

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

DATE: May 11, 2015
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt May 4, 2015 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Heritage Advisory Commission Update

4.00 STAFF REPORTS/PRESENTATIONS

Pg #

(a) CAO and Legislative Services

- 1 1. Gladstone Brewery Co. Lounge Endorsement Amendment Final Recommendation

(b) Community Services

(c) Development Services

- 17 2. Development Variance Permit 1503 – 4974 Cotton Road

(d) Engineering and Operations

(e) Financial Services

- 27 3. Grant Request – The Alberni Project Society

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 37 1. Staff Memo re: European Fire Ants

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

8.00 RESOLUTIONS OF COUNCIL

1. Councillor Frisch proposed resolution re: Sidewalk Café Bylaw:

“WHEREAS, Courtenay City Council has agreed that the revitalization of downtown is a top strategic priority; and

WHEREAS, people all over the world enjoy eating and drinking outdoors to appreciate fresh air and participate in creating an active street; and

WHEREAS, municipalities all over the world are successfully creating vibrant places using sidewalk cafes,

THEREFORE, BE IT RESOLVED, that Courtenay Council directs staff to report on the issues related to sidewalk cafes and recommendations for permitting sidewalk cafes in downtown Courtenay.”

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

For First, Second and Third Reading

- 41 1. “General Fund Asset Management Reserve Fund Bylaw No. 2817, 2015”
(to establish a reserve fund for general fund asset management purposes)
- 45 2. “Water Fund Asset Management Reserve Fund Bylaw No. 2818, 2015”
(to establish a reserve fund for water fund asset management purposes)
- 49 3. “Sewer Fund Asset Management Reserve Fund Bylaw No. 2819, 2015”
(to establish a reserve fund for sewer fund asset management purposes)
- 53 4. “Risk Reserve Fund Bylaw No. 2820, 2015”
(to establish a risk reserve fund for management of financial risk)

13.00 ADJOURNMENT



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Gladstone Brewery Co. Lounge Endorsement Amendment
Final Recommendation

File No.: 4320-20
Date: May 11, 2015

PURPOSE:

The purpose of the report is to provide a Council resolution to the Liquor Control and Licencing Branch (LCLB) in response to the application by Gladstone Brewing Company for an amendment to its Brewery Lounge Endorsement to add an outdoor patio.

CAO RECOMMENDATIONS:

That, based on the May 11, 2015 staff report, "Gladstone Brewery Co. Lounge Endorsement Amendment Final Recommendation", Council adopt the prescribed resolution as shown in Option 1 recommending approval of the amendment to the Gladstone Brewery Lounge Endorsement to allow for the addition of an outdoor patio.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

As per the attached request, Gladstone Brewing Company is requesting an amendment to its Brewery Lounge Endorsement by adding an outdoor patio.

At its regular meeting held April 20, 2015 Council passed the following resolution:

"That based on the April 20, 2015 staff report, "Gladstone Brewing Co. Amendment to Lounge Endorsement", 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 amendment to a Brewery Lounge Endorsement to allow an outdoor patio, for Council consideration at the regular meeting scheduled for May 11, 2015; and

That the Downtown Courtenay Business Improvement District (DCBIA) be specifically requested to provide comments regarding the amendment application by May 7, 2015."

DISCUSSION:

Notice was published as directed by Council. Four submissions from the public in favour of the proposed patio were received, and are attached for Council's reference.

In addition, the DCBIA has expressed its support for the proposed patio.

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.

ASSET MANAGEMENT IMPLICATIONS:

None.

STRATEGIC PRIORITIES REFERENCE:

Statutory in nature; although *Downtown Revitalization: Forum* is Council's #3 Corporate Priority for 2015.

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 Brewery Lounge Endorsement to allow for an outdoor patio for the following reason:*
 - (a) *The amendment to allow an outdoor patio is deemed to have a positive 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 Gladstone Brewery amendment application were approved, it would not result in an increase of noise in the area;*

- (b) *If the application were approved, it would have a positive impact on the community based on the submissions received from the public; 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 Gladstone Brewery Amendment Application to allow for an outdoor patio, and accepted written submissions concerning the application. Four submissions in favour of application were received. In addition, the City of Courtenay requested comments from the Downtown Courtenay Business Improvement District (DCBIA). The DCBIA is supportive of the amendment. (Recommended)*

Option 2: Not recommend approval of the Brewery Lounge Endorsement Amendment.

Option 3: Provide no comment with reasons.

Prepared by:



John Ward, CMC
Director of Legislative Services

Attachments:

1. *Attachment No. 1 : Public submissions (4)*
2. *Attachment No. 2: DCBIA submission*
3. *Attachment No. 3: LCLB Application*

Ward, John

Subject: FW: gladstone

Susan Welin-Blamire
Planning Clerk, City of Courtenay
Tel. 250-334-4441
sblamire@courtenay.ca | www.courtenay.ca



From: scotspine [<mailto:scotspine@shaw.ca>]
Sent: April-28-15 10:47 AM
To: PlanningAlias
Subject: gladstone

Hi,
I have read and understand the application by Gladstone for their outdoor patio seating.
It is my opinion that such enterprises are good for the downtown areas in general, and provide a more social aspect rather than folk rushing in to buy and leave again.
I think that this one should be approved.
Murray Little.

Ward, John

From: Karvalics, Susie
Sent: April-30-15 10:10 AM
To: Ward, John
Subject: FW: Gladstone Proposal for an Outdoor Lounge

Susan Karvalics
Legislative Services
City of Courtenay
250-703-4856
Fax 250-334-4241

From: gbacrowe@telus.net [mailto:gbacrowe@telus.net]
Sent: April-30-15 9:52 AM
To: InfoAlias
Subject: Gladstone Proposal for an Outdoor Lounge

I think that it is a great idea, good for the down town core, it will bring people into the city.

We recently had visitors from Ontario, and when they heard about the Brewery, and the growlers, that can be filled, they had to visit, and took two growlers back full with them. It would have been great to have the Outdoor Lounge, open when they were here. We have more company coming in May, July, August, and September, we are sure that they will like it as well.

This will be good for the City of Courtenay, it will keep people here, and not to Cumberland, were that Brewery, has already opened a Outdoor Lounge.

Regards,
G. B. Rowe

Sent from Windows Mail

May 01, 2015

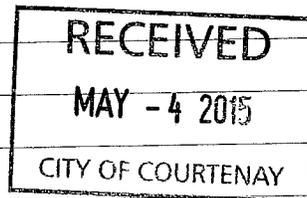
City of Courtenay,

I am in favor of
Gladstone Brewery open-
ing an outdoor patio

Sincerely

J Christmas

2211
14 ANDERTON AVE
COURTENAY BC
V9N 2G8



Ward, John

From: Karvalics, Susie
Sent: May-05-15 11:56 AM
To: Ward, John
Subject: FW: Gladstone Brewing Co.

Susan Karvalics
Legislative Services
City of Courtenay
250-703-4856
Fax 250-334-4241

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

From: Chris MacIntyre [<mailto:c.macintyre@me.com>]
Sent: May-05-15 11:55 AM
To: InfoAlias
Subject: Gladstone Brewing Co.

As a resident of Courtenay I just want to take a minute and express my support for Gladstone and their plans for expansion in the neighbourhood.

Chris MacIntyre
254 1st Street
250 871 4676

D O W N T O W N

COURTENAY

Downtown Courtenay Business Improvement Association

PRESIDENT

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

VICE-PRESIDENT

Jenny Deters
Rattan Plus & Patio
250-650-2338

TREASURER

Alana Pearson
MNP
778-225-7246

RECORDING SECRETARY

Lorna Hughes
Carderos coffee & Tea
250-338-2519

DIRECTORS

Christine Wilson
The Butcher Block Meats
250-338-1412

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

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

Haeley Campbell
Mudsharks Coffee Bar
250-338-0939

EXECUTIVE DIRECTOR

Kim Stubblefield
250-703-3790
info@downtowncourtenay.com

#203 – 580 Duncan Ave.
Courtenay, BC
V9N 2M7

May 1, 2015

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

Attention: John Ward, Director of Legislative Services

Dear Mr. Ward:

Re: Gladstone Brewing Co. - Amendment to Lounge Endorsement

Thank you for giving the Downtown Courtenay Business Improvement Association (DCBIA) the opportunity to provide comments regarding the Gladstone Brewing Co. Amendment to Lounge Endorsement.

The DCBIA is very excited about the outdoor vibrancy that has recently been building in downtown Courtenay, and we believe that the Gladstone Brewing Co. Amendment to Lounge Endorsement will be a fantastic addition to that vibrancy.

The DCBIA is please to support the Gladstone Brewing Co. Amendment to Lounge Endorsement.

Sincerely,



Deana Simkin, President
Downtown Courtenay Business Improvement Association

www.downtowncourtenay.com



APPLICATION SUMMARY

For Local Government/First Nations

RECEIVED
MAR 25 2015

CITY OF COURTENAY

Date: March 20, 2015

Job #23688898-006

To: Mr. John Ward, City of Courtenay

From: Ann Shubrook, Assistant Manager, Licensing (250-952-5773)

Re: Application for amendment to a Brewery Lounge Endorsement
By adding an outdoor Patio
Gladstone Brewing Co.
Brewery Licence # 306216
Located at 244 4th Street in Courtenay

APPLICATION INFORMATION

Currently, the Brewery is licensed to manufacturer beer. The Brewery has been granted a brewery lounge endorsement for a small interior lounge area. The Brewery proposes to add an outdoor patio with a maximum capacity of 118 persons as determined by a registered architect.

As with any increase in the capacity and/or addition of an outdoor patio, the application must be forwarded to the City of Courtenay for Council consideration under section 53 of the Liquor Control and Licensing Regulation. Comments relative to the impact on the community, noise, as well as the gathering of the views of local residents are anticipated within the 90 day timeframe. An extension of time may be requested from the City as needed.

Attached to this application summary, please find the following documents:

- a copy of the submitted application form, and
- floor plans with an occupant load of 118 persons

Please sign off on Part 4 and return a copy to my attention at Ann.Shubrook@gov.bc.ca quoting Job #23688898-006.

If you have any questions, please call me directly at 250-952-5773.

Thank you

Ann Shubrook
Licensing Branch

PART 3: Local Government/First Nation Resolutions: Information for the Applicant

For the following changes to an existing lounge and/or special event endorsement area(s), a resolution from your local government or First Nation, commenting on the application is required:

- Addition of a new patio
- Any alteration/addition, when the change increases the total occupant load of the lounge or interior special event endorsement areas.

Licensee responsibilities:

- Fill out appropriate change application sections in this form.
- Request your local government/First Nation to sign and date Part 4 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 4: Local Government / First Nation Resolution Required

To be filled out by your local government/First Nation office if applicable.

Local government/First Nation (name): City of Courtenay
Name of Official: JOHN WARD, CMC
DIRECTOR OF LEGISLATIVE SERVICES Title Position:
(last / first / middle)

Date of receipt of application: 25/03/2015 Phone: 250-705-4853
(Day/Month/Year)

Signature of Official: [Signature]

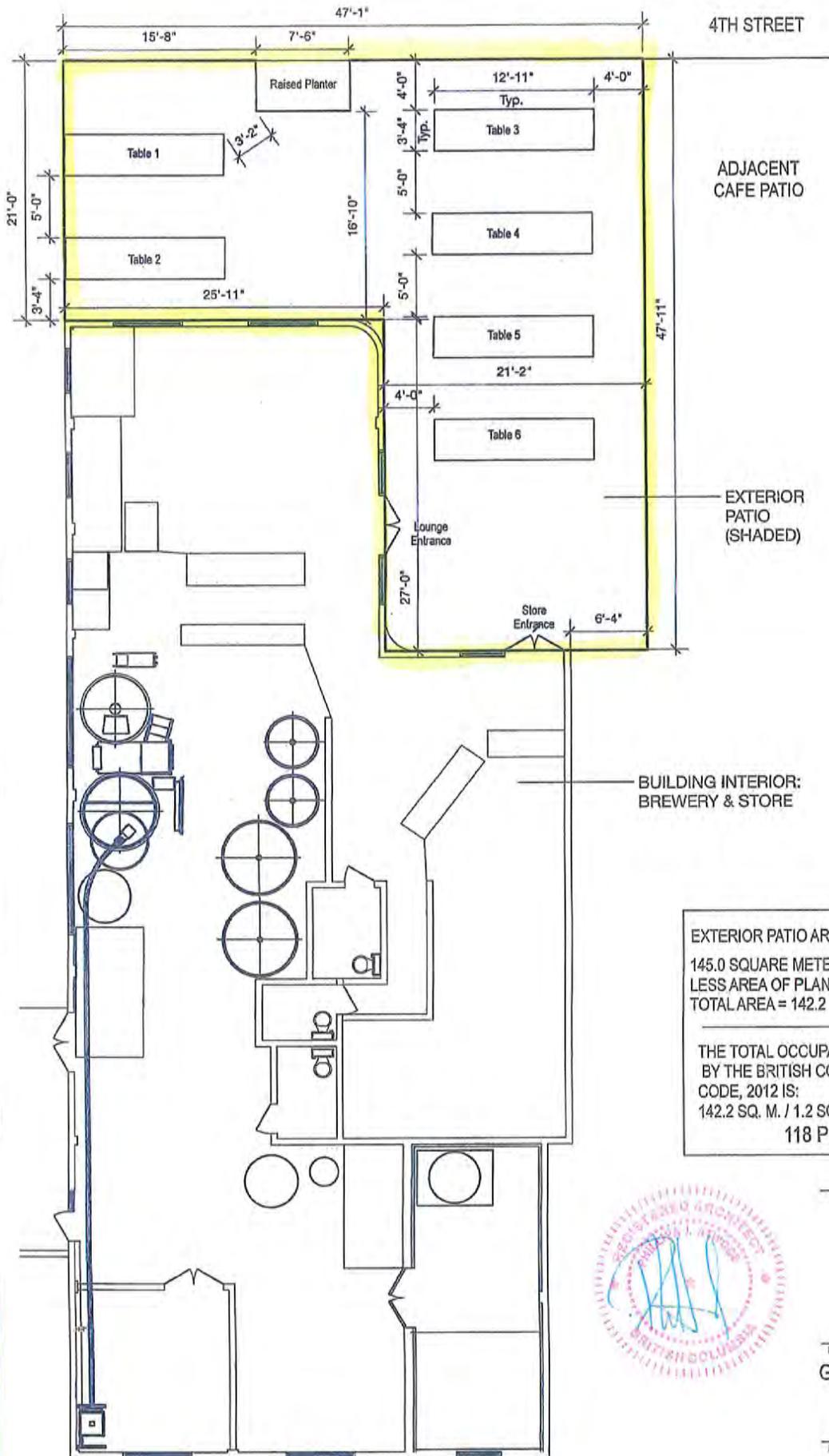
This application serves as notice from the Liquor Control and Licensing Branch that an application for a permanent change to a liquor licence is being made within your community. The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt. 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, considering factors (a) through (d) below, and make a decision about the application.

All of the items outlined below in points (a) through (d) must be addressed in the resolution in order for the resolution to comply with section 53 of the Liquor Control and Licensing Regulation. Any report presented by an advisory body or sub-committee to the council or board may be referenced in and attached to the resolution.

- (a) The potential for noise if the application is approved (provide comments).
- (b) The impact on the community if the application is approved (provide comments)
- (c) If the amendment may affect nearby residents, the local government or first nation must gather the views of residents in accordance with 11.3(2)(c) of the Act.
 - If the local government or first nation gathered the views of residents, they must provide:
 - (i) the views of the residents
 - (ii) the method used to gather the views of the residents, and
 - (iii) its comments and recommendations respecting the views of the residents.

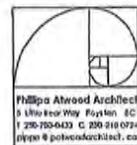
(Residents includes residents and business owners)
 - If the views of residents were not gathered, provide reasons
- (d) Its recommendation with respect to whether the amendment should be approved.





EXTERIOR PATIO AREA:
 145.0 SQUARE METERS (1561 SQUARE FEET)
 LESS AREA OF PLANTER: 2.8 SQUARE METERS
 TOTAL AREA = 142.2 SQUARE METERS

THE TOTAL OCCUPANCY PERMITTED
 BY THE BRITISH COLUMBIA BUILDING
 CODE, 2012 IS:
 142.2 SQ. M. / 1.2 SQ. M. PER PERSON =
 118 PERSONS



PROJECT:
**GLADSTONE BREWERY
 EXTERIOR PATIO
 COURTENAY, BC**

DRAWING TITLE:
FLOOR PLAN

FILE:	SCALE:
-	1/8"=1'-0"
DRAWN BY:	PROJECT NO.:
PA	1165
DATE:	DRAWING No.:
12 March 2015	1 of 1

NOTE:
 THE SIGNATURE AND SEAL AFFIXED TO THIS PLAN ARE FOR THE SOLE PURPOSE OF VERIFYING THE OCCUPANCY LOAD FOR THE OUTDOOR PATIO ONLY AND IN NO WAY CERTIFIES THAT THE BUILDING CONFORMS TO CURRENT BUILDING CODE OR LOCAL BYLAW REQUIREMENTS FOR A LICENCED BEVERAGE ESTABLISHMENT. THE PLAN OF GLADSTONE BREWERY HAS BEEN PREPARED FROM MEASUREMENTS AND INFORMATION PROVIDED BY THE OWNER.



Manufacturing Facility

Structural Change Application

Liquor Control and Licensing Form LCLB013

INSTRUCTIONS:

Complete all applicable fields then submit with payment as outlined in Part 7 of this application form. You may complete this form online, then print.

- If you have any questions about this application, call the 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

Check appropriate box:

Manufacturing Facility

Existing Endorsement Area

Application Contact Information

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

Name: Daniel Sharratt

Phone number: 250-661-4664

Fax number:

E-mail address: daniel@gladstonebrewing.ca

Licensee Information

Licence # affected: 306,216

Licensee name [as shown on licence]: Gladstone Brewing Co.

Manufacturer name [as shown on licence]: Gladstone Brewing Co.

Establishment

Location address: 244 4th Street

(as shown on licence):

Street

Courtenay

City

BC

Province

V9N1G6

Postal Code

Business Tel with area code: 250-661-4664

Business Fax with area code:

Business e-mail: daniel@gladstonebrewing.ca

Business

Mailing address:
(if different from above)

Street

City

Province

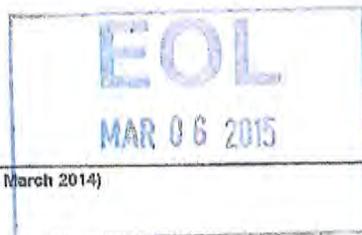
Postal Code

Type of Change Requested

Please check appropriate box(es) below:

Sub- Job Number
Office Use ONLY

Part 1	<input checked="" type="checkbox"/> New Outdoor Patio: when the licensee proposes to add a patio. (This only applies to approved lounge or special event endorsements.)	1	Outdoor Patio (C4-LIC) 23688898-6
Part 2	<input checked="" type="checkbox"/> Structural Alterations: when the licensee proposed changes to: A: Approved lounge or special event endorsement areas B: Manufacturing facilities (includes changes to on-site store area, tasting/sampling area, manufacturing area, storage areas, etc.) C: Approved picnic area D: Approved tour area	2	Structural - no capacity change (C4-LIC) 23688898-7 Structural - with capacity change (C4-LIC)



LCLB013 (last updated 7 March 2014)

1 of 7

LIQUOR CONTROL & LICENSING

RECEIVED

FEB 25 2015

VICTORIA BC

Manufacturer Application for Structural Change

PART 1: Addition of a New Outdoor Patio

Only applies to Approved Lounge or Special Event Area Endorsements

Fee: \$440 per licence = \$440

The addition of a licensed outdoor patio must be approved by the Liquor Control and Licensing Branch. Floor plans must have sufficient detail to be acceptable to the branch. Please be advised that the applicant is responsible for complying with any local bylaws related to the licensed establishment patios. **The application requires a local government/First Nation resolution.** Please refer to Part 3 for more information.

Attach the following:

One 11" x 17" and one 8.5" x 11" scaled, detailed furniture layout plan of the current licensed area and the proposed patio area(s).

Occupant load of patio(s) from above plans: Patio #1: 118 Patio #2: Patio #3:

The occupant load of the current licensed area(s) and proposed patio area(s) **must** be marked/stamped ON the plans by provincial (or designate) fire or building authorities. An alternate qualified professional (architect) may be used in locations only where fire and building authorities do not have jurisdiction to provide an occupant load if accompanied by local government/First Nation written confirmation.

1. Describe the patio perimeter that is designed to control patron entry/exit. (i.e., railing, fencing, planters, hedging, etc.)

We will have Planters and fencing around the perimeter with entrance way.

2. Will your servers have to carry liquor through unlicensed areas to get to the patio? Yes No *If Yes, please explain:*

3. Is the patio located immediately adjacent or contiguous to the interior licensed area? Yes No *If No, please explain:*

4. Describe how your staff will manage and control the patio from the interior licensed area

All alcohol purchases will be made in the interior lounge area. The patio will be fenced in to prevent people from entering or leaving unless they use the patio entrance area. During patio hours, staff will be required to monitor the patio and patrons using the patio.

5. Attach a photo if the patio is already built.

NOTE: Agricultural Land Commission (ALC) may restrict the size and capacity of a lounge and/or patio. Prior to submitting your application, verify if restrictions exist. Provide details as applicable.

IMPORTANT: You must request a local government/First Nation resolution commenting on the application. Local government must complete and sign Part 4 of this form. For further information on local government resolutions, read Part 3.

Also complete Parts 6 and 7

LCLB013

2 of 7

LIQUOR CONTROL & LICENSING
RECEIVED
FEB 25 2015
VICTORIA BC

Manufacturer Application for Structural Change

PART 5: Structural Application Floor Plan Guidelines

A floor plan is a view of each floor as seen if you were to remove the roof or ceiling and all construction above. Floor plans must be acceptable to the Liquor Control and Licensing Branch for your application to be processed.

Floor plans should meet the following requirements:

- Must be clear, legible and of sufficient size and detail
- Drawing scale of not less than 1/4" = 1'0" (1:48)
- OCCUPANT LOAD(S) MUST BE CLEARLY MARKED/STAMPED ON THE PLANS for a lounge and/or patio as well as interior special event areas by provincial (or designate) fire or building authorities. An alternate qualified professional may be used in locations where fire and building authorities do not have jurisdiction to provide an occupant load, if accompanied by local government/First Nation written confirmation.
- Complete dimensions of all construction and room sizes
- Label partial height walls, planters, retail area, storage rooms, offices, washrooms, kitchen, storage, bars, sampling/tasting area, patios and the furniture layout of tables and chairs
- Location and size of doors and windows
- Stairs showing direction of travel and dimensions

PART 6: Declaration of Signing Authority Including Valid Interest

My signature, as Applicant, indicates that, with respect to the establishment:

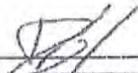
- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner or lessee of the establishment or portion of the establishment to be licensed. If I have an option/offer to lease the establishment, or portion of the establishment to be licensed, prior to a licence being issued, I will obtain a completed lease that will not expire for a minimum of 12 months after the date the licence is issued.
- I understand that the general manager has the right to request the following documentation supporting valid interest at any time and I agree to provide the requested documentation in a timely manner upon request:
 - If the applicant owns the property, a Certificate of Title in the applicant's name.
 - If the applicant is renting or leasing, a fully executed lease or assignment/offer of lease which does not expire for at least 12 months from the date the licence is issued. An offer for rent/lease must show rent paid, have a term and an expiry date and be signed by both the applicant and the property owner.
 - If the applicant is buying the land and the building(s), a copy of the offer or option to purchase the property and building(s). An offer must show price paid, have a term and expiry date, and be signed by both the applicant and the property owner.
- I understand that loss of valid interest at any time while holding a licence is reason for the general manager to consider cancelling the licence.
- I understand that I must advise the branch immediately if at any time the potential exists to lose valid interest either during the licensing process or once a licence has been issued.
- I understand that the name(s) on documentation demonstrating valid interest must be identical to the applicant name(s).
- As the licensee, I will be accountable for the overall operation, for all activities within the establishment and will not allow another person to use the licence without having first obtained a written approval from the general manager.
- I understand that a licence can only be renewed if I am the owner of the business carried on at the licensed establishment and I am the owner or lessee of the licensed portion of the establishment.

I solemnly declare that the statements in this declaration are true.

(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. If more space is required, please attach a separate sheet):

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

Name of Official: Sharratt/Daniel/R. Position: Owner Date: 24/02/2015
(last / first / middle) (Day/Month/Year)

Signature: 

Name of Official: Stephanson/Alexandra/L. Position: Owner Date: 24/02/2015
(last / first / middle) (Day/Month/Year)

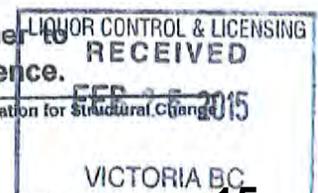
Signature: _____

Name of Official: _____ Position: _____ Date: _____
(last / first / middle) (Day/Month/Year)

Signature: 

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".

False declaration of valid interest is reason for the general manager to consider terminating the licence application and/or cancelling the licence.





STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Development Variance Permit 1503 – 4974 Cotton Road

File No.: 3090-20-1503

Date: May 11, 2015

PURPOSE:

The purpose of this report is for council to consider a variance to the zoning bylaw to relax the required Agricultural Land Reserve fencing and vegetation buffer from 10 meters to 5 meters to accommodate the subdivision of the existing property into two separate residential lots.

CAO RECOMMENDATIONS:

That based on the May 11th, 2015 staff report “Development Variance Permit No. 1503 – 4974 Cotton Road.” Council approve Development Variance Permit No. 1503 (Option 1).

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is a large rural lot located within the Sandwich Local Area Plan boundary and is currently zoned Rural Residential Four Zone (RR-4). The zone permits a variety of uses including single residential dwelling, accessory building and structure, and home occupation. The applicant has applied for subdivision of the existing property with the Engineering Department. In effort to provide for a more substantial building envelope for the proposed subdivision, the applicant has requested a variance to the required ALR fencing and landscape buffer in the City of Courtenay Zoning Bylaw to support the construction of a single residential dwelling.



DISCUSSION:

The proposal to subdivide the property is generally consistent with land use policy in the Official Community Plan and regulations of the Zoning Bylaw. The subject property is designated as Suburban Residential in the Official Community Plan and as mentioned above carries a Rural Residential Four Zone (RR-4). The proposed subdivision offers an opportunity for infill development within the Sandwich/Headquarters area. It is the opinion of Staff that the development of the property will meet the Sandwich/Headquarters Local Area Plan (LAP) design principle of ensuring that infill development is in keeping with the existing neighbourhood character.

The proposed subdivision aligns with the intent of the suburban residential land use policy. The applicant has requested a variance to:

- *Section 6.14.4 of Zoning Bylaw No. 2500, 2007 to reduce the required minimum Agricultural Land Reserve fence and landscape buffer from 10 meters to 5 meters.*

A 10 meter wide statutory right of way is in place on the adjacent property along the ALR boundary for the Fortis BC high pressure gas line. This right of way essentially creates a buffer within the ALR next to the proposed subdivision.

Although the neighbouring property is designated as Agricultural Land Reserve, it currently serves as a community recreational golf course (Mulligans Golf Course).

FINANCIAL IMPLICATIONS:

Development related benefits and costs will be identified at subdivision through a Development Impacts Report provided through the new Economic Impact Model that was jointly developed by the City and CVEDS.

ADMINISTRATIVE IMPLICATIONS:

The processing of development applications is included in the current work plan as a statutory component. Staff has spent a combined 10 hours to date on this application and council report. If approved, it's estimated that an additional 1 hour of staff time would be required to prepare the notice on title and close the file.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications with this Development Variance Permit application. However, should council approve the variance, and the applicant proceeds with an application for subdivision, there will be future impacts on new or upgraded infrastructure.

STRATEGIC PLAN REFERENCE:

Goal 2: Provide proactive leadership for growth management

OFFICIAL COMMUNITY PLAN REFERENCE:

Not specifically referenced

REGIONAL GROWTH STRATEGY REFERENCE:

This application for Development Variance Permit to facilitate the subdivision of a property within a suburban residential neighbourhood is consistent with the Regional Growth Strategy Managing Growth Policy 1.2 – Development within Core Settlement Areas

CITIZEN/PUBLIC ENGAGEMENT:

The applicant held a public information meeting with regard to the proposed variance on April 17th, 2015. One neighbouring property owner attended the meeting and had no concerns with the information presented and supported the proposed variance. The minutes of the meeting are attached for reference. 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.

The City received several responses to the notifications for the proposed variances:

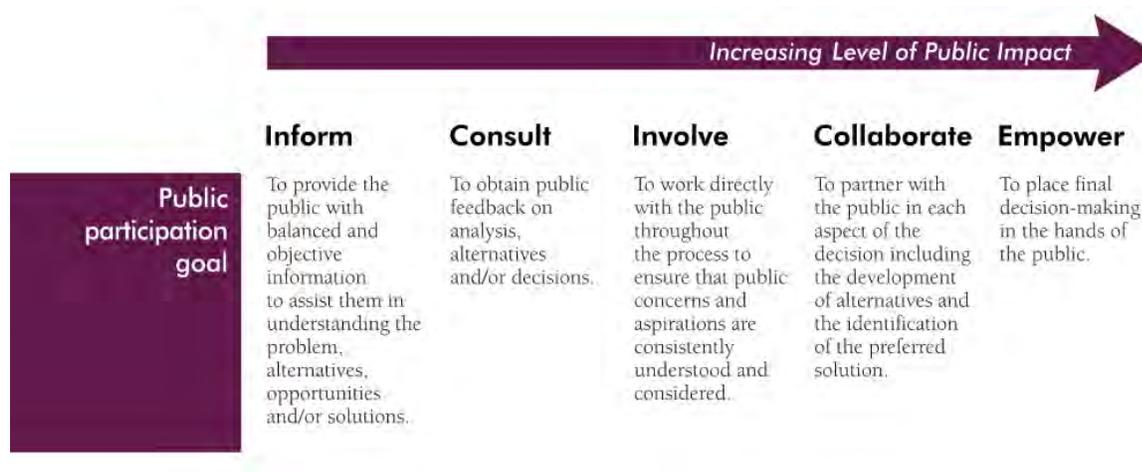
Gerry McClintock – City of Courtenay Agricultural Advisory Committee does not support the variance as the land adjacent to the property, although not currently farmed, may one day be returned to primary agriculture.

Jill Hatfield P.Ag – BC ministry of Agriculture does not support the variance as applied, but however supports a variance from 10m to 7.5m. She indicates that buffers are considered the best protection for both farmer and urban neighbours to avoid conflict over farm practices. Although the agricultural activity adjacent to the subject property is not intensively farmed, this may not be the situation in the future. Once the urban side is developed, it is almost impossible to create an urban side buffer in the farming activity.

Several of the neighbouring property owners have written in support of the variance as applied. All have indicated that the 10m right of way for the FortisBC high pressure gas line can act like a buffer.

Staff would “Involve” based on the IAP2 Spectrum of Public Participation:

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf



OPTIONS:

OPTION 1: Approve Development Variance Permit No. 1503 as attached. (Recommended)

OPTION 2: Approve Development Variance Permit No. 1503 with a 7.5 meter setback consistent with comments from the Ministry of Agriculture.

OPTION 3: Defer consideration of Development Variance Permit No. 1503 pending receipt of further information.

OPTION 4: Do not approve Development Variance Permit No. 1503.

Prepared by:

Reviewed by:



Allan Gornall, B.Sc
Planning Technician

Ian Buck, MCIP, RPP
Manager of Planning Services

Attachments:

1. *Attachment No. 1: Applicant's Project Description, March 2015*
2. *Attachment No. 2: Summary of Public Information Meeting, April 17, 2015*
3. *Schedule No. 1: Plans and Elevations, March 2015*

Attachment No. 1

CHICALO BURRIDGE LAND SURVEYING
AND GEOMATICS LTD.

Geomatics Engineering - B.C. & Canada Lands Surveys
1250 E Cedar Street, Campbell River, B.C. V9W 2W5
PHONE: (250) 287-4865 • FAX: (250) 287-9502

Our File: 14001

March 4, 2015

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

Attn. Les Doty

Re. **Development Permit Application to Vary ALR Buffer Width
For Proposed Subdivision of:
Lot 20, Section 20, Comox District, Plan 7161**
4974 Cotton Road, Courtenay, B.C.
City of Courtenay File No. 3320-20-13683



Dear Sir;

On behalf of our client 640433 BC Ltd. (Ken McIntosh) I have prepared the attached Development Permit Application to accompany our proposed subdivision on Cotton Road. I have enclosed the following:

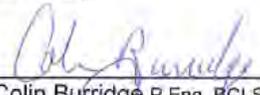
- Current Title search;
- Completed application;
- Sketch Plan of the proposed ALR buffer variance;
- Application fee of \$ 1,000.00.

Our client wishes to reduce the 10 metre wide ALR fencing and vegetation buffer which is required under section 6.14.4 of the City Zoning Bylaw. We wish to reduce this width to 5.0 metres to provide for a more substantial building envelope for the proposed Lot A. The 10 metre wide buffer would allow for a building envelope of only 16.15 m (53') in width, while a 5 metre buffer would provide a 21.15 (69') wide envelope.

A 10 metre wide statutory right of way is in place on the adjacent property along the ALR boundary for the Fortis high pressure gas line. This right of way essentially creates a buffer within the ALR next to our client's property boundary. It is also our understanding from the preliminary subdivision review, that City Staff would support this variance.

Please review our submission at your earliest convenience and contact me with any questions or comments you may have.

Sincerely;


Colin Burridge P.Eng, BCLS,CLS

cc Ken McIntosh

14001DVP1.doc

Attachment No. 2

**Public Information Meeting
April 17, 2015
Development Variance Permit Application to Vary ALR Buffer Width
For Proposed Subdivision of:
Lot 20, Section 20, Comox District, Plan 7161
4974 Cotton Road, Courtenay, B.C. Owner: Ken MacIntosh
City of Courtenay File No. 3090-20-1503**

COMMENT SHEET

Name: HELVIN SANDUAK Email: _____

Address: 4975 COTTON RD Phone: 250-338 78 35

Ken McIntosh has applied to the City of Courtenay for a Development Variance Permit to reduce the 10 metre wide ALR fencing and vegetation buffer which is required under section 6.14.4 of the City Zoning Bylaw. We wish to reduce this width to 5.0 metres. This project is under review by Staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

NO QUESTION
GOOD IN FAVOR OF VARIANTE

Please return your comments by April 24, 2015

Comment sheets can be submitted by one of the following methods:

1. Hand your comment sheet in tonight.
2. Drop your sheet off at 4974 Cotton Road
3. Email your comment sheet to cbsurvey@telus.net

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

Permit No. DVP-1503

DEVELOPMENT VARIANCE PERMIT

May 11, 2015

To issue a Development Variance Permit

To: Name: 640433 B.C. LTD., INC.NO.640433
Address: P.O. Box 91
5855 Mt. Lehman Road
Abbotsford, BC
V4X 2P7

Property to which permit refers:

Legal: Lot 20, Section, 20, Comox District, Plan 7161
Civic: 4974 Cotton Road

Conditions of Permit:

Permit issued to vary *Section 6.14.4 of Zoning Bylaw No. 2500, 2007* to reduce the required minimum Agricultural Land Reserve fence and landscape buffer from **10 meters** to **5 meters** subject to the following conditions:

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

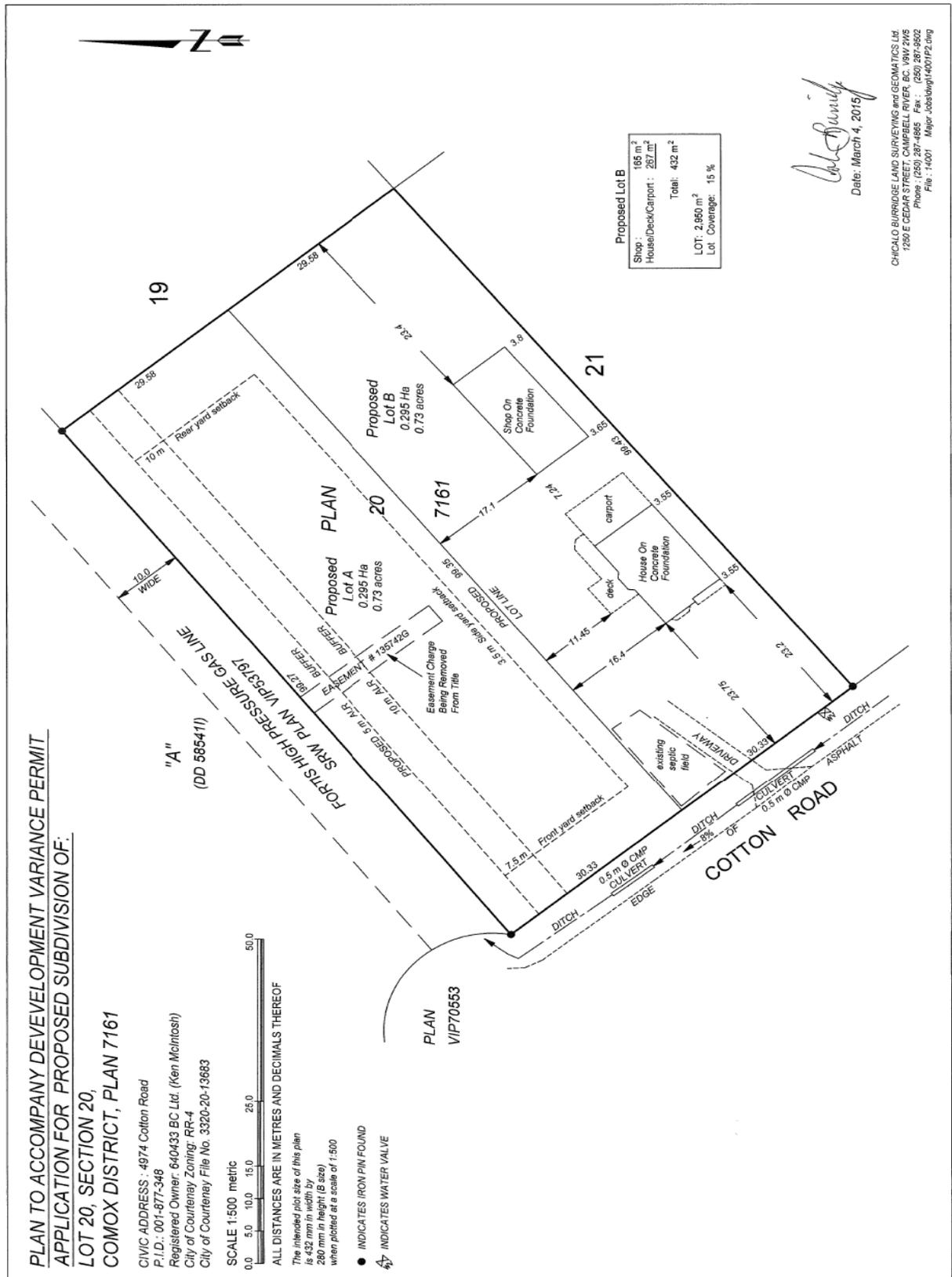
Time Schedule of Development and Lapse of Permit

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

Schedule No. 1





THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Grant Request – The Alberni Project Society

File No.: 1850-01
Date: May 11, 2015

PURPOSE:

The purpose of this report is to request Council consideration of a request from The Alberni Project Society for an annual grant of \$2,000 for a period of five years.

CAO RECOMMENDATIONS:

That based on the May 11, 2015 staff report “Grant Request – The Alberni Project Society” Council approve OPTION 1, which is to provide a grant of \$2,000 for the 2015 calendar year only, and that the grant be paid from the City’s host gaming funds account under the Council Initiatives and Projects distribution category.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Council first considered the grant request from The Alberni Project Society on January 19, 2015 and passed the following resolutions:

“Moved by Hillian and seconded by Theos that the letter from The Alberni Project requesting financial support of The Alberni Project and the HMCS Alberni Museum and Memorial by way of an annual operating grant of \$2,000 per year for up to 5 years be received.

Carried

“Moved by Theos and seconded by Lennox that staff provide a report to Council regarding the implications of the funding request including additional background information and a recap of other local government funding.”

Carried

DISCUSSION:

Further to Council direction, additional financial information was received from The Alberni Project and is attached for reference. In searching for funding, the applicant has also approached the Town of Comox and the Comox Valley Regional District with grant applications for 2015 and beyond.

Funding provided by other Comox Valley local governments is as follows:

2014 - \$500 grant approved, Comox Valley Regional District, Electoral Area C

2015 - \$2,500 grant approved, Town of Comox

- Grant application has been made to the Comox Valley Regional District electoral areas, however there is no funding commitment as yet for 2015

Grants to community groups have not been budgeted for under the City's general fund budget. However, there are unallocated 2015 funds remaining under the "Council Initiatives and Projects" category of the Schedule of Annual Gaming Funds Distribution. Should Council wish to consider a grant to The Alberni Project Society, a grant could be provided from gaming funds.

FINANCIAL IMPLICATIONS:

There is no financial impact on the City's general budget. Should Council wish to provide a grant, there are budgeted gaming funds available for distribution.

ADMINISTRATIVE IMPLICATIONS:

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

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications.

STRATEGIC PLAN REFERENCE:

An operational priority in the Financial Services section of the 2015 Strategic Priorities Chart is to review the Gaming Fund Distribution Policy.

The Council resolution in regards to distribution of gaming funds is currently in effect until the end of 2015, and staff will be engaging with Council to review and update the distribution policy later this year.

OFFICIAL COMMUNITY PLAN REFERENCE:

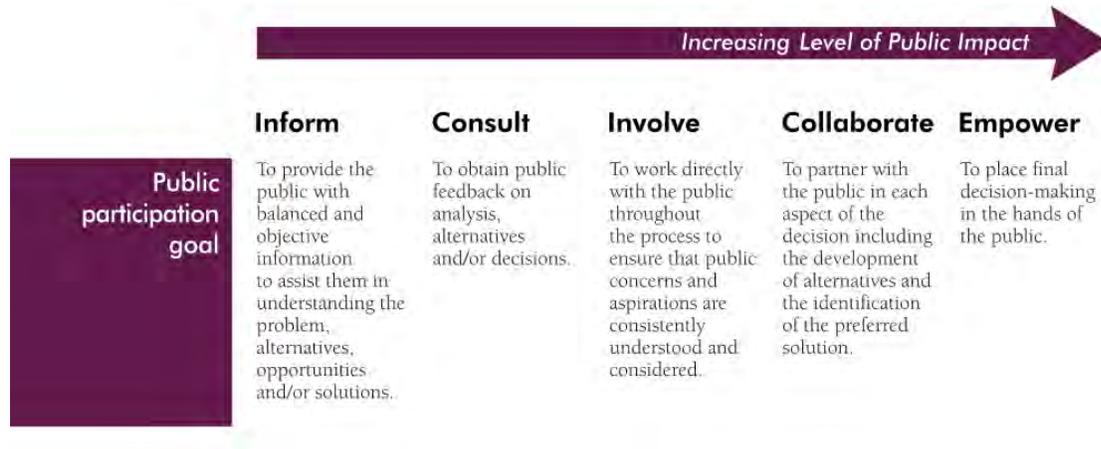
Not applicable

REGIONAL GROWTH STRATEGY REFERENCE:

Not applicable.

CITIZEN/PUBLIC ENGAGEMENT:

The public will be informed of the outcome of Council’s consideration of the grant request from The Alberni Project Society. This is based on level one of the IAP2 Spectrum of Public Participation adopted as an element of Sound Project Design for the Corporate Workplan.



OPTIONS:

- OPTION 1: That Council approve a grant to The Alberni Project Society of \$2,000 for the 2015 calendar year, and that the grant be paid from the City’s Host Gaming Revenues under the Council Initiatives and Projects distribution category. [RECOMMENDED]
- OPTION 2: That Council decide on an alternative grant amount to be provided to The Alberni Project Society.
- OPTION 3: That Council denies the grant request from The Alberni Project Society.

Prepared by:

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

Attachments:

1. The Alberni Project Society, correspondence and financial information
2. Gaming Account, financial update to May 4, 2015
3. 2013-2015 Approved Schedule of Annual Gaming Funds Distribution

THE 
ALBERNI
PROJECT
HMCS ALBERNI
MEMORIAL



I WILL REMEMBER
JE ME SOUVIENDRAI

HMCS ALBERNI MUSEUM

34-190 Port Augusta Street
Comox BC Canada V9M 3N1
Tue-Sat 10 am - 4 pm

MUSEUM EMAIL

k103museum@alberniproject.org

MUSEUM PHONE

250-339-4322

DIRECTOR EMAIL

Lewis Bartholomew

mrbarth@alberniproject.org

DIRECTOR PHONE

250-334-6555

THE ALBERNI PROJECT SOCIETY

ADMINISTRATION OFFICE

65 Salisbury Road
Courtenay, BC Canada V9N 9L7

PHONE

250-338-2720

FAX

250-338-2867

TAP MOBILE EXHIBIT

65 Salisbury Road
Courtenay, BC Canada V9N 9L7

TAP MOBILE INQUIRIES EMAIL

tap103@alberniproject.org

WEBSITE

www.alberniproject.org

Tuesday, 6 January, 2015

City of Courtenay

Mayor Larry Jangula

Councilors Manno Theos, Bob Wells, David Frisch, David Frisch, Doug Hillian, Rebecca Lennox, Erik Eriksson

Dear City of Courtenay Mayor and Council,

I am writing to you to ask for the City of Courtenay's financial support of The Alberni Project (TAP) and the HMCS Alberni Museum and Memorial (HAMM) located in the Comox Centre Mall. TAP & HAMM are community supported programs operated by The Alberni Project Society (BC reg: S-0062206) based in Courtenay.

As many of you have experienced first hand, TAP has been presented at various Comox Valley events for the past 10 years including the annual Canada Day festival in Lewis Park as well as other locations at schools and public events on Vancouver Island from Port Hardy to Victoria. HAMM has developed into a popular local museum and memorial which is dedicated to preserving part of Canada's military history. HAMM and the larger TAP program held the highly successful Year of the Veteran - Comox Valley last year which received a nomination for the Governor General's History Award for Excellence in Community Programming. Both programs continue to receive national recognition in both television and print media and in September 2013 was recognized by the Federal Government with the presentation of the Peace Tower Flag which flew on the 70th Anniversary of the sinking of HMCS Alberni. At the end of 2014 visitor attendance figures of both HAMM and TAP exhibits more than doubled from the previous year to just over 5600 visitors.

In past years TAP/HAMM has been supported by small amounts of public donations and local business' contributions. The major shortfalls in annual operating expenses were covered with funding from my own personal pension. However now that TAP and HAMM have become much larger and popular we have had to significantly increase our operating budget for 2015 to reflect this growth in public awareness and interest in our programs of Remembrance.

Our basic operating budget for 2015 is \$18,000. We are asking for an annual 5 year commitment from the City of Courtenay for an annual Operations Grant of \$2000. This will assist us to continue our ongoing community service and to provide new exhibits in the Comox Valley related to our Nation's military history. We hope that the City of Courtenay's 2015 budget can be amended to include our request for funding.

Thank you for your consideration of our grant proposal.

Sincerely,

Lewis Bartholomew

Founder and Director - The Alberni Project - HMCS Alberni Museum

A handwritten signature in blue ink that reads "Lewis Bartholomew".

New Bus

THE 
ALBERNI
PROJECT
HMCS Alberni
Memorial



I Will Remember
Je Me Souviendrai

HMCS ALBERNI MUSEUM

34-190 Port Augusta Street
Comox BC Canada V9M 3N1
Tue-Sat 10 am - 4 pm

MUSEUM EMAIL

k103museum@alberniproject.org

MUSEUM PHONE

250-339-4322

DIRECTOR

Lewis Bartholomew
mrbarth@alberniproject.org
250-334-6555 Cellular

THE ALBERNI PROJECT SOCIETY

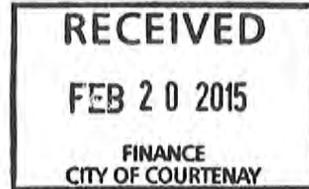
ADMINISTRATION OFFICE
TAP MOBILE EXHIBIT BOOKINGS
65 Salisbury Road
Courtenay, BC Canada V9N 9L7

PHONE

250-338-2720
250-338-2867 FAX

WEBSITE

www.alberniproject.org



Friday, February 20, 2015

Dear Tillie Manthey:

RE: Request for 5 Year \$2000.00 Grant Funding

Please find attached the financial information you have requested about our Not for Profit Society and the HMCS Alberni Museum.

Income Statement

2014 on the left column

2015 Budget on the right column

Expense Statement:

2014 on the left column

2015 Budget on the right column

Our Society Registration Number is S-0062206

In 2014 we received a grant of \$500.00 from the Comox Valley Regional District. This year we have not as yet received any grant money.

Mr Bartholomew is the founder and director of The Alberni Project and operates the HMCS Alberni Museum in the Comox Centre Mall 5 days a week. He does not receive any salary. As you can see from the expense statement, he has put in almost \$6000.00 of his own money to keep the museum active and operating. As the museum increases in popularity with visitors and artifact donations, and with upgrades to both the museum and mobile unit, it is critical that funding be obtained from the community to keep the doors open.

regards,

A handwritten signature in blue ink that reads 'James Derry'. The signature is fluid and cursive.

James Derry
Treasurer, The Alberni Project Society

THE ALBERNI PROJECT SOCIETY

INCOME	2014	2015 BUDGET
GIFT SHOP SALES	2619.10	3000.00
MEMBERSHIP	370.00	500.00
DONATIONS BUCKET	2979.50	5000.00
DONATIONS CHEQUE	2017.50	4000.00
DONATIONS FROM DIRECTOR (LEWIS)	1050.00	1000.00
DONATION IN KIND (TELUS)	2200.00	2200.00
GRANTS	500.00	10000.00
TOTAL INCOME:	11736.10	25700.00

THE ALBERNI PROJECT SOCIETY

2015 BUDGET

2014

OPERATING EXPENSES, MUSUEM

RENT	4410.00	5040.00
BC HYDRO	1430.86	1600.00
TELUS INTERNET	559.90	600.00
TELUS PHONE & MOBILITY	2200.00	2200.00
INSURANCE	750.00	750.00
PRICE'S ALARMS		500.00
EXHIBIT MATERIALS. ONGOING	366.69	1000.00
MEMBERSHIP PROF.	214.93	215.00
UNIFORMS	117.27	200.00
SIGNAGE	235.69	300.00
OFFICE	1053.45	800.00
RCSCC/189 PORT AUGUSTA SEA CADETS		150.00
WEB HOSTING	127.70	130.00
ADVERTISING & PROMOTION	914.16	1100.00
SHORT TERM EXHIBITS		2500.00
TOTAL MUSEUM EXPENSES:	12380.65	17085.00

EXPENSES, TAP MOBILE UNIT

GAS	333.88	500.00
INSURANCE, TRAILER	63.00	120.00
PRORATE EXPLORER INSURANCE		500.00
SIGNAGE	106.09	200.00
UPGRADE DISPLAYS		500.00
TOTAL MOBILE EXPENSES:	502.97	1820.00

NEW ASSETS, MUSEUM

POSTERS & BANNERS	616.19	1000.00
FURNISHINGS & PERM. DISPLAYS	1176.35	2000.00
LIBRARY	48.83	100.00
EXHIBITS, FEATURE SHOWS		2000.00
TOTAL NEW ASSETS:	1841.37	5100.00

GIFT SHOP

STOCK PURCHASED	1541.73	2000.00
PROMOTIONAL A&P	74.52	100.00
CADET SPONSORSHIP 10% IWR SIGNS	150.00	200.00
TOTAL GIFT SHOP EXPENSES:	1766.25	2300.00

ALL EXPENSES 16491.24 26305.00

ACCOUNTS PAYABLE

L R B : MUSEUM EXPENSES	2260.03
L R B : MOBILE EXPENSES	329.77
L R B : MUSEUM ASSET EXPENSES	1153.57
L R B : GIFT SHOP STOCK	876.01
TOTAL A/P	4619.38

**SHORT FALL OF EXPENSES COVERED BY
LEWIS (34%) OF TOTAL FOR 2014**

City of Courtenay
GAMING ACCOUNT
For the Five Months Ending May-31-15
PRINTED: 04/05/2015

	2015 BUDGET	2015 ACTUAL	VARIANCE
REVENUE			
PROV TRANSFERS - GAMING REVENUES	825,000	0	825,000
INTEREST EARNINGS ON GAMING REVENUE	0	3,851	(3,851)
TOTAL REVENUE	825,000	3,851	821,149
EXPENSE			
> DISBURSEMENT CATEGORIES			
1. SOCIETIES MANAGING CITY ART/CULT FACILITIES			
-CV ART GALLERY	65,000	32,500	32,500
-SID WILLIAMS THEATRE SOCIETY	105,000	52,500	52,500
-CTNY AND DIST HISTORICAL SOCIETY	50,000	25,000	25,000
-DOWNTOWN CULTURAL EVENTS	5,000	0	5,000
	225,000	110,000	115,000
2. COUNCIL INITIATIVES AND PROJECTS			
- COMMUNITY GRANTS - unallocated	36,500	0	36,500
- BUS SHELTER PROJECTS	30,000	0	30,000
- JULY 1ST COMMITTEE	5,000	0	5,000
- PURPLE RIBBON CAMPAIGN	3,500	3,500	3,500
	75,000	3,500	75,000
3. PUBLIC SAFETY & SECURITY			
- 2 RCMP Members	340,000	340,000	0
4. SOCIAL/SOCIETAL INITIATIVES			
- unallocated	50,000	0	50,000
5. INFRASTRUCTURE WORKS			
- to Infrastructure Reserve	100,000	100,000	0
6. GREEN CAPITAL PROJECTS/INNOVATION			
- CV Project Watershed - Lagoon	25,800	25,800	0
- unallocated	9,200	0	9,200
	35,000	25,800	9,200
TOTAL EXPENSE	825,000	579,300	249,200
NET CURRENT YEAR OPERATIONS	0	(575,449)	135,449

City of Courtenay
2013 - 2015 Approved Schedule of Annual Gaming Funds Distribution

Distribution: Major Categories	Distributions - 2013			Distributions - 2014			Distributions - 2015		
	Estimated Annual Funds Available	\$	805,000	Estimated Annual Funds Available	\$	815,000	Estimated Annual Funds Available	\$	825,000
<i>Support Downtown Arts and Culture</i>	CV Art Gallery	\$	65,000	CV Art Gallery	\$	65,000	CV Art Gallery	\$	65,000
	Ctny & Dist Historical Society	\$	50,000	Ctny & Dist Historical Society	\$	50,000	Ctny & Dist Historical Society	\$	50,000
	Sid Williams Theatre Society	\$	105,000	Sid Williams Theatre Society	\$	105,000	Sid Williams Theatre Society	\$	105,000
	Downtown cultural events	\$	5,000	Downtown cultural events	\$	5,000	Downtown cultural events	\$	5,000
		\$	225,000		\$	225,000		\$	225,000
<i>Council Initiatives & Projects</i>	Purple ribbon Campaign	\$	3,500	Purple ribbon Campaign	\$	3,500	Purple ribbon Campaign	\$	3,500
	Bus shelters - 3 per year	\$	30,000	Bus shelters - 3 per year	\$	30,000	Bus shelters - 3 per year	\$	30,000
	Other projects and initiatives	\$	41,500	Other projects and initiatives	\$	41,500	Other projects and initiatives	\$	41,500
		\$	75,000		\$	75,000		\$	75,000
<i>Public Safety / Security</i>	Policing - fund two officers	\$	320,000	Policing - fund two officers	\$	330,000	Policing - fund two officers	\$	340,000
<i>Social / Societal Initiatives</i>	Council supported supportive housing initiatives	\$	50,000	Council supported supportive housing initiatives	\$	50,000	Council supported supportive housing initiatives	\$	50,000
<i>Infrastructure Works</i>	Reserve funds for third bridge crossing	\$	100,000	Reserve funds for third bridge crossing	\$	100,000	Reserve funds for third bridge crossing	\$	100,000
<i>Green Capital Projects / Innovation</i>	Council supported initiatives to achieve outcomes of reduced greenhouse gas emissions, cleaner air, cleaner water	\$	35,000	Council supported initiatives to achieve outcomes of reduced greenhouse gas emissions, cleaner air, cleaner water	\$	35,000	Council supported initiatives to achieve outcomes of reduced greenhouse gas emissions, cleaner air, cleaner water	\$	35,000
Total Annual Distribution		\$	805,000		\$	815,000		\$	825,000



THE CORPORATION OF THE CITY OF COURTENAY

MEMORANDUM

To: Council **File No.:** 5280-20
From: Chief Administrative Officer **Date:** May 6th, 2015
Subject: European Fire Ants in Old Orchard Neighbourhood Block

ISSUE:

European Fire Ants (EFA) are known to occur in the neighbourhood block bounded by 3rd and 2nd streets and Duncan and England Avenues. EFA are an invasive species that can aggressively sting humans, thereby making it difficult to occupy infested areas. EFA are currently known to only exist within this block and the residents of this block have requested that the City consider ways to assist them in managing EFA on their properties.

BACKGROUND:

While there are tools available to the City to regulate the management of soils and vegetation in the infested area (e.g. soil permits, environmental development permits), the City does not have a direct legislative mandate to manage invasive species.

In an effort to educate the public, the City coordinated a neighbourhood workshop and site visit from leading ant expert, Dr. Rob Higgins of Thomson Rivers University on March 9 of this year. Residents and City staff had an opportunity to discuss with Dr. Higgins Best Management Practices (BMPs) regarding EFA management. Dr. Higgins emphasized that BMPs are evolving as more research is conducted. It is believed that the ants may have originally arrived to the block through infested plant material over 10 years ago. Avoiding spread of the EFA to neighbouring properties is a critical objective.

The City has a capital road project planned for 2nd Street this year. Contractors bidding on the project are required to include a management plan to ensure EFA are not spread during the work.

KEY CONSIDERATIONS:

EFA are not known to cross 'unhospitable terrain' greater than 2 metres (e.g. asphalt, gravel – surfaces without food sources for them) and therefore there may be opportunity to contain the infestation to this one City block. Dr. Higgins advised that eradication will not be possible, but that on-going management will help to reduce the impacts.

Because EFA do not adhere to property boundaries, on-going control will require the active participation of all residents within the block to coordinate efforts and reduce EFA in the long-term. Residents can control the EFA on their properties by ensuring that no EFA infested materials are received or leave their properties, nests are identified and removed, and new nests are not allowed to be established.

To date, the City's role has been limited to the neighbourhood education workshop, liaising with the Coastal Invasive Species Council on sampling opportunities (conducted by them), and coordinating an annual open-fire burn for one day a year (May 9th) for all residents within the block to dispose of landscape materials on site. Staff will be notifying the surrounding neighbourhood of this burn permit.

Prepared by:

Nancy Hofer, MSc
Environmental Planner

Ian Buck, MCIP, RPP
Manager of Planning

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

General Fund Asset Management Reserve Fund Bylaw No. 2817, 2015

REASON FOR BYLAW

To establish a reserve fund for general fund asset management purposes

STATUTORY AUTHORITY FOR BYLAW

Section 188 of the *Community Charter*

OTHER APPROVALS REQUIRED

Council approval for the establishment of this reserve was passed on March 23, 2015

STAFF COMMENTS AND/OR REPORTS

OTHER PROCEDURES REQUIRED

May 4, 2015

T. Manthey
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2817

**A bylaw to establish a reserve fund for
general fund asset management purposes**

WHEREAS the City of Courtenay has identified a need to fund the future replacement or renewal of general fund capital assets; and

WHEREAS Section 188 of the *Community Charter* authorizes Council to establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS money in this reserve fund, and the interest earned on it, must be used only for the purpose for which the fund was established; and

AND WHEREAS monies received through budget transfers or other Council approved allocations and interest earnings on those proceeds have been segregated in a reserve fund.

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

1. This bylaw may be cited for all purposes as **“General Fund Asset Management Reserve Fund Establishing Bylaw No. 2817, 2015”**.
2. Amounts included in the financial plan adopted under Section 165 of the *Community Charter* for the purpose of undertaking asset management projects, or other allocations approved by Council, may from time to time be paid into this reserve fund.
3. The accumulated funds in the General Fund Asset Management Reserve Fund will be used to acquire tangible capital assets relating to the general functions within that fund for the purpose of refurbishing, renewing or replacing existing tangible capital assets for those assets within those functions.
4. All expenditure of money from the General Fund Asset Management Reserve Fund shall be provided for in the annual Financial Plan or amendments thereto.

Read a first time this 11th day of May, 2015

Read a second time this 11th day of May, 2015

Read a third time this 11th day of May, 2015

Finally passed and adopted this day of , 2015

Mayor

Director of Legislative Services

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

Water Fund Asset Management Reserve Fund Bylaw No. 2818, 2015

REASON FOR BYLAW

To establish a reserve fund for water fund asset management purposes

STATUTORY AUTHORITY FOR BYLAW

Section 188 of the *Community Charter*

OTHER APPROVALS REQUIRED

Council approval for the establishment of this reserve was passed on March 23, 2015

STAFF COMMENTS AND/OR REPORTS

OTHER PROCEDURES REQUIRED

May 4, 2015

T. Manthey
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2818

**A bylaw to establish a reserve fund for
water fund asset management purposes**

WHEREAS the City of Courtenay has identified a need to fund the future replacement or renewal of water fund capital assets; and

WHEREAS Section 188 of the *Community Charter* authorizes Council to establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS money in this reserve fund, and the interest earned on it, must be used only for the purpose for which the fund was established; and

AND WHEREAS monies received through budget transfers or other Council approved allocations and interest earnings on those proceeds have been segregated in a reserve fund.

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

1. This bylaw may be cited for all purposes as **“Water Fund Asset Management Reserve Fund Establishing Bylaw No. 2817, 2015”**.
2. Amounts included in the financial plan adopted under Section 165 of the *Community Charter* for the purpose of undertaking asset management projects, or other allocations approved by Council, may from time to time be paid into this reserve fund.
3. The accumulated funds in the Water Fund Asset Management Reserve Fund will be used to acquire tangible capital assets relating to the general functions within that fund for the purpose of refurbishing, renewing or replacing existing tangible capital assets for those assets within those functions.
4. All expenditure of money from the Water Fund Asset Management Reserve Fund shall be provided for in the annual Financial Plan or amendments thereto.

Read a first time this 11th day of May, 2015

Read a second time this 11th day of May, 2015

Read a third time this 11th day of May, 2015

Finally passed and adopted this day of , 2015

Mayor

Director of Legislative Services

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

Sewer Fund Asset Management Reserve Fund Bylaw No. 2819, 2015

REASON FOR BYLAW

To establish a reserve fund for sewer fund asset management purposes

STATUTORY AUTHORITY FOR BYLAW

Section 188 of the *Community Charter*

OTHER APPROVALS REQUIRED

Council approval for the establishment of this reserve was passed on March 23, 2015

STAFF COMMENTS AND/OR REPORTS

OTHER PROCEDURES REQUIRED

May 4, 2015

T. Manthey
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2819

**A bylaw to establish a reserve fund for
sewer fund asset management purposes**

WHEREAS the City of Courtenay has identified a need to fund the future replacement or renewal of sewer fund capital assets; and

WHEREAS Section 188 of the *Community Charter* authorizes Council to establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS money in this reserve fund, and the interest earned on it, must be used only for the purpose for which the fund was established; and

AND WHEREAS monies received through budget transfers or other Council approved allocations and interest earnings on those proceeds have been segregated in a reserve fund.

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

1. This bylaw may be cited for all purposes as **“Sewer Fund Asset Management Reserve Fund Establishing Bylaw No. 2817, 2015”**.
2. Amounts included in the financial plan adopted under Section 165 of the *Community Charter* for the purpose of undertaking asset management projects, or other allocations approved by Council, may from time to time be paid into this reserve fund.
3. The accumulated funds in the Sewer Fund Asset Management Reserve Fund will be used to acquire tangible capital assets relating to the general functions within that fund for the purpose of refurbishing, renewing or replacing existing tangible capital assets for those assets within those functions.
4. All expenditure of money from the Sewer Fund Asset Management Reserve Fund shall be provided for in the annual Financial Plan or amendments thereto.

Read a first time this 11th day of May, 2015

Read a second time this 11th day of May, 2015

Read a third time this 11th day of May, 2015

Finally passed and adopted this day of , 2015

Mayor

Director of Legislative Services

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

Risk Reserve Fund Bylaw No. 2820, 2015

REASON FOR BYLAW

To establish a risk reserve fund for management of financial risk

STATUTORY AUTHORITY FOR BYLAW

Section 188 of the *Community Charter*

OTHER APPROVALS REQUIRED

Council approval for the establishment of this reserve was passed on March 23, 2015

STAFF COMMENTS AND/OR REPORTS

OTHER PROCEDURES REQUIRED

May 4, 2015

T. Manthey
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2820

A bylaw to establish a reserve fund to manage financial risk

WHEREAS the City of Courtenay has identified a need to fund the risk of costs related to unexpected, significant, or catastrophic situations or events; and

WHEREAS Section 188 of the *Community Charter* authorizes Council to establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS money in this reserve fund, and the interest earned on it, must be used only for the purpose for which the fund was established; and

AND WHEREAS monies received through budget transfers or other Council approved allocations and interest earnings on those proceeds have been segregated in a reserve fund.

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

1. This bylaw may be cited for all purposes as **“Risk Reserve Fund Establishing Bylaw No. 2818, 2015”**.
2. Amounts included in the financial plan adopted under Section 165 of the *Community Charter* for the purpose of funding operational or capital financial risk, a portion of surplus funds that may arise, or other allocations approved by Council may from time to time be paid into this reserve fund.
3. The risk reserve shall be funded to a maximum of \$1,500,000.
4. The accumulated funds in the Risk Reserve Fund may be used to provide funding for unbudgeted operational or capital costs arising from the occurrence of unexpected, significant, or catastrophic situations or events.
5. All expenditure of money from the Risk Reserve Fund shall be provided for in the annual Financial Plan or amendments thereto as approved by Council.

Read a first time this 11th day of May, 2015

Read a second time this 11th day of May, 2015

Read a third time this 11th day of May, 2015

Finally passed and adopted this day of , 2015

Mayor

Director of Legislative Services