

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

DATE: November 16, 2015
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt November 9, 2015 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

- 1 1. Michael Laver re: Riverway Square Seniors Housing

4.00 STAFF REPORTS/PRESENTATIONS

Pg #

(a) CAO and Legislative Services

1. Stephen Watson, BC Hydro re: presentations on Puntledge River hydroelectric operations and Puntledge River water gauges and siren system

(b) Community Services

(c) Development Services

- 3 2. OCP Amendment Bylaw No. 2835-Servicing Agreement with KFN

(d) Engineering and Operations

- 13 3. Approving Officer Contract Extension and Reassign Deputy Approving Officer

- 17 4. Complete Streets Pilot Project Implementation – Request for Budget Re-allocation

(e) Financial Services

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 23 1. Staff Memo re: Temporary Road Closures for Events

- 25 2. Staff Briefing Note re: DCC Supplemental Information

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 November 16, 2015 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

90 (1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

35 1. 2016 Board Member and Alternate Appointment to the Vancouver Island Regional Library Board

37 2. Courtenay Rotary Club re: Rotary Trail

12.00 BYLAWS

For First and Second Reading

39 1. "Official Community Plan Amendment bylaw No. 2835, 2015"
(K'ómoks First Nation Servicing Agreement)

13.00 ADJOURNMENT

NOTE: there is Public Hearing scheduled at 5:00 p.m. in relation to OCP Amendment Bylaw No. 2832 and Zoning Amendment Bylaw No. 2833
--

DELEGATION
NOV 16 / 2015

November 6, 2015

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

Attention: Mayor L. Jangula

Re: Riverway Square Seniors' Housing Complex Proposal

Dear Mayor Jangula,

You have no doubt seen the Comox Valley Echo story entitled "*New Development Project to Help Revitalize Downtown Area*" (referring to the "Tiger Lily" proposed mixed-use residential and commercial development on the Central Builders' lands). The article states the development is in keeping with the City's goal of revitalization and densification of the downtown core, supporting existing retail while providing new retail opportunities. The proposed development is also said to enhance the riverfront with proposed improvements of existing parks and green spaces, as well the creation of new trails and walkways accessible to seniors and people with mobility issues.

As you are aware, I have been in dialogue with staff and Council regarding a proposed redevelopment for my properties at 11th St. and Beckensell immediately adjacent to the Central Builders' lands. Redevelopment of these lands will create the "Riverway Square Senior's Housing Complex" ("Riverway Square") which will provide similar benefits and qualities as the Tiger Lily project, recognising the City's desire for increased pedestrian infrastructure downtown and connectivity to the green spaces along the Courtenay River. Both Tiger Lily and Riverway Square are in keeping with the City's *Official Community Plan* for development within the Downtown Node.

At Council's request, I have for some time now been working with staff to address consolidation of lands at 11th Street and to address the conflicting issue of an 11th Street alignment for a future proposed third river crossing. Throughout this process, I have provided Council and staff with extensive information on the design and benefits of Riverway Square as well as information of the negative impact a bridge would have at this location. The impact would have far reaching implications on any revitalization proposal including both Riverway Square and Tiger Lily.

Riverway Square has now stalled due to the lack of action by Council in addressing the third bridge location. Council's position is that the City has no resources to construct a third crossing and therefore a decision on where the crossing should be is unnecessary and unwarranted.

This position must be challenged. A decision by Council is relevant, warranted, and in the best interest of the community regardless of whether funding is available. The City cannot encourage downtown redevelopment on the one hand while discouraging redevelopment on the other leaving this issue unresolved. More traffic studies are not needed. The decision to eliminate the 11th Street crossing is needed.

Certainty is necessary for both developers and the community. Any additional seniors' complex (or complexes) located in this downtown core will be of great interest to seniors and their families, not only in the Comox Valley but throughout the Island and the Province. Any development brought to this area will complement, support and be supported by the Tiger Lily development and other developments that may arise.

Support for downtown redevelopment needs a strong advocate. This advocate must press to deal with this lingering and disruptive issue and recognize the negative impacts this option will have.

I ask you, Mr. Mayor, to be that strong advocate. Bring this issue to Council and resolve to eliminate the 11th Street option. Let's have City Council "walk the walk" in supporting the vision for downtown in the *Official Community Plan* rather than simply "talking the talk". Support downtown redevelopment and let us all look forward to the improvements this community supports and needs.

I ask you to move quickly and decisively.

Yours truly,

Michael Laver
Laver's Holdings Ltd.

C.c. Bob Armeneau "Tiger Lily Developments"
Comox Valley Chamber of Commerce
Courtenay B.I.A.
Comox Valley Record
Comox Valley Echo



STAFF REPORT

To: Council

File No.: 6480-20-1503

From: Chief Administrative Officer

Date: November 16, 2015

Subject: Official Community Plan Amendment Bylaw No. 2835 to amend municipal servicing policy to facilitate a Servicing Agreement with K'omoks First Nation

PURPOSE:

To amend the City's Official Community Plan policies related to providing municipal services outside City boundaries in order to facilitate a servicing agreement between the City of Courtenay and the K'omoks First Nation.

CAO RECOMMENDATIONS:

THAT based on the November 16, 2015 staff report "Official Community Plan Amendment Bylaw No. 2835 to amend municipal servicing policy to facilitate a Servicing Agreement with K'omoks First Nation":

- a) THAT Official Community Plan Amendment Bylaw No. 2835, 2015 proceed to First and Second Reading;
- b) THAT Council considers the Public Information Meeting held by the K'omoks First Nation as fulfilling the City of Courtenay's consultation requirements; and
- c) THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Official Community Plan Amendment Bylaw No. 2835, 2015 on December 7th, 2015 at 5:00 pm in City Hall Council Chambers.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The Puntledge Indian Reserve No. 2 (IR2) is located at the confluence of the Puntledge and Tsolum Rivers adjacent to the City of Courtenay. IR2 lands do not lie within municipal boundaries and is one of four reserves which make up the K'omoks First Nation. A map showing the location of the subject lands is included as **Attachment No. 1**.

The K'omoks First Nation is a key economic stakeholder in the Comox Valley and they are committed to promoting economic development. As part of their role in promoting economic development, the K'omoks First Nation have engaged in discussions with the City of Courtenay respecting the provision of municipal

water and sanitary sewer services. These services will facilitate economic development in the form of commercial retail development, seniors' housing complex and the expansion of a campground on IR2 lands.

To date an agreement in principal has been entered into between the K'omoks First Nation and the City of Courtenay which sets out guiding principles regarding the parties working relationship, servicing commitments, payment for services, engineering requirements, floodplain protection measures, details on land use, terms of the agreement and the conditions that must be satisfied as the parties work towards a formal servicing agreement. A copy of the agreement in principle has been attached for your reference as **Attachment No. 2.**

DISCUSSION:

The K'omoks First Nation wishes to develop IR2 lands to permit commercial retail development, a seniors' housing complex and the expansion of an existing campground. To date detailed development plans have not been created, however the servicing agreement will cap service supply to an equivalent population of 500 or approximately 200-250 units.

Historically, the City has not provided services to properties outside City boundaries. This policy is reflected in the City's Regional Context Statement (RCS) and a number of sections of the OCP. The policies are specific in restricting servicing to within municipal boundaries and only extending them following boundary extensions. Accordingly, as a condition of entering into a servicing agreement with the K'omoks First Nation, Council must approve amendments to the OCP and the Regional Context Statement. The following require amendments Policies 3.1.1, 3.1.3 (5), 3.2.2 (RCS) and Policies 6.2.2 (3) (4) and 6.3 (3).

With regard to the RCS amendment, the proposal is consistent with Regional Growth Strategy (RGS) objectives to support economic development opportunities for the K'omoks First Nation.

FINANCIAL IMPLICATIONS:

There are no direct financial implications related to the processing of development applications as the fees are designed to offset the administrative costs. As outlined in the Agreement in Principal the City will not incur any costs for the provision of services or the ongoing maintenance of the infrastructure. Accordingly, the proposed amendments will not have an effect on the City's financial plan.

ADMINISTRATIVE IMPLICATIONS:

Staff has spent approximately 20 hours processing this application. Should the proposed OCP Amendment receive First and Second Readings, staff will spend an additional 2 hours in preparation for the public hearing and processing the OCP Amendment.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications associated with the proposed Official Community Plan Amendment. The agreement in principal specifically outlines that the City must not incur a capital liability through the provision of services.

STRATEGIC PRIORITIES REFERENCE:

No direct reference.

OFFICIAL COMMUNITY PLAN REFERENCE:

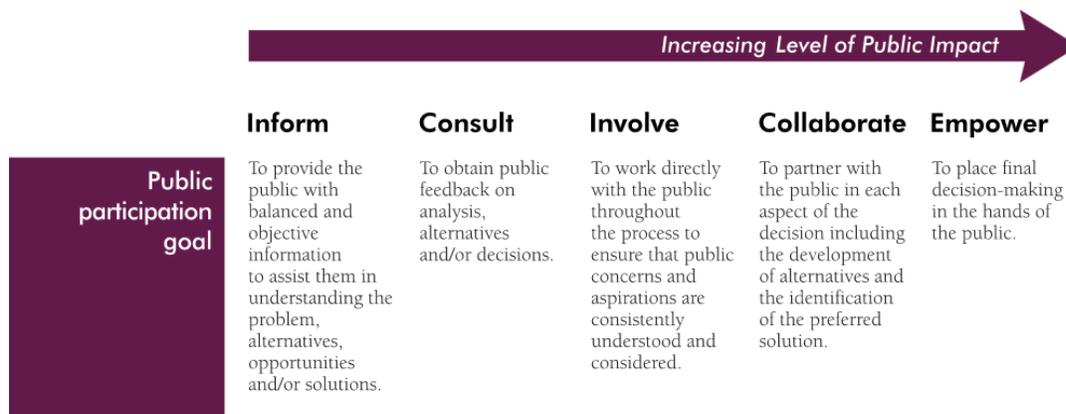
The proposed project is consistent with OCP policy regarding working towards a more regional approach to planning, working collaboratively with neighbouring governments to ensure a vibrant local economy and fostering the economic growth and development of communities.

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed amendments are consistent with the Regional Growth Strategy objective to support economic development opportunities for the K’omoks First Nation. The proposed amendment to the Regional Context Statement will be forwarded to the Regional District Board for their acceptance following the Public Hearing.

CITIZEN/PUBLIC ENGAGEMENT:

Staff would consult based on the IAP2 Spectrum of Public Participation:
http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf.
 Should Official Community Plan Amendment 2835, 2015 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback. Prior to this application proceeding to a public hearing, the applicants will hold a public information meeting. A summary of the public information meeting will be submitted to Council in advance of the Public Hearing.



OPTIONS:

OPTION 1 (Recommended): Give Official Community Plan Amendment Bylaw No. 2835 First and Second Readings and proceed to Public Hearing.

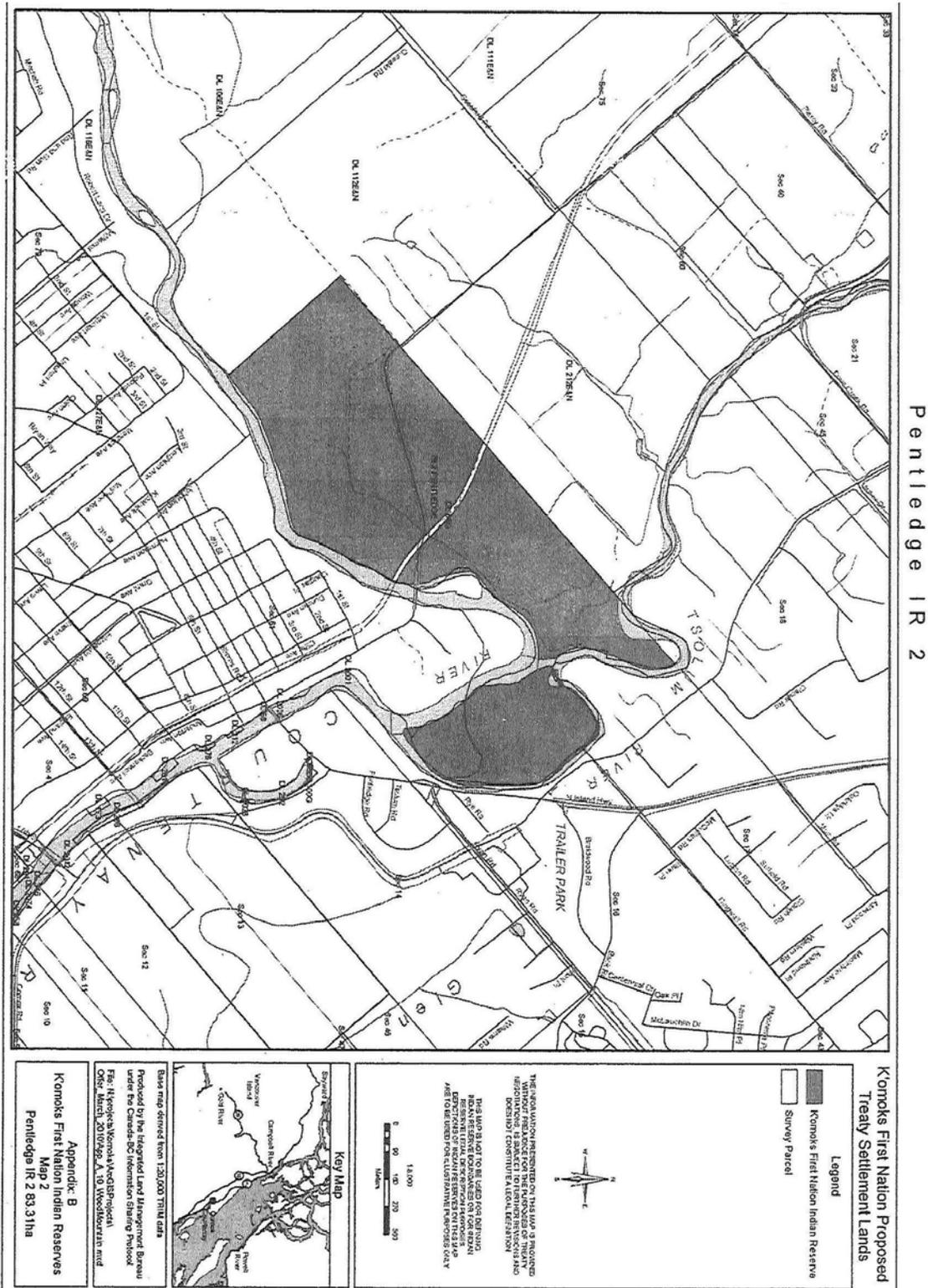
OPTION 2: Defeat Official Community Plan Amendment Bylaw No. 2835.

Prepared by:

Dana Leitch, MCIP, RPP
 Land Use Planner

Ian Buck, MCIP, RPP
 Director of Development Services

Attachment No.1 – Site Plan



Attachment No. 2 – Agreement in Principle

BETWEEN:

K'OMOKS FIRST NATION

3320 Comox Road,
Courtenay, BC V9N 3P8

("K'omoks First Nation")

AND:

CITY OF COURTENAY

830 Cliffe Avenue
Courtenay, BC V9N 2J7
V9G 1A2

("City")

(Collectively referred to as the "Parties")

GIVEN THAT:

- A. The Parties are engaged in discussions toward establishing a long-term, meaningful relationship in relation to their respective communities;
- B. The Parties wish to work collaboratively to support their respective communities' goals and objectives in a principled manner;
- C. Each of the K'omoks First Nation and the City respects the lawful jurisdiction of the other Party;
- D. The K'omoks First Nation, the City and the Province have engaged in discussions as reflected in this Agreement in Principle respecting the provision of municipal services, including water and sanitary sewer services, to the K'omoks First Nation IR2 to enable economic development in the form of a seniors' housing complex and a campground expansion;
- E. The Parties intend this Agreement in Principle to set out their mutual promises and covenants in relation to the matters contained herein;

THE PARTIES AGREE AS FOLLOWS:

Guiding Principles

- 1. In relation to the matters expressly addressed in this Agreement in Principle, the following principles apply:
 - (a) the City will provide municipal services to the K'omoks First Nation Reserve in a fair and equitable manner such that the City recovers its costs for service provision and does not subsidize the Reserve;

- (b) the payments by the K'omoks First Nation for the services will not subsidize the City;
- (c) the consideration for the services will be the same as would be applicable off-Reserve;
- (d) the binding servicing agreement must not contain a capital liability to be borne by the City;
- (e) provision of the services is for the benefit of the K'omoks First Nation and is not intended to be a precedent for any other services from the City to rural areas outside the boundaries of the City;
- (f) the services must not be used beyond the boundaries of the IR2 Reserve;
- (g) the parties will consult on the phraseology of a mutually satisfactory legally binding servicing agreement, and on a long-term agreement to address the provision of other services to IR2.

Services Agreement

2. The City will provide to the K'omoks First Nation's IR2 Reserve lands the water and sanitary sewer services equivalent to such services as are provided to lands and occupants throughout the City, including the utilities, facilities and works owned and operated by the City, on generally the same terms and conditions, and subject in all respects to the same limitations, as are applicable to provision of services to other lands in the City and to the occupants of those lands.

Payment for Services

3. The K'omoks First Nation will pay the City for the water and sewer services as follows:
 - (a) quarterly payments of connection and user charges equivalent to the charges imposed by the City on users within City boundaries;
 - (b) payment within 30 days of installation of a meter at the IR2 boundary for the purposes of measuring water supplied, and for use of that measurement as a proxy for sewage flows;
 - (c) payment for off-site works and services, including upgrades, reasonably required to be constructed and installed by the City in order to provide the services, including without limitation road improvements reasonably required by the City to mitigate additional traffic impacts of new development on IR2;
 - (d) payment in respect of new development on IR2 of capital cost charges equivalent to development cost charges imposed by the City on similar development within City boundaries;
 - (e) payment of a reasonable pro rata capital contribution to reimburse the City for capital costs incurred by the City in constructing the City's existing water and sanitary sewer

infrastructure, only to the extent that the City is not subsidizing the development on IR2; and

- (f) payment of the City's reasonable engineering, planning, legal and staff costs incurred in relation to the negotiation and preparation of the binding agreement.

Capital Liability

4. The Parties acknowledge and agree that the City will not incur any capital liability, contingent or otherwise, under the binding agreement.

Engineering

5. The K'omoks First Nation will retain at its sole cost a professional engineer satisfactory to the City to design, supervise construction of, and certify completion and warranting of the works and services required to provide the services in accordance with the City's standards under City bylaws and in locations satisfactory to the City.
6. The works and services required by the City must be completed before commissioning of the services, subject only to testing of the works and services by the City.
7. Sewage effluent must meet or exceed City bylaw requirements.
8. Backflow prevention requirements will be incorporated in the water service configuration design to meet or exceed the City's bylaw requirements.

Land Use

9. The K'omoks First Nation will:
- (a) restrict development to land uses that are compatible with surrounding development, and without limitation the following will apply:
- (i) no heavy industrial uses;
 - (ii) no land uses that produce offensive odors;
 - (iii) commercial retail development restricted to a floor area calculation that will be required to support the development site and drive by traffic. Final square meter calculation to be agreed to in the final servicing agreement;
 - (iv) approximate residential equivalencies of 200-250 units (500 total equivalent population) final equivalencies to be agreed to in the servicing agreement; and
 - (v) expansion of the existing campground to include additional camping sites, recreational vehicle sites, serviced cabins and accessory uses.
- (b) address at its sole cost, to the reasonable satisfaction of the City, the potential impacts of a 1:200 year flood event on the bridge, to protect the water and sanitary sewer

services and of development on the fringe of the flood plain that may affect channel flows or impacts to lands in the City; and

- (c) keep the City apprised in writing of uses that will be proceeding as they are approved by K'omoks First Nation.

Term

- 10. The Term of the binding agreement will be 25 years. The parties may agree to renew the agreement for an additional term of 25 years.

Conditions Precedent

- 11. The following conditions precedent must be satisfied before the binding servicing agreement has force and effect:
 - (a) the amendment by the City's Council of the City's Official Community Plan to enable the City to provide the services outside the City boundaries;
 - (b) an agreement between the City and the Comox Valley Regional District to:
 - (i) allow the City to provide the services in the rural area of the regional district; and
 - (ii) obtain the regional district's consent to the provision of the services;
 - (c) confirmation in writing from Comox Valley Regional District that the provision of the services will be consistent with the regional district's liquid waste management plan;
 - (d) approval by the Province of the use of the Condensory Bridge to carry the infrastructure to provide the services to the First Nation;
 - (e) the resolutions of the Councils of the Parties to enter into the agreement.

General

- 12. This Agreement in Principle is not a binding legal agreement. It is intended to assist the Parties in developing in good faith the proposed terms and conditions to be included in a binding agreement. It does not define, create, recognize or amend the rights or obligations of the Parties. This Agreement in Principle is not intended to be a treaty or a land claims agreement within the meaning of sections 25 and 35 of the *Constitution Act, 1982*.
- 13. For greater certainty, this Agreement in Principle will not be interpreted in a manner which fetters the discretion of statutory decision makers.
- 14. Nothing in this Agreement in Principle obliges the City to act in a manner inconsistent with Provincial legislative and City bylaw regulatory jurisdictions or authorities.

Public Messaging

15. Given that the Parties are engaged in discussions toward establishing a long-term binding servicing agreement, the Parties will cooperate in relation to constructive positive public messaging in respect of this Agreement in Principle and the agreements arising out of it.

EXECUTED in Courtenay, British Columbia on the _____ day of _____ 2015.

On behalf of the K'OMOKS FIRST NATION

On behalf of the CITY OF COURTENAY



STAFF REPORT

To: Council

File No.: 2770-00

From: Chief Administrative Officer

Date: November 16, 2015

Subject: Approving Officer Contract Extension and Reassignment of Deputy Approving Officer

PURPOSE:

The purpose of this report is to request that Council extend the appointment of the City's Approving Officer on Contract and to reassign the role of Deputy Approving Officer to the City's new Development Engineer.

CAO RECOMMENDATIONS:

That Council approve Option 1 and pursuant to Section 77 of the Land Title Act, extend the appointment of Mr. Graham Savage as the City of Courtenay's Approving Officer on Contract for another twelve months; And that Council appoint the role of the City's Deputy Approving Officer to the City's Development Engineer, Mr. Rich Feucht.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Section 77 of the Land Title Act states:

- (1) For land within a municipality, the municipal council must appoint a person as an approving officer.*
- (2) An approving officer appointed under this section must be*
 - (c) some other employee of the municipality appointed by the municipal council*
 - (d) a person who is under contract with the municipality.*

The resignation of the previous Development Engineer in the spring of 2015 left a vacancy in the role of the City's Approving Officer for development. Subsequently, the City engaged the services of Mr. Graham Savage to successfully fulfil this role from June 2015 – November 2015. Concurrently, staff undertook a process to fill the vacant position of Development Engineer, this process concluded in October 2015 with the successful candidate being Mr. Rich Feucht, P.Eng.

DISCUSSION:

The City is moving towards a corporate goal for a “one-window” approach to supporting development applications. In doing so, the subdivision process is moving from the Engineering & Public Works Department to the Development Services Department. In addition to moving the process between departments, the staff are in the process of acclimatizing the new Development Engineer in his new role dealing the City engineering-related matters, and his future role as the City’s Approving Officer. Meanwhile, to maintain consistency in supporting the development community with subdivision applications and to mentor the new Development Engineer in the role of Approving Officer, staff recommends the extension of the existing Approving Officer contract for Mr. Graham Savage.

Currently, Ms. Hatch fulfils the role of Deputy Approving Officer for the City. As part of Mr. Feucht’s new position as Development Engineer, staff recommends appointing Mr. Feucht to this role. This transition will support the corporate goal of shifting the development processes and oversight thereof into one Department.

FINANCIAL IMPLICATIONS:

The 2015 budget for the Approving Officer contracted services is \$15,000 with \$7,995 spent to date. Therefore, there are ample funds available in the current budget to support the continuation of this assignment to the end of 2015. Staff proposes a budget of \$30,000 be allocated in the 2016 General Operating Fund Budget to support this consultant engagement over the term of twelve months.

ADMINISTRATIVE IMPLICATIONS:

Work associated with the consideration of subdivision development applications is a statutory duty.

ASSET MANAGEMENT IMPLICATIONS:

This function supports the City receiving new infrastructure through development approvals.

STRATEGIC PLAN REFERENCE:

None.

OFFICIAL COMMUNITY PLAN REFERENCE:

None.

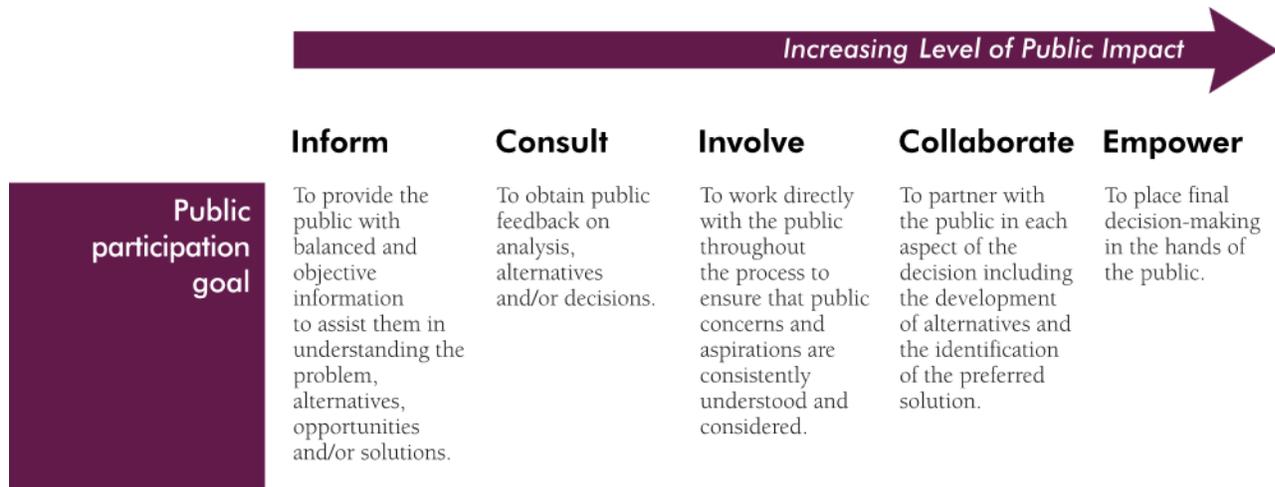
REGIONAL GROWTH STRATEGY REFERENCE:

None.

CITIZEN/PUBLIC ENGAGEMENT:

This appointment will require that staff inform the development community of the changes to position of the Approving Officer, Deputy Approving Officer and Development Engineer as defined in the IAP2 Spectrum of Public Participation:

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



OPTIONS:

- Option 1: That pursuant to Section 77 of the Land Title Act, Council extends Mr. Graham Savage's appointment as the City's Approving Officer for another twelve months; And
That Council appoint the role of the City's Deputy Approving Officer to the City's Development Engineer, Mr. Rich Feucht.
- Option 2: That Council request staff to report back on alternate options for the role of Approving Officer.

Prepared by:

Lesley Hatch, P.Eng.
Director of Engineering & Public Works



STAFF REPORT

To: Council

File No.: 8620-01-34445

From: Chief Administrative Officer

Date: November 16, 2015

Subject: Complete Streets Pilot Project Implementation – Request for Budget Re-allocation

PURPOSE:

The purpose of this report is for Council to consider funding for the conceptual design phase for the Complete Streets Pilot Project from the existing 2015 General Capital Fund Budget.

EXECUTIVE SUMMARY: City Council has identified Complete Streets as a ‘Council NOW Priority’ in the 2015 Strategic Priorities. Implementing complete streets also builds on the City’s ‘25 Year Vision for Multi-modal Transportation’ and subsequent project evaluation.

The 5th Street corridor was identified as a priority for enhancement in the 2014 Multi-Modal Transportation Strategy, Complete Streets Pilot Project Evaluation and for the Gas Tax Strategic Priorities Fund grant application. To move forward with implementing a Complete Streets Pilot Project, a work program has been developed for the initial project phase to complete the public consultation and conceptual design.

The work plan includes technical analysis and Council and public engagement to inform the conceptual design and level of service for each transportation mode within the corridor. Through this process, the City’s Official Community Plan and Multi-modal Transportation Plan objectives will be confirmed or enhanced to ensure any infrastructure project meets the current needs and aspirations of the community. To complete this work, an additional budget of \$28,500 has been identified to begin the project immediately.

CAO RECOMMENDATIONS:

That based on the November 16, 2015 staff report “*Complete Streets Pilot Project Implementation*”, Council approve Option 1 and approve an increase in expenditure in the existing 2015 General Operating Fund in support of this Strategic Priorities’ project of \$28,500.

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Complete Streets is an approach to designing, building and retrofitting roads to ensure they are accessible to all modes of transportation and people of all ages and abilities. City Council has identified Complete Streets as a ‘Council NOW Priority’ in the 2015 Strategic Priorities.

In the 2014 Multi-modal Transportation Strategy, Complete Streets were identified as one of the strategic investments that supports the City’s vision of a connected, sustainable transportation system. A further

evaluation of potential corridors for a Complete Streets treatment was undertaken. Fifteen potential corridors were evaluated based on current and opportunity for demand (use based on economic development and density), transit, walking cycling, success factors, safety and green infrastructure.

The detailed evaluation identified the 5th Street corridor (between Fitzgerald Ave and Menzies Ave) as a priority project for road rehabilitation. The 5th Street corridor scored high on demand, safety and transit. Council previously identified this corridor as a top candidate through the approval of the Gas Tax Strategic Priorities Fund application in early 2015.

DISCUSSION:

5th Street between Fitzgerald Avenue and Menzies Avenue is a 530m long corridor that connects to downtown Courtenay. The road was originally primarily designed to move cars and is currently very wide. It is not particularly comfortable to bike or walk on. In addition, this section of road has limited street trees or other vegetation.

The Complete Streets enhancements include expanding sidewalk width, and installing bike lanes, landscape islands, curb bulb outs, and new pavement markings. The renovation of the street would also include all underground utilities, including replacing all storm and sanitary sewer and water pipes as necessitated by condition assessment and life cycle analyses.

Once re-designed and built, the 5th Street Complete Streets project will:

- Create a street that is more comfortable to bike and walk on;
- Encourage residents to walk and bike, instead of driving, thus shifting transportation mode share;
- Encourage more children to walk and bike to nearby Ecole Puntledge Park Elementary School and improve links to Lake Trail Middle School;
- Connect to Fitzgerald Ave, an important north-south cycling connection;
- Proportionately manage stormwater on-site; and,
- Support local economic development opportunities in downtown Courtenay.

The proposed work plan incorporates technical, public and policy components that will inform the design criteria and concept design of the Complete Streets Pilot Project. It will build on past policy and network planning work including our review and interpretation of strategic direction from the City's major plans. The project will include technical analysis and conceptual design that considers property, utility and environmental considerations, multi-modal traffic counts and level of service operations, parking, underground utilities, operations and maintenance, and cost estimates.

Public consultation is an important component to ensure any re-design incorporates the public's transportation needs and other desires. Through stakeholder meetings and a public information session, input will be collected on desired level of service (for each transportation mode), design criteria, potential road cross sections, operations and maintenance requirements. In addition, Council will be engaged during the conceptual design process through a workshop and presentation on these components.

FINANCIAL IMPLICATIONS:

The 2015 General Operating budget included \$10,000 to support storm and sanitary sewer pipe condition assessments for the top 2 pilot projects under consideration (5th Street and Fitzgerald Avenue). This work was undertaken and completed for a cost of \$15,616.

Council established in the spring of 2015 that 5th Street is the priority project for advancement. As such, staff is requesting that Council support spending additional funds to support the conceptual design and work plan described in this report.

The overall approved 2015 *General Operating – Engineering Services* budget is \$1.239M with approximately \$924,000 committed and spent as of November 9, 2015 representing only 75% of the overall budget for Engineering. Based on what has been expended and what is expected to be spent in 2015, staff believes there are sufficient funds in the overall budget to support this project.

Should Council approve this item, the actual costs for this particular project line will change from \$15,616 to \$44, 116. The actuals are expected to change for this revised budget line-item for this project as proposed below:

Budget Project Description	2015 Approved Budget	2015 Spent to Date	Additional Expenditure	Projected 2015 Year End Actual Total
Complete Streets Pilot Project	\$10,000	\$15,616	\$28,500	\$44,116

ADMINISTRATIVE IMPLICATIONS:

This project is a 2015 Council Strategic Priority. Staff effort to advance and deliver this project is considered statutory.

STRATEGIC PLAN REFERENCE:

City Council has identified Complete Streets as a ‘Council NOW Priority’ in the 2015 Strategic Priorities.

OFFICIAL COMMUNITY PLAN REFERENCE:

1. The Downtown

Maintain a pedestrian orientation in downtown and integrated transportation planning (i.e., taking all modes of movement into account). (pg 11)

5. A System of Greenways to serve recreational needs

“Work to have Courtenay recognized as a community that’s friendly to walkers and bicycle riders”

Work with School District 71 to encourage more walking and biking to school, through proper siting and planning of new facilities, provision of necessary facilities on school sites, and through educational efforts. (pg 13)

Transportation

5.2 Goals

2. Development of a transportation system that provides choices for different modes of travel including vehicle, transit, pedestrian, cycling and people with mobility impairments. (pg 59)

5.3 Policies

7. The City will continue to pursue the development of a continuous, integrated bicycle network in order to promote and encourage cycling as a commuting alternative to the automobile and as a means of active recreation. (pg 60)

Utility Services

6.4 Storm Drainage Goals

- 3. The City shall continue to use existing natural drainage patterns as the primary storm drainage system. Natural watercourses shall be protected from encroaching development and enhanced and improved where necessary. The City will continue to use stormwater detention/retention as its principal means of meeting the objective of maintaining post development flows at predevelopment levels. (pg 65)
- 4. The City will continue to work towards reducing or mitigating the impacts of development on the drainage system to protect the quality of the river systems. (pg 65)
- 5. The City will implement the Water Balance Model of BC to manage the natural environment and the built environment as integrated components of the same watershed. (pg 66)

REGIONAL GROWTH STRATEGY REFERENCE:

Goal 4 – Transportation (pg 49, 50)

Objective 4-B: Improve bicycle and pedestrian infrastructure to increase the use of active transportation options.

Targets: 20% bicycle and pedestrian commuters by 2030

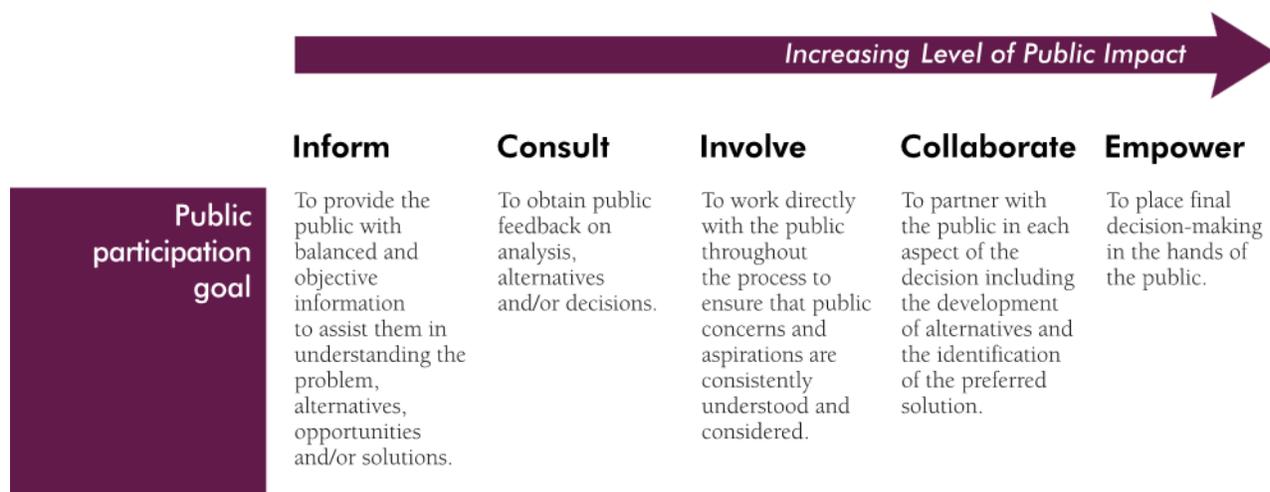
Goal 5 – Infrastructure (pg 55)

Objective 5-C: Stormwater is managed to preserve ecosystem and watershed health.

CITIZEN/PUBLIC ENGAGEMENT:

Public engagement is vital to the success of this project and will be undertaken to both inform and consult with the general public and key stakeholders as defined in the IAP2 Spectrum of Public Participation:

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



OPTIONS:

- Option 1: That Council approve the increase in expenditure for the “Complete Streets Project” under the 2015 General Operating Fund – Engineering Services budget of \$28,500 to support advancing the 5th Street (Fitzgerald Avenue to Menzies Avenue) project in 2015.
- Option 2: That Council request staff to report back on alternate options for funding the Complete Streets Pilot project on 5th Street (Fitzgerald Avenue to Menzies Avenue).
- Option 3: That Council defer consideration of funding the Complete Streets Pilot project on 5th Street (Fitzgerald Avenue to Menzies Avenue) to the 2016 Budget deliberations.

Prepared by:



Lesley Hatch, P.Eng.
Director of Engineering & Public Works



THE CORPORATION OF THE CITY OF COURTENAY

MEMORANDUM

To: Council
From: Chief Administrative Officer
Subject: Temporary Road Closures for Events

File No.: 4520-00-(1)
Date: November 12, 2015

ISSUE:

This memorandum is provided to inform Council of the procedure undertaken by staff for temporary road closures established to support community events.

BACKGROUND:

The City of Courtenay's *Traffic Regulations Bylaw No. 1926 (1996)* authorizes senior staff to permit the installation of temporary traffic control devices to facilitate the road closures. This process is undertaken concurrently with the Parade or Event Permit process.

Permits for events are issued to applicants providing a completed form, fees, and appropriate insurance. Where applicable a letter of support from the Downtown Courtenay Business Improvement Association (DCBIA) must also be provided. A temporary traffic control plan is issued for the closure and barricades and signage are provided by the City for downtown events. Where additional resources are required to support the temporary traffic measures, the applicant must make arrangements for these items/personnel and bear any additional cost.

KEY CONSIDERATIONS:

Typically, staff informs Council of upcoming events and resulting temporary road closures through the Memorandum Corporate Communications tool.

Annually, staff seek a Council resolution through a Staff Report to close the 5th Street for the July 1st Parade. This is the only temporary closure brought forward for Council's consideration as the bridge closure has a significant impact on the regional flow of traffic and staff desire Council's approval in advancing such a closure.

Prepared by:

Lesley Hatch, P.Eng.
Director of Engineering & Public Works



BRIEFING NOTE

To: Council **File No.:** 3150-33436
From: Chief Administrative Officer **Date:** November 12, 2015
Subject: Development Cost Charges Supplemental Information: Public Consultation, Comparisons, Assist Factors, Waivers and Revised Rates

BACKGROUND:

At the May 25, 2015 Council meeting, the consultants presented an update on the Development Cost Charge process. During that meeting, Council asked for additional information on key topics. Furthermore, since that meeting the City has undertaken public consultation and, as a result, has revised the proposed DCC rates for Council consideration.

This briefing note provides a:

1. Comparisons of DCC rates to additional municipalities;
2. Impact of different municipal assist factors;
3. Summary of partial or full DCC waivers available for specific types of development;
4. Summary of public consultation; and,
5. Revised proposed DCC rates.

KEY CONSIDERATIONS:

1. Comparison to other municipalities

At the May 25, 2015 Council meeting, the consultants presented information on how the City of Courtenay's current and proposed DCC rates compared to other neighbouring municipalities. In addition to the neighbouring municipalities, Council requested additional information on DCC rates for:

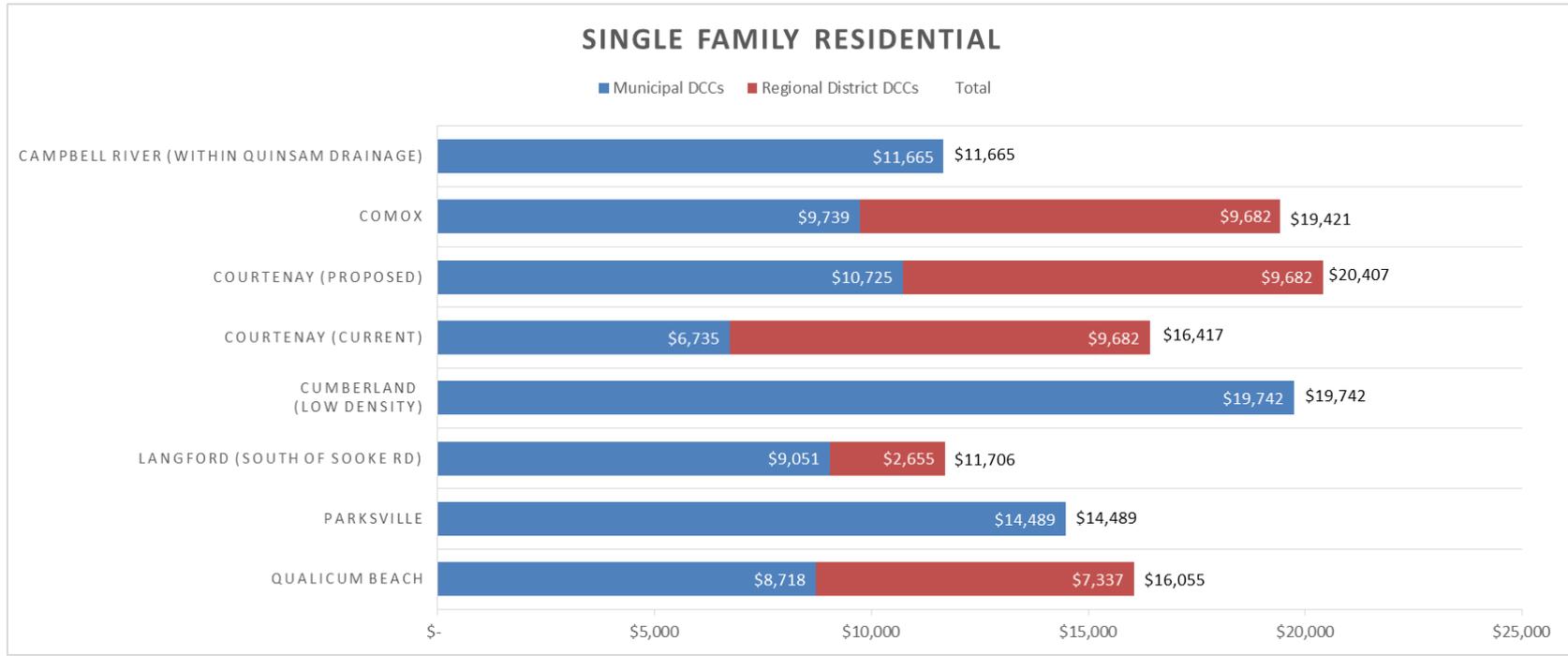
- City of Langford
 - Population: 29,228 (2011)
 - Incorporated: 1992
- City of Parksville
 - Population 11,977 (2011)
 - Incorporated: 1945
- Town of Qualicum
 - Population: 8,687 (2011)
 - Incorporated: 1942

Expanded DCC rate comparisons charts including these municipalities are provided below. Of note, the City of Langford is a relatively new municipality with a high growth rate. In addition to DCCs, developers pay a separate 'Incremental Storage Improvement Fee' for the privately-run sanitary sewer system.

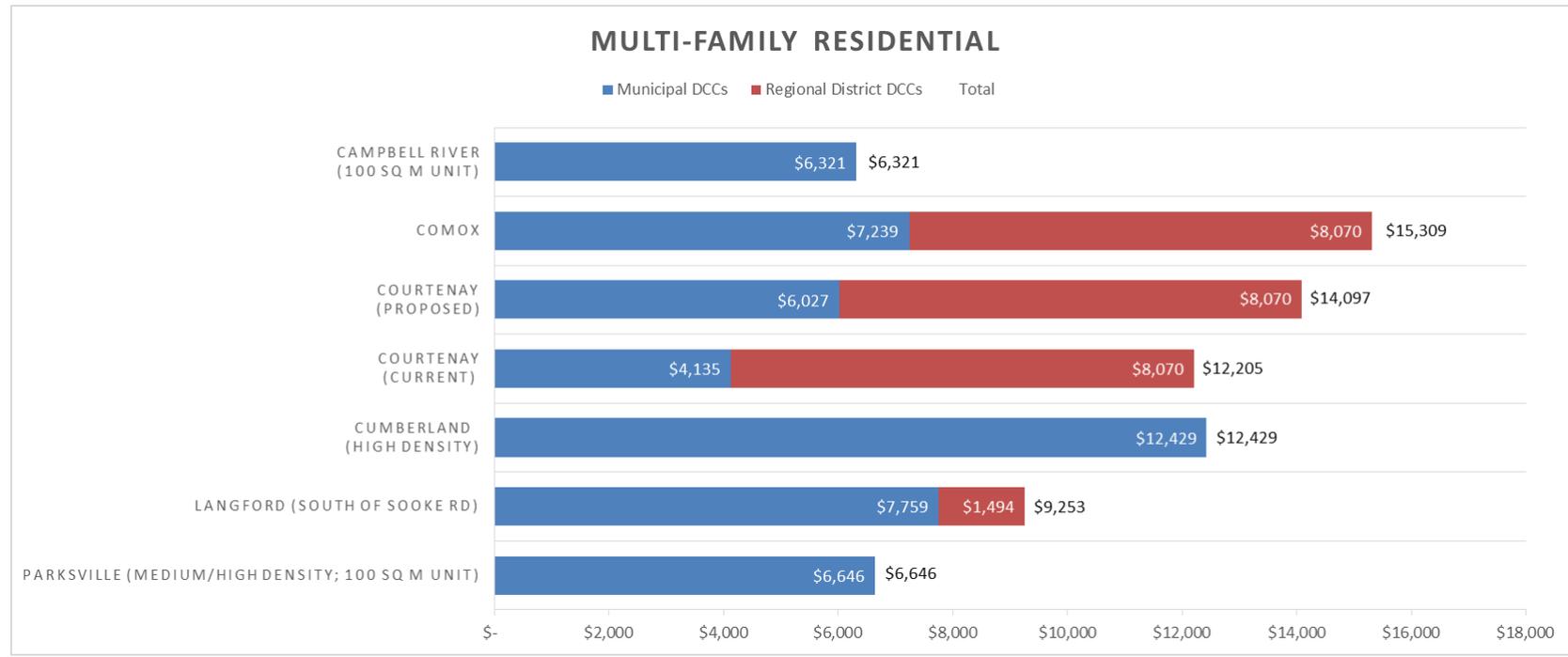
Please note: The comparison charts use the Courtenay DCC rates proposed in May 2015. These rates have since been revised. These charts do not include revised Town of Comox rates currently being considered by their Council.



BRIEFING NOTE



Municipality	Municipal DCCs	Regional District DCCs	Total
Campbell River (within Quinsam Drainage)	\$11,665		\$11,665
Comox	\$9,739	\$9,682	\$19,421
Courtenay (proposed)	\$10,725	\$9,682	\$20,407
Courtenay (current)	\$6,735	\$9,682	\$16,417
Cumberland (low Density)	\$19,742		\$19,742
Langford (South of Sooke Rd)	\$9,051	\$2,655	\$11,706
Parksville	\$14,489		\$14,489
Qualicum Beach	\$8,718	\$7,337	\$16,055



Municipality	Municipal DCCs	Regional District DCCs	Total
Qualicum Beach (100 sq m)	\$14,738	\$2,293	\$17,031
Comox	\$7,239	\$8,070	\$15,309
Courtenay (proposed)	\$6,027	\$8,070	\$14,097
Cumberland (high Density)	\$12,429		\$12,429
Courtenay (current)	\$4,135	\$8,070	\$12,205
Langford (South of Sooke Rd)	\$7,759	\$1,494	\$9,253
Parksville (medium/high density; 100 sq m un	\$6,646		\$6,646
Campbell River (100 sq m unit)	\$6,321		\$6,321



Municipality	Municipal DCCs	Regional District DCCs	Total
Campbell River	\$47.21	\$0.00	\$47.21
Comox	\$62.22	\$45.69	\$107.91
Courtenay (proposed)	\$78.26	\$45.69	\$123.95
Courtenay (current)	\$62.52	\$45.69	\$108.21
Cumberland	\$71.60	\$0.00	\$71.60
Langford (South of Sooke Rd)	\$54.69	\$9.76	\$64.45
Parksville	\$94.07	\$0.00	\$94.07
Qualicum Beach	\$114.16	\$31.45	\$145.61



BRIEFING NOTE

2. Municipal Assist Factor

Council is interested in the impact of the municipal assist factor on DCC rates. The municipal assist factor is the City's contribution to the project's capital costs that are attributed to new development. This contribution is in addition to the costs that were allocated to the existing tax payers and are already to be paid by the City.

The level of the assist factor is determined by City Council. Provincial legislation dictates that the assist factor must be at least 1%. The assist factor can be varied for each type of capital works, i.e. road, storm drainage, sanitary sewer, water and parks.

Currently, the City of Courtenay provides a 5% assist factor for each type of capital works. If Council chooses to continue to provide a 5% assist factor based on the proposed DCC program, the City will be contributing over \$1.4 million to assisting development. If Council chooses to reduce its level of assistance, the contribution from the City could be as little as \$366,804. The following table outlines the additional amount of funding the municipality is responsible for through taxation depending on the level of the assist factor.

Assist Factor	1%	3%	5%	6%
Municipal contribution	\$366,804	\$896,681	\$1,426,557	\$1,691,496

3. DCC Waivers

In 2008 the Provincial Government enacted new legislation pertaining to Development Cost Charges. The legislative changes included the option for municipalities to partially or fully waive DCC's for the following classes of "eligible development":

- Not-for-profit rental housing, including supportive living housing;
- For-profit affordable rental housing;
- Subdivisions of small lots designed to result in low greenhouse gas emissions; and,
- Developments designed to result in a low environmental impact.

In order to implement one or more of these potential incentives, Council must adopt a bylaw that establishes definitions for each class of "eligible development", corresponding rates of reduction, and requirements that must be met in order to obtain a waiver. It is recommended that this bylaw is adopted separately from the current DCC Update bylaw under consideration.

Affordable housing

Council can support affordable housing through DCC's with waivers for small units and not-for-profit or for-profit rental units.

The new legislation adopted in 2008 automatically exempts all DCC's for the construction, alteration or extension of self-contained residential dwelling units no larger in area than 29 m² (323 sq. ft.). Smaller dwelling units make more efficient use of existing infrastructure, are more energy efficient, and are generally more affordable. This exemption is automatic, though Council can raise the exemption threshold (i.e., to allow the exemption to units that are larger than 29 m²).

The legislation also allows Councils to approve a bylaw that provides full or partial waivers for the DCC's for not-for-profit rental housing, including supportive living housing, and for-profit affordable rental housing. In order to implement in waiver, the City must identify eligible owners (for not-for-profit), and define "affordable" (i.e. rent that is equal to 30% of income).

Downtown Revitalization

Council has identified the revitalization of downtown Courtenay as a strategic priority. Council may consider waiving DCC's for higher density development within the Downtown core to encourage the construction of new residential and multi-use developments. Before moving forward with these options, more information is required on infrastructure capacity and condition in the downtown to ensure it can support high density development.

Related to this DCC initiative is the downtown revitalization tax exemption that will be considered by Council under a separate review.

Sustainable Community

With the new legislation, Council is able to provide incentives through DCC waivers for green developments. Other communities (Penticton, Ladysmith and North Cowichan) have created DCC waivers for developments that:

- Meet criteria in a "sustainability checklist" created by the municipality;
- Achieve a certain density (i.e. 100 units per hectare); or,
- Meets green building certification (i.e. LEED or Built Green).

Overall, low impact or green development practices are not expected to have an impact on the infrastructure required in a DCC program (i.e., these practices are not expected to reduce the need for identified DCC projects). Regardless, Council may choose to encourage environmentally sustainable developments through DCC waivers.

4. Public Consultation Process

Although the *Local Government Act* does not require a public participation process, the DCC Best Practices Guide does suggest that an opportunity for public participation be included as part of the development of the DCC program. The purpose of such a process is to allow those people that are interested in or affected by the proposed DCC to offer comments and input.

The City of Courtenay's consultation process consisted of information on the City's website and a public open house. The public open house was held on June 9, 2015 to discuss the proposed Courtenay DCC rates and background information. The public open house was advertised in the local newspaper for one week.

In addition, a meeting notification was sent to individuals, companies or organizations that are active in the development industry in Courtenay.

The public information meeting was attended by approximately 40 people who reviewed information poster boards and talked to City staff and the consultants. Attendees included developers, professionals that work in the development industry, affordable housing providers and members of the general public. General comments from the attendees were:

- Proposed rate increase was too high;
- Assumption about growth rate was too low;
- Support for waivers for affordable housing; and,
- Questions about DCC projects and how the DCC system worked (i.e. which developers benefit).

Comments on the information presented at the open house were received up to the deadline of July 3, 2015. In this period the City received 11 written correspondences from developers, business owners and not for profit organizations. A summary of this input is as follows:

- DCC rate increases will hurt the Valley's economy and slow construction (x5)
- Concern about the cumulative impact with potential increases to Comox Valley Regional District DCC rates (x3)
- Assumption of population growth used in the analysis is too low (x3)
- Do not support a large increase in DCCs (x3)
- Concern about competition for development with neighbouring municipalities (x2)
- Concern the update process is too quick (x2)
- Support the bylaw update to include South Courtenay projects
- Support phasing new rates in over several years
- Support for proposed DCC rates and waivers
- Support for DCC waivers for:
 - Affordable housing (x2);
 - Residential care; and,
 - High density residential and residential mixed use development in downtown.

5. Revised DCC Rates

Based on stakeholder feedback and a thorough review of population projections and expected buildout, the City has revised the proposed DCC rates based on a higher expected growth over the next 20 years. As well, it is proposed that multi-family residential DCC rates will now be charged on a square metre basis. This allows the rates to be responsive to the variety of sizes of multi-family units and encourages the development of smaller and more affordable housing.

Current DCC Rates

Land Use	Roads	Stormwater	Sanitary	Water	Parks	Total
Residential (Single Family) Per Unit	\$3,769.00	\$1,071.00	\$764.00	\$433.00	\$698.00	\$6,735.00
Multi-family Residential Per Unit	\$2,313.00	\$321.00	\$605.00	\$343.00	\$553.00	\$4,135.00
Commercial/ Institutional Per sq metre total floor area	\$54.21	\$4.82	\$2.23	\$1.26		\$62.52
Industrial Per hectare	\$44,214.53	\$18,211.65	\$14,314.80	\$8,117.40		\$84,858.38

Growth rate: 1.5% per year

Land Use	Roads	Stormwater	Sanitary	Water	Parks	Total
Residential (Single Family) Per Unit	\$3,151	\$1,430.89	\$1,167.79	\$457.90	\$943.64	\$7,151.21
Multi-family Residential Per sq metre total floor area	\$17.71	\$4.29	\$8.26	\$3.24	\$6.67	\$40.16
Commercial/ Institutional Per sq metre total floor area	\$41.50	\$6.44	\$3.04	\$1.19		\$52.17
Industrial Per hectare	\$33,850.70	\$24,326.37	\$19,560.17	\$7,669.73		\$85,406.97

With the revised population projections and multi-family rates, the proposed DCC rates are now very similar to the current rates.

CONCLUSION:

This briefing note provides information on a number of topics related to the Development Cost Charge bylaw update. Based on this information, there are further considerations for Council.

1. Comparisons of DCC rates to additional municipalities

The comparison of the May 2015 proposed DCC rates to additional municipalities is presented in this briefing note. This comparison of municipal rates to the revised (October 2015) DCC rates will be completed and included in the final DCC Background Report that will be provided to Council for consideration in December.

2. Impact of different municipal assist factors

The impact of different municipal assist factors was analyzed. Based on Courtenay's previous DCC program and the relatively minor nature of this DCC update, it is proposed that the assist factor continue to be 5%.

3. Partial or full DCC waivers for specific types of development

Council has the ability to develop a number of different partial or full DCC waivers for specific types of development. If Council is interested in pursuing DCC waivers, it is recommended that a bylaw be introduced after this DCC update bylaw is approved.

4. Summary of public consultation

A summary of public consultation is provided, the results of which were incorporated into the revised DCC rates.

5. Revised proposed DCC rates

With an adjusted anticipated growth rate, the revised proposed DCC rates will be presented to Council for consideration through the new DCC Bylaw.

Council is asked to consider this information as the DCC bylaw update process continues. Council will be asked to deliberate on the DCC Bylaw for first reading in December 2015.

Prepared by:

A handwritten signature in black ink, appearing to read "L. Hatch". The signature is written in a cursive, flowing style.

Lesley Hatch, P.Eng.
Director of Engineering & Public Works



Administration
Box 3333 | 6250 Hammond Bay Road
Nanaimo, BC Canada V9R 5N3
t: 250.758.4697 f: 250.758.2482
e: info@virl.bc.ca w: www.virl.bc.ca

November 4, 2015

Original sent via email

Mayor Larry Jangula
City of Courtenay
830 Cliffe Ave.
Courtenay, BC V9N 2J7

Dear Mayor Jangula,

Re: Appointment to the 2016 Vancouver Island Regional Library Board

As the new year approaches, it is time to consider your representation on the Board of Trustees of Vancouver Island Regional Library – the fifth largest library system in British Columbia serving more than 410,000 residents on Vancouver Island, Haida Gwaii, and Bella Coola on the Central Coast. Vancouver Island Regional Library enhances lives through universal access to knowledge, lifelong learning, and literacy in the communities we serve.

As per the *British Columbia Library Act*, "each municipality and/or regional district that is party to the regional library district must, by resolution, appoint a representative and an alternate representative each December at the first meeting of the municipal council or regional district board. A member of the library board holds office for a term of one year: January 1 - December 31, or for the remainder of the year for which the appointment is made. A member is eligible for reappointment, but no member may serve for more than eight consecutive years. Reappointment of sitting members is encouraged in the interest of continuity..."

Provincial legislation requires certified resolutions be submitted to Vancouver Island Regional Library by December 15, 2015. VIRL Board of Trustees also requires its members to complete a Statement of Financial Disclosure on an annual basis (a copy of the form on file with your municipality/district is acceptable). Thus, please find enclosed both a 2016 appointment form and statement of financial disclosure form for your appointed Board member and Alternate member.

Please complete the enclosed forms and return with a copy of the certified resolution by December 15, 2015 to the attention of Mariah Patterson, Executive Assistant, by mail, email: mpatterson@virl.bc.ca or fax: 250.758.2482.

If you require additional information, please contact Ms. Patterson by phone: 250-729-2310 or email. Thank you for your continued support of Vancouver Island Regional Library!

Sincerely,

A handwritten signature in black ink that reads "Rosemary Bonanno".

Rosemary Bonanno, BA MLS
Executive Director

Cc: David Allen, CAO, City of Courtenay

Encs.

Strong Libraries ■ Strong Communities

Bella Coola Bowser Campbell River Chemainus Comox Cortes Island Courtenay Cowichan Lake Cumberland Gabriola Island Gold River Hornby Island Ladysmith Masset Nanaimo Harbourfront Nanaimo North Nanaimo Wellington Parksville Port Alberni Port Alice Port Clements Port Hardy Port McNeill Port Renfrew Quadra Island Qualicum Beach Queen Charlotte Sandspit Sayward Sidney/North Saanich Sointula Sooke South Cowichan Tahsis Tofino Ucluelet Union Bay Woss

NB.



THE COURTENAY ROTARY CLUB

Box 20003 RPO Downtown Courtenay, B.C. V9N 0A7
www.courtenayrotary.com

NB.

November 2, 2015

Mayor and Council
Courtenay, BC

Dear Mayor and Council

Re: Rotary Trail

We are pleased that Courtenay Council passed a motion this past September requesting staff to develop policy options regarding connectivity of the cycling infrastructure and network plans for the City that will provide direction for decisions on future projects.

As you are aware, our Courtenay Rotary Club partnered with the Island Corridor Foundation and the City of Courtenay to construct the "Rails to Trails", now known as the Rotary Trail. We originally believed and we still do that the Rotary Trail would serve cyclists and pedestrians with the best and safest route north to south within the City. We respectfully request that you consider paving this existing trail which would provide pedestrians and cyclists a safe north south route, at considerable less cost than bike lanes on busy streets. We also respectfully suggest you consider dedicating bicycle lanes up 29th Street, 26th Street and 17th Street among others to have cycling connecting certain east/west streets to a new and enhanced Rotary Trail.

Our Courtenay Rotary Club continues to be active in our community and we are currently carrying out the upgrades of the 100 year old Courtenay Train Station, which we hope will become a centre piece along the Rotary Trail and will encourage people to bike and walk along the trail in a safe and secure manner.

We strongly believe that the Courtenay Rotary Trail will be the starting point of the north end of the trail that will ultimately connect all Vancouver Island communities along the Island Rail corridor from Courtenay to Victoria.

We would be pleased to meet with the City staff as well as the Council to further discuss our plans.

Yours truly,

Robert Wolfe
President

Art Meyers
Committee Chair

November 3, 2015

Courtenay Train Station Agreement
Island Corridor Foundation
&
Courtenay Rotary

Whereas the Island Corridor Foundation (ICF) and Courtenay Rotary (Rotary) have agreed to work to restore the Courtenay Train Station and;

Whereas Rotary has taken on a volunteer labour and fundraising effort to complete a portion of the restoration and;

Whereas the ICF needs a community organization to lead the restoration effort and has committed to ensure there is a 'Rotary Community Room', (approximately 950 sq. feet), within the station and such room may be used by Rotary free of charge and be available for rental by other community groups and;

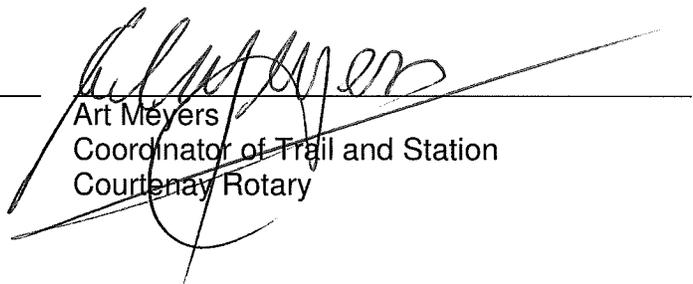
Whereas ICF will commission a restoration project manager to oversee the restoration of the station and Rotary will work within his direction;

Therefore Rotary will raise approximately \$300,000 in money and volunteer labour for the station restoration.

This agreement is made in the spirit of goodwill for the overall good of the community.



Graham Bruce
Chief Executive Officer
Island Corridor Foundation



Art Meyers
Coordinator of Trail and Station
Courtenay Rotary

