENT:

The applicant held a public information meeting with regard to the proposed variances on June 30th, 2014. There were no attendees at the public meeting and no written responses were submitted to the applicant. The minutes of the meeting are attached for reference (**Attachment No.1**). As required by the *Local Government Act*, the City has also provided notification of the proposed variances to property owners within 30 metres of the subject property. No comments have been received to date.

OPTIONS:

OPTION 1: Approve Development Permit with Variances No. 1409 (Recommended).

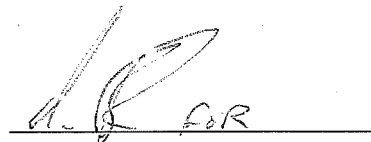
OPTION 2: Defer consideration of Development Permit with Variances No. 1409 pending receipt of further information.

OPTION 3: Do not approve Development Permit with Variances No. 1409.

Prepared by:



Allan Gornall, B.SC
Planning Technician



Peter Crawford, MCIP, RPP
Director of Development Services


Attachment No.1

Morning Allan. AS per discussion Croonen Construction held a information meeting at 220 2nd St. on the 30th of June between 6 and 6:30 pm. I was there personally and we had no attendees. I mailed and or hand delivered the attached letter on the 9th on June to the addresses provided by you. I did not get any responses to that either. The only comment I received was from one of the neighbours not on the mail list who I informed verbally and he had no opposition to our variance. If you need any more info please let me know. Thanks ,Peter Croonen. 250-898-1023

Nieghbours:

Croonen Construction Co. Ltd. Is planning on building a single family home at 208 2nd St. (corner of 2nd and Cliffe) The home plan we have created encroaches on the City allowed setback by 1.16 meters.(se attached site plan on reverse) We designed the home this way to increase the overall street appeal and to avoid building a home with a rectangular floor plan. In doing this we have applied for a variance along with our development permit. Part of this requirement is to notify the immediate nieghbours and provide a information session if any questions still need to be addressed. On the 30th of June at 220 2nd St. between 6:00 and 6:30 we will be available for questions/comments on this matter. Alternatively you can contact Allan Gornell at the city of Courtenay 250-334-4441.

Thank you. Peter Croonen, Croonen Construction.



**THE CORPORATION OF THE CITY OF COURTENAY
BYLAW NO. 2699**

Permit No. 3060-20-1409

DEVELOPMENT PERMIT with VARIANCES

July 21st, 2014

To issue a Development Permit with Variances

To: Name: Croonen Construction CO. LTD., INC. NO BC0174068
Address: Box 3363
Courtenay, B.C
V9N 5N5

Property to which permit refers:

Legal: Lot 2, Section 61, Comox District, Plan EPP30229
Civic: 208 2nd Street

Conditions of Permit:

Permit issued to allow the development of a single family dwelling with the following variances to the *City of Courtenay Zoning Bylaw No. 2500, 2007*:

- *Section 8.2.27(3)- Setbacks*, decrease the minimum required setback where a side yard flanks a street from 4.5 meters to 3.34 meters as shown in *Schedule No.1*

Development Permit with Variances No. 1409 is subject to the following conditions:

- Development must be in conformance with the plans and elevations contained in *Schedule No.1*

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

S:\PLANNING\Development Applications\DP\DPwV1409-208 2nd St (Croonen)\Permit\Permit.docx


To: City of Courtenay

Attn: Planning Department

In reference to: Development permit for lot 2 208 2nd St.

Our intention for this application is to construct a new home at the above address that blends into the Old Orchard area, returning a heritage “*looking*” home to a site where one once stood. I feel our design will be a complement to the neighbourhood and city. I believe we have captured every aspect of the Old Orchard OCP, while providing some much needed density in the down town core and offering affordable housing with a carriage home/granny flat.

Peter Croonen/Croonen Construction

A handwritten signature in black ink, appearing to read 'Peter Croonen', is written over a horizontal dashed line.

To: City of Courtenay

Attn: Planning Department

RE: 208 2nd St. (lot 2)

Sustainability Evaluation Checklist

Land use

- The proposed home will blend in with the character of the neighbourhood while adding a mix of colours and depths adding to the old orchard scenery.
- Having a home so close to town and parks will reduce the need for vehicle traffic and will promote healthier ways of transportation.

Building Design

- Designed to fit into the Old Orchard this home will appear to be heritage but will be built with modern materials and practices to ensure longevity low maintenance and energy efficiency.
- Steep roof lines, multiple siding treatments and refreshing colour scheme are just some of the treatments proposed

Transportation

- Located next to public transit and one block from downtown and parks this will be a pedestrian haven

Infrastructure

- The yard will be landscaped with a mixture of flower beds, grass, and a vegetable garden along with a permeable driveway to promote ground water recharging.
- The parking areas will be developed using porous materials or will be graded in a manner that will retain rain water on the property and not into the storm system

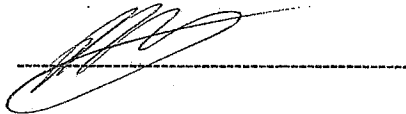
Character and Identity

- This home is situated on it's lot within the City set backs retaining a pleasant view corridor

Environmental Protection and Enhancement

- Our intention is to plant one or two fruit trees in the front yard in keeping with the old orchard.

Croonen Construction Co. Ltd.



To: City of Courtenay

Attn: Planning Department

Affordable Housing Policy

In reference to: 208, Lot 2 2nd Street

Our intention for this application is to construct a new home at the above address that blends into the Old Orchard area, returning a heritage "*looking*" home to a site where one once stood. I feel our design will be a compliment to the neighbourhood and City. I believe we have captured every aspect of the Old orchard OCP, and with our successful rezoning from CD9 to R-2B, we can build carriage homes to help increase the density of the downtown core while providing affordable housing in a great area. Whether the carriage home is used as a mortgage helper to make the home more affordable or used for care of extended family, it's good for all involved. This area with it's proximity to every amenity is ideal for this situation. A person with limited income could easily live there with no need for a vehicle, being able to walk into town or to catch a bus from less than a block away. I also think this project will be great for seniors, being so close to the Evergreen Centre, Native Son's Hall and Legion to name a few.

Peter Croonen/Croonen Construction



Schedule No. 1
5 of 12

**To: City of Courtenay
Attn: Planning Department
208 2nd St. lot 2**

**Plans completed by Croonen Construction Co. Ltd.
(250-898-1023)**

Colours:

Cedar shingles= CLOUD GREY *

Hardi plank= N/A

Hardi Panel= N/A

Fascia and window trim= MASCRAPONE *

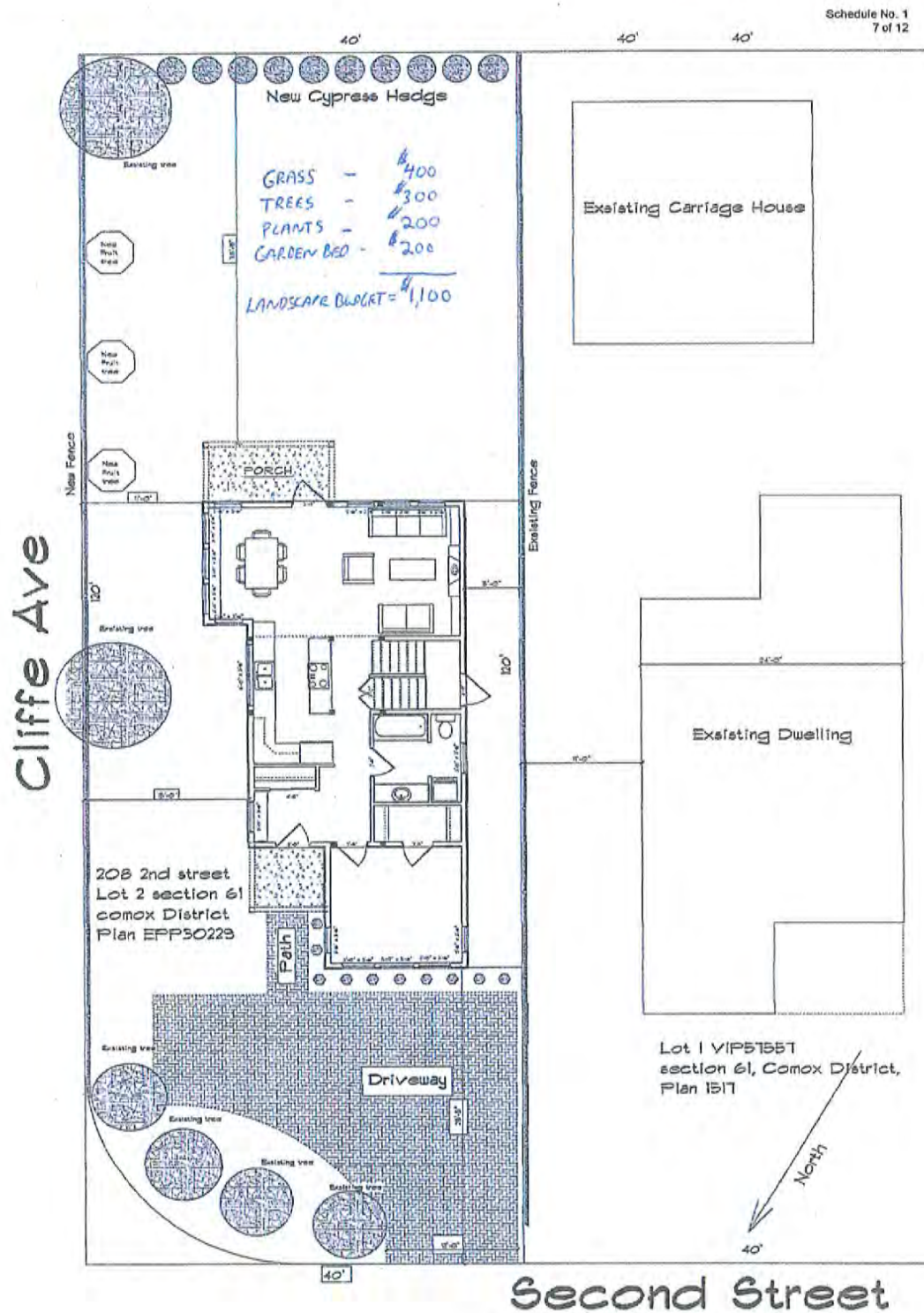
Stucco= N/A

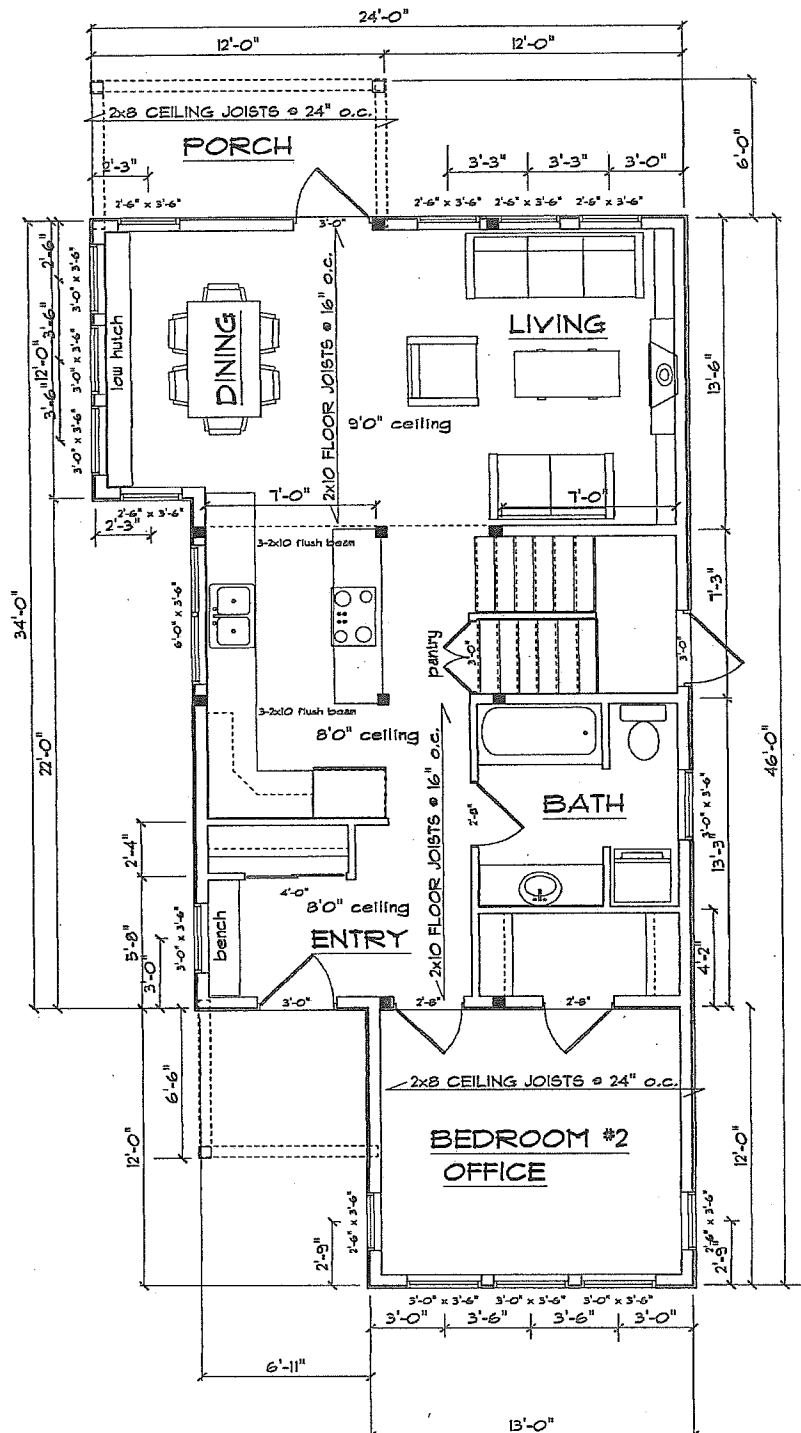
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(See attached photos)

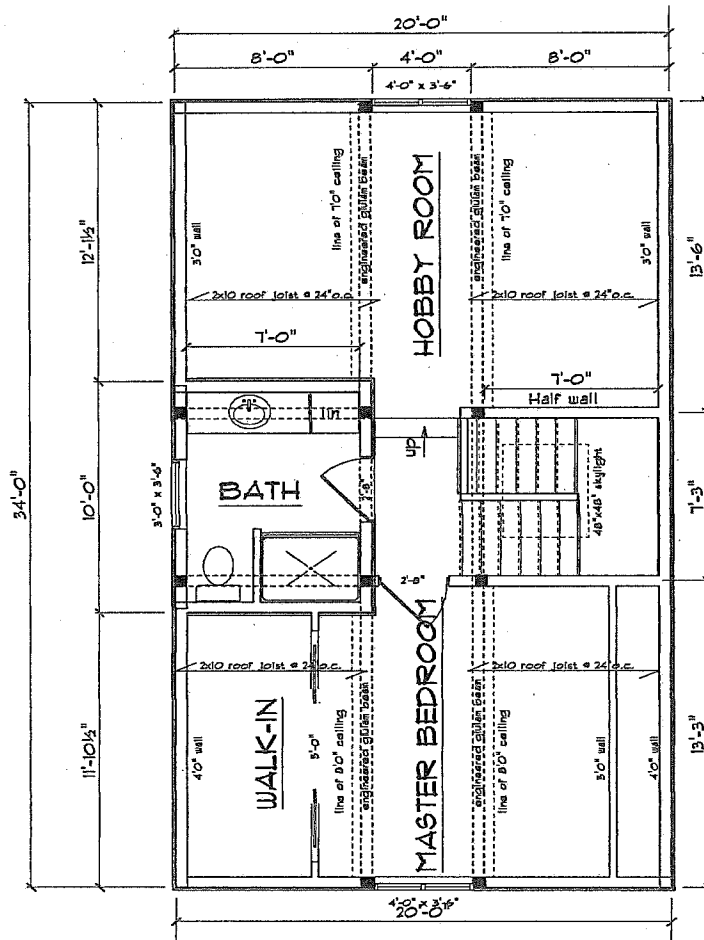
Croonen Construction Co. Ltd.

Schedule No. 1
6 of 12

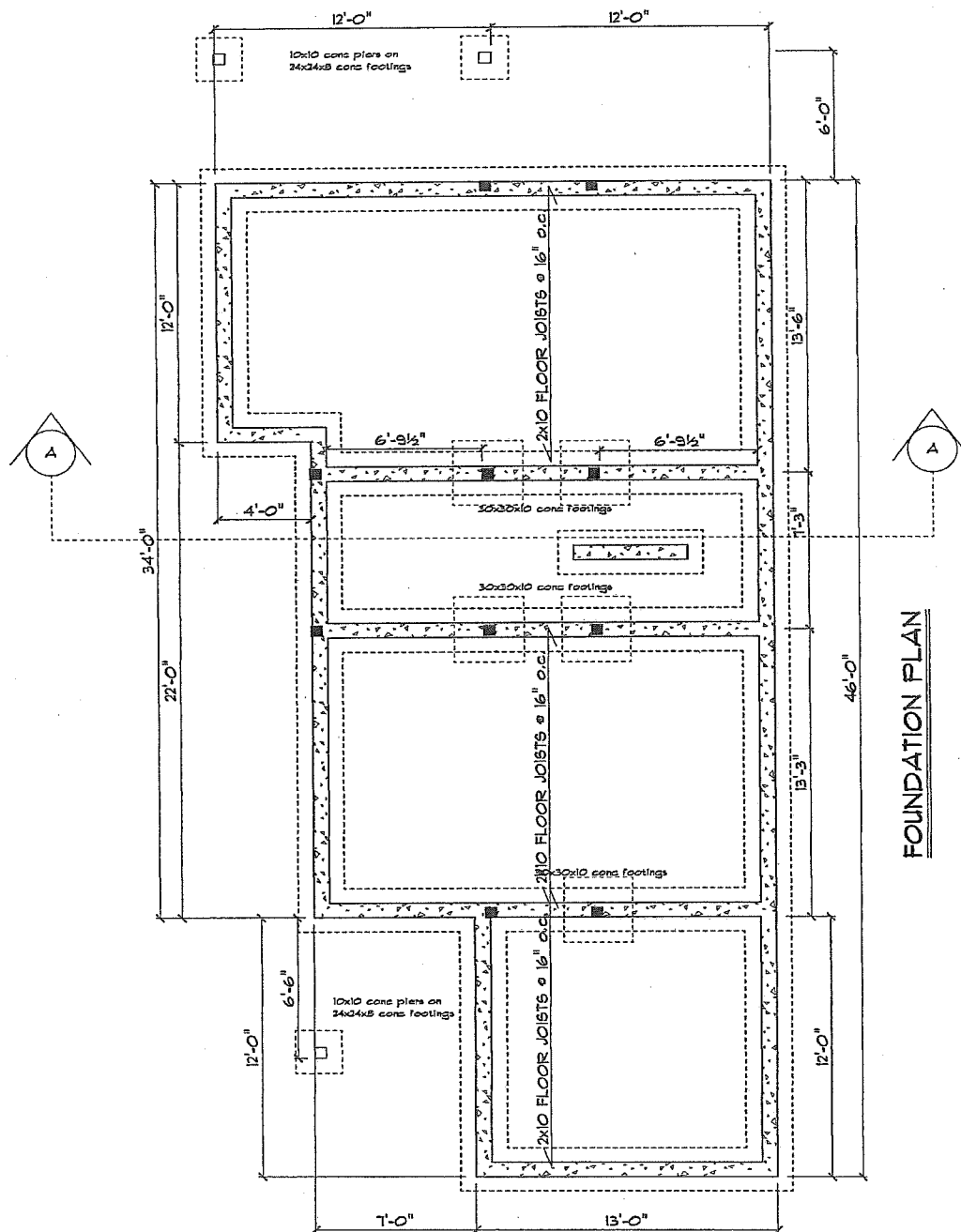




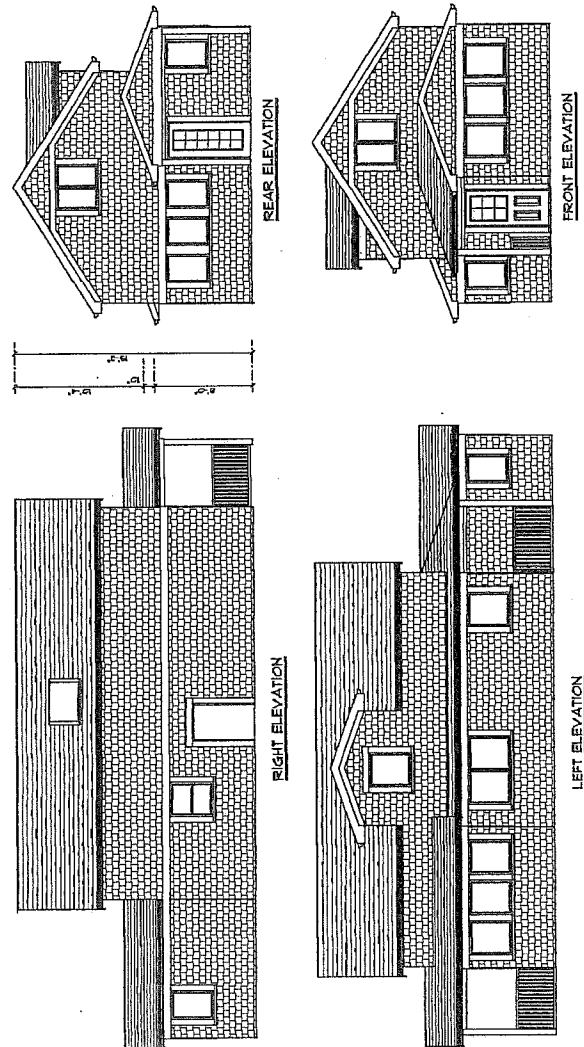




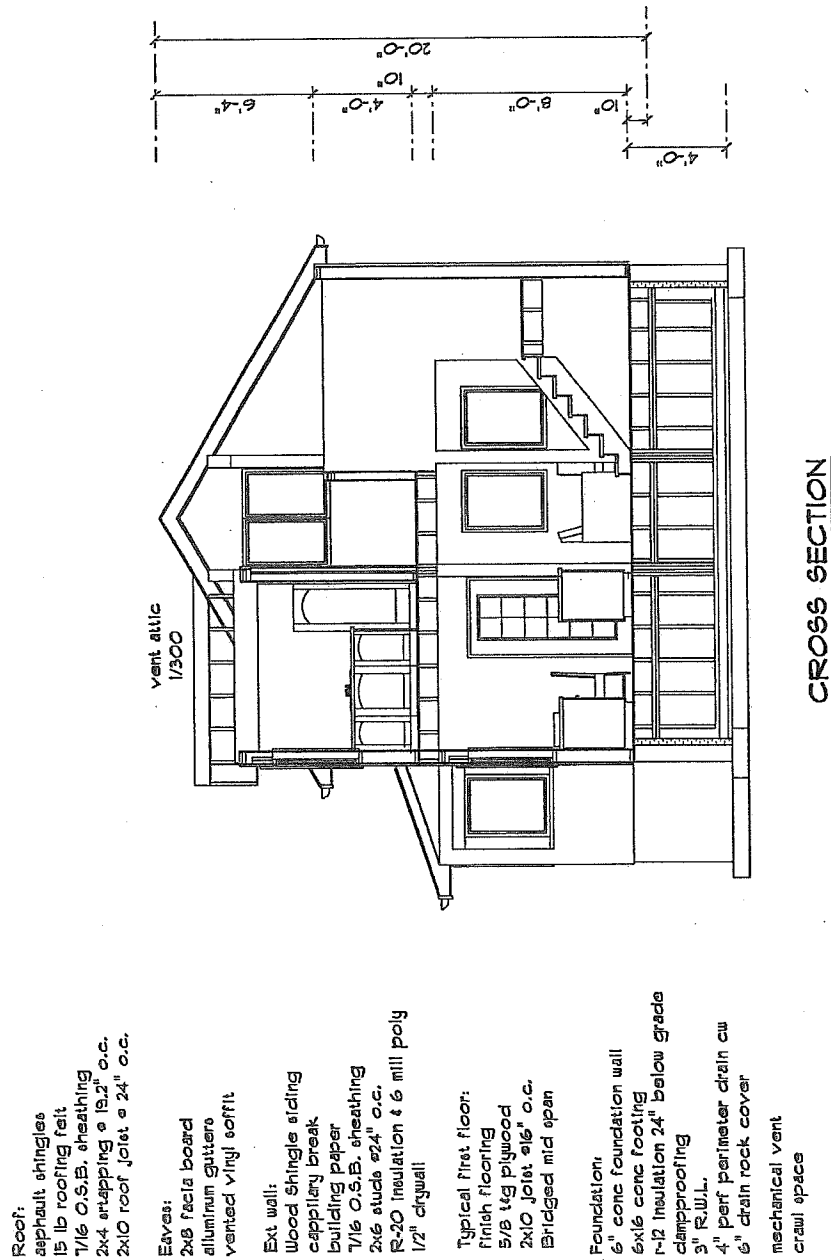
Schedule No. 1
 10 of 12



Schedule No. 1
11 of 12



Schedule No. 1
12 of 12





THE CORPORATION OF THE CITY OF COURTENAY
STAFF REPORT

5

To: Council
From: Development Services Department
Subject: Development Variance Permit No. 1407 - 2106 Urquhart Ave

File No.: 3090-20-1407

Date: July 21st, 2014

PURPOSE:

The purpose of the application is to relax the front yard setback to accommodate an addition to a single residential dwelling.

CAO RECOMMENDATIONS:

That based on the July 21st, 2014 staff report "Development Variance Permit No. 1407 – 2106 Urquhart Ave." Council approve Development Variance Permit No. 1407 (Option 1).

Respectfully submitted,

T. Manthey, Deputy CAO for:

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is located in West Courtenay on the corner of Urquhart Ave and 21st Street. The surrounding land use is designated Residential Two (R-2) which represents predominately single residential dwellings and duplexes. An area of combined commercial and residential uses (MU-4) is found further to the South West of the subject property. The applicant is requesting a variance to the Zoning Bylaw to accommodate an addition to the existing single residential dwelling that will extend 1.2 metres into the required front yard setback.

**DISCUSSION:**

The attached plans represent the property owners' preferred design for the addition and site layout. The proposed addition will extend 1.83 metres into the required front yard setback toward 21st street along the central portion of the side building face as shown on the drawings and site plan. The proposed addition is to accommodate a secondary suite which is permitted under the current R2 zoning. As this property is a corner lot with frontages on both Urquhart Ave and 21st, the variance will not negatively impact any adjacent property owners. There is a mature hedge running the length of the lot along the North East side of the lot. This provides a natural privacy buffer from the adjoining neighbour on 21st street.

The subject property is zoned Residential Two (R-2) which allows for single residential dwellings or duplex, accessory buildings and structures and home occupations. The proposed addition to the single family dwelling complies with all remaining provisions of the *Zoning Bylaw* including lot coverage and front and side yard setbacks.

FINANCIAL IMPLICATIONS:

There are no direct financial implications resulting from this request.

ADMINISTRATIVE IMPLICATIONS:

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

STRATEGIC PLAN REFERENCE:

N/A

OFFICIAL COMMUNITY PLAN REFERENCE:

Part 10 of the OCP, Planning for Climate Change, has policy encouraging infill development in single-residential neighbourhoods in the form of secondary suites and auxiliary buildings.

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is consistent with the RGS goals and objectives to ensure a diversity of housing options to meet evolving demographics and needs, and to locate housing in core settlement areas close to existing services.

CITIZEN/PUBLIC ENGAGEMENT:

The applicant held a public information meeting with regard to the proposed variance on June 18th, 2014. No residents attended the meeting. The minutes of the meeting (Attachment No. 1) indicate that residents were informed of the meeting through a letter that was hand delivered to the individual's addresses which were provided by the City of Courtenay. As required by the *Local Government Act*, the City has also provided notification of the proposed variance to property owners within 30 metres of the subject property. No comments have been received to date.

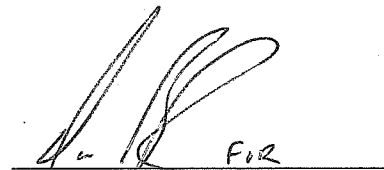
OPTIONS:

- OPTION 1: Approve Development Variance Permit No. 1407 as attached. (Recommended)
- OPTION 2: Defer consideration of Development Variance Permit No. 1407 pending receipt of further information.
- OPTION 3: Not approve Development Variance Permit No. 1407.

Prepared by:



Allan Gornall, B.Sc.
Planning Technician



Peter Crawford, MCIP, RPP
Director of Development Services

Attachment No.1

Hello Allan,

With regards to variance application minutes. Public information meeting held at Lewis Centre in The Meeting Room on June 18th 2014 at 230-430 pm. On June 4th 2014 letters were delivered to neighbors in surrounding 30m area. Provided at meeting was color images of proposed development, drawings and elevations, site plan, parking plan. There were no attendees. And subsequently no issues raised.

Thanks, Leon

Let me know if there's anything else.

**THE CORPORATION OF THE CITY OF COURTENAY
BYLAW NO. 2699**

Permit No. DVP 1407

DEVELOPMENT VARIANCE PERMIT

July 21, 2014

To issue a Development Variance Permit

To: Name: Sandra Anne Sexton
Address: 2106 Urquhart Ave.
Courtenay, B.C, V9N 7S6

Property to which permit refers:

Legal: Lot E, District Lot 104, Comox District, Plan 30075
Civic: 2106 Urquhart Ave

Conditions of Permit:

Permit issued to vary *Section 8.2.7 (1)* of the *City of Courtenay Zoning Bylaw No. 2500, 2007* by reducing the required front yard setback from 7.5m to 5.67 m for a proposed addition to a single residential dwelling subject to the following condition:

1. Development must be in conformance with the plans and drawings contained in *Schedule No.1*

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

S:\PLANNING\Development Applications\DVP\1407-2106 Urquhart Ave (May) Permit\Permit.docx

Schedule No. 1
1 of 10

April 23, 2014

To whom it may concern,

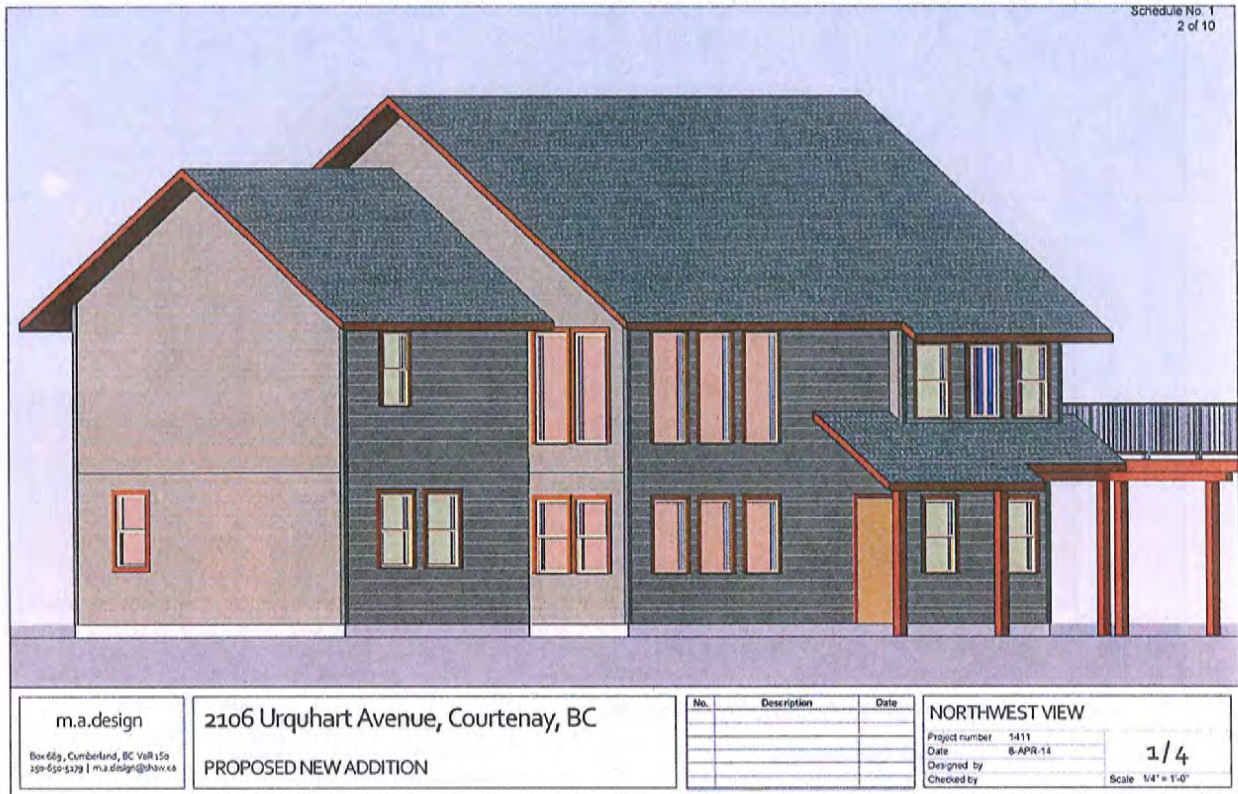
With regards to proposed development variance application for subject property 2106 Urquhart Avenue, Courtenay, B.C. legal description lot # 104 plan 30075 Comox District.

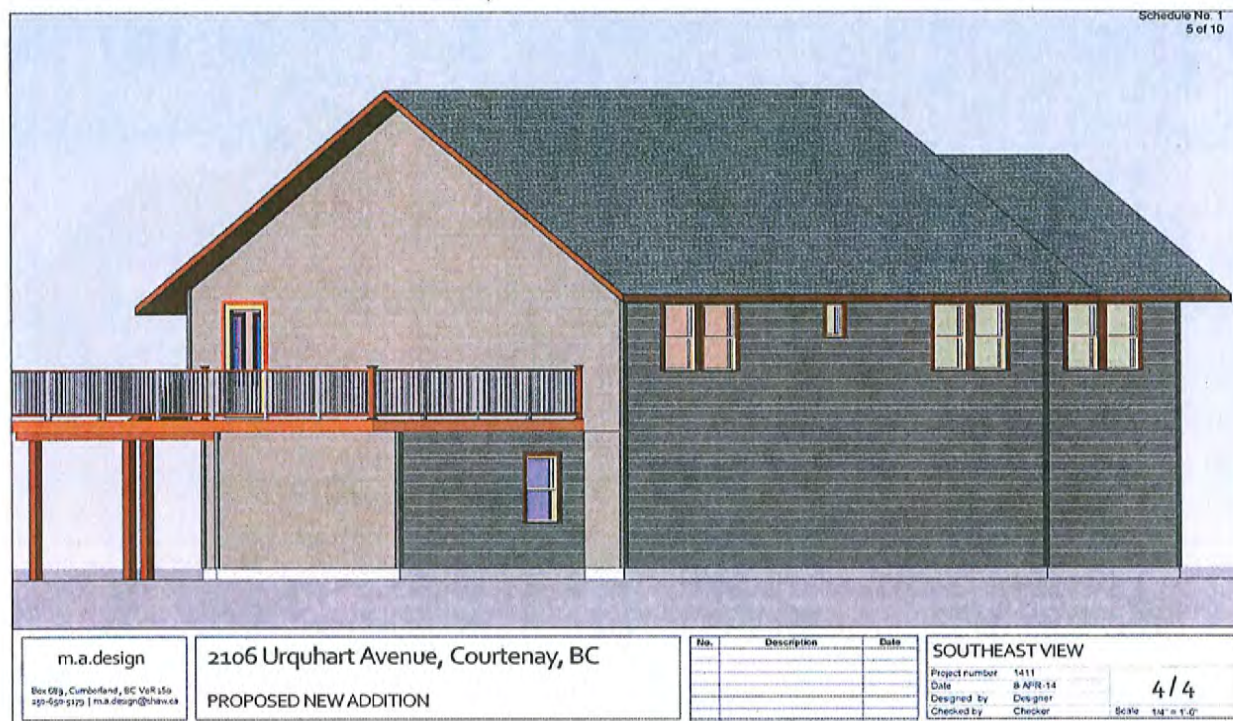
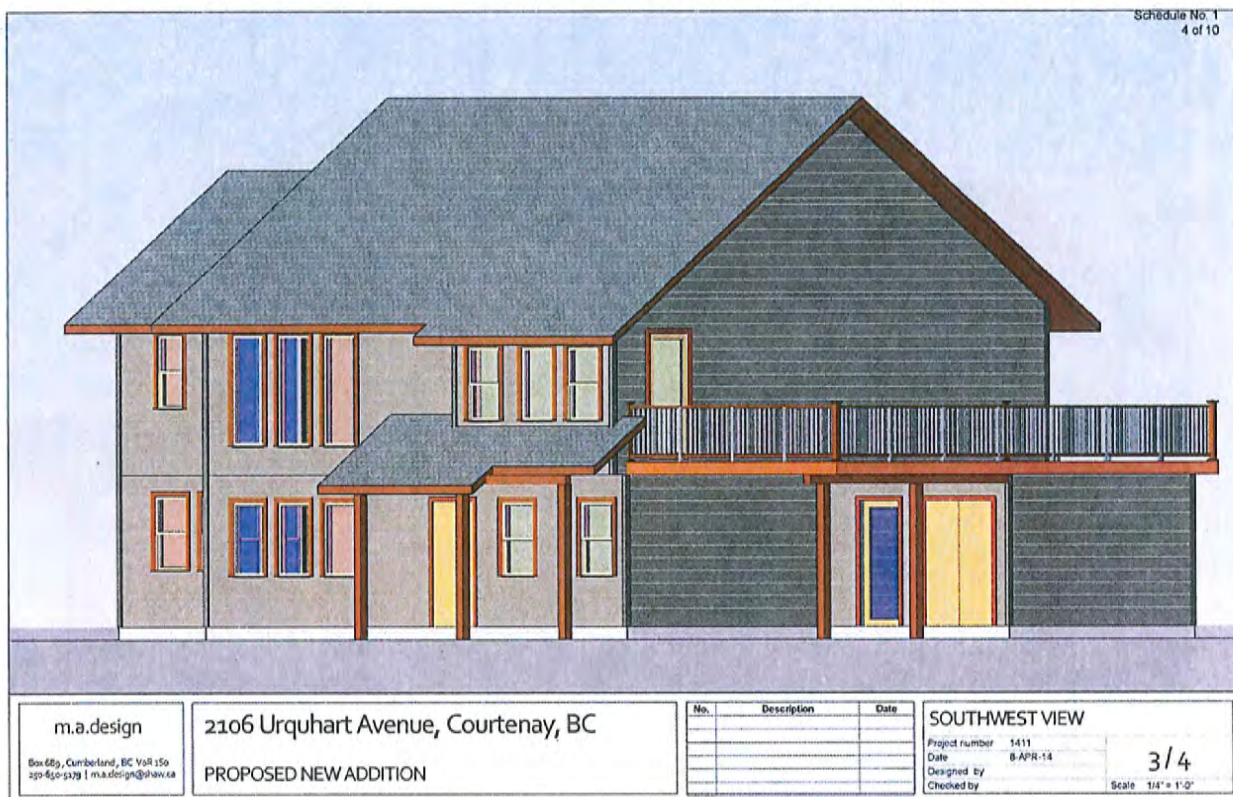
It is proposed that front yard setback be reduced to allow for addition to existing home at said address. This home has civic address that has been on Urquhart ave since home was built. When home was built front doors are affronting Urquhart ave. After working with owners of said home, it was decided that the best economical and simply practical addition was to come off North end of building. To maintain exposure and limit interfacing during renovation as well as creating a balanced, un-renovated look about the structure it is why the request for this variance.

Regards, Acting agent for owner,

Leon May

A handwritten signature in black ink, appearing to be 'Leon May', enclosed within a large, irregular oval shape.





Schedule No. 1
6 of 10

PROPOSED ADDITION TO
2106 URQUHART AVE
COURTENAY, B.C.

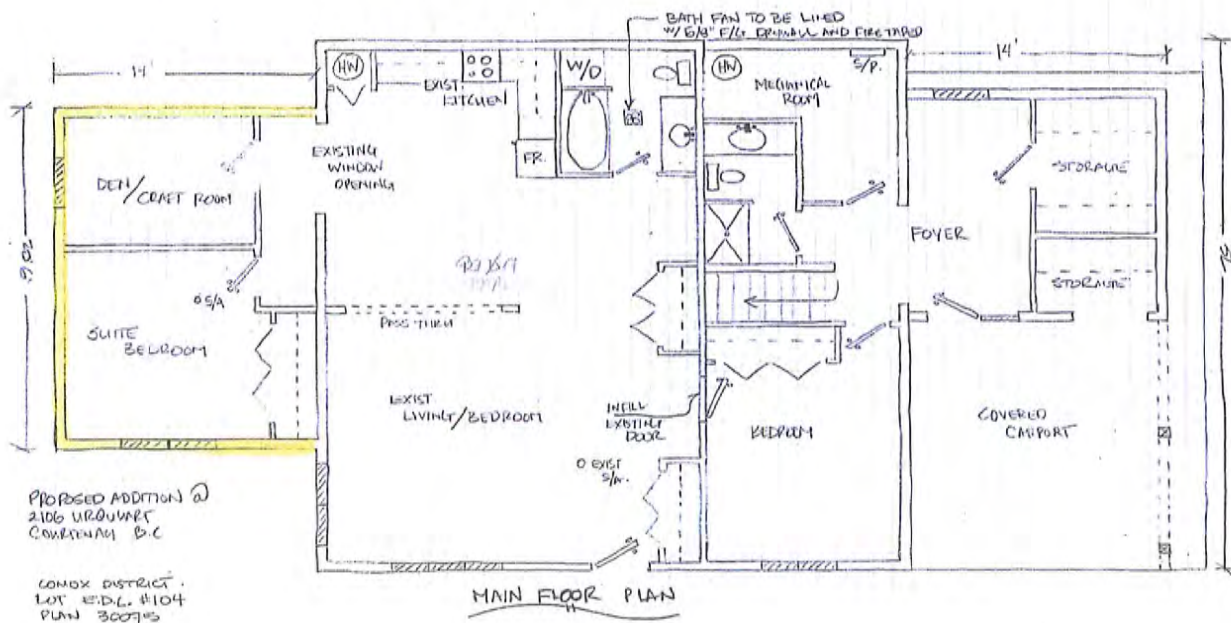
WEST ELEVATION

EAVE SHINGLE DETAIL

ENG. ROOF TRUSS $\frac{1}{2}$ " PLY + H-CLIPS
5/8" COMPOSITE SHIMMER
VENTED SOFFITS
5" CONTINUOUS GUTTER TO SOLID 3"
P-SILL'S



Schedule No. 1
7 of 10

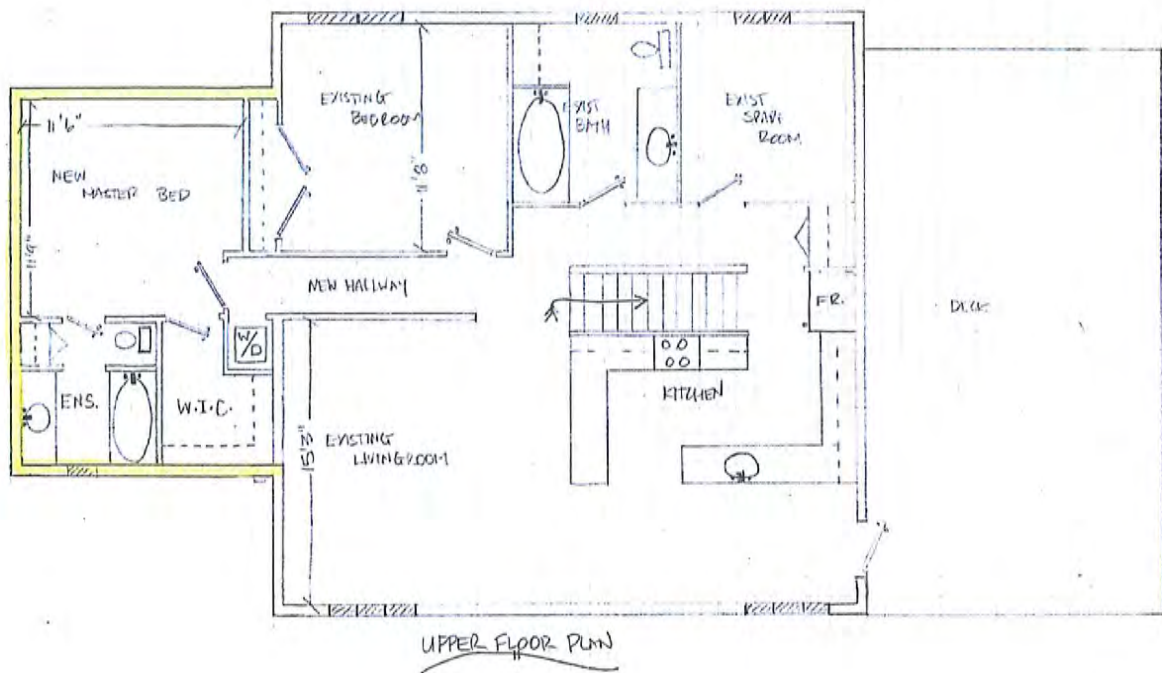


PROPOSED ADDITION @
2106 URQUHART
COURTENAY B.C.

COMOX DISTRICT
LOT E.D.C. #104
P.U.N.D. 300745

MAIN FLOOR PLAN

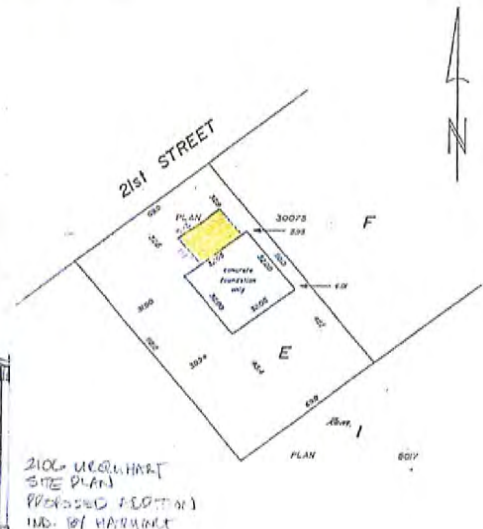
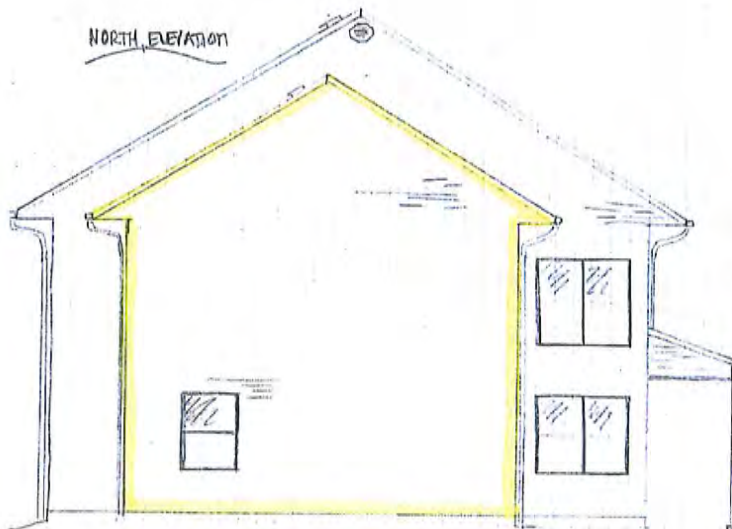
Schedule No. 1
8 of 10

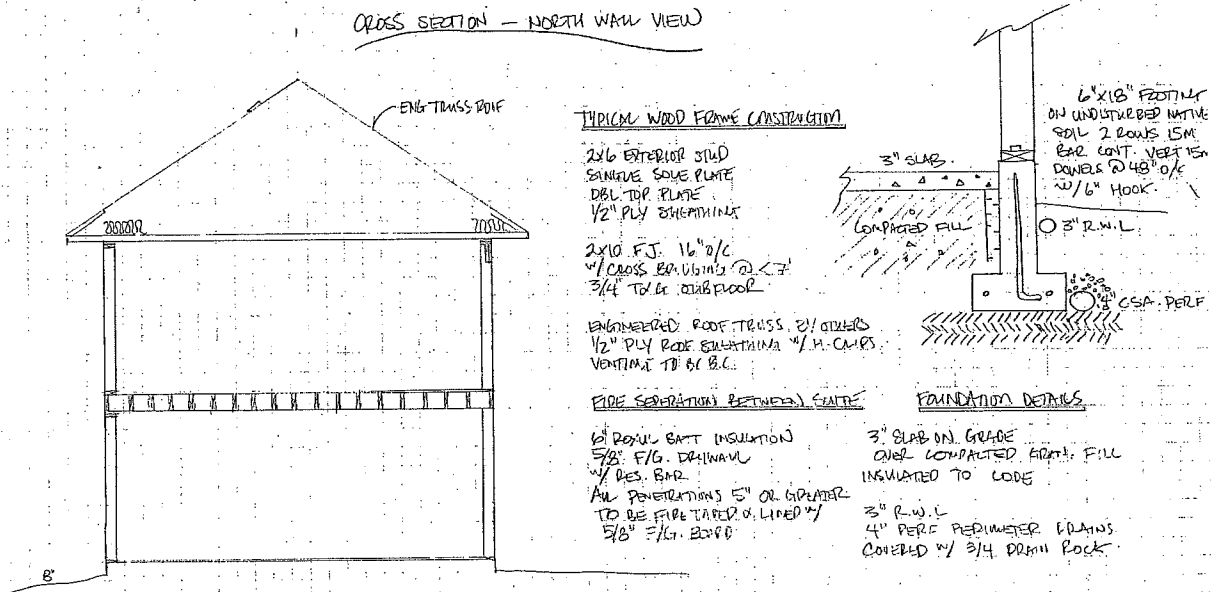


Schedule No. 1
9 of 10

SURVEY CERTIFICATE COVERING
LOT E.D.L.104,
COMOX DISTRICT,
PLAN 30075
SCALE 1/4" = 30' feet

THE DIMENSIONS SHOWN ON
CERTIFICATE ARE NOT TO
TO DEFINE BOUNDARIES



Schedule No. 1
10 of 10



THE CORPORATION OF THE CITY OF COURTENAY
STAFF REPORT

To: Council

File No.: 3360-20-1409

From: Chief Administrative Officer

Date: July 21, 2014

Subject: Zoning Amendment Bylaw 2796, 2014 – 601 Crown Isle Blvd & 3303 Ryan Road

PURPOSE:

The purpose of this report is to consider a zoning amendment for the property located at 601 Crown Isle Blvd & 3303 Ryan Road.

CAO RECOMMENDATIONS:

That based on the July 21st, 2014 staff report "Zoning Amendment Bylaw No. 2796 – 601 Crown Isle Blvd & 3303 Ryan Road", Zoning Amendment Bylaw No. 2796, 2014 proceed to First and Second Reading; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2796, 2014 on August 5th, 2014 at 5:00 p.m. in City Hall Council Chambers.

Respectfully submitted,

T. Manthey, Deputy CAO for:

David Allen
Chief Administrative Officer

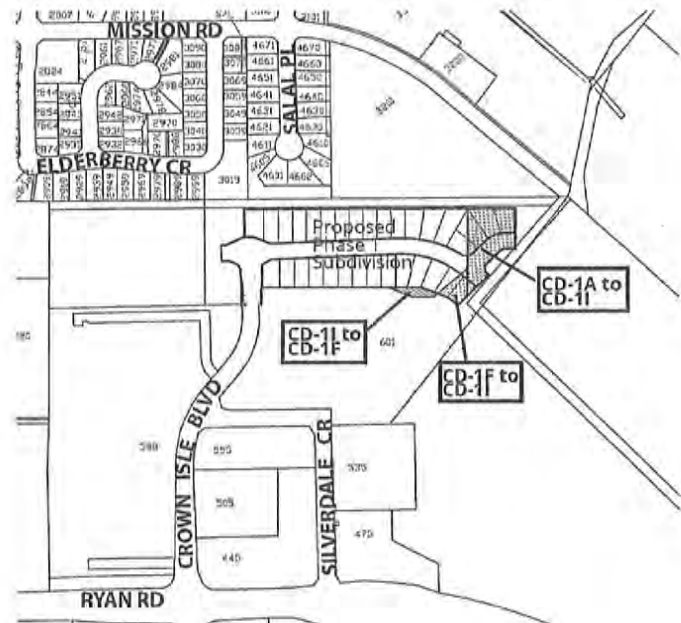
BACKGROUND:

In 2013, Council approved an application to amend the City of Courtenay Official Community Plan Bylaw No. 2837, 2005 and City of Courtenay Zoning Bylaw No. 2500, 2007 to create a new CD-1I zone to permit a single family residential development in the area generally North East of Costco. The applicant has requested to amend the CD-1I zoning boundary to agree with their final subdivision plan for 31 lots as shown in the attached map. No changes to any of the overall zoning densities for Crown Isle are proposed.

DISCUSSION:

As noted above, the applicant is requesting to rezone the portions of land currently zoned CD-1F and CD-1A to CD-1I to accommodate the proposed 31 single family lot subdivision. At the same time, the applicant is requesting to rezone the .040 ha portion currently zoned CD-1I to CD-1F to allow for commercial use.

These refinements are necessary to bring the zoning into alignment with their proposed subdivision plan. As these changes are minor in nature and do not change the general land uses staff support the proposal.

**FINANCIAL IMPLICATIONS:**

N/A

ADMINISTRATIVE IMPLICATIONS:

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

STRATEGIC PLAN REFERENCE:

The proposed zoning amendment supports the following Council Goals for the 2012-2014 term:

- Provide proactive leadership for growth management
- Advocate high standards of design and community aesthetics
- Support community initiatives and distinct neighbourhoods

OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed development supports active transportation goals given its proximity to commercial and recreational amenities. Adding residential uses in close proximity to a variety of current and future employment sources also provides an opportunity to assist in greenhouse gas reduction by providing an option for people to live within walking and cycling distance of work and school.

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed zoning amendment is consistent with the RGS goals and objectives to ensure a diversity of housing options to meet evolving demographics and needs, and to locate housing in core settlement areas close to existing services.

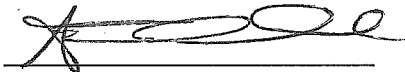
CITIZEN/PUBLIC ENGAGEMENT:

The applicants held a neighbourhood information meeting at the subject property on July 10th, 2014. The meeting was attended by 4 residents that were informed through a letter that was sent directly to the list of individual addresses provided by the City of Courtenay. All of the attendees were supportive of the rezoning application. One question regarding tree retention was brought up and answered by the applicant to the satisfaction of the attendee. The minutes of the meeting are attached for information (Attachment No. 1)

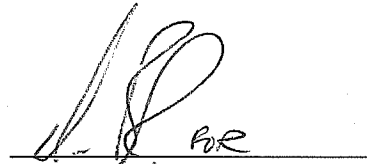
OPTIONS:

- OPTION 1: Give Bylaw 2796 First and Second Readings and proceed to Public Hearing (Recommended).
- OPTION 2: Defer consideration of Bylaws 2796 with a request for more information.
- OPTION 3: Not give readings to Bylaw 2796.

Prepared by:

A handwritten signature in black ink, appearing to read 'Allan Gornall', written over a horizontal line.

Allan Gornall, B.Sc
Planning Technician

A handwritten signature in black ink, appearing to read 'Peter Crawford', written over a horizontal line.

Peter Crawford, MCIP, RPP
Director of Development Services

Attachment No.1

**SILVER SAND LAND CORP.
REPORT ON PUBLIC INFORMATION MEETING HELD ON JULY 10, 2014
RE: REZONING APPLICATION # 3360-20-1409**

A public information meeting was held in the Silver Room at the Crown Isle Resort Clubhouse on July 10, 2014 from 6:00 - 7:00 PM.

The meeting was attended by a small group of residents (attendee list attached) that were informed through a letter that was sent directly to a list of individual addresses provided by the City of Courtenay. A large billboard was also erected at Crown Isle Blvd.

Each individual residence was given a package that included the following:

OCP / Zoning Amendment Information Including:

1. A map outlining the areas relating to the re-zoning
2. Comment Sheet for further comment

Maps were displayed in the room and Crown Isle representatives provided information regarding the application and were available to answer questions from individuals present.

All of the attendees at the meeting were positive about the rezoning application. We received one question regarding tree retention which we answered to their satisfaction.

PUBLIC INFORMATION MEETING

Thursday July 10, 2014

SIGN IN SHEET

FOR

Rezoning Application

Legal Address: Part of Lot 2, Block 72, Plan EPP10850, Comox Land District and Part of Lot A,
Block 72, Plan 49168, Comox Land District

Street address: 601 Crown Isle Blvd and 3303 Ryan Road

Name (Please Print)	Address
GIVEN HOLLAND	4602 SALAL PLACE, COURTENAY
MIKE HOLLAND	4602 SALAL PLACE, COURTENAY
RON LOWRIE	3201 MISSION ROAD, COURTENAY
GINNY LOWRIE	3201 MISSION ROAD, COURTENAY



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Mayor and Council
From: Chief Administrative Officer
Subject: Consideration of 2015 Permissive Property Tax Exemptions

File No.: 1960-20 [2015]

Date: July 21, 2014

PURPOSE:

To consider the permissive property tax exemptions for 2015.

POLICY ANALYSIS:

Section 224 of the *Community Charter* provides Council with the authority to exempt certain properties from property taxation.

Policy 1960.01 (Rev #1) – Permissive Property Tax Exemption was prepared in accordance with Section 224 of the *Community Charter* and approved by Council in May 2013.

EXECUTIVE SUMMARY:

The permissive tax exemption bylaws are considered by Council on an annual basis and must be finally adopted before October 31st each year in order to take effect for the following taxation year. Staff have compiled and reviewed all applications received for the 2015 taxation year and have prepared a summary report for Council consideration.

C.A.O. RECOMMENDATIONS:

That based on the July 21, 2014 staff report "2015 Permissive Property Tax Exemptions", Council approve OPTION 1 as follows:

1. That Council consider the list of new applications for permissive exemptions from taxation in 2015 as detailed on Schedule A attached;
2. That Council approves exemptions for new applicants as recommended in Schedule A;
3. That Council direct staff to prepare the applicable bylaws for permissive tax exemption in 2015 based on the attached schedules A, B, C, D and E; and
4. That statutory notice of the proposed permissive exemption bylaws pursuant to Section 227 of the *Community Charter* be published for two consecutive weeks prior to final adoption of the bylaws.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Allen".

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Section 224 of the *Community Charter* provides Council with the authority to grant permissive exemption to land and improvements owned, or held by, certain other organizations that meet legislatively prescribed conditions.

In May 2013 Council approved several revisions to Policy 1960.01, Permissive Property Tax Exemption. In particular, there are two provisions of note which guide consideration of new applications going forward:

1. The total value of all permissive exemptions must not exceed 2% of the total municipal portion of the property tax levy.
2. When the activities of an organization are not confined to the City of Courtenay, a maximum exemption of 40% applies.

DISCUSSION:

A permissive tax exemption is a means for Council to support not-for-profit organizations within the community which further Council's objectives of enhancing quality of life for the citizens of the City, and as well as for delivering municipal services in an economical manner. Approval of an exemption or partial exemption is entirely within Council's discretion.

Each year there are requests from local organizations for funding assistance, either by way of requests for grants, or by way of requests for exemption from property taxation. While it is noted that the applicants all provide worthy services, the provision of a 100% exemption from taxation is becoming cost prohibitive for the City, and results in an increase of the tax burden for the remaining taxable property owners in the City.

To that end, Council updated the City's permissive exemption policy last year. Permissive exemptions are now constrained by an overall cap on the value of exemptions that will be approved. In addition, where applicants have activities and services which are not confined to the City, a maximum exemption of 40% applies.

The following schedules and information are provided for Council consideration.

Permissive Exemptions – Schedule Summary:

In accordance with Policy 1960.01, the exemption value limit for 2015 has been calculated as 2% of the value of the 2014 municipal property tax levy. The cumulative value limit for 2015 exemptions is \$385,143.

Schedule A: New Applications

The City has received eight new applications for exemption from taxation in 2015. These are as follows:

Tax Roll # 89.000 – Comox Valley Transition Society – Thrift Shop

The Comox Valley Transition Society supports women and children affected by violence and addiction. The society currently receives a 40% property tax exemption on their administration office located at 576 England Avenue, and is seeking an additional exemption on 367 6th Street from which they operate the "Too Good to be Threw" thrift shop that assists in providing funds for society activities. Council reviewed and denied this application in the four previous years (2010, 2011, 2012, and 2014), as it is one of many for-profit and non-for-profit used goods stores within Courtenay.

Staff continues to recommend denial of an exemption for this property.

Tax Roll #400.000 – City of Courtenay

The City of Courtenay leases a portion of the property at 315 10th Street for Information Technology office space. Currently, the property taxes relating to the proportion of space occupied by the City is expensed through monthly rent payments to the owner, and paid back to the City on their annual property tax notice. This exemption would be based on the proportion of space occupied by the City, and the entire value of the exemption approved would be applied to reduce the City's rental payments. Effectively, the exemption would have a net zero effect in the City's annual budget.

Staff recommends a permissive exemption of 100% of the space occupied by the City for 2015, and that the exemption status be reviewed on an annual basis. An annual review allows for the removal of the exemption should the rental premises no longer be required by the City.

Tax Roll #1012.205 – Island Corridor Foundation

This property is a railway corridor which was brought into the City of Courtenay as part of the south Courtenay boundary extension in December 2013. This property received a permissive tax exemption in 2014 from the Province, and in order to maintain the exemption, requires addition to the City's tax exemption bylaw for 2015.

Staff recommends a 100% permissive tax exemption, and inclusion in the existing ten year bylaw established for the other railway corridor properties within the City boundaries.

Tax Roll #1376.000 – Comox Valley Children's Day Care Society

The Comox Valley Children's Day Care Society has again submitted an application for exemption. Council reviewed this application in detail in 2009 for the 2010 taxation year, as well as considered the number of other for-profit and not-for-profit daycares that operate within Courtenay. The decisions of Council for 2009-2013 have been to deny exemption from property taxes for this Society.

Staff continues to recommend denial of an exemption for this property.

Tax Roll #1467.000 – Comox Valley Regional District

The Comox Valley Regional District has received a 40% tax exemption since 2012 on two properties leased as office and meeting space on Comox Road. The CVRD has applied to receive an exemption on an additional property at 656 Comox Road which is leased for additional parking for their office and meeting space. Section 224 (2)(b) of the *Community Charter* allows Council to grant a property tax exemption for properties, "owned or held by a municipality, regional district or other local authority."

Staff recommend a permissive exemption of 40% of the land leased to the Comox Valley Regional District.

Tax Roll #2023.014 & 2023.015 – Nature Trust of British Columbia/City of Courtenay

The Nature Trust of British Columbia leases these properties to the City of Courtenay which is known as Morrison Nature Park and which are located at 656 Arden Road. This park land is leased to the City for public use and conservation. The City of Courtenay maintains a modular home adjacent to this property which is leased to a third party and would not receive an exemption.

Staff recommend an exemption of 100% for 2015, and that these properties be included in the five-year exemption bylaw along with other City properties.

Tax Roll #2024.009 – Habitat for Humanity Vancouver Island North Society

The Habitat for Humanity Vancouver Island North Society currently receives a tax exemption of 40% on the portion of the space at 1755-13th street utilized by the administration office. They do not receive an exemption on the space allocated to the Re-Store operation.

This year they have requested that the portion allocated to the administration office which is 2000 of the 7000 square foot building, or 29% of the property, receive 100% exemption based on the statistic that they have completed 12 of 14 units (86%) within the City of Courtenay.

Staff recommend that the administration portion of this property remain at a 40% exemption in keeping with Section 5 of the Permissive Property Tax Exemption Policy No. 1960.01, which states:

"Where the activities of the organization are not confined to the City of Courtenay, Council has designated a maximum exemption of 40%."

Should Council wish to consider a greater percentage exemption, they may wish to request that staff prepare a report on the implications of an amendment to wording of the Permissive Exemption Policy. A revision to this wording would also affect other service organizations which provide benefit beyond the Courtenay municipal boundaries.

Schedule B: Annual Bylaw – Not for Profit Organizations

Schedule B exemption recipients are those who have been previously approved in the annual permissive exemption bylaw. Updated applications, financial statements and other relevant documentation has been reviewed and verified by staff.

Schedule B provides a detailed list of the 2014 exemption recipients along with the estimated 2015 value of the approved exemptions.

Schedule C: Annual Bylaw – Churches

While Church buildings and the footprint of the buildings receive a statutory exemption from taxation, all of the area surrounding the buildings would be taxable unless it is provided with a permissive exemption from taxation by Council. The portion of church property used in commercial activities or as a manse/residence is not eligible for exemption from taxes.

The attached Schedule C details the church properties within the City, and the estimated value of the permissive exemption for 2015 on the lands surrounding the building.

Schedule D: Five Year Bylaw – City owned properties managed by Societies

This schedule details the value of taxation exemption for these properties and is authorized by a five-year exemption bylaw which expires in 2016. Staff have reviewed the current applications and financial statements from the benefiting societies, and recommend that this five-year bylaw be re-established for the years 2015-2019, as well as include the two new applications received from the Nature Trust of BC detailed above.

Schedule E: Ten Year Bylaw – Island Corridor Foundation

The properties owned by the Island Corridor Foundation have been provided with a ten year exemption from taxation. Schedule E provides a detailed list of the properties along with the estimated value of the exemptions for the 2015 year.

Staff recommend that this bylaw be modified to include tax roll #1012.205, brought into the City via the south Courtenay boundary extension of December 2013. The authorizing bylaw expires in 2021.

FINANCIAL IMPLICATIONS:

The estimated cumulative value of the municipal portions of the new and grandfathered exemptions for the 2015 taxation year totals \$363,924. This is within the calculated 2015 limit of \$385,143, as prescribed in Policy 1960.01 – Permissive Exemption from Property Taxation.

	<u>2015 City Only</u>	<u>2015 Other Authorities</u>	<u>2015 Total Exemption</u>
Schedule A: new applicants, as per recommendations	\$14,145	\$18,049	\$32,195
Schedule B: Annual Bylaw, Not-for-Profit Organizations	150,689	161,931	312,619
Schedule C: Annual Bylaw, Churches – land surrounding the building	15,184	21,016	36,200
Schedule D: Five Year Bylaw, City owned facilities - Managed by Societies (bylaw expires 2016)	173,376	176,773	350,149
Schedule E: Ten Year Bylaw, Island Corridor Foundation (ten-year bylaw – expires 2021)	<u>10,530</u>	<u>9,531</u>	<u>20,061</u>
Total	<u>\$ 363,924</u>	<u>\$387,300</u>	<u>\$751,224</u>

ADMINISTRATIVE IMPLICATIONS:

Preparation of the annual tax exemption bylaws for consideration by Council is an annual work task undertaken by staff in the Financial Services Department.

Subsequent to Council approval of the above recommended property tax exemptions, next steps include preparation of the required bylaws and providing them to Council for passage of three readings, arranging for the statutory advertising of the proposed bylaws, returning the bylaws to Council for final adoption, preparation of letters of notification to the applicants, and finally, forwarding the bylaws to the BC Assessment Authority no later than October 31, 2014.

STRATEGIC PLAN REFERENCE:

Not applicable

OFFICIAL COMMUNITY PLAN REFERENCE:

Not applicable

REGIONAL GROWTH STRATEGY REFERENCE:

Not applicable

CITIZEN/PUBLIC ENGAGEMENT:

Pursuant to Section 227 of the *Community Charter*, statutory notice of the proposed permissive exemption bylaws must be published for two consecutive weeks prior to final adoption.

OPTIONS:

- OPTION 1:** That Council endorse the recommended permissive tax exemptions for 2015 and direct staff to prepare the applicable bylaws for approval by Council.
- OPTION 2:** That Council defer endorsing the proposed 2015 permissive tax exemptions for further discussion at a later Council meeting.

While Option 2 provides time for further discussion, it also impacts the schedule required for the 2015 permissive tax exemption process. There is a statutory requirement to have the bylaws adopted by October 31st each year in order to take effect for the following taxation year.

Prepared by:



Jennifer Nelson, CPA, CGA
Manager of Financial Planning



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

Attachments:

SCHEDULE A

2014 Tax Rates

	City	Other Auth.	Total
	3.8286	4.2436	8.0722
	26.8001	22.5681	49.3682
	10.7201	10.9203	21.6404

City of Courtenay

New Applications for 2015 consideration

Calculation of Amounts based on 2014 Assessments and 2014 Rates

Roll #	Registered Owner	Leasee/Society Applying for Exemption	Civic Address	Use of Property	Requested 2015 Exemption	% of Courtenay residents	2014 Assessed Value	2014 Property Tax with 100 % Exemption	City	Other Authorities	Total	Recommended 2015 Exemption	%	City	Other Auth.	Total
89.000	Sea Mountain Investments Ltd	Comox Valley Transition Society	367 6th Street	Has been denied exemption in prior years as this is one of several for-profit and not-for-profit thrift stores within Courtenay	100%	75%	1,314,000	14,086	14,349	28,435	0%	-	-	-	-	-
400.000	West Island Capital Corp	City of Courtenay	A1-310 8th Street	City of Courtenay Information Technology Office Space (Also known as 315 10th Street)	100%	100%	5,637,000	4,309	4,389	8,698	100%	4,309	4,389	8,698		
1012.205	Island Corridor Foundation	Island Corridor Foundation	South Courtenay	Railway corridor	100%	100%	182,700	4,896	4,123	9,020	100%	4,896	4,123	9,020		
1376.000	Comox Valley Children's Day Care Society	Comox Valley Children's Daycare Society	1000 Cumberland Rd	Has been denied exemption in prior years as this is one of several for-profit and not-for-profit daycares within Courtenay	100%	100%	279,000	1,068	1,184	2,252	0%	-	-	-	-	-
1467.000	George's Food Bar Ltd.	Comox Valley Regional District	656 Comox Road	Comox Valley Regional District Parking. Office/Meeting Space	100%	30%	360,000	3,859	3,931	7,791	40%	1,544	1,573	3,116		
2023.014	City of Courtenay/ Nature Trust of BC	Nature Trust of BC	656 Arden Road	Morrison Nature Park	100%	100%	629,000	2,408	6,869	9,277	100%	2,408	6,869	9,277		
2023.015	City of Courtenay/ Nature Trust of BC	Nature Trust of BC	656 Arden Road	Morrison Nature Park/Municipal Rental Property	100%	100%	258,200	989	1,096	2,084	100%	989	1,096	2,084		
2024.009	Habitat for Humanity Vancouver Island North Society	Habitat for Humanity Vancouver Island North Society	1755 - 13th Street	Administration (2,000 sf)	60% additional (already receive 40% on admin space)	86% 12/14 homes built	506,200	676	688	1,364						
								\$32,291	\$ 36,630	\$68,921						
								\$14,145	\$18,049	\$ 32,195						

City of Courtenay

2015 Annual Bylaw, based on 2014 exemptions approved

Calculation of Amounts based on 2014 Assessments and 2014 Rates

SCHEDULE B
PAGE 1 OF 4

2014 Tax Rates

	City	Other Auth.	Total
1	3,8286	4,2436	8,0722
2	26,8001	22,5681	49,3682
6	10,7201	10,9203	21,6404
8	3,8286	5,3186	9,1472

										PROPERTY TAXES		
Roll #	Registered Owner	Civic Address	Use of Property	% of services -Courtenay residents	Comm Charter	Class	Net Assess before Exempt	% exempt	Exempt Assessment	City	Other Authorities	2015 Est Tax Levy
100% Exemption												
49-000	Eureka Support Society	280-4th st	community facility for adults with mental illness)	95%	224(2)(a)	6	255,600	100%	255,600	2,740	2,791	5,531
122-000	Royal Canadian Legion, Courtenay Branch (Pacific) No. 17	367 Cliffe Ave	facility to support veterans, promote remembrance, act in service of the community	majority	224(2)(a)	6	446,000	100%	446,000	4,781	4,870	9,652
1650-000	Royal Canadian Legion, Courtenay Branch (Pacific) No. 17	101 Island Highway	Cenotaph		224(2)(a)	8	20,100	100%	20,100	77	107	184
163-000	Comox Valley Child Development Association	237 - 3rd St	Office to serve children with special needs	65%	224(2)(a)	6	940,000	100%	940,000	10,077	10,265	20,342
164-000	Comox Valley Child Development Association	243 - 3rd St	1/3 Child Play area, 2/3 handicap park for families visiting	65%	224(2)(a)	1	98,400	100%	98,400	377	418	794
165-000	Comox Valley Child Development Association	255 - 3rd St	1/3 Child Play area, 2/3 handicap park for families visiting	65%	224(2)(a)	1	98,400	100%	98,400	377	418	794
348-000	Alano Club of Courtenay	543 - 6th St	community facility assisting recovering alcoholics and addicts	90%	224(2)(a)	6	238,000	100%	238,000	2,551	2,599	5,150
513-000	Old Church Theatre Society	755 Harnston Ave	Community theatre	majority	224(2)(a)	6	486,000	100%	486,000	5,210	5,307	10,517
540-000	Comox Valley Pregnancy Care Centre	785 - 6th Street	Women's crisis pregnancy services	65%	224(2)(a)	1	193,000	100%	193,000	739	819	1,558
750-020	Comox Valley Recovery Centre Society	641 Menzies Ave	Residential drug/alcohol recovery facility	75%	224(2)(a)	1	1,064,000	100%	1,064,000	4,074	4,515	8,589
828-000	Boys and Girls Clubs of Central Vancouver Island	367 - 11th St	Youth program activities facility	40%	224(2)(a)	6	200,800	100%	200,800	2,153	2,193	4,345
1037-000	Comox Valley Family Services Association	1415 Cliffe Ave	Child, youth & family community and victim services	90%	224(2)(a)	6	429,000	100%	429,000	4,599	4,685	9,284
1494-000	Glacier View Lodge Society	2470 Back Road	Seniors long-term care		224(2)(i)	1	3,487,000	100%	3,487,000	13,350	14,797	28,148
1494-010	Glacier View Lodge Society	2470 Back Road	Seniors long-term care		224(2)(i)	1	3,467,000	100%	3,467,000	13,274	14,713	27,986
1494-050	Glacier View Lodge Society	2450 Back Road	Seniors long-term care		224(2)(i)	1	7,433,000	100%	7,433,000	28,458	31,543	60,001

SCHEDULE B
PAGE 2 OF 4

City of Courtenay

2015 Annual Bylaw, based on 2014 exemptions approved

Calculation of Amounts based on 2014 Assessments and 2014 Rates

Roll #	Registered Owner	Civic Address	Use of Property	% of services -Courtenay residents	Comm Charter	Class	Net Assess before Exempt	% exempt	Exempt Assessment	PROPERTY TAXES		
										City	Other Auth.	Total
1960.300	The Nature Trust of British Columbia	Sandpiper Drive	Parkland- Was exempt in past years as ownership was incorrectly coded as Provincial lands by BCAA, corrected and recategorized by BCAA for 2013 and no longer receives "statutory exemption"		224(2)(a)	1	1,512,000	100%	1,512,000	5,789	6,416	12,205
2016-007	Richard Pizzey	1571 Burgess Rd	Leased by Stepping Stones Recovery House for Women Society	60%	224(2)(a)	1	239,000	100%	239,000	915	1,014	1,929
2091.190	Saltwater Education Society	2311 Rosewall Crescent	Kindergarten to Grade 2 Certification by Ministry of Ed. Will receive statutory exemption on building and footprint	50%	224(2)(h)	6	34,900	100%	34,900	374	381	755
2154.012	E & N Railway	899 Cumberland Rd	Courtenay Train Station	100%	224(2)(a)	6	270,000	100%	270,000	2,894	2,948	5,843
2200-044	Courtenay & District Historical Society In Trust	2564 Cumberland Rd	Heritage Property	50%	224(2)(a)	1	482,000	100%	482,000	1,845	2,045	3,891
3200-072	Comox Valley Curling Club	4835 Headquarters Rd	Curling Club Recreation facility	60%	224(2)(i)	6	1,051,000	100%	1,051,000	11,267	11,477	22,744
75% Exemption												
750-100	St. John the Divine Abbeyfield House Society	994 - 8th Street	seniors supported living housing	100%	224(2)(a)	1	956,100	75%	717,250	2,746	3,044	5,790
757.000	Comox Valley Kiwanis Village Society	1061 8th Street	housing for low-income seniors	70%	224(2)(a)	1	774,900	75%	581,750	2,227	2,469	4,696
757.001	Comox Valley Kiwanis Village Society	1051 8th Street	housing for low-income seniors	70%	224(2)(a)	1	2,103,700	75%	1,578,000	6,042	6,696	12,738

	City	Other Auth.	Total
1	3,8286	4,2436	8,0722
2	26,8001	22,5681	49,3682
6	10,7201	10,9203	21,6404
8	3,8286	5,3186	9,1472

Roll #	Registered Owner	Civic Address	Use of Property	% of services -Courtenay residents	Comm Charter	Class	Net Assess before Exempt	% exempt	Exempt Assessment	PROPERTY TAXES		
										City	Other Authorities	2015 Est Tax Levy
758.000	Comox Valley Kiwanis Village Society	635 Pldcock Ave	housing for low-income seniors	70%	224(2)(a)	1	444,000	75%	333,000	1,275	1,413	2,688
1286-045	L'Arche Comox Valley	534 - 19th Street	Supported group home for adults with developmental disabilities	100%	224(2)(a)	1	290,700	75%	217,925	834	925	1,759
40% Exemption												
34.000	Courtenay Elks' Lodge No. 60 of the Benevolent and Protective Order of Elks Canada Inc. No. S4640	231 6th Street	Facility to promote and support community. Raises funds for several children and community charities	95%	224(2)(e)	6	319,100	40%	127,645	1,368	1,394	2,762
91.000	Comox Valley Transition Society (leased from 0771375 BC Ltd)	576 England Ave	occupy 30% of property	75%	224(2)(a)	6	326,400	40%	131,240	1,407	1,433	2,840
166.000	Comox Valley Child Development Association	267 - 3rd Street	1/3 Child play area, 2/3 handicap park for families (purch in 2011)	65%	224(2)(a)	1	126,300	40%	50,520	193	214	408
459.000	Upper Island Women of Native Ancestry	956 Greive Ave	office: support worker, early childhood development and cultural awareness programs	70%	224(2)(a)	1	393,100	40%	157,240	602	667	1,269
1464.100	Mutsy Holdings Ltd	550 Comox Rd	Regional District Meeting Space Occupy 4617 sq ft of 8306 sq ft bldg (56%)	30%	224(2)(b)	6	797,664	40%	319,071	3,420	3,484	6,905
1465.000	Mutsy Holdings Ltd	600 Comox Rd	CVRD Office Space Occupys 100%	30%	224(2)(b)	6	1,836,000	40%	734,405	7,873	8,020	15,893
1516.004	Canadian Red Cross Society (leased from 660511 BC Ltd)	464 Puntledge Rd	occupy 100% of property	63%	224(2)(a)	6	370,100	37%	137,111	1,470	1,497	2,967

SCHEDULE C

PAGE 1 OF 2

P94

City of Courtenay Annual Bylaw - Church Properties

Calculation of Amounts based on 2014 Assessments and 2014 Rates

2014 Tax Rates

	City	Other Auth.	Total
1	3.8286	4.2436	8.0722
6	10.7201	10.9203	21.6404
8	3.8286	5.3186	9.1472

Roll #	Registered Owner	Civic Address	Class	Net Remain Assess	% exempt	Sec.224 Permiss Ex Value (Est)	PROPERTY TAXES		
							City	Other Auth.	2015 Est Tax Levy
143-000	GRACE BAPTIST CHURCH	467 - 4th Street	8	29,000	100%	29,000	111	154	265
313-100	ANGLICAN SYNOD DIOCESE OF B.C.	591 - 5th Street	8	273,000	100%	273,000	1,045	1,452	2,497
336-000	CENTRAL EVANGELICAL FREE CHURCH	505 Fitzgerald Avenue	8	82,600	100%	82,600	316	439	756
341-000	ELIM GOSPEL HALL	566 - 5th Street	8	113,000	100%	113,000	433	601	1,034
342-000	ELIM GOSPEL HALL	576 - 5th Street	1	72,400	100%	72,400	277	307	584
346-000	ST. GEORGE'S CHURCH	505 - 6th Street	8	180,000	100%	180,000	689	957	1,646
618-220	RIVER HEIGHTS CHURCH SOCIETY	2201 Robert Lang Drive	8	205,000	100%	205,000	785	1,090	1,875
1074-050	SALVATION ARMY CANADA WEST	1580, 1590 Fitzgerald Ave	8	89,300	100%	89,300	342	475	817
1166-000	LUTHERAN CHURCH	771 - 17th Street	8	168,000	100%	168,000	643	894	1,537
1211-004 BC	VALLEY UNITED PENTACOSTAL CHURCH OF	1814 Fitzgerald Avenue	8	111,000	100%	111,000	425	590	1,015
1524-102	BISHOP OF VICTORIA - CATHOLIC CHURCH	1599 Tunner Drive	8	253,000	100%	253,000	969	1,346	2,314
1594-000	KINGDOM HALL OF JEHOVAH WITNESSES	1581 Dingwall Road	8	154,000	100%	154,000	590	819	1,409
1691-030	SEVENTH DAY ADVENTIST CHURCH	4660 Headquarters	8	94,800	100%	94,800	363	504	867
1691-044	ANGLICAN SYNOD DIOCESE OF B.C.	4634 Island Hwy	8	97,900	100%	97,900	375	521	896

SCHEDULE C
PAGE 2 OF 2

City of Courtenay
Annual Bylaw - Church Properties
Calculation of Amounts based on 2014 Assessments and 2014 Rates

2014 Tax Rates		Total
City	Other Auth.	
1	3.8286 4.2436	8.0722
6	10.7201 10.9203	21.6404
8	3.8286 5.3186	9.1472

Roll #	Registered Owner	Civic Address	Class	Net Remain Assess	% exempt	Sec.224 Permiss Ex Value (Est)	PROPERTY TAXES		
							City	Other Auth.	2015 Est Tax Levy
1691-046	ANGLICAN SYNOD DIOCESE OF B.C.	1514 Dingwall Road	8	143,000	100%	143,000	547	761	1,308
2005-000	LDS CHURCH	1901 - 20th Street	8	332,000	100%	332,000	1,271	1,766	3,037
2017-034	FOURSQUARE GOSPEL CHURCH OF CANADA	1640 Burgess Road	8	1,376,000	100%	1,376,000	5,268	7,318	12,587
2200.088	COURTENAY FELLOWSHIP BAPTIST CHURCH	2963 Lake Trail Rd	8	192,000	100%	192,000	735	1,021	1,756
						3,966,000	\$ 15,184	\$ 21,016	\$ 36,200

SCHEDULE D

City of Courtenay

5 Year Bylaw - City Owned Properties

2014 Tax Rates

Calculation of Amounts based on 2014 Assessments and 2014 Rates

	City	Other Auth.	Total
1	3.8286	4.2436	8.0722
6	10.7201	10.9203	21.6404

Roll #	Registered Owner	Civic Address	Use of Property	Comm Charter	Cl.	2014		Permiss Ex. Assess. Value	PROPERTY TAXES			2015 Est Tax Levy
						Assessed Value	% exempt		City	Other Authorities		
City owned properties: Facilities operated for the City												
100% Exemption												
29-002	City of Courtenay	580 Duncan Ave	Arts Centre/Gallery	224(2)(b)	6	2,083,000	100%	2,083,000	22,330	22,747	45,077	
63-000	City of Courtenay	442 Cliffe Avenue	Sid Williams Theatre	224(2)(b)	6	2,176,000	100%	2,176,000	23,327	23,763	47,090	
113-000	City of Courtenay	207 - 4th St	Courtenay & District Museum	224(2)(b)	6	1,655,000	100%	1,655,000	17,742	18,073	35,815	
261-006	City of Courtenay/ Nature Trust of BC	3rd Street	McPhee Meadows	224(2)(b)	1	462,000	100%	462,000	1,769	1,961	3,729	
1200-000	City of Courtenay	2040 Cliffe Ave	Marina	224(2)(b)	6	1,555,000	100%	1,555,000	16,670	16,981	33,651	
1941-000	City of Courtenay	100 - 20th St	Airpark	224(2)(b)	6	8,539,000	100%	8,539,000	91,539	93,248	184,787	
									\$ 173,376	\$ 176,773	\$ 350,149	

SCHEDULE E

City of Courtenay
10 Year Bylaw - Island Corridor Foundation

2014 Tax Rates
City Other Auth. Total

Calculation of Amounts based on 2014 Assessments and 2014 Rates

2	26.8001	22.5681	49.3682
6	10.7201	10.9203	21.6404

Bylaw Expires 2021										PROPERTY TAXES		
Roll #	Registered Owner	Civic Address	Use of Property	Comm Charter	Cl.	2014		Assessed Value of Exemption	City	Other Authorities	2015 Est Tax Levy	
						Assessed Value	% exempt					
100% Exemption												
467-000	Island Corridor Foundation		railway corridor	224(2)(a)	2	23,800	100%	23,800	638	537	1,175	
467-100	Island Corridor Foundation		railway corridor	224(2)(a)	2	5,100	100%	5,100	137	115	252	
613-100	Island Corridor Foundation		railway corridor	224(2)(a)	2	4,200	100%	4,200	113	95	207	
2154-000	Island Corridor Foundation	Cumberland Road	railway corridor	224(2)(a)	2	217,500	100%	217,500	5,829	4,909	10,738	
2154-001	Island Corridor Foundation		railway corridor	224(2)(a)	6	128,000	100%	128,000	1,372	1,398	2,770	
2154-003	Island Corridor Foundation		railway corridor	224(2)(a)	6	223,000	100%	223,000	2,391	2,435	4,826	
2154.013	Island Corridor Foundation	Island Corridor Foundation	railway corridor	224(2)(a)	2	1,900	100%	1,900	51	43	94	
						603,500		603,500	\$ 10,530	\$ 9,531	\$ 20,061	



FOR
Info

June 26, 2014

Ref: 155838

His Worship Mayor Larry Jangula
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mayor Jangula:

We are writing in our capacities as Minister of Community, Sport and Cultural Development and Minister of Agriculture, regarding issues relating to medical marihuana production in British Columbia.

Many local governments have expressed concern regarding the potential establishment of medical marihuana production facilities in our communities, under the new federal regulations. Some local governments and stakeholders have written expressing an array of concerns, the most common messages concerning the exclusion of these facilities from qualifying for provincial farm class and if they would be considered an allowable farm use.

These concerns have been taken seriously and we understand that the establishment of these facilities within your communities will have a potential impact on services and costs. We brought your concerns to the attention of Honourable Christy Clark, Premier, and our Cabinet colleagues in the context of a larger discussion about medical marihuana production in the province.

After careful consideration, we are pleased to inform you that the Province of British Columbia has made a decision to implement a regulatory change that excludes medical marihuana, and any other federally regulated narcotic, from being eligible for farm classification for property assessment and tax purposes. This decision to treat medical marihuana as a restricted narcotic substance and a pharmaceutical is also consistent with the Province of Alberta. This change will apply to facilities located on both Agricultural Land Reserve (ALR) and non ALR lands.

In addition, please be advised that the Province will continue to view medical marihuana production facilities as an allowable farm use on ALR lands. The Ministry of Agriculture's policy position is that local governments should not prohibit medical marihuana production in the ALR. Any local government that has passed or is considering bylaws that address the issue of medical marihuana production within its boundaries may wish to seek legal counsel, as enacting such a bylaw may give rise to a constitutional challenge as frustrating a lawful initiative of the federal government. This is consistent with the position of the Agricultural Land Commission's updated Information Bulletin from January 2014 ([http://www.alc.gov.bc.ca/publications/ALC Info Bulletin Marihuana Amended Jan 2014.pdf](http://www.alc.gov.bc.ca/publications/ALC%20Info%20Bulletin%20Marihuana%20Amended%20Jan%202014.pdf)).

.../2

Any applicant for a license must comply with all federal requirements including security and building standards, as well as local bylaws regulating site-specific requirements.

Consistent with British Columbia government policy, the Minister of Agriculture does not intend to approve any bylaw that would prohibit the production of medical marihuana in the ALR.

The Ministry of Agriculture will, however, offer guidance to local governments on the degree in which one of their farm bylaws could regulate medical marihuana production in the ALR through a Minister's Bylaw Standard specific to the production of medical marihuana on ALR land and will involve local governments in the development of those standards.

Minister's Bylaw Standards establish standards for the guidance of local government in the preparation of various bylaws affecting agriculture. Examples of current Minister's Bylaw Standards include:

- Building setbacks from lot lines
- Maximum lot coverage
- Maximum building heights

More information about Minister's Bylaw Standards is available on the Ministry of Agriculture's website at: [www.al.gov.bc.ca/resmgmt/sf/guide to bylaw development/Guide to ByLaw Dev index.htm](http://www.al.gov.bc.ca/resmgmt/sf/guide%20to%20bylaw%20development/Guide%20to%20ByLaw%20Dev%20index.htm).

Overall, we believe this decision reflects a balanced approach, which considers the interests of the federally licensed facility operators, the interests of the agricultural sector and the purpose of the Agricultural Land Reserve, and the concerns of local governments and communities. Also, enclosed for your reference are the Information Bulletin and Backgrounder (see: <http://www.newsroom.gov.bc.ca/2014/06/bc-preserves-local-governments-tax-revenues-from-medical-marijuana-growers.html>).

Sincerely,



Coralee Oakes
Minister of Community, Sport
and Cultural Development



Norm Letnick
Minister of Agriculture

Enclosures

pc: Honourable Don McRae, MLA, Comox Valley

BACKGROUNDER

For Immediate Release
2014CSCD0039-000862
June 24, 2014

Ministry of Community, Sport and Cultural Development
Ministry of Agriculture

Eligibility for farm classification for property tax purposes

In British Columbia, the BC Assessment Act specifies which farm uses qualify for farm classification for property tax assessment purposes. If the income derived from these qualifying uses meets the prescribed levels, the land and buildings in which the activities are carried out may be eligible for certain tax benefits. Farm class confers significant benefits to a property through low land values, reduced tax rates, PST exemptions and exemptions on farm buildings of up to 87.5% of value.

The B.C. government has amended the farm class regulation to exclude federally-licensed medical marijuana production facilities as a qualifying farm product for assessment and taxation purposes. This means the facilities would not be eligible for the benefits of farm classification. The regulatory amendment will take effect in the 2015 property taxation year.

There are already approved activities on Agricultural Land Reserve (ALR) land that are not eligible for farm classification for assessment and property tax purposes. Excluded products and activities include farm or ranch tourism operations; sand and gravel extraction operations and winery and cidery facilities.

Facilities are accepted farm use within Agricultural Land Reserve

Licensed medical marijuana production facilities may be located on both provincial ALR and non-ALR lands, subject to local government zoning and other site requirements. The Agricultural Land Commission has determined that medical marijuana production is consistent with the definition of a farm use under the Agricultural Land Commission Act. However, as a federally-regulated narcotic, it will not be eligible for farm classification for property tax purposes. Consistent with the federal government's direction and the Agricultural Land Commission's position, and based on legal guidance, the Province agrees local governments should not prohibit medical marijuana production in the ALR.

Local governments looking to propose a bylaw prohibiting medical marijuana may wish to seek legal counsel as enacting such a bylaw may give rise to a constitutional challenge as frustrating a lawful initiative of the federal government.

Health Canada licensed facilities:

Since 2001, Health Canada has granted access to marijuana for medical purposes to Canadians who have had the support of their physicians. In June 2013, the Government of Canada introduced new regulations that treat medical marijuana as a controlled narcotic and created a new commercial industry that is responsible for its production and distribution. As of April 1, 2014, the only way to access medical marijuana for medical purposes is through commercial, licensed productions.

The federal government requires licensed producers to maintain specific security measures, including a detailed description of the measures and floor plans of the site, and to meet local government requirements as a condition of their license. As of May 5, 2014, five licenses have been issued to producers in Central Saanich, Maple Ridge, Whistler, Nanaimo and Spallumcheen.

Quick Links:

Health Canada (Medical Use of Marijuana): www.hc-sc.gc.ca/dhp-mps/marihuana/index-eng.php

BC Assessment: www.bcassessment.ca/Pages/default.aspx

Agricultural Land Commission: <http://www.alc.gov.bc.ca>

[http://www.alc.gov.bc.ca/publications/ALC Info Bulletin Marijuana Amended Jan 2014.pdf](http://www.alc.gov.bc.ca/publications/ALC%20Info%20Bulletin%20Marijuana%20Amended%20Jan%202014.pdf)

Media Contacts:

Shannon Hagerman
Ministry of Community, Sport and Cultural
Development
250 953-3677

Robert Boelens
Ministry of Agriculture
250 356-1674

Connect with the Province of B.C. at: www.gov.bc.ca/connect

INFORMATION BULLETIN

For Immediate Release
2014CSCD0039-000862
June 24, 2014

Ministry of Community, Sport and Cultural Development
Ministry of Agriculture

B.C. preserves local governments' tax revenues from medical marijuana growers

VICTORIA – The Government of British Columbia is excluding federally-licensed medical marijuana production from the list of agricultural uses that qualify for farm classification for assessment and property tax purposes.

The decision will ensure local governments do not lose potential property tax revenues from the Health Canada licensed-production facilities.

Medical marijuana is a federally-regulated narcotic produced by licensed operators in British Columbia. There are currently five federally-licensed facilities in British Columbia.

B.C.'s position takes into consideration the nature of the highly-regulated and secure facilities, and is consistent with the approach being taken in neighbouring Alberta.

The Government of British Columbia will also continue to view medical-marijuana production as an allowable farm use within the Agricultural Land Reserve that should not be prohibited by local government bylaws. This is consistent with the Agricultural Land Commission's interpretation of the Agricultural Land Commission Act.

Federal regulations for medical marijuana came into effect April 1, 2014. The exclusion from farm classification for property tax purposes will take effect for property assessments in the 2015 taxation year.

Media Contacts:

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Ministry of Community, Sport and Cultural
Development
250 953-3677

Robert Boelens
Ministry of Agriculture
250 356-1674

Connect with the Province of B.C. at: www.gov.bc.ca/connect



THE CORPORATION OF THE CITY OF COURTENAY

MEMORANDUM

FOR
1/17/10

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

File No.: 5460-08
Date: July 14, 2014

The purpose of this memo is to advise Council of two 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:

Comox Valley Market Day, Saturday, July 19, 2014

In support of Market Day, the following road closures are required between 7:00 am and 7:30 pm:

- 5th Street between Cliffe Avenue and Fitzgerald Avenue
- England Avenue and Duncan Avenue between 5th Street and the alleyways bisecting England Avenue and Duncan Avenue (please see attached map)

Comox Valley Classic Cruisers Annual Graffiti Bash, Sunday, July 27th, 2014

In support of the Graffiti Bash, road closures are required of the following roadways from 6:00 am to 5:00 pm:

- 4th Street, 5th Street and 6th Street between Fitzgerald Avenue and Cliffe Avenue
- England Avenue and Duncan Avenue between 4th Street and 6th Street

All applicable insurances have been received, as well as a letter of support from the DCBIA for the Graffiti Bash. Market Day is organized by the DCBIA thus support is implicit. Road closure barriers and traffic detour signage are available for event organizers to borrow in co-ordination 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 will be the 44th Annual Market Day in downtown Courtenay and the 28th Annual Graffiti Bash Show and Shine.

Prepared by:

Lesley Hatch, P.Eng.
Senior Manager of Engineering

Approved by:

David Allen
Chief Administrative Officer

Ward, John

From: Jay Miles Baker-French <jaybakerfrench@gmail.com>
Sent: July-10-14 10:00 AM
To: Ward, John
Subject: Re: Delegation Request for July 7 Council Meeting
Attachments: Appeal to Council.pdf

*New
Bus*

Dear John Ward,

I am writing to appeal your 2 July decision to deny our request to appear as a delegation to Council regarding the bitumen pipeline proposals.

Please find our appeal attached. Please forward to Council as necessary for their review. As requested in the document, please inform me without delay as to when Council will be reviewing the appeal.

Thank you,

Jay Baker-French

2014-07-02 15:57 GMT-07:00 Ward, John <jward@courtenay.ca>:

Jay, this subject matter does not fall within the jurisdiction of Council; therefore your request to be a delegation is denied.

Pursuant to section 13 (4) of "Council Procedure Bylaw No. 2730, 2013", should you wish to appeal this decision, please advise me in writing, and your appeal will be presented to Council at the next available Council meeting.

Thank you.

John

John Ward, CMC

Director of Legislative Services

City of Courtenay

(250) 703-4853

From: Jay Miles Baker-French [mailto:jaybakerfrench@gmail.com]

Sent: June-28-14 8:27 AM

To: Ward, John

Subject: Delegation Request for July 7 Council Meeting

Dear John Ward,

My name is Jay Baker-French. I am a Courtenay resident, young farmer, and citizen who is deeply concerned for the well being of our community and natural environment.

I am volunteering with Leadnow.ca in partnership with Dogwood Initiative and the Council of Canadians to organize our community and I am writing as a representative of many Courtenay residents who share my concerns.

We request that Council accept a delegation made up of myself and representatives from Dogwood Initiative and Council of Canadians. We will present a proposed resolution for Council's consideration regarding the Enbridge Northern Gateway and Kinder Morgan's pipeline twinning proposals and export via tankers through our coastal waters and the resulting threats to Courtenay's economy, environment and quality of life.

We would like to send this delegation to present our proposed resolution at the July 7 City Council meeting.

At your earliest convenience, if you could please specify whether or not this motion will be on the July 7th meeting agenda and whether there are any particulars we should be aware of.

Thank you very much,

Jay Baker-French

on behalf of Courtenay residents involved with The Dogwood Initiative, Leadnow.ca and The Council of Canadians

DISCLAIMER- This e-mail and any attachments may contain confidential and privileged information. Any use, disclosure, copying or dissemination of this information by a person other than an intended recipient is not authorized and may be illegal. If you are not an intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Further, opinions expressed are strictly the author's own and are not necessarily those of the City of Courtenay.

July 8, 2014

Dear Courtenay City Council Members,

I am writing to appeal your decision (2 July 2014) to deny our request to send a delegation to Council in accordance with section 13 (4) of the Council Procedure Bylaw 2730, 2013.

You state in your decision that the subject matter of our request does not fall within Council's jurisdiction. Please review the following summary of several precedents that are relevant to this case and show that our resolution should be considered by Council.

First, in May of this year, Council approved a request for a letter of support from the BC Ocean Boating Tourism Association (BCOBTA). BCOBTA recognizes natural economic value inherent in the intactness, diversity, and abundance of our coastal waters; their goal is to leverage these natural values for the economic benefit of British Columbians. This is a great idea any way you look at it: economically, environmentally, and from the perspective of local jobs in places like Courtenay. We can produce a sustainable economic and social benefit for our community by protecting and preserving what nature has put here.

The only catch: in order to produce a benefit for British Columbians, our coastal ecosystems must remain healthy, diverse and abundant. Therefore, we must take steps to protect them when they come under threat. The Enbridge and Kinder Morgan project proposals both seriously threaten these ecosystems, and therefore our coastal economy. Voicing support for BCOBTA's mission is futile if Council is not also willing to support efforts to protect our coast. The resolution we wish to present to Council for consideration fits hand in glove with BCOBTA's goals because it aims at protecting the natural values that BCOBTA's vision relies upon.

Although the BCOBTA request could have been ruled outside of Council's jurisdiction, Council chose to hear the request. We are only asking for the same consideration – that our motion be heard by Council.

A second precedent that is relevant here is the Union of BC Municipalities' adoption of two resolutions similar to the one we wish to present to Council - one opposing oil transport by pipeline in BC, the other opposing increased tanker traffic in our coastal waters.¹ UBCM clearly found that the issue of tanker transport of bitumen on our coast to fall within their jurisdiction. It is unclear to us how this issue is outside of Courtenay's jurisdiction when UBCM, a group that includes municipalities that would not be as directly affected by tanker disasters or the negative effect of pipelines on our economy as Courtenay would be, has judged it within theirs.

Finally, the District of Kitimat – the area that is supposed to benefit most from a pipeline – recently held a plebiscite to determine local support for Enbridge’s proposal. Residents squarely rejected Enbridge.ⁱⁱ Kitimat clearly judged the issue to be within their jurisdiction. While Kitimat stands to benefit directly from Enbridge’s proposal in new jobs, Courtenay would be no less directly affected, albeit somewhat further down the road. The job security of our residents who work in the oilsands depends on the conservative extraction of the resource – meaning we must leave some in the ground for the future. These pipeline proposals aim to move as much oil as fast as possible straight to foreign markets. What about the kids of current oilsands workers who might seek employment in the same field as their parents? Council should recognize that these proposals indeed have a direct bearing on our local residents’ lives, and should at least allow the issue to be discussed. Further, with a proposal like Kinder Morgan, Courtenay’s environmental integrity is directly threatened – so it is within Council’s jurisdiction to at least consider the matter when requested by our city’s citizens.

Thank you for taking the time to consider our appeal.

Please inform us without delay as to when Council will address this appeal.

Sincerely,

Jay Baker-French
Courtenay

ⁱ <http://www.financialpost.com/municipalities+oppose+Enbridge+pipeline/3610324/story.html>;
<http://www.ubcm.ca/assets/Resolutions~and~Policy/Resolutions/2010%20Resolutions%20from%20Minutes.pdf>
(see pg. 47).

ⁱⁱ <http://www.kitimat.ca/EN/meta/news/archives/2014/plebiscite-on-northern-gateway-project.html>.

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2796

A bylaw to amend Zoning Bylaw No. 2500, 2007

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

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2796, 2014**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning part of Lot 2, Block 72, Plan EPP10850, Comox Land District, from CD-1I to CD-1F and from CD-1F to CD-1I inclusive and Part of Lot A, Block 72, Plan 49168, Comox Land District, from CD-1A to CD-1I as show outlined on Attachment A which is attached hereto and forms part of this bylaw;
 - (b) that Section 8.32.3(1)(a) be amended to read “single residential dwellings: 476 dwelling units within 42.50 hectares”;
 - (c) that Section 8.32.3(7)(a) be amended to read “31 dwelling units within 2.84 hectares”;
 - (d) that Section 8.32.3(4)(a) be amended to read “ Commercial 124,486 m2 of floor area within 32.51 hectares”; and
 - (e) That Schedule No. 8 be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 21st day of July, 2014

Read a second time this 21st day of July, 2014

Considered at a Public Hearing this day of , 2014

Read a third time this day of , 2014

Finally passed and adopted this day of , 2014

Mayor

Director of Legislative Services



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2770

A bylaw to amend Zoning Bylaw No. 2500, 2007

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

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

1. This bylaw may be cited for all purposes as “Zoning Amendment Bylaw No. 2770, 2013”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - a) That “Division 8, Classification of Zones” be amended by adding Part 52 as follows:

Part 52 - Comprehensive Development Twenty Five Zone (CD-25)

Lot A, District Lot 230, Comox District, Plan 48707; Parcel A (DD 10616N) of Lot 4, District Lot 230, Comox District, Plan 2152, Except that Part Shown Outlined in Red on Plan 688R and Except that Part in Plan 48707; That Part of Parcel A (DD 10616N) of Lot 4, District Lot 230, Comox District, Plan 2152 Shown Outlined in Red on Plan 688R, Except Parts in Plans 6030 and 23672 (2368, 2498 and 2650 Arden Road)

8.52.1 Intent

The CD-25 Zone is intended to accommodate two strata developments on the property identified on Attachment A and commonly described as 2368, 2498 and 2650 Arden Road, Courtenay, BC. No development or land alteration may take place within the CD-25 Zone without first obtaining a development permit the particulars of which must conform to the Environmental and Multi-Residential Development Permit Area Guidelines.

8.52.2 Permitted Uses

In the CD-25 Zone, the following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

1. Single residential dwelling
2. Duplex residential dwelling
3. Triplex residential dwelling

8.52.3 Density

The maximum number of individual dwelling units in this zone shall not exceed a total of 46. This density may be achieved through combinations of single, duplex and triplex residential units.

8.52.4 Setbacks

1. Except where otherwise specified in this bylaw the building setback from all property lines shall be 6m.
2. The minimum setback between residential buildings shall not be less than 5m.
3. The minimum setback for a residential building from a strata road shall not be less than 6m.

8.52.5 Height of Buildings

The maximum height for any building shall not exceed 8m.

- b) by rezoning Lot A, District Lot 230, Comox District, Plan 48707; Parcel A (DD 10616N) of Lot 4, District Lot 230, Comox District, Plan 2152, Except That Part Shown Outlined In Red On Plan 688R And That Part In Plan 48707; and That Part of Parcel A (DD10616N) of Lot 4, District Lot 230, Comox District, Plan 2152 Shown Outlined in Red on Plan 688R, Except Parts in Plans 6030 And 23672 from Comprehensive Development Twenty (CD-20) zone, Residential Three (R-3) zone, and Public Areas Two (PA-2) zone to Comprehensive Development Twenty Five (CD-25) zone, Residential One D (R-1D) zone and Public Areas Two (PA-2) zone, as outlined on Attachment A which is attached hereto and forms part of this bylaw;
 - c) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 18th day of November, 2013

Read a second time this 18th day of November, 2013

Considered at a Public Hearing this 9th day of December, 2013

Read a third time this 16th day of December, 2013

Finally passed and adopted this day of , 2013

Mayor

Director of Legislative Services

Attachment A to Bylaw 2770, 2013



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2790

A bylaw to establish procedures to amend an Official Community Plan, a Zoning Bylaw or a Land Use Contract or to issue a permit and to designate the form of permits issued pursuant to Part 26 of the Local Government Act

WHEREAS the Council has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS the Council may designated areas within which Temporary Use Permits may be issued and within which Development Permits are required;

AND WHEREAS the Council must by bylaw, define procedures to amend an Official Community Plan or Zoning Bylaw or issue a permit under Part 26 of the *Local Government Act*;

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

1. Title

This bylaw may be cited as “Development Application Procedures Bylaw No. 2790, 2014”.

2. Definitions

“Applicant” – means any person who makes application for development under the provisions of this bylaw as authorized by the owner(s) of the parcel(s) of land subject to the application.

“City” – means the City of Courtenay.

“Council” – means the Council of the City of Courtenay.

3. Interpretation

3.1 A reference in this bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised, consolidated or replaced from time to time.

3.2 A reference in this bylaw to any bylaw, policy or form of the City of Courtenay is a reference to the bylaw, policy or form as amended, revised, consolidated or replaced from time to time.

4. Scope

This bylaw shall apply to the following applications for all lands within the boundaries of the City of Courtenay:

4.1 An application for amendments to:

- a) Official Community Plan;
- b) Zoning Bylaw, including the establishment of Phased Development Agreements (PDAs); and

- c) Land Use Contract.

4.2 The issuance, amendment and review of:

- a) Development Permit
- b) Development Variance Permits
- c) Temporary Use Permits

4.3 An application to the City as required by the *Agricultural Land Commission Act*.

4.4 Guidelines for:

- a) Architectural Submissions
- b) Landscape Submissions
- c) Notice of Application Sign Submissions

5. General Provisions

5.1 Schedules

For the purpose of this bylaw, Schedules 1 to 10 inclusive are attached hereto and form an integral part of this bylaw.

5.2 Application Fees

At the time of application for an amendment or a permit, the applicant shall pay to the Corporation of the City of Courtenay, the applicable application fee in the amount set out in the City of Courtenay Fees and Charges Bylaw and all amendments thereto.

5.3 Agent Authorisation

Written authorization for an agent to act on behalf of the registered owner(s) is required. If the owner changes their agent for an application, the owner must notify the City of the change in writing.

5.4 Application Requirements and Processing Procedure

- a) An application for an amendment to an Official Community Plan Bylaw, Zoning Bylaw (including establishment of a Phased Development Agreement) or a Land Use Contract will be made and processed substantially as outlined in Schedule 1 of this bylaw.
- b) An application for a Development Permit will be made and processed substantially as outlined in Schedule 2 or Schedule 3 of this bylaw, as applicable.
- c) An application for an Environmental Development Permit will be made and processed substantially as outlined in Schedule 4 of this bylaw.
- d) An application for a Development Variance Permit will be made and processed substantially as outlined in Schedule 5 of this bylaw.
- e) An application for a Temporary Commercial or Industrial Use Permit will be made and processed substantially as outlined in Schedule 6 of this bylaw.
- f) An application in respect of land within the Agricultural Land Reserve will be made and processed substantially as outlined in Schedule 7 of this bylaw.
- g) All architectural submissions must be in accordance with Schedule 8 of this bylaw.

- h) All landscape submissions must be in accordance with Schedule 9 of this bylaw.
- i) Applications requiring a Notice of Application Sign shall be posted in accordance with Section 10 and Schedule 10 of this bylaw.

5.5 Combined Development Permits

- a) If land is subject to more than one Development Permit Area designation, the City will accept a single development permit application that combines the requirements of each Development Permit Area. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area. Additional application fees may be required in accordance with the City of Courtenay Fees and Charges Bylaw.
- b) Where a development is proposed by a single applicant for multiple adjoining properties, at the sole discretion of the Director of Development Services the City may accept a single development permit application instead of one application per property.

6. Development Approval Information

6.1 Type of Information Requested

Pursuant to Section 920.1 of the *Local Government Act*, the City may require an applicant to provide at the applicant's expense, reports and impact studies including but not limited to the following topic areas:

- a) Environmental Impact Assessment including Environmentally Sensitive Features Inventory
- b) Construction and Environmental Management Plan
- c) Tree Assessment Study including Wind Study
- d) Geotechnical Study
- e) Transportation and Traffic Impact Study
- f) Site access and Servicing Study, including Municipal Infrastructure Impacts
- g) Demand for Local Community Service Study
- h) Visual Impact Study
- i) Acoustical Impact Study
- j) Hydrological Study including Groundwater Management Assessment
- k) Stormwater Management and Drainage Study
- l) Soil Agrology Study
- m) Greenhouse Gas Emission Profile
- n) Wildfire Hazard Assessment
- o) Archaeological Assessment
- p) Other studies as deemed necessary

6.2 Preparation of Terms of Reference

The applicant will be required to work with staff to review and confirm the Terms of Reference for the report or impact study.

6.3 Selection of Personnel

The applicant will be required to provide the reports and impact studies prepared by Qualified Registered Professionals at the applicant's expense. The City may require an independent review of the study results in certain circumstances including but not limited to: staff capacity and to ensure the timely review of the study results. The applicant will be notified if an independent review of the study results is required. Costs for independent review studies will be borne by the applicant.

6.4 Incomplete or Deficient Reports

- a) If it is deemed by the Director of Development Services that a report containing development approval information is incomplete or deficient, the applicant will be notified in writing of the nature of deficiencies and the timeframe to resubmit the corrected report.
- b) The City will not accept studies or reports older than one year without a covering letter from the author certifying that the conditions and findings of the study have not changed.

6.5 Presentation of Reports or Impact Studies

The City may request, at the applicant's expense, the presentation of the report or impact study to Council, the Community or Staff by the Qualified Registered Professional(s) that prepared the document.

6.6 Publication of Information

The City may distribute and publicize a report containing development approval information requested under this bylaw.

7. Requirement for Professional Services.

- 7.1 Where required by the *Architects Act*, all building design submissions must be signed and sealed by an Architect licensed to work in the province of British Columbia pursuant to the requirements of the *Architects Act*.
- 7.2 All applications for residential developments in excess of seven (7) units on a property and commercial or industrial developments in excess of 470 square metres aggregate floor area require the services of a licensed Landscape Architect qualified by the British Columbia Society of Landscape Architects (BCSLA) to plan and design, prepare drawings, oversee construction and provide post development monitoring. All landscape design submissions must be signed and sealed by the Landscape Architect. The City will require BCSLA Schedules L-1 and L-2 at the time of building permit.
- 7.3 All applications for Environmental Development Permits require the services of a Registered Professional Biologist to prepare an Environmental Impact Assessment.
- 7.4 All applications for Development Permit and Development Variance permit will require a site plan prepared by a British Columbia Land Surveyor.

- 7.5 It is strongly suggested that the applicant retain the services of a building code consultant or Architect to ensure any proposed buildings, or additions/alterations to existing buildings, comply with the relevant provisions of the *British Columbia Building Code*.

8. Public Information Meetings

- 8.1 Applicants for Official Community Plan Amendments, Zoning Bylaw Amendments, Temporary Use Permits or Development Variance Permits are required to hold a Public Information Meeting prior to the application being considered by Council. The purpose of the meeting is to provide an additional opportunity for the public to access information and to inquire about the proposal beyond that available through the standard application referral, and public hearing process. The applicant is responsible for all costs associated with the meeting.
- 8.2 The Public Information Meeting is held by the applicant, and may be attended by City Staff at the discretion of the City.
- 8.3 It is the responsibility of the applicant to arrange and conduct the meeting at their expense. The venue and meeting format shall be discussed with the City prior to the meeting. The use of professional facilitation or consulting services is strongly encouraged to conduct the meeting and may be required by the City in case of sensitive applications. Applicants are required to submit a report to the City summarizing the meeting. The report must include the following information:
- a) Location and duration of the meeting;
 - b) Number of attendees;
 - c) How the meeting was advertised and how surrounding property owners were notified;
 - d) Information provided at the meeting; and
 - e) A summation of questions raised and major discussion points.
- 8.4 The applicant must mail, or otherwise deliver, notification of the Public Information Meeting to owners and occupiers of properties within a radius of 100 m from the subject property for OCP, Zoning and Temporary Use Permits, or 30m for Development Variance Permits. The Director of Development Services is authorized at his discretion to waive the requirement to hold, or modify the notification distance required for, a Public Information Meeting based on the nature of the proposal.
- 8.5 The public input received at the Public Information Meeting will be included in a staff report for Council's consideration of a permit, or prior to consideration of 1st and 2nd reading of a bylaw amendment.

9. Agency Referral Process

- 9.1 Development Services staff may refer applications to other City departments, external agencies, organisations or levels of government (including local First Nations) for review and comment. The referral list will be prepared by staff and will vary depending on the nature of the application. Where applications are sent for review and comment, a

maximum of three (3) calendar weeks are provided for return of comments or for a request of additional time. If a response is not received within this three (3) week period the City will assume the interests of that department, agency, organisation or government are unaffected.

- 9.2 At the discretion of the Director of Development Services development permit applications for duplexes, façade improvements, additions or amendments, in addition to sign variance and secondary suite rezoning applications are exempt from the formal referral process outlined in section 9.1.
- 9.3 Following receipt of comments or requests for additional time, the City may defer consideration of any application and request additional information from the applicant.

10. Notice of Application Sign

Applicants proposing an amendment to the Official Community Plan, Zoning Bylaw, or requesting a Temporary Use Permit are required to post a Notice of Application Sign in accordance with Schedule 10 of this bylaw.

11. Public Notification and Public Hearings

- 11.1 In accordance with the provisions of the *Local Government Act*, the City will mail or otherwise deliver individual notices to all owners and occupiers of properties within a 100m radius of the subject property for OCP, Zoning, Land Use Contract Amendment, Phased Development Agreement and Temporary Use Permits, or 30m for Development Variance Permits, advising of:
 - a) A scheduled public hearing for an Official Community Plan Amendment, Zoning Bylaw Amendment, Land Use Contract Amendment, or a Phased Development Agreement;
 - b) A scheduled Council meeting for a Development Variance Permit;
 - c) A scheduled Council meeting for a Temporary Use Permit;
 - d) A scheduled public hearing for an application to exclude land from the Agricultural Land Reserve.
- 11.2 Public hearings are subject to the Fees and Charges bylaw.
- 11.3 All correspondence in response to the notifications regarding 11.1 (b) or (c) must be received by the City prior to the start of the Council meeting where final consideration of an application is to be given.
- 11.4 Correspondence in response to 11.1 (a) or (d) will be accepted until the close the Public Hearing.
- 11.5 In the case of an application to amend the Zoning Bylaw, Council may waive the requirement to hold a public hearing pursuant to Section 890(4) of the *Local Government Act* where:
 - a) the proposed bylaw is consistent with the Official Community Plan; and

- b) no significant issues or objections were received at the Public Information Meeting as determined by Council. The Public Hearing may not be waived for a Phased Development Agreement.

12. Security

12.1 Security may be required as a condition of permit issuance for the following:

- a) Landscaping (both 'hard' and 'soft') including re-vegetation works to restore degraded natural environments ("Landscape Security"). Hard landscaping includes such items as paved pathways, walls, railings, fences, retaining structures and landscape furnishings such as lighting and benches. The 'soft' landscape includes water features, earth contouring and vegetation such as trees, plants and grass and irrigation systems;
- b) Environmental monitoring ("Monitoring Security"), may be required for Environmental Development Permits and Sediment and Erosion Control Permits to ensure that all required mitigation measures will be completed and furthermore continue to function properly as described in the Permit;
- c) An unsafe condition or damage to the natural environment that may result as a consequence or a contravention of a condition in a permit ("Remediation Security");
- d) To guarantee the performance of the terms of a Temporary Use Permit ("Performance Security").

12.2 Form of Security

Security will be provided in the form of an automatically renewing irrevocable letter of credit, bank draft or in a form satisfactory to the Director of Development Services.

12.3 Amount of Security

The amount of security will be calculated using the following:

- a) For Landscape Security, the amount of security will be 125% of an estimate or quote of the cost of works, including but not limited to: inspections, supervision, monitoring, maintenance, irrigation, labour, hard infrastructure and planting materials. The estimate or quote must be submitted by a Landscape Architect and/or other Professional approved by the Director of Development Services. The estimate or quote will be provided by the applicant at the applicant's expense;
- b) Phased Landscape Plans may be approved for large-scale developments at the discretion of the Director of Development Services to enable the completion of the landscape works in phases. The applicant is required to request approval of a phased landscape plan at the time of Development Permit application, clearly identifying on the submitted landscape plan the proposed phases and the related cost estimates for each phase. Security of 125% of the cost estimate for the entire project is required prior to issuance of the first building permit for the development;
- c) For Monitoring Security, the amount of security will be 125% of an estimate or quote of the cost of monitoring works required to ensure that the mitigation conditions of the permit are completed;
- d) For Remediation Security, the amount of security will be 125% of an estimate or quote of the cost of works, including but not limited to: inspections, supervision, monitoring, maintenance, irrigation, labour and planting materials. The estimate must be submitted

by a Qualified Environmental Professional who will be expected to undertake or supervise the works. The estimate or quote will be provided by the applicant at the applicant's expense;

- e) Where security is required in the case of an unsafe condition that may result from a contravention of a permit condition, or in the case of damage to the natural environment, the amount of security shall reflect:
 - i. The nature of the permit condition
 - ii. The nature of the unsafe condition
 - iii. The cost to the City of entering the land to undertake the work to correct the unsafe condition, including the cost of repairing any damage to land and improvements that may have been caused by the contravention of that permit condition or work to correct the damage to the natural environment, and restore or enhance the natural environment to compensate for damage caused by the contravention of that permit;
- f) For Performance Security, the amount of security will be 125% of an estimate or quote of the cost of works to guarantee the performance of the terms of the permit. Such works may include but are not limited to: inspections, monitoring, maintenance, irrigation, labour, planting materials and works required to restore the land or remove any temporary structures. The estimate or quote must be submitted by a Professional approved by the Director of Development Services. The estimate or quote will be provided by the applicant at the applicant's expense;
- g) In extraordinary circumstances, alternate methodologies to calculate the amount of security may be approved by the Director of Development Services.

12.4 General Conditions of Security

At the expense of the permit holder, the City may undertake the works, construction, monitoring or other activities required to satisfy the landscaping condition, to monitor the environmental mitigation works, to correct the unsafe condition, to correct the damage to the environment or to ensure the performance of the terms of the permit. The City may apply the security in payment of the cost of works, construction, monitoring or other activities if any of the following occur:

- a) The works are not completed within a defined time period as specified by the Director of Development Services or within the time period identified in an approved Permit;
- b) An unsafe condition has resulted as a consequence of a contravention of a condition in a permit;
- c) Damage to the natural environment has resulted as a consequence of a contravention of a condition in the permit;
- d) A contravention in relation to the performance of the terms of a Temporary Use Permit.

12.5 Return of Security

- 12.5.1** If a permit is cancelled by the applicant and no work has occurred related to the security deposit, the security deposit will be returned to the applicant at the approval of the Director of Development Services.

12.5.2 Unless otherwise stated in this bylaw, the City will return the security (or portion thereof) when written request has been submitted by the applicant and includes a satisfactory report by the appropriately Qualified Professional depending on the nature of the permit conditions, or other Professional approved by the Director of Developmental Services, or his/her designate, certifying that:

- a) The works have been completed in substantial compliance with the approved plan(s); and/or
- b) The unsafe condition or damage to the natural environment has been corrected.

12.5.3 The report must be signed and sealed by a Landscape Architect, Qualified Environmental Professional or other Professional approved by the Director of Development Services and include the following at a minimum:

- a) The date and drawing number (where applicable) of the plan reviewed by the Landscape Architect, Qualified Environmental Professional or other Professional approved by the Director of Development Services;
- b) Date(s) of supervision and inspections by the Landscape Architect, Qualified Environmental Professional or other Professional approved by the Director of Development Services;
- c) A statement from the Landscape Architect, Qualified Environmental Professional or other Professional approved by the Director of Development Services, that the completed works substantially comply with the approved plan;
- d) For landscape reports, identification of conformance to approved species, quantity of materials, scale and number of plants, irrigation systems and features (including hard landscaping) as shown on approved drawing(s) and installation to BCSLA/BCLNA standards. A completed BCSLA Schedule L-3 must be included with the report when a project requires the services of a Landscape Architect;
- e) A description of all deviations from the approved plan(s) with a rationale for the changes and whether the changes meet the intent of the approved plan(s);
- f) The request of the amount of funds to be released. The City will withhold 20% of the original security deposit as a maintenance bond in accordance with Section 12.5.7.

12.5.4 Upon receipt of a professional report requesting release of security, the City may conduct a site inspection to verify that the works are installed in accordance with the approved plans.

12.5.5 Should there be any deficiencies identified in the professional report, or should the City find any discrepancies and/or deficiencies during an inspection, an inspection report will be issued to the applicant and the security will be retained until the deficiencies have been addressed. Any changes to the approved plans will require approval of the City prior to installation of any works. Depending on the level of non-conformance with the approved plans, and at the discretion of the Director of Development Services, Council approval of the revised plan(s) may be required through an amended development permit application prior to the release of the security.

12.5.6 Upon completion of any items outlined in an inspection report, the applicant shall notify the City for further inspection in order to obtain a final release of the security.

12.5.7 For Landscape and/or Remediation Securities, upon substantial completion, as approved by the City, the City will return 80% of the original security deposit. The City will withhold the remaining 20% as a maintenance bond for up to three years to ensure that the work has been fully implemented and demonstrated to function (ecologically or as designed). A final inspection by City staff must occur before the remaining 20% of securities is released.

12.6 Partial Return of Landscape Securities

The City may return a portion of the Landscape Security upon receipt of a report from a Landscape Architect or other Professional approved by the Director of Development Services that the remaining works cannot be completed due to seasonal considerations. The report must include the following:

- a) Evidence that the total landscaping is 50% complete and substantially complies with the approved landscape plan;
- b) Evidence that the perimeter landscaping is 100% complete as per the approved landscape plan for any portion of the subject property that includes street frontage;
- c) The date and drawing number of the landscape plan reviewed by the Landscape Architect or other Professional approved by the Director of Development Services;
- d) Date(s) of inspection by the Landscape Architect or other Professional approved by the Director of Development Services;
- e) Evidence of conformance to approved species, quantity of materials, scale and number of plants, irrigation systems and features (including hard landscaping) as shown on approved drawing(s) and installation to BCSLA/BCNTA standards. A completed BCSLA Schedule L-3 must be included with the report when a project requires a Landscape Architect;
- f) Identification of all deviations from the approved landscape plan;
- g) The submission of a revised landscape plan and cost estimate for the remainder of the works to be completed for the approval of the Director of Development Services; and
- h) The request for the amount of the funds to be released. The City will withhold 20% of the original security deposit as a maintenance bond in accordance with Section 12.5.7.

12.6.1 When considering a request for partial release, Staff will consider the visual impact and safety of the remainder of the site as well as the public interface areas prior to approving a partial return request.

12.6.2 The partial return of the landscape security will occur only once per security deposit unless otherwise approved by the Director of Development Services.

13. Application Lapses, Renewals, Extensions, and Re-applications

- 13.1** If staff determines that an application is incomplete during the initial review, the application will be placed on hold and the applicant will be requested to provide the required information. If an applicant does not provide the required information within three (3) months of the request, the application and fee will be returned in accordance with the City of Courtenay Fees and Charges Bylaw.
- 13.2** Where an application has not been considered by Council within one (1) year after a written request to submit any outstanding items, the application will be deemed to be abandoned and will be closed. No fee shall be returned in this circumstance.
- 13.3** In the event that an application made pursuant to this bylaw has not been given final adoption by Council within one (1) year after the date it was given third reading or one (1) year after the date of last consideration by Council:
- a) The application will be deemed to be abandoned and will be closed; and
 - b) In the case of an amendment application, Staff will prepare a motion for Council's consideration to rescind all readings of the bylaw associated with the amendment application;
 - c) No fee shall be returned in this circumstance.
- 13.4** In the case of applications that have been delegated to the Director of Development Services, if final approval of the application is not granted within one (1) year after a written request from the Director of Development Services to submit any outstanding items, the application will be deemed to be abandoned and will be closed. No fee shall be returned in this circumstance.
- 13.5** If an application has lapsed, a new application complete with fees will be required. The new application will be considered in accordance with bylaws and guidelines in effect at the time of the new application.
- 13.6** Upon written request from the applicant prior to the lapse of the application, Council may extend the deadline for a period of one (1) year by passing a resolution to that effect to enable the applicant to complete the requirements for final adoption. A maximum of two (2) one-year time extensions may be granted by Council. If Council decides to deny an extension request or the applicant has received two (2) one-year time extensions or there have been changes to policies, bylaws or development permit guidelines affecting the application and the applicant still has not met the requirements for final adoption and wishes to proceed with the application, a new application and fee will be required as per the City of Courtenay Fees and Charges Bylaw.
- 13.7** Subject to Section 895 (3) of the *Local Government Act*, where an application made under this bylaw has been refused by Council, re-application for the same amendment or permit will not be accepted for a one (1) year period immediately following the date of refusal. This limit may be varied in relation to a specific reapplication by an affirmative vote of at least 2/3 of the local government members eligible to vote on the reapplication.

14. Changes to the Land Title Certificate

14.1 Change of Ownership

If there is a change in ownership of a parcel(s) of land that is the subject of an application under this bylaw, the City will require updated Land Title Certificate(s) for the parcel(s) of land and written authorization from the new owner(s) prior to proceeding with the application.

14.2 Other Changes

For all other changes to the Land Title Certificate(s) for the parcel(s) of land that is subject to an application under this bylaw, the City will require updated Land Title Certificate(s) for the parcel(s) of land and copies of any encumbrances as required by the City.

15. Delegation of Authority

15.1 Council herein delegates the following to the Director of Development Services:

- a) The power to require Development Approval Information;
- b) The power to require security for works described in Section 12;
- c) The power to designate the form of any permit issued under this bylaw;
- d) The power to designate the form and content of application forms;
- e) The power to issue or amend all permits created under Section 919.1(1)(f) of the *Local Government Act* (Form and Character of Commercial, Industrial or Multi-Family Residential Development) where variances are not requested;
- f) The power to issue or amend all development permits within Development Permit Areas created under Section 919.1(1)(a) of the *Local Government Act* for protection of the natural environment;
- g) The power to issue or amend all development permits within Development Permit Areas created under Section 919.1(1)(e) of the *Local Government Act* (Intensive Residential Development) where variances are not requested;
- h) The power to renew all Development Permits that have been issued and lapsed provided there are no variances.

15.2 Pursuant to Section 154(1) (b) of the Community Charter, Council herein delegates to the Mayor and the Director of Legislative Services the power to sign and deliver on behalf of the City, as the authorized signatories of the City, the following agreements related to the development of land in relation to applications under this bylaw.

- a) section 219 *Land Title Act* covenants outlining amenity contributions and development conditions agreed to at the time of rezoning;
- b) phased development agreements entered into pursuant to Section 905.1 of the *Local Government Act*;
- c) housing agreements entered into pursuant to Section 905 of the *Local Government Act*;
- d) geotechnical section 219 covenants;

- e) flood section 219 covenants;
- f) statutory rights of way for municipal services (water, sewage and storm sewer), municipal street trees, City Staff and/or access/egress;
- g) section 219 covenants that form part of an easement between owners, intended to prevent release of the easement without the City's consent;
- h) releases and modifications of agreements referred to in clauses (a) through (g) provided there is no liability on the part of the City within any agreement (or its modification) other than liabilities which do not extend beyond 5 years (including by exercising rights of renewal or extension) and other than liabilities authorized by the Counter Petition Exemption Regulation.

16. Council Reconsideration of a Staff Decision

- 16.1** Within 30 days of being notified in writing of the decision of Staff under this bylaw, the applicant may, at no charge, request Council to reconsider the decision.
- 16.2** The applicant must give written notice to the Director of Legislative Services and include the following information:
 - a) the applicant's address for receiving correspondence related to the request for reconsideration;
 - b) a copy of the written specific decision;
 - c) reasons why the applicant wishes the specific decision to be reconsidered by Council;
 - d) the decision which the applicant requests be made by Council as a substitute to staff decision;
 - e) reasons in support of the decision requested from Council; and
 - f) a copy of any documents which support the applicant's request for reconsideration by Council
- 16.3** The Director of Legislative Services will notify the Director of Development Services of the request(s) for reconsideration and the Staff will, prior to the date of the meeting at which the reconsideration will occur provide a written report to Council setting out the rationale for their decision.
- 16.4** The Director of Legislative Services will place the request(s) for reconsideration on the agenda of a meeting of Council to be held as soon as reasonably possible.
- 16.5** The Director of Legislative Services will notify the applicant of the date of the meeting at which reconsideration will occur.
- 16.6** Council will review the information provided by the applicant and Staff, and either confirm the decision made by Staff, or substitute its own decision including Development Permit conditions.

17. Pre-application Meetings with Staff

Upon request, Development Services Staff will arrange a pre-application meeting with the applicant and staff from the Development Services and other affected City departments to conduct a preliminary review of the proposal.

The pre-application meeting will provide the applicant with the opportunity to provide staff with a brief overview of their proposal and receive preliminary feedback on conformance with bylaws, development permit guidelines, amenity requirements, and application process. Formal feedback will be provided upon receipt of a complete application in accordance with this bylaw. The City will require a preliminary concept plan one (1) week prior to the meeting. Applicants are limited to two (2) pre-application meetings per proposal.

18. Legal Fees

All legal fees incurred by the City for preparation, review and registration of legal documents including but not limited to covenants, statutory rights of way, phased development agreements, and development agreements shall be reimbursed by the applicant prior to final consideration of the associated amending bylaw or permit.

19. Severability

If any section, subsection, sentence, clause or phrase forming part of this Bylaw is for any reason held to be invalid by the decision of any Court or competent jurisdiction, the invalid portion shall be severed from the Bylaw without affecting the validity of the Bylaw or any remaining portions of the Bylaw.

20. Repeal of Previous Bylaw

The "Development Application Procedures Bylaw No. 2699, 2012" and amendments thereto is hereby repealed.

21. Adoption

This bylaw shall come into effect upon final adoption hereof.

Read a first time this 16th day of June, 2014

Read a second time this 16th day of June, 2014

Read a third time this 7th day of July, 2014

Finally passed and adopted this day of, 2014

Mayor

Director of Legislative Services

Schedule**Title**

- | | |
|----|--|
| 1 | Application to amend the Official Community Plan, Zoning Bylaw, or Land Use Contract |
| 2 | Application for a Development Permit approved by Council |
| 3 | Application for a Development Permit approved by Director of Development Services |
| 4 | Application for an Environmental Development Permit |
| 5 | Application for a Development Variance Permit |
| 6 | Application for a Temporary Use Permit |
| 7 | Applications to the Agricultural Land Commission |
| 8 | Guidelines for Architectural Submissions |
| 9 | Guidelines for Landscape Submissions |
| 10 | Notice of Application Sign Requirements |

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 1

**APPLICATION TO AMEND THE CITY OF COURTENAY
OFFICIAL COMMUNITY PLAN, ZONING BYLAW (INCLUDING THE
ESTABLISHMENT OF A PHASED DEVELOPMENT AGREEMENT) OR
LAND USE CONTRACT**

This information is meant as a general guide to the processing procedure and should not be interpreted as the right to development approval if the steps indicated are followed. Final approval of all applications outlined in this section shall be at the discretion of Council.

1. Application Requirements

Application requirements are specified in the City of Courtenay Development Application Form.

2. Processing Procedure

An amendment application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

- 2.1 The applicant is encouraged to arrange for a pre-application meeting pursuant to Section 17 of this bylaw.
- 2.2 Following receipt of a satisfactory application and payment of the necessary fees, a file will be created and the applicant will be issued a receipt. A letter will be sent acknowledging receipt of the application.
- 2.3 The applicant will post a Notice of Application sign in accordance with Schedule 10 of this bylaw.
- 2.4 Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant and/or conduct a site visit(s) as part of the evaluation process. If there are outstanding items Staff will advise the applicant in writing.
- 2.5 Staff will refer the application to all applicable City departments, Council Committees, Senior Governments, First Nations, and external agencies and organizations in accordance with Section 9 of the Bylaw.
- 2.6 The applicant will conduct a Public Information Meeting in accordance with Section 8 of this bylaw.
- 2.7 Following the Public Information Meeting, should the applicant wish to withdraw their application prior to Council consideration, the application fees are refunded at the rates prescribed in the City of Courtenay Fee and Charges bylaw.
- 2.8 Staff may send a letter(s) to the applicant incorporating feedback from the referral process to identify preliminary development conditions/requirements that need to be addressed prior to proceeding to Council. It will be the responsibility of the applicant to:
 - a) Resolve conditions/requirements identified in the letter(s);
 - b) Submit any necessary reports/studies; and

- c) Complete any required approvals.
- 2.9 Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, the community and any recommendations from Council committees.
- 2.10 In the case of a Phased Development Agreement, staff will work with the applicant to prepare the terms of the agreement. The draft terms will be presented to Council for consideration with the staff report.
- 2.11 The applicant is strongly encouraged to attend the Council meeting at which the application will be considered to answer any questions Council may have and to listen to the proceedings.
- 2.12 Council will receive the technical staff report, and if Council decides to proceed with the amendment application, the amending bylaw may be given first and second readings. Council may alternatively decide to postpone or deny the application. In some cases, Council may pass first reading only and then refer the proposal back to staff for amendments.
- 2.13 In the case of a phased development agreement, following approval of 1st and 2nd reading of the amending bylaw, staff will work with the applicant to draft the agreement. The agreement will be reviewed by City solicitors at the expense of the applicant.
- 2.14 If an application for an amendment is denied prior to public hearing, a refund as outlined in the City of Courtenay Fees and Charges Bylaw shall be returned to the applicant.
- 2.15 Staff may include in the technical report a request to consider waiving the public hearing pursuant to Section 11.6 of this bylaw. The public hearing may not be waived if the application includes consideration of a phased development agreement.
- 2.16 Where a public hearing is required, Council sets the date of the hearing and surrounding property owners are notified in writing by the City in accordance with Section 11.1 of this bylaw.
- 2.17 Following the close of the public hearing, Council may proceed with third reading of the amending bylaw (including the imposition of conditions), defer the third reading or deny the application. If applicable, Council will authorise entering into the phased development agreement. The phased development agreement must be entered into prior to final consideration of the amending bylaw. Notice will be placed on the title of the properties subject to the agreement.
- 2.18 Following third reading of the bylaw, where applicable, any legal documents such as covenants and statutory rights of way shall be registered on title, and if applicable subdivision agreements completed, and final technical documents submitted for review and consideration.
- 2.19 When the applicant has adequately addressed all the conditions identified at third reading (if any), Council will consider adoption of the bylaw(s) at the fourth and final reading of the proposed bylaw.
- 2.20 If defeated, reapplication of a similar amendment will only be considered in accordance with Section 13.6 of this bylaw.
- 2.21 When the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 2

**APPLICATION FOR A DEVELOPMENT PERMIT THAT MUST BE
APPROVED BY COUNCIL**

This information is meant as a general guide to the processing procedure and should not be interpreted as the right to development approval if the steps indicated are followed. Final approval of all applications outlined in this section shall be at the discretion of Council.

1. Application Requirements

Application requirements are specified in the City of Courtenay Development Application Form.

2. Processing Procedure

A Development Permit application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

- 2.1 The applicant is encouraged to arrange for a pre-application meeting pursuant to Section 17 of this bylaw.
- 2.2 Following receipt of a satisfactory application and payment of the necessary fees, a file will be created and the applicant will be issued a receipt. A letter will be sent acknowledging receipt of the application.
- 2.3 Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant and/or conduct a site visit(s) as part of the evaluation process. If there are outstanding items Staff will advise the applicant in writing.
- 2.4 Staff will refer the application to all applicable City departments, Council Committees, Senior Governments, First Nations, and external agencies and organizations in accordance with Section 8 of the bylaw. If the application includes variances that are not supported by the Development Permit Guidelines outlined in the Official Community Plan a Public Information Meeting in accordance with Section 8 of the bylaw is mandatory.
- 2.5 Following the Public Information Meeting, should the applicant wish to withdraw their application prior to Council considering the application, the application fees are refunded at the rates prescribed in the City of Courtenay Fee and Charges bylaw.
- 2.6 Staff may send a letter(s) to the applicant incorporating feedback from the referral process to identify preliminary development conditions/requirements that need to be addressed prior to proceeding to Council. It will be the responsibility of the applicant to:
 - a) Resolve conditions/requirements identified in the letter(s);
 - b) Submit any necessary reports/studies; and
 - c) Complete any required approvals.

- 2.7 Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, the community and any recommendations from Council committees.
- 2.8 The applicant is strongly encouraged to attend the Council meeting at which the application will be considered to answer any questions Council may have and to listen to the proceedings.
- 2.9 Council will receive the technical staff report, and if Council decides to proceed with the development permit application, Council may authorize the issuance of the development permit or authorize the issuance of the development permit with conditions. Council may alternatively decide to postpone or deny the application.
- 2.10 If the development permit application includes a request for a development variance(s), the request may be considered by Council in conjunction with the development permit application pursuant to requirements of this bylaw. In this case, additional fees will be required in accordance with the City of Courtenay Fees and Charges Bylaw and public notice will be required pursuant to Section 11 of this bylaw. Final consideration will follow the public notification process.
- 2.11 Applications for permit renewal, extension or re-application will be processed in substantial accordance with the process outlined above.
- 2.12 When the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.
- 2.13 If a Development Permit is granted, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 3

**APPLICATION FOR A DEVELOPMENT PERMIT THAT MUST BE
APPROVED BY THE DIRECTOR OF DEVELOPMENT SERVICES**

This information is meant as a general guide to the processing procedure and should not be interpreted as the right to development approval if the steps indicated are followed. Final approval of all applications outlined in this section shall be at the discretion of the Director of Development Services.

1. Application Requirements

Application requirements are specified in the City of Courtenay Development Application Form.

2. Processing Procedure

A Development Permit application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

- 2.1 The applicant is encouraged to arrange for a pre-application meeting pursuant to Section 17 of this bylaw.
- 2.2 Following receipt of a satisfactory application and payment of the necessary fees, a file will be created and the applicant will be issued a receipt. A letter will be sent acknowledging receipt of the application.
- 2.3 Staff will review proposal for compliance with relevant City bylaws and policies, and may meet with the applicant and/or conduct a site visit(s) as part of the evaluation process. If there are outstanding items Staff will advise the applicant in writing.
- 2.4 Staff will refer the application to all applicable City departments, Council Committees, Senior Governments, First Nations, and external agencies and organizations in accordance with Section 8 of the bylaw.
- 2.5 Following the Public Information Meeting, should the applicant wish to withdraw their application prior to the Director of Development Services considering the application, the application fees are refunded at the rates prescribed in the City of Courtenay Fee and Charges bylaw.
- 2.6 Staff may send a letter(s) to the applicant incorporating feedback from the referral process to identify preliminary development conditions/requirements that need to be addressed prior to proceeding to the Director of Development Services for consideration. It will be the responsibility of the applicant to:
 - a) Resolve conditions/requirements identified in the letter(s);
 - b) Submit any necessary reports/studies; and
 - c) Complete any required approvals.

- 2.7 Staff will prepare a technical report for the Director of Development Services consideration, incorporating feedback received from the referral process, the community and any recommendations from Council committees.
- 2.8 The Director of Development Services (Director) will receive the technical staff report, and if the Director decides to proceed with the development permit application the Director may authorize the issuance of the development permit or authorize the issuance of the development permit with conditions. The Director may alternatively decide to postpone or deny the application.
- 2.9 Applications for permit renewal, extension or re-application will be processed in substantial accordance with the process outlined above.
- 2.10 If a Development Permit is granted, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 4

APPLICATION FOR AN ENVIRONMENTAL DEVELOPMENT PERMIT

This information is meant as a general guide to the processing procedure and should not be interpreted as the right to development approval if the steps indicated are followed. Final approval of all applications outlined in this section shall be at the discretion of the Director of Development Services.

1. Application Requirements

Application requirements are specified in the City of Courtenay Development Application Form.

2. Processing Procedure

An Environmental Development Permit application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

- 2.1 The applicant is encouraged to arrange for a pre-application meeting pursuant to Section 17 of this bylaw. At this meeting the terms of reference will be set for the preparation of an Environmental Impact Assessment pursuant to Section 8.7(5)(1) of the Official Community Plan.
- 2.2 For developments of brownfield sites where there is significant existing disturbance or in cases which only involve an assessment pursuant to the *Riparian Areas Regulation*, at the discretion of staff, the application may be treated as a Minor Environmental Development Permit.
- 2.3 Following receipt of a satisfactory application and payment of the necessary fees, a file will be created and the applicant will be issued a receipt. A letter will be sent acknowledging receipt of the application.
- 2.4 Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant and/or conduct a site visit(s) as part of the evaluation process. If there are outstanding items Staff will advise the applicant in writing.
- 2.5 Staff will refer the application to all applicable City departments, Council Committees, Senior Governments, First Nations, and external agencies and organizations in accordance with Section 8 of the Bylaw.
- 2.6 Staff may prepare a letter(s), incorporating feedback from the referral process to identify preliminary development conditions/requirements that need to be addressed prior to proceeding to approval. It will be the responsibility of the applicant to:
 - a) Resolve conditions/requirements identified in the letter(s);
 - b) Submit any necessary reports/studies; and
 - c) Complete any required approvals.
- 2.7 Staff will prepare a technical report to the Director of Development Services who will receive and review the technical report. The Director of Development Services may

authorize the issuance of the Development Permit or authorize the issuance of the Development Permit with conditions. The Director of Development Services may alternatively decide to deny the application or refer it back to Staff for further information.

- 2.8 Where a letter has been sent to the applicant in which further requirements are outlined, Staff will prepare the technical report to the Director of Development Services after receiving the required information.
- 2.9 If a Development Permit is granted, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 5

APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

This information is meant as a general guide to the processing procedure and should not be interpreted as the right to development approval if the steps indicated are followed. Final approval of all applications outlined in this section shall be at the discretion of Council.

If compliance with a zoning bylaw provision such as setback or building height would cause undue hardship and the variance is minor in nature, the applicant could consider applying to the Board of Variance, instead of applying for a Development Variance Permit.

1. Application Requirements

Application requirements are specified in the City of Courtenay Development Application Form.

2. Processing Procedure

Development Variance Permit applications submitted in accordance with this bylaw will be processed in substantial accordance with the following:

- 2.1 The applicant is encouraged to arrange for a pre-application meeting pursuant to Section 17 of this bylaw.
- 2.2 Following receipt of a satisfactory application and payment of the necessary fees, a file will be created and the applicant will be issued a receipt. A letter will be sent acknowledging receipt of the application.
- 2.3 Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant and/or conduct a site visit(s) as part of the evaluation process. If there are outstanding items Staff will advise the applicant in writing.
- 2.4 Staff will refer the application to all applicable City departments, Council Committees, Senior Governments, First Nations, and external agencies and organizations in accordance with Section 8 of the Bylaw.
- 2.5 The applicant will conduct a Public Information Meeting in accordance with Section 8 of this bylaw.
- 2.6 Following the Public Information Meeting, should the applicant wish to withdraw their application prior to Council considering the application, the application fees are refunded at the rates prescribed in the City of Courtenay Fee and Charges bylaw.
- 2.7 Staff may send a letter(s) to the applicant incorporating feedback from the referral process to identify preliminary development conditions/requirements that need to be addressed prior to proceeding to Council. It will be the responsibility of the applicant to:
 - a) Resolve conditions/requirements identified in the letter(s);

- b) Submit any necessary reports/studies; and
- c) Complete any required approvals.

2.8 Staff will mail or otherwise deliver notices to adjacent property owners in accordance with Section 11 of this bylaw.

2.9 Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, the community and any recommendations from Council committees.

2.10 The applicant is strongly encouraged to attend the Council meeting at which the application will be considered to answer any questions Council may have and to listen to the proceedings.

2.11 Council will receive the technical staff report, and if Council decides to proceed with the development variance permit application, Council may authorize the issuance of the development variance permit or authorize the issuance of the development variance permit with conditions. Council may alternatively decide to postpone or deny the application.

2.12 Applications for permit renewal, extension or re-application will be processed in substantial accordance with the process outlined above.

2.13 When the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.

2.14 If a Development Variance Permit is granted, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff and a copy is sent to the Building Inspector.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 6

APPLICATION FOR A TEMPORARY USE PERMIT

This information is meant as a general guide to the processing procedure and should not be interpreted as the right to development approval if the steps indicated are followed. Final approval of all applications outlined in this section shall be at the discretion of Council.

If the Official Community Plans does not designate an area for temporary uses, then an Official Community Plan amendment must be adopted prior to issuance of a Temporary Use Permit, although both processes may proceed concurrently.

1. Application Requirements

Application requirements are specified in the City of Courtenay Development Application Form.

2. Processing Procedure

A Temporary Commercial or Industrial Use Permit application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

- 2.1 The applicant is encouraged to arrange for a pre-application meeting pursuant to Section 17 of this bylaw.
- 2.2 Following receipt of a satisfactory application and payment of the necessary fees, a file will be created and the applicant will be issued a receipt. A letter will be sent acknowledging receipt of the application.
- 2.3 The applicant will post a Notice of Application sign in accordance with Schedule 10 of this bylaw.
- 2.4 Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process. If there are outstanding items Staff will advise the applicant in writing.
- 2.5 Staff will refer the application to all applicable City departments, Council Committees, Senior Governments, First Nations, and external agencies and organizations in accordance with Section 9 of the Bylaw.
- 2.6 The applicant will conduct a Public Information Meeting in accordance with Section 8 of this bylaw
- 2.7 Following the Public Information Meeting, should the applicant wish to withdraw their application prior to Council consideration, the application fees are refunded at the rates prescribed in the City of Courtenay Fees and Charges bylaw.

- 2.8 Staff may send a letter(s) to the applicant incorporating feedback from the referral process to identify preliminary development conditions/requirements that need to be addressed prior to proceeding to Council. It will be the responsibility of the applicant to:
- a) Resolve conditions/requirements identified in the letter(s);
 - b) Submit any necessary reports/studies; and
 - c) Complete any required approvals.
- 2.9 Staff will mail or otherwise deliver notices to adjacent property owners in accordance with Section 11 of this bylaw.
- 2.10 Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, the community and any recommendations from Council committees.
- 2.11 The applicant is strongly encouraged to attend the Council meeting at which the application will be considered to answer any questions Council may have and to listen to the proceedings.
- 2.12 Council will receive the technical staff report and will either adopt a resolution to issue a permit, refer the proposal to the Development Services Department for further review or information, or refuse the application.
- 2.13 The City may, as a condition precedent to the issue of the permit, require that the owner of the land give an undertaking as part of the permit to:
- a) demolish or remove a building or structure; and
 - b) restore land described in the permit to a condition specified in the permit by a date specified in the permit.
 - c) require that the applicant for the permit provide security by the irrevocable letter of credit or the deposit of securities in a form satisfactory to the City in an amount stated in the permit to guarantee the performance of the terms of the permit.
- 2.14 Applications for permit renewal, extension or re-application will be processed in substantial accordance with the process outlined above.
- 2.15 When the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.
- 2.16 If a Temporary Use Permit is granted, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff.
- 2.17 When the owner of land fails to comply with all the undertakings given under the permit, the City may enter on the land and carry out the demolition, removal or restoration at the expense of the owner.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 7

**APPLICATIONS TO THE AGRICULTURAL LAND RESERVE UNDER THE
AGRICULTURAL LAND COMMISSION ACT**

This information is meant as a general guide to the processing procedure and should not be interpreted as the right to development approval if the steps indicated are followed. Final approval of all applications outlined in this section shall be at the discretion of the Agricultural Land Commission.

1. Application Requirements

1.1 Applicants must review the Agricultural Land Commission's (ALC) 'Applicant Information Package' prior to submitting an application to the City (available at www.alc.gov.bc.ca). This package contains details on ALC application requirements as well as the ALC process for issuing approvals.

1.2 Application requirements are specified in the City of Courtenay Development Application Form.

2. Public Consultation

2.1 The applicant will give notice of the application in accordance with the requirements of the *Agricultural Land Commission Act*.

3. Processing Procedure

An application under the *Agricultural Land Commission Act* submitted in accordance with this bylaw will be processed in substantial accordance with the following:

- 3.1 The applicant is encouraged to arrange for a pre-application meeting pursuant to Section 17 of this bylaw.
- 3.2 Following receipt of a satisfactory application and payment of the necessary fees, a file will be created and the applicant will be issued a receipt. A letter will be sent acknowledging receipt of the application.
- 3.3 The applicant will post a Notice of Application sign in accordance with the requirements of the Agricultural Land Commission.
- 3.4 Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant and/or conduct a site visit(s) as part of the evaluation process. If there are outstanding items Staff will advise the applicant in writing.
- 3.5 Staff will refer the application to all applicable City departments, Council Committees, Senior Governments, First Nations, and external agencies and organizations including the Agricultural Land Commission (ALC) in accordance with Section 8 of the Bylaw.

- 3.6 A Public Information Meeting to discuss the proposal may be required in accordance with Section 8 of this bylaw.
- 3.7 Following the Public Information Meeting, should the applicant wish to withdraw their application prior to Council consideration, the application fees are refunded at the rates prescribed in the City of Courtenay Fee and Charges bylaw.
- 3.8 Staff may send a letter(s) to the applicant incorporating feedback from the referral process to identify preliminary development conditions/requirements that need to be addressed prior to proceeding to the Director of Development Services for consideration. It will be the responsibility of the applicant to:
- a) Resolve conditions/requirements identified in the comprehensive letter(s);
 - b) Submit any necessary reports/studies; and
 - c) Complete any required approvals.
- 3.9 Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, the community and any recommendations from Council committees.
- 3.10 The applicant is strongly encouraged to attend the Council meeting at which the application will be considered to answer any questions Council may have and to listen to the proceedings.
- 3.11 In cases of application to exclude land from the ALR a public hearing is set by Council in accordance with Section 11.
- 3.12 The applicant has an opportunity at the Public Hearing to make a presentation to Council and the public. Following the hearing, Council may:
- (a) direct a further Public Hearing be held;
 - (b) amend the application;
 - (c) approve the application; or
 - (d) refuse the application.
- If Council approves the application, a recommendation is sent to the ALC and the ALC makes the final decision.
- 3.13 Once the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 8

GUIDELINES FOR ARCHITECTURAL SUBMISSIONS

6.7.1 All applications as required by the *Architects Act* require the services of an Architect licensed to work in the province of British Columbia to plan, design and supervise the erection or alteration of the building(s). Architectural submissions are to be prepared in accordance with the *Architects Act* of BC and are required to be signed and sealed. The City requires printed and digital copies of all submissions. The minimum acceptable scale for all submission is 1: 200 and all plans are required to include the following information:

- (a) Location Map;
- (b) Site plan prepared by a British Columbia Land Surveyor, including any existing buildings on the property in relation to legal property boundaries;
- (c) Elevations, sections, floor plans (and roof plans where requested);
- (d) North arrow and drawing scales;
- (e) Dimensions, in metric or metric conversions, for all elevations and site plans;
- (f) Geodetic elevation;
- (g) Comprehensive building site layout;
- (h) Exterior building materials and colours (where requested);
- (i) Zoning bylaw compliance;
- (j) Parking lot layout in accordance with City standards, including bicycle parking;
- (k) Waste and recycling storage and pick up areas, for commercial, institutional, industrial and multi-residential buildings;
- (l) Vehicle/pedestrian circulation and turning radius for delivery and emergency vehicles, including waste and recycling pick up services. Please contact the City Engineering Division for details on acceptable truck templates;
- (m) Road widening;
- (n) Fire hydrant locations;
- (o) Open space;
- (p) All watercourses, riparian areas, trees to be retained and any other sensitive environmental features including required setback areas;
- (q) For applications within a Tree Management and Protection area, location of all existing trees greater than 20cm Diameter at Breast Height (DBH) shall also be included.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2699, 2006**

SCHEDULE 9

GUIDELINES FOR LANDSCAPE SUBMISSIONS

Landscape submissions are to be prepared in accordance with the most recent B.C.S.L.A./B.C.N.T.A standards. For projects with eight (8) or more proposed residential units, or commercial and industrial projects with a gross floor area greater than 470m², a Landscape Architect is required to oversee, monitor and sign and seal all landscaping plans and works. The City requires printed and digital copies of all submissions. All plans are required to include the following information:

1. Grading Plan

The grading plan is to show both existing and proposed grades.

2. Landscape Plan

The landscape plan is to include:

- (a) Location of existing trees 20cm calliper (DBH) and greater. For trees that are to be retained, Root Protection Zones and proposed methods of preservation shall also be included. Smaller trees are encouraged to be retained where possible. Where smaller plants are to be retained, they shall also be included in the Plan.
- (b) All watercourses, riparian areas and any other sensitive environmental features including required setback areas.
- (c) Property lines, surrounding streets, limit of contract lines, setbacks, easements.
- (d) Existing site features, retention/preservation areas.
- (e) Vehicular and pedestrian paving, planting, fencing and other hard landscape structures.
- (f) Location of all engineering services (overhead, underground, light standards, etc.) which may affect landscaping.
- (g) Adjacent landscape/development features, where applicable, as context information.
- (h) Indication of all plant material and landscaping features at installed sizes, accurate location and spacing and dimensions of planting areas in metric.
- (i) Plant list naming all recommended plant material and size specification.
- (j) Area of site, in square metres, to be landscaped.
- (k) Include references to the most recent B.C.S.L.A./B.C.N.T.A. landscape standard for all landscape construction.
- (l) Minimum soil depths for planting.
- (m) Detailed landscape and maintenance specifications.

3. Underground Irrigation System Plan

Plan showing water source, type of system, details of system.

4. Detailed Cost Estimate

The landscape cost estimate must provide detailed information itemizing quantities, areas, sizes, equipment, and labour costs, including supervision, monitoring and approvals, required for the total cost of the construction of the plan, including fencing, sidewalks, decorative paving areas, retaining walls, recreation equipment, and irrigation system where applicable. For phased projects, a detailed landscape cost estimate which indicates the area and work to be undertaken for each phase must be provided.

5. Security Deposit

- (a) To ensure that the proposed landscaping is undertaken and the approved landscape plan is complied with, the City requires a landscape security deposit in accordance with Section 12 of this bylaw.

**THE CORPORATION OF THE CITY OF COURTENAY
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 2790, 2014**

SCHEDULE 10

NOTICE OF APPLICATION SIGN REQUIREMENTS

1. Installation

For applications to amend the Official Community Plan, Zoning Bylaw and for Temporary Use Permits an applicant under this bylaw must, at his/her cost, install a City of Courtenay Notice of Application Sign in accordance with this bylaw. Applications with respect of land under the Agricultural Land Reserve must consult the Agricultural Land Commission's Application Information Package for notification requirements.

2. Timing

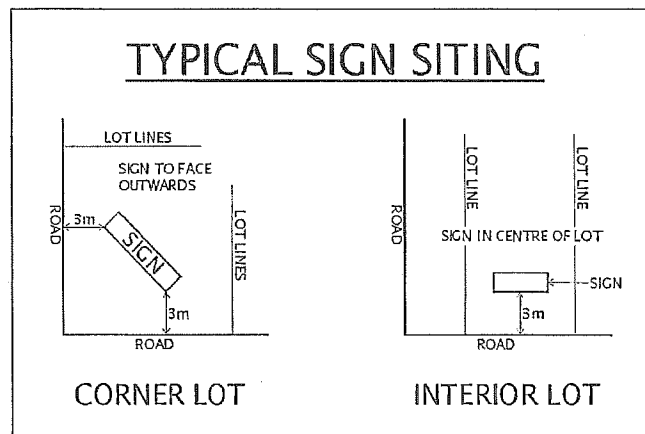
The Notice of Application sign must be posted by the applicant within 10 days of submitting a formal application to the City.

3. Preparation of Sign

The preparation and posting of the Notice of Application sign is the responsibility of the applicant and must be undertaken as specified in this bylaw. The applicant will provide a mock-up of the sign to the Development Services Department for review and approval prior to final printing. Once the sign is posted, the applicant shall demonstrate proof to the Development Services Department of the posted sign.

4. Siting of Sign

All Notice of Application Signs shall be placed on the property at a setback of three metres from the front property line as demonstrated in the below diagram. The sign must face the street and be clearly visible. All proposed sign locations must be verified by the Development Services Department prior to installation. The sign must be located so as not to interfere with pedestrian or vehicular traffic, or obstruct visibility from streets, lanes, walkways or driveways so as to create a hazard. The Notice of Application Sign must be installed in a sound workmanlike manner and must be capable of withstanding wind and weather.



5. Number of Signs

The applicant shall post a minimum of one Notice of Application Sign. For large parcels with over 200m of street frontage, one Notice of Application Sign shall be required for each 200 m of street frontage, to the maximum of three signs.

6. Maintenance of Sign

It is the responsibility of the applicant to ensure the sign(s) remain intact and visible as per the sign siting specifications until such time the sign can be removed, in accordance with Section 8 below.

7. Amendments to Application

If any significant amendments are made to the application, the applicant will be required to install new sign(s) reflecting the change in application. The applicant will provide a mock-up of the sign to the Development Services Department for review and approval prior to final printing.

8. Sign Removal

The Notice of Application Sign shall be removed by the applicant within seven days following:

- 8.1 The conclusion of the public hearing or adoption of the amending bylaw if the public hearing has been waived; or
- 8.2 The final consideration of an application by Council; or
- 8.3 The abandonment of the application.

9. Failure to Post and Maintain

Failure to post and maintain the required Notice of Application Sign(s) in accordance with this bylaw shall result in the postponement of any Council/committee meeting and any costs associated with the postponement will be borne by the applicant. Non-compliance with this section due to the removal, destruction, or alternation of the sign by vandalism or natural occurrence shall not affect the validity of the application or postpone a Council/Committee meeting as long as reasonable efforts have been taken by the applicant to maintain the sign.

10. Required Format –

- (a) Minimum size: 1.8 m width, 1.2 m height.
- (b) For OCP or Zoning Amendments and Temporary Use Permits, signs should have dark blue background with white lettering and maps should have a white background with dark blue highlights.
- (c) Lettering: block capitals, with:
 - headings not less than 20 cm in height;
 - notice copy not less than 13 cm in height;
 - map lettering not less than 8 cm in height.