

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

DATE: January 16, 2017
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt January 3, 2017 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Community Justice Centre re: Everson print presentation
- 1 2. Project Watershed re: flood relief opportunities
- 3 3. Len Mathot re: Canadian Community Housing

STAFF REPORTS/PRESENTATIONS

Pg #

(a) Development Services

- 7 1. Zoning Amendment – 1066 Evergreen Place

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

8.00 RESOLUTIONS OF COUNCIL

In Camera Meeting:

That notice is hereby given that a Special In-Camera meeting closed to the public will be held January 16, 2017 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90(1)(d) the security of property of the municipality;
- 90(1)(g) litigation or potential litigation affecting the municipality; and
- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

9.00 UNFINISHED BUSINESS

Delegation from January 3, 2017 Council Meeting

1. Comox Valley Conservation Strategy – request for \$5000 in funding for the proposed Eco-Asset Symposium

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

1. 2017 Comox Valley Water Committee voting structure

25

Staff Note: In January 2016 Council passed the following resolution:

“That the letter from the Comox Valley Regional District be received and that the following distribution of weighted votes for the City of Courtenay Directors on the Comox Valley Water Committee for 2016 be as follows:

<i>Mayor Jangula</i>	<i>1 vote</i>
<i>Councillor Theos</i>	<i>2 votes</i>
<i>Councillor Wells</i>	<i>2 votes</i>
<i>Councillor Eriksson</i>	<i>2 votes”</i>

12.00 BYLAWS

For First and Second Reading

37

1. “Zoning Amendment Bylaw No. 2864, 2017”
(rezone 1066 Evergreen Avenue from R-1 to R-1S)

13.00 ADJOURNMENT

NOTE: There will be a Public Hearing scheduled for 5:00 p.m. in relation to Official Community Plan Amendment Bylaw No. 2854 and Zoning Amendment Bylaw No. 2855 both bylaws for 1375 Piercy Avenue



Briefing Note from the Estuary Working Group: Flood Relief Opportunities

Background / Key Issue

- The floodplain of an estuary, as the name suggests, is the area where flood waters can spread out horizontally to minimize their depth and flooding impacts. In the case of the K'ómoks (Courtenay River) estuary it is the farmland from the Super Store parking lot down to the Dyke Slough on the east side of Comox Road and the Highway 19a and the low area from Maple Pool Campsite through Lewis and Simms Parks down to Parker Marine on the west side of these roads.
- The natural flood relief function of the Courtenay River estuary has been severely restricted by the commercial and residential development in the upper portion of the floodplain. When the Tsolum and Puntledge Rivers used to spill their banks they would flow over the Old Island Highway between Headquarters and Ryan Roads and flow down Rye Road into Farquharson's (now Ducks Unlimited) field and down to the Dyke Slough. When Highway 19a and the 17th Street Bridge were built the road fill and the bridge abutments restricted the flood flow to west side of Comox Road and Highway 19a and created choke points in the river channel at the 5th Street and the 17th Street Bridges.
- Since then developments in the area have imported fill up to or above the 200 year flood level to keep their feet dry during floods, but in doing so they have eaten up even more of the small remnant of the functioning flood plain on the west side of these roads. Over time, as the floodplain gets further reduced and with the impact of climate change effects such as sea level rise and more intense storms, flooding will extend further upstream on both the Puntledge and Tsolum Rivers involving more and more property.
- The Tsolum River Tall Wall and the temporary rip rap fill upstream of the 5th Street Bridge causes further restrictions which pushes the flood level higher and further up the rivers.

Recommendations

- We support and emphasize the need to work with and increase the natural flood relief capacity. The reconnection to and rehabilitation of the old natural floodplain could help to minimize the depth of flooding and reduce subsequent property damage.
- We support flood relief as the preferred option as opposed to hard shore or dike type flood protection (which often can trap water and hold it in place for much longer, exacerbating existing flooding issues in other areas).
- We support managed retreat to get development out of the floodplain; including a City of Courtenay list of properties to be considered for purchase that are in flood high risk areas and a moratorium on further building developments.
- A moratorium on further building in the flood plain.

Canadian Community Housing Mission and Values

The mission of Canadian Community Housing (CCH) is to assure the continued availability of options in rental housing for individuals and couples of modest means, in any stage of their lives, and for others who would choose to live life with a smaller footprint.

The trend toward tiny houses and small footprint living is growing, and not only in major urban centres where real estate prices necessitate this downsizing. The groundswell of recognition that climate change caused by human activity must be curbed, and that any solution that can be workable on a global scale must begin with self, is driving the conscious choice among enlightened Millennials and others to commit to minimalist home environs. The corollary to this commitment is a greater level of engagement at the community level, in shared public spaces, with a correspondent increase in participation in the service economy. This atmosphere of living small, buying locally, and engaging meaningfully in Community will create an enviable upward spiral of sustainable economic development, growth, and jobs for future generations.

The values of CCH are consistent with this groundswell of recognition. Canadian values are those of peaceful coexistence, in harmony with their environment. Community values are supportive and caring and inclusive, continually striving to improve their collective "lot". Housing choice arguably represents the single largest component of an individual's energy footprint.

- Modes of transportation other than the single occupant vehicle (SOV) must be promoted and fostered, by developing in neighbourhoods with high walkability indices and along public transit routes. Parking and vehicular access should be devoted primarily to shared ride (HandyDART, taxi, Car2Go etc.) and emergency services provision. Private vehicle parking is limited and priced to temper its demand, and secure bicycle storage is provided at no additional charge.
- An Environmental Construction Operations (ECO) Plan (a living document) is important to document continual improvement in the diversion of waste from landfills, and reductions in the life cycle energy requirements of the materials (re-use, local sourcing and value adding, ethical purchasing, efficient appliances, recyclability etc.)
- Diversity and inclusion are the cornerstones of Civil Society. Communities flourish where engagement is pervasive and the dialogue spans disparities of abilities and income, and cultural differences. Small footprint living can foster closer community ties and improve the dialogue.

For Administration Consideration
Canadian Community Housing
1815 Cliffe Avenue – 23 Unit Apartment Project

This briefing note is a supplement to the Development Permit Application Submission dated November 7, 2016. The project substantially aligns with City of Courtenay Plans, By-laws and Policies and is manifestly deserving of the issuance of a Development Permit and Development Variance Permit in its current form.

The project consists exclusively of residential units less than 50 square metres in size. Bachelor suites in the wheelchair accessible building will have appeal to demographics such as youth, seniors and persons with disabilities. These demographics are recognized as having less reliance on private vehicles and are subject (in other jurisdictions) to a correspondingly lower ratio of parking.

The project is aligned with Strategic Priorities of the City of Courtenay for 2016-2018 which include support for densification as an area of control, and support for initiatives and incentives to encourage lower cost housing under the strategic theme of “support for diversity in housing and reasoned land use planning”.

The project is aligned with the OCP Vision and Strategy, Growth Management, Residential Land Use Designation, Transportation and Climate Action Goals and Policies:

- The OCP Vision’s goal of Balanced Growth is furthered by providing affordable housing close to recreation and daily destinations. The goal of Sustainable Development is furthered by selecting the correct location for density, adjacent to multiple transit routes and walkable to Downtown and the Cliffe Avenue commercial area. The goal of Planning for Retirees is furthered by providing affordable rental units in a central location.
- The project is aligned with the OCP Regional Growth Strategy Goal 1 of ensuring a diversity of housing options to meet evolving demographics and needs. The central location of the project is ideal for its variety of transportation choices. The affordable rental units in the project are by their very nature inclusive.
- The OCP Residential Land Use goals of supporting development of housing options for seniors, and ensuring the provision of affordable housing are furthered, as are the policy objectives of offering variety of transportation choice and creating inclusive neighbourhoods.
- The OCP Transportation goal of reducing travel distances and congestion is furthered by the central location of the project, and the policy of supporting acceptance of alternative design standards is congruent with a relaxation of the parking requirement. The City of Vancouver Parking By-law allows that small residential unit parking demand can be calculated on a ratio of the number of square metres of floor area used for residential units (not on the number of units), in locations where there is ready access to the hierarchy of active modes of transportation and public transit.
- The OCP Climate Action policy to encourage and support initiatives that reduce the number of passenger vehicle trips is furthered by the project, as well as the policy to reduce the ratio of parking for new developments within its jurisdiction.

The Affordable Housing Policy commits to reviewing best practices in the areas of OCP, zoning, and subdivision bylaws for greater densification. The strategy of encouraging a variety of housing types and more compact community is achieved by the project. The Affordable Housing Policy opens by stating that “Many communities around the Province are or have developed a range of strategies and their experiences are things that we can learn from.” The proposed variance from the parking requirement would not be a variance at all in similar central urban locations in other communities in BC.

The proponent respectfully requests the consideration of the application of the City of Vancouver Parking By-law provision 4.2.1.13 which is appended and paraphrased as follows:

- For three or more residential units located within an area served well by public transit and with ready access to active mode routes, a minimum of 0.5 spaces for every dwelling unit that has less than 50 m² of gross floor area.



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Zoning Amendment of 1066 Evergreen Place

File No.: 3360-20-1609
Date: January 16, 2017

PURPOSE:

The purpose of this report is for Council to consider an application to rezone the subject property from Residential One Zone (R-1) to Residential One S Zone (R-1S) to allow a secondary suite within an existing single residential dwelling.

CAO RECOMMENDATIONS:

THAT based on the January 16th 2017 Staff report, "Zoning Amendment of 1066 Evergreen Avenue", Council support approving OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2864, 2017; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2864, 2017 on February 6, 2017 at 5:00 pm in City Hall Council Chambers.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is located near the intersection of Evergreen Avenue and Mantle Drive in East Courtenay. The property is an 830 m² developed lot with a two storey house that includes a partially unfinished basement. There are two driveways in the front yard that access Evergreen Avenue and the remainder of the lot is fenced and landscaped with lawn, trees, hedging and shrubs. The surrounding land use is predominately residential.

The applicants purchased the property in the fall of 2016 with the intention to renovate the basement to accommodate a secondary suite. The secondary suite is proposed to be 70m² and will include one bedroom, one bathroom, a combined living room and dining area and a kitchen. The suite will also contain a small amount of storage space and its future tenants will have access to parking. The current R-1 zone does not permit a secondary suite so the applicants are applying to rezone the property from the Residential One Zone (R-1) to the Residential One S Zone (R-1S) to permit a secondary suite.



Figure 1. Context map. The subject property is shown in red outline.



Figure 2. Photo of house from Evergreen Avenue (top)

DISCUSSION:

In the fall of 2016 Suzie Leroux and Mark Reiss applied to rezone their property to permit a secondary suite within their single family dwelling. The applicants intend for the suite to be a rental suite suited for a family member, a single income earner or a student. From a policy perspective the Official Community Plan (OCP) supports secondary suites as a form of infill development as long as the development is in keeping with the character and scale of the neighbourhood.

Secondary suites contained within single family residences are a common form of infill housing. The intent of infill housing is to make more efficient use of land that is already serviced and to provide greater housing options for residents in the community. By focusing growth in areas with existing infrastructure (e.g. roads, schools, parks, transit etc) it is possible not only to mitigate the impacts of sprawl, but also to build resilient neighbourhoods with access to services, transit and a wider variety of housing types. Additionally, secondary suites increase a neighborhoods housing stock without significantly changing the neighbourhood's form and character.

Regarding design, secondary suites are ground-orientated, market-based units with a limited floor space that includes a separate entrance, allocated parking and contains some form of private outdoor space for the tenants use.

A review of historical rezoning applications for secondary suites indicates that seven properties located within 2 km of the subject property (Brooks Place, Thorpe Avenue, Teal Place, Valley View Drive, Snowbird Lane, Mallard Drive and Nikoliasen Road) have been rezoned.

Council's practice to-date has been to consider secondary suite rezoning applications on a case-by-case basis taking into account land use planning policy, design and neighbourhood interests.

Zoning Review

The secondary suite requirements have been incorporated into many of the residential zones within Zoning Bylaw No. 2500 including the: R-1S, R-1D, R-2, R-2B, R-3, R-4B and the RR-2S zone. The proposed suite is consistent with the secondary suite requirements in the Zoning Bylaw.

Requirement	Proposal
Total Floor Area Not more than 90.0 m ²	70 m ² (includes 1 bedrooms,1 bathroom, kitchen living room/dining area)
Floor Area Less than 40% of the habitable floor space of the building	22.5%
Located within a building of residential occupancy containing only one other dwelling unit	Yes
Located within a building which is a single real estate entity	Yes
Three Parking Spaces (2 for the principal dwelling unit and 1 for the suite)	3

Official Community Plan Review

The City’s OCP includes a housing policy objective to “lead in creating inclusive neighbourhoods for housing” and states that “secondary suites will be considered as part of a principal single-family residence subject to zoning approval”. Secondary suites are also supported in Part 10 of the OCP Planning for Climate Change to encourage infill development within existing single family residential neighbourhoods.

Many single family neighbourhoods are in close proximity to community services and amenities including park space, trail networks, schools, shops, and health services. The subject property is centrally located and is within 2 km of destinations such as Crown Isle Shopping Centre, Hobson Park, Valleyview Park, Mark R Isfeld Secondary School and the Comox Aquatic Centre. This property is approximately 3 km to Courtenay’s downtown and the Lewis Recreation Centre. These destinations are most easily accessible by car or transit however some residents may choose to cycle from this location.

Affordable Housing Policy

The City of Courtenay adopted its affordable housing policy in November 2007. Through adoption of this policy the City recognizes its role in enabling housing diversity and affordability for existing and new residents.

The City also recognizes that the provision of affordable housing plays an important role in stimulating economic growth by: promoting the retention of working families within the community; promoting spending within the local economy and stimulating employment opportunities within the construction industry and related trades.

An examination of the City’s affordable housing strategy suggests that the City encourages infill development in the form of secondary suites or secondary residence where it is feasible.

With an average price of a single family home at \$385,000¹ home ownership is not attainable for many households including families, independent seniors, lone parent families and single income households.

¹Vancouver Island Real Estate Board (2016). Home Sellers Still in the Driver’s Seat. <http://creastats.crea.ca/vani/>

Courtenay is currently experiencing a shortage of rental housing. The most recent vacancy rate information available from Canada Housing and Mortgage Corporation, which was released in Fall 2015, is 0.5% for private purpose built rental housing and is even lower for 2 or 3 bedroom apartments or town homes.

These statistics do not include the secondary market such as private homes or condominiums, or secondary suites and there may be an increasing reliance on the secondary market if the current housing market trends continue.

Throughout the Comox Valley secondary suites are permitted in both rural and urban areas. For example, secondary suites are permitted in all of the Comox Valley Regional District's residential zones with the exception of Manufactured Home Parks as well as in Comox's more dense urban neighbourhoods. The Village of Cumberland also permits secondary suites within a majority of their residential zones.

FINANCIAL IMPLICATIONS:

Consistent with the Affordable Housing Policy, the rezoning application fee for secondary suite applications was reduced from \$3,000 to \$500 and the Fees and Charges Bylaw was amended accordingly. Should this application be successful, a building permit is required. Building Permit Fees are calculated at rates set out in the bylaw. At present it is \$7.50 for every \$1,000 of construction value with a minimum fee of \$50.

Properties with secondary suites are currently charged a second utility fee (sewer, water, garbage) for the additional dwelling unit. Secondary suites are exempt from paying Development Cost Charges to the City and the Regional District.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the work plan. Staff has spent approximately 15 hours processing this application to date. Should the proposed zoning amendment proceed to public hearing, an additional 2 hours of staff time will be required to prepare notification for public hearing and to process the bylaw. Additional staff time will be required to process the subsequent building permit application including plan checking and building inspections.

ASSET MANAGEMENT IMPLICATIONS:

The proposed development utilizes existing infrastructure and is connected to City Water and City sewer. There are no direct asset management implications identified with this application.

STRATEGIC PRIORITIES REFERENCE:

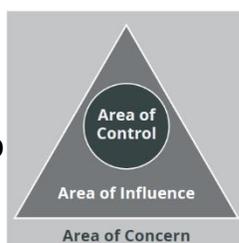
Development applications fall within Council's area of control and specifically align with the strategic priority to support meeting the fundamental corporate and statutory obligations of the City. This application also meets the goal to support densification aligned with the regional growth strategy.

We support diversity in housing and reasoned land use planning

● Support densification aligned with community input and regional growth strategy

We focus on organizational and governance excellence

● We support meeting the fundamental corporate and statutory obligations



● **Area of Control**

The policy, works and programming matters that fall within Council's jurisdictional authority to act.

W POLY PLAN REFERENCE:

Policies in section 4.4 of the Official Community Plan (OCP) refer to residential land uses including secondary suites as ways of increasing density or providing a range of housing choice. It also suggests that a careful attention needs to be paid to maintain the character and scale of an existing neighbourhood.

REGIONAL GROWTH STRATEGY REFERENCE:

The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

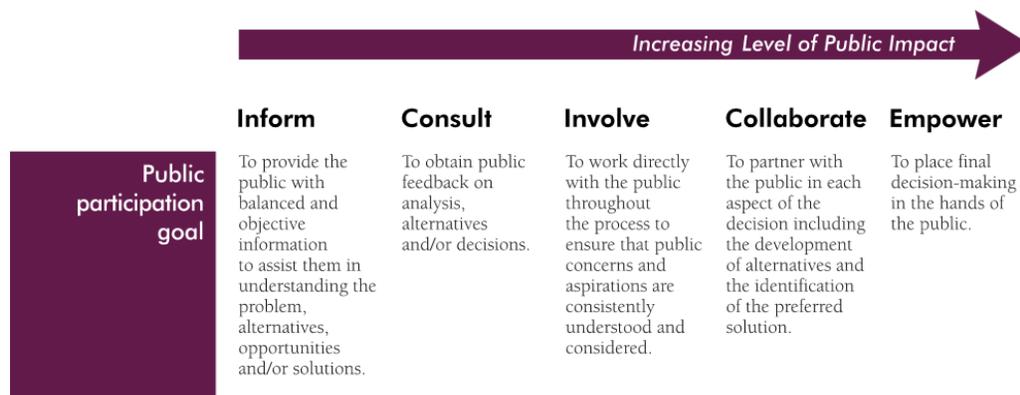
Objective 1-A: Locate housing close to existing services; and

Objective 1-C: Develop and maintain a diverse, flexible housing stock.

CITIZEN/PUBLIC ENGAGEMENT:

Staff will “**Consult**” the public based on the IAP2 Spectrum of Public Participation:

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



Should Zoning Amendment Bylaw No. 2864, 2017 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant held a public information meeting on December 5, 2016 at 1066 Evergreen Avenue . A summary of the public information meeting has been included as Attachment No. 3. According to the meeting summary report two people attended the meeting. The attendees had concerns that permitting a legal secondary suite would set a precedent for more secondary suite rezoning applications in the immediate neighbourhood. An additional concern was that previous approvals for secondary suites have resulted in undesirable tenants living in the neighborhood. One resident filled out a comment sheet and provided it to the applicants; this comment sheet has been included with the meeting summary report.

In December 2016 a telephone call was received by Planning Staff from another resident that stated he bought a home in this neighbourhood because suites were not permitted in the zoning. He also expressed concerns over this rezoning application setting a precedent for other secondary suite rezoning in this neighbourhood. This resident was invited to send in written comments to the City, however no written comments were received by Planning Staff from this resident.

OPTIONS:

OPTION 1 (Recommended): Give Bylaw No. 2864 First and Second Readings and proceed to Public Hearing.

OPTION 2: Defer consideration of Bylaw No. 2864 with a request for more information.

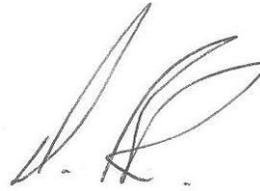
OPTION 3: Do not approve Bylaw No. 2864.

Prepared by:



Dana Leitch, MCIP, RPP
Land Use Planner

Approved by:



Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

- 1. Attachment No. 1: Applicant's Rationale and Written Submissions*
- 2. Attachment No. 2: Site Plan & Floor Plans*
- 3. Attachment No. 3: Public Information Meeting Summary and Public Feedback*

Attachment No. 1
Written Submissions

Suzie Leroux
Mark Reiss
1066 Evergreen Ave.
Courtenay, BC
V9N-7H4

Nov 15th, 2016

City of Courtenay
830 Cliffe Ave
Courtenay, BC
V9N-2J7

REF: REZONING APPLICATION FOR LEGAL SUITE - 1066 EVERGREEN AVE.

Please consider this letter as a written summary in regards to the above legal suite.

On 31 August, we took possession of our new home, on Evergreen. The home is quite large, having 3,344 sq/ft. Hence, there's plenty of room for a secondary suite. We would like to rezone the location, making the secondary suite a LEGAL suite.

While it would alleviate the rental shortage currently existing in Courtenay, it would also be beneficial to us, as it would supplement our income. Furthermore, the location is ideal since it is walking distance to the North Island College, Rec centre and the new hospital. (Oh...and let's not forget Tim Hortons.)

The secondary suite would comprise 1 bedroom, a kitchen & living room. The heating system, separated from the rest of the home, would be 3 baseboard heaters and a gas fireplace. The existing windows are very large, and the front entrance is comprised of a set of double french doors. Therefore egress will not be a problem. The premises conveniently has 2 driveways. Therefore, the secondary suite would have it's own private driveway.

You will find, attached, all the required documents. Please don't hesitate to contact me, should you have any questions or queries.

Regards,



Suzie Leroux
Homeowner
(250) 871-3429

City of Courtenay

Date: January 4th 2017

ATTN: Planning Department

REF: 1066 Evergreen Ave. Courtenay, BC V9N-7H4

Land Use

- Provides a mix of housing types and sizes
- Complements neighboring uses and site topography
- Supports a range of incomes
- Positive impact on views and scenery

Building Design

- Currently home is single family home with a finished basement
- The home has 2 private asphalt driveways
- Entrance for secondary suite is in the front of the home, which will contribute to the home keeping the appearance of a single family home

Transportation

- Home is close to the Home Depot & Thrifty foods, as well as transit stops servicing the comox valley
- As well, the home is locate in close vicinity to schools, parks & recreation, Hospital , walking trails & Tim Hortons!
- Home is located in a very quiet street

Infrastructure

- Basement will be insulated with spray foam to increase energy efficiency
- Attic insulation will be increased to R-50, again to increase energy efficiency
- Within serveable city standards
- Wood burning fireplace will be removed and replaced with gas insert

Character & Identity

- House has character already and looking to preserve that integrity

Environmental Protection & enhancement

- Landscaping will be maintained by current owners

Sincerely,

Suzie Leroux Mark Reiss
Suzie Leroux Mark Reiss
1066 Evergreen Ave.
Courtenay, BC
V9N-7H4

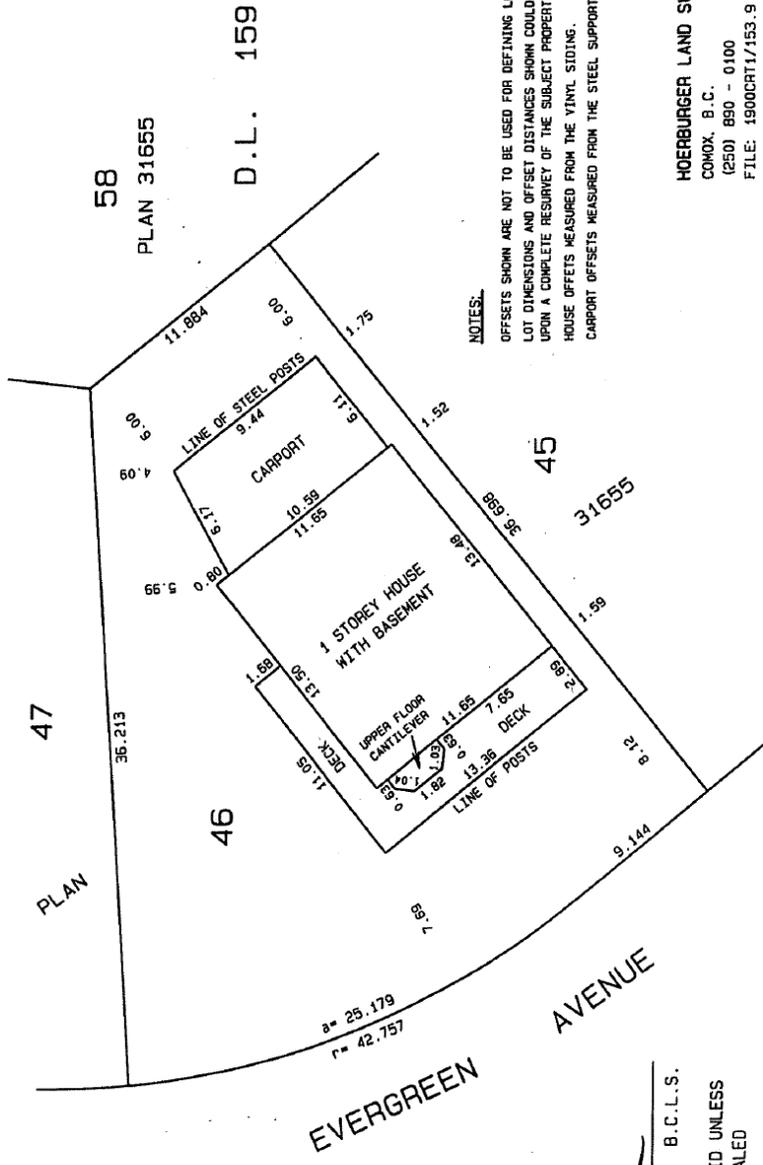




Attachment No. 2
 Site Plan & Floor Plan

1066 EVERGREEN AVE., COURTENAY
 SCALE 1 : 250 (METRIC)

BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION
 FOR LOT 46, DISTRICT LOT 159, COMOX DISTRICT, PLAN 31655.



NOTES:
 OFFSETS SHOWN ARE NOT TO BE USED FOR DEFINING LOT BOUNDARIES.
 LOT DIMENSIONS AND OFFSET DISTANCES SHOWN COULD VARY
 UPON A COMPLETE RESURVEY OF THE SUBJECT PROPERTY.
 HOUSE OFFSETS MEASURED FROM THE VINYL SIDING.
 CARPORT OFFSETS MEASURED FROM THE STEEL SUPPORT POSTS.

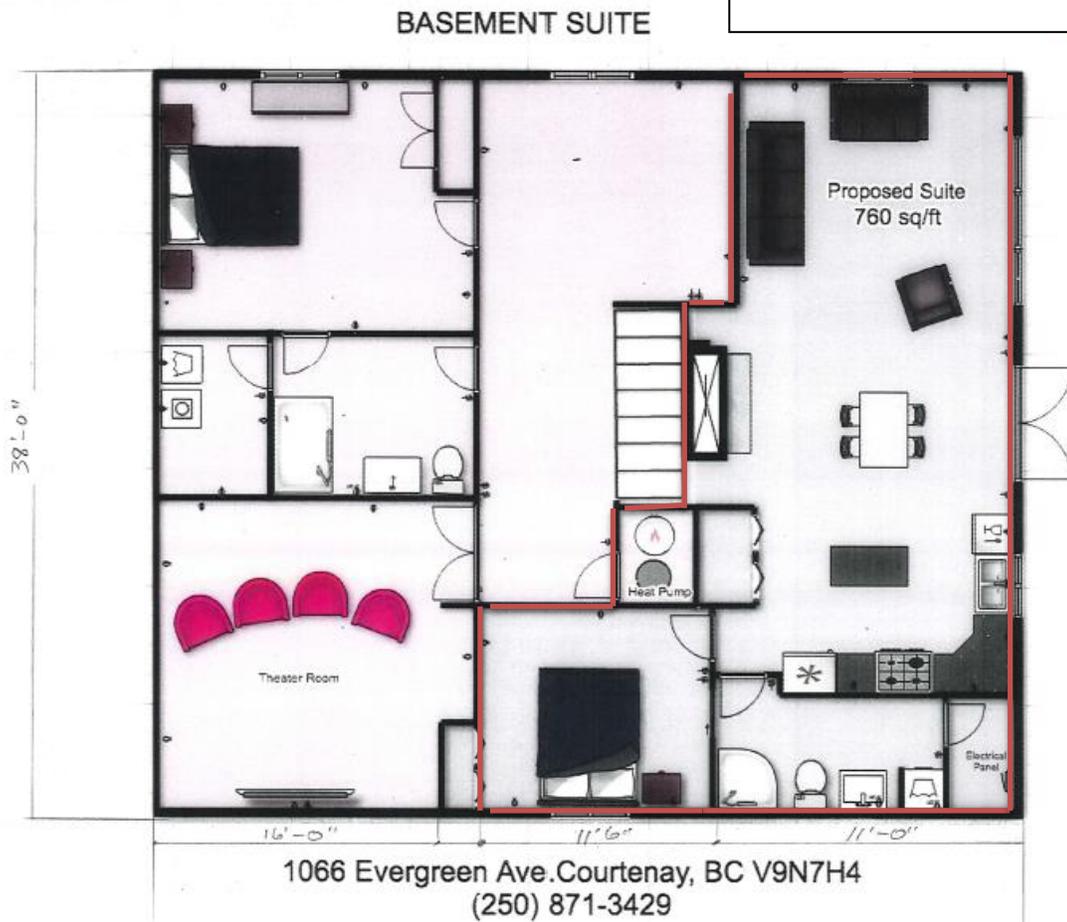
HOERBURGER LAND SURVEYORS
 COMOX, B.C. © 2016
 (250) 890 - 0100
 FILE: 1900CRT1/153.9 FB. 75/43



Eve Harker
 DECEMBER 23, 2016 B.C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS
 ORIGINALLY SIGNED AND SEALED

Proposed Suite Outlined in Red



Attachment No. 3
Public Information
Meeting Summary Report
& Comments

Suzie Leroux
Mark Reiss
1066 Evergreen Ave.
Courtenay, BC
V9N 7H4

Nov 22, 2016

Dear neighbors;

Since we have purchased our new property, it is our wish to have a Legal secondary one bedroom suite in our residence. In accordance with the City of Courtenay, we have to apply for a re-zone the property. Instead of R-1, it will be R-1S (S indicating secondary suite).

The suite will most likely be occupied by our University grad son, but not limited to. The suite also has its own private entrance parking on the premises, therefore street parking will not be an issue.

In accordance with the City planning development, before the application can be considered by city council, I have to inform the neighbors, and hold a public information meeting to answer any questions or queries you might have. Therefore, I have set this information meeting to be held for Tuesday Dec 6th at 7:00pm at the Comox Rec Center, Room B (upstairs). This should be fun, I think. Regardless, we will have some coffee and donuts available.

As well, we will have a plan available of the secondary suite for everyone to view. Following the meeting, there will be an opportunity to fill a comment sheet with feedback, which will be submitted to the city. Feel free to attend.

Regards,

Suzie Leroux
Suzie Leroux
Mark Reiss

RECEIVED
NOV 25 2016
CITY OF COURTENAY

Blamire, Susan

From: Suzie Leroux <herbology@shaw.ca>
Sent: December-06-16 8:40 PM
To: Blamire, Susan
Subject: from Suzie

REF: INFORMATION MEETING FOR LEGAL SUITE - 1066 EVERGREEN AVE.

Susan;

I hope you are well. Last night we had our Public Information Meeting. Prior to this meeting, my husband hand delivered the information letter to 56 residents. (all the people on the list). Surprisingly, 99% of the people didn't care. They wished my husband 'good luck with your secondary suite' and some even offered him some cookies :) Some were happy that we are doing it legally, and congratulated him.

For our Public information meeting, only **ONE** couple showed up. They don't live on our street. (They live on Thorpe). They said they were against the secondary suite, because **years** ago, their neighbors made a legal suite, and it became occupied by some, I quote: "Ladies of the night" (hookers).

I assured them this was not the case, and invited them to fill the comment sheet, which they did. She said: "Well, looks like this suite will go ahead, since we're the only ones here". I agreed, and they ended up staying for one hour, talking mostly about life and their families with us.

I will bring in the comment sheet in a couple of days, along with the required information.

Regards,

Suzie Leroux

PUBLIC INFORMATION MEETING
06 Dec 2016
SIGN IN SHEET
FOR
RE-ZONING R-1 TO R-1S - SUZIE LEROUX / MARK REISS

NAME (Please Print)	ADDRESS
[REDACTED]	1000 THORPE AVE, COURTENAY
[REDACTED]	[REDACTED]

PUBLIC INFORMATION MEETING

06 Dec 2016

Rezoning R-1 to R-1S (Legal Suite) - 1066 Evergreen Ave. Courtenay

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED] *04*
Address: 1000 THORPE AVE, CTNY Phone: [REDACTED]

Suzie Leroux & Mark Reiss have applied to the City of Courtenay for a Zoning Amendment (3360-20-1609) for a Secondary Suite. 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?

We chose to live in this area because it was zoned single family dwelling. We are not happy to have a legal suite so close to us, we feel it could possibly have a domino effect in this area of fairly large dwellings.

[REDACTED]

Please return your comments by (8 Dec 2016)
Comment sheets can be submitted by one of the following methods:
1. Hand your comment sheet in tonight.
2. Drop your comment sheet off at 1066 Evergreen Ave. Courtenay
3. Email your comment sheet to herbology@shaw.ca

January 10, 2017

Sent via email only: jward@courtenay.ca

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

Dear John:

Re: 2017 Comox Valley water committee voting structure

The Comox Valley Regional District (CVRD) operates the Comox Valley water supply system under Bylaw No. 1783 being “Water Local Service Establishment Bylaw, 1995” (attached as appendix ‘A’) and includes the Town of Comox, City of Courtenay and Electoral Areas ‘A’, ‘B’ and ‘C’ as participants. The bylaw, including subsequent policy direction by the committee, requires annual reporting based on the previous year’s water consumption to determine the assignment of weighted votes for water supply system decisions.

The bylaw and subsequent policy direction in March 2012 require that the per cent of water consumption in 2016 be compared against the percent of water consumption in 1995 and that if any participant’s relative amount of consumption increases by 4.17% or more, then that participant shall receive an additional vote. Any increase in votes shall be added to the original 1995 assignment of votes. Table 1 below illustrates the consumption values and resulting votes for 2017.

Participant	2016 consumption	2016%	1995%	% change	baseline	2017 votes
City of Courtenay	4,978,973	61.65%	51.69%	9.96%	6	7
Town of Comox	2,282,252	28.26%	30.48%	-2.22%	3	3
Electoral Area 'A'	33,458	0.41%	2.74%	-2.33%	1	1
Electoral Area 'B'	555,434	6.88%	12.52%	-5.64%	1	1
Electoral Area 'C'	226,478	2.80%	0.44%	2.36%	1	1
						13

At this time, the City of Courtenay and the Town of Comox are both required to adopt resolutions that assign whole votes for the water committee to the City of Courtenay and Town of Comox regional district directors. That is, three City of Courtenay directors are to receive two votes each and one City of Courtenay director must be assigned one vote for 2017. Further, one Town of Comox director must be assigned two water committee votes and the other Town of Comox director must be assigned one water committee vote for 2017. Please have your councils consider the vote assignments as soon as possible and provide the results to me at your earliest convenience. The results of the council voting assignments will enable the water committee to conduct its first meeting, scheduled for Tuesday, February 7, 2017.

If you have any questions, please contact me.

Table 2 shows the historic consumption and per cent consumption values.

	City of Courtenay		Town of Comox		Area A		Area B		Area C		Total m3
	m3	%	m3	%	m3	%	m3	%	m3	%	
1995		51.69		30.48		2.74		12.52		0.44	
2000	4,326,535	54.46	2,428,098	30.56	50,439	0.63	797,858	10.04	341,928	4.30	7,944,858
2001	4,353,645	54.49	2,450,856	30.67	42,674	0.53	810,983	10.15	331,981	4.15	7,990,139
2002	4,643,105	54.44	2,569,743	30.13	46,908	0.55	956,084	11.21	313,008	3.67	8,528,848
2003	5,282,535	57.74	2,596,438	28.38	53,064	0.58	806,926	8.82	409,867	4.48	9,148,830
2004	5,284,562	57.62	2,639,371	28.78	54,608	0.60	806,965	8.80	385,201	4.20	9,170,707
2005	4,715,895	58.90	2,263,918	28.28	37,989	0.47	675,725	8.44	312,430	3.90	8,005,957
2006	5,297,371	57.23	2,719,867	29.39	47,147	0.51	789,429	8.53	402,014	4.34	9,255,828
2007	4,643,588	57.62	2,499,919	31.02	37,705	0.47	478,999	5.94	399,062	4.95	8,059,273
2008	4,757,131	58.40	2,531,740	31.08	39,485	0.48	557,952	6.85	258,883	3.18	8,145,191
2009	4,796,412	57.12	2,636,103	31.40	42,318	0.50	627,979	7.48	293,602	3.50	8,396,414
2010	4,667,929	59.30	2,348,114	29.83	42,012	0.53	548,175	6.96	265,720	3.38	7,871,950
2011	4,688,793	60.52	2,326,610	30.03	44,433	0.57	457,186	5.90	230,190	2.97	7,747,212
2012	4,850,901	60.39	2,439,895	30.37	48,683	0.61	458,181	5.70	235,253	2.93	8,032,913
2013	4,548,999	60.03	2,339,562	30.87	30,863	0.41	454,297	6.00	203,816	2.69	7,577,537
2014	4,739,429	60.78	2,377,421	30.49	31,723	0.41	460,102	5.90	189,068	2.42	7,797,743
2015	4,761,951	62.22	2,201,125	28.76	30,833	0.40	465,846	6.09	193,811	2.53	7,653,566
2016	4,978,973	61.65	2,282,252	28.26	33,458	0.41	555,434	6.88	226,478	2.80	8,076,595

Sincerely,

J. Warren

James Warren
General Manager of Corporate Services

Enclosure: Appendix 'A' – Bylaw No. 1783 being “Water Local Service Establishment Bylaw, 1995”

The following is a consolidated copy of the Comox Valley water local service establishment bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
1783	Water Local Service Establishment Bylaw, 1995	December 12, 1996	A bylaw to convert the water supply service to a local service for that portion of the regional district located within the boundaries of the City of Courtenay, the Town of Comox and Electoral Areas 'A', 'B' and 'C' of the regional district.
2640	Water Local Service Establishment Bylaw 1995, Amendment Bylaw No. 1, 2004	May 31, 2004	Amends Bylaw No. 1783 to allow for the supply of water from a bulk water dispensing system and to allow the sale of water to the Sandwich waterworks district in the event of an emergency
2670	Water Local Service Establishment Bylaw 1995, Amendment Bylaw No. 2, 2004	August 30, 2004	Amends Bylaw No. 1783 to allow for the supply of water from the Comox Valley water supply system, by agreement, to the Comox Indian Band and to allow the redistribution of water supply by the Town of Comox to HMCS Quadra
418	Water Local Service Establishment Bylaw, 1995, Amendment No. 3	May 31, 2016	To amend the service establishing bylaw for the Comox Valley water supply system to allow the City of Courtenay to redistribute water to the K'ómoks First Nation Indian Reserve No. 2

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

The following actions are the result of committee and board resolutions and meant to apply as policy directives for the Comox Valley water supply system and Comox Valley water committee:

Date	Action
May 3, 2011	<p>At its May 3, 2011 the CVRD board endorsed the following statement from a service review that concluded in April 2011 and relates to this Bylaw No. 1783:</p> <p>“Following a full review of the concerns expressed at the outset of the Comox Valley water supply system service review, including receipt of the CVRD administrative and corporate staffing review by Performance Concepts, the service review members feel that those concerns have been addressed and that there will be an annual performance monitoring report. In addition, the service review members:</p> <ul style="list-style-type: none"> - support that voting on all issues at the Comox Valley water committee including the selection of the chair and vice-chair will be done using the weighted method; - acknowledge that the allocation of votes to committee members remains unresolved; and - recognize that where a decision has been made and that one or more parties may want to revisit that decision, that the parties be sensitive to such a request. <p>The service review members hereby conclude the Comox Valley water supply system service review and extend their appreciation to all staff at the Comox Valley local governments for their assistance through the process.”</p>
May 2011	<p>THAT the Comox Valley water committee authorize its chair to cancel committee meetings where no reports are available for the committee’s consideration and/or no committee business is required;</p> <p>AND FURTHER THAT the monthly meeting requirement in section 13(d) of Bylaw No. 1783 being “Water Local Service Establishment Bylaw 1995” be waived in such instances.</p>
May 2011	<p>THAT the Comox Valley water committee approve the non-voting members on the committee as being the administrators for the Comox Valley Regional District, City of Courtenay and the Town of Comox, the general manager of property services at the CVRD and the senior manager for operations City of Courtenay and the Town of Comox in accordance with section 13(b) of Bylaw No. 1783 being “Water Local Service Establishment Bylaw 1995.</p>
June 2011	<p>THAT the Comox Valley water committee approve that all references to ‘secretary’ in Bylaw No. 1783 being “Water Local Service Establishment Bylaw 1995” be interpreted as ‘corporate legislative officer or deputy corporate officer’.</p>
January 24, 2012	<p>The Comox Valley water committee defeated a proposal to divide evenly the assignment of votes to committee members at its January 24, 2012 meeting. Council resolutions required to divide weighted votes amongst committee members where equal division is not possible,</p>

Date	Action
<p>March 13, 2012</p>	<p>WHEREAS the Regional District of Comox-Strathcona enacted Bylaw 1783 in 1995 thereby establishing a “Water Local Service” for various areas in the Comox Valley;</p> <p>AND WHEREAS all policy related to the administration and operation of this local water service has been delegated to a standing committee of the regional board known as the “Water Committee”;</p> <p>AND WHEREAS for the purpose of voting on all matters related to the water local service, a voting structure was assigned to each participant from January 1, 1997 based on the percentage of the water consumed by each of the participants relative to the total of water provided by the water local service;</p> <p>AND WHEREAS the solicitor for the regional district has “interpreted Section 15(d) of the bylaw...as meaning that when a participant’s water consumption exceeds the base 1995 level by at least .50 of 8.33 per cent (or 4.17 per cent)-being one half of one vote – that particular participant is then entitled to an additional vote”;</p> <p>AND WHEREAS the solicitor for the regional district has further advised “that there is no explicit indication .in bylaw 1783 that the number of votes was inalterably fixed at twelve” and it was his “opinion Courtenay is therefore entitled to an additional vote in accordance with Section 15(d) of the bylaw”;</p> <p>AND WHEREAS it is the opinion of the solicitor for the regional district “that Courtenay is now entitled (i.e. 2010) to a 7th vote at the water committee and at the board in connection with the Comox Valley service in accordance with bylaw 1783; and, “must be added to the total in order to give effect to Section 15(d) of the bylaw, creating a new voting structure that involves thirteen votes;</p> <p>AND WHEREAS based on the historical development of bylaw 1783 in 1995, the Town of Comox should have been assigned four votes based on consumption and to correct that action, the Town of Comox be awarded an additional vote;</p> <p>THEREFORE to give effect to the advice from the regional district solicitor, that the water committee determine the voting structure not be limited to twelve votes; and that for determining each participant’s voting entitlement henceforth, the corporate officer interpret Section 15(d) of the bylaw as meaning when a participant’s water consumption exceeds the base 1995 level by at least 0.50 per cent of 8.33 per cent (or 4.17 per cent)-being one half of one vote – that particular participant will be entitled to an additional vote;</p> <p>FURTHERMORE the water committee agree that there be an increase in the number of votes commencing in January 2012, as follows: - City of Courtenay 7 votes; Town of Comox 4 votes; Electoral Area A 1 vote; Electoral Area B 1 vote; Electoral Area C 1 vote</p> <p>AND FURTHERMORE the water committee adopt a dispute resolution process that will assure fairness and equity when resolving differences.</p>

Date	Action																														
December 2012	<p>Comox Valley water committee resolution dated December 11, 2012: THAT the Comox Valley water committee approve that the corporate officer shall:</p> <ul style="list-style-type: none"> a) report the percentage of water consumed by the participants in the Comox Valley water supply system as early in each year as possible; and, b) apply weighted votes, in accordance with Bylaw No. 1783 being "Water Local Service Establishment Bylaw 1995" and subsequent policy direction approved by the committee on or before January 20 in each year; <p>AND FURTHER THAT the Comox Valley water committee chair and vice-chair selection shall occur at the first meeting of the water committee in each year, rather than in January as required under section 13(g) of Bylaw No. 1783.</p>																														
January 2015	<p>Following council resolutions on weighted vote assignments, Comox Valley water committee weighted votes for 2015 are as follows:</p> <table border="1" data-bbox="289 730 1344 1094"> <tbody> <tr> <td>City of Courtenay</td> <td>Director Jangula</td> <td>1 vote</td> </tr> <tr> <td>City of Courtenay</td> <td>Director Eriksson</td> <td>2 votes</td> </tr> <tr> <td>City of Courtenay</td> <td>Director Theos</td> <td>2 votes</td> </tr> <tr> <td>City of Courtenay</td> <td>Director Wells</td> <td>2 vote</td> </tr> <tr> <td>Town of Comox</td> <td>Director Price</td> <td>1 vote</td> </tr> <tr> <td>Town of Comox</td> <td>Director Grant</td> <td>2 votes</td> </tr> <tr> <td>Electoral Area A</td> <td>Director Jolliffe</td> <td>1 vote</td> </tr> <tr> <td>Electoral Area B</td> <td>Director Nichol</td> <td>1 vote</td> </tr> <tr> <td>Electoral Area C</td> <td>Director Grieve</td> <td>1 vote</td> </tr> <tr> <td colspan="2">Totals</td> <td>13 votes</td> </tr> </tbody> </table>	City of Courtenay	Director Jangula	1 vote	City of Courtenay	Director Eriksson	2 votes	City of Courtenay	Director Theos	2 votes	City of Courtenay	Director Wells	2 vote	Town of Comox	Director Price	1 vote	Town of Comox	Director Grant	2 votes	Electoral Area A	Director Jolliffe	1 vote	Electoral Area B	Director Nichol	1 vote	Electoral Area C	Director Grieve	1 vote	Totals		13 votes
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REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 1783

A bylaw to convert the water supply service to a local service for that portion of the regional district located within the boundaries of the City of Courtenay, the Town of Comox and Electoral Areas 'A', 'B' and 'C' of the regional district.

WHEREAS by supplementary Letters Patent dated the 17th day of February, 1967, the Regional District under Division VI Water Supply was empowered to design, construct, reconstruct, purchase, maintain and operate facilities for the purpose of supplying water in bulk to the City of Courtenay and to the Town of Comox, for redistribution by them within their municipalities, and to individual customers not within the boundaries of a municipality or improvement district having water supply as an object, which Letters Patent were further amended on the 9th day of March, 1977 to provide for the establishment of debt limit by the Inspector and on the 14th day of July, 1977 to renumber subsections;

AND WHEREAS a recommendation was made by Order in Council approved the 6th day of April, 1978 for the alteration of the basis for apportionment of costs;

AND WHEREAS the Board of the Regional District now wishes to exercise the power granted to it by the Letters Patent in accordance with Part 24 of the *Municipal Act* subject to all the terms and conditions contained in the Letters Patent except where the powers are herein amended;

AND WHEREAS the Board of the Regional District wishes to proceed to convert the service to a local service exercised under the authority of a bylaw for a portion of the Regional District under sections 767(4), 794 and 802 of the *Municipal Act*.

NOW THEREFORE the Regional Board of the Regional District of Comox-Strathcona in open meeting assembled enacts as follows:

Local Service

1. The service hereby established is to design, construct, reconstruct, purchase, maintain and operate facilities for the supply, treatment, conveyance, storage and distribution of water,
 - (a) in bulk to the City of Courtenay and the Town of Comox for redistribution by those municipalities, including redistribution by the City of Courtenay to K'ómoks First Nation Indian Reserve No. 2 and by the Town of Comox to HMCS Quadra;
 - (b) in bulk to water service areas in that part of the Regional District not within the boundaries of the City of Courtenay and the Town of Comox located within a participating area for this service;
 - (c) in bulk to the K'ómoks First Nation;
 - (d) in bulk to the Sandwick Waterworks District in the event of an emergency;
 - (e) in bulk from the bulk water dispensing system; and
 - (f) the service shall be known as "The Comox Valley Water System".

Boundaries

2. The boundaries of the local service area shall be the boundaries of the participating areas.

Participating Areas

3. The participating areas for the service shall be the City of Courtenay, the Town of Comox and Electoral Areas 'A', 'B' and 'C' of the Regional District.

Cost Recovery

4. The annual costs for the local service may be recovered by:
 - (a) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs.

Apportionment

5. The annual debt costs and operating costs of operating and maintaining the water service shall be apportioned among the participating areas on the basis of the volume of water supplied by the local service consumed within each participating area each year as a percentage of the total water supplied in that year by the water service.

Metering

6. Water supplied from the local service shall be metered at the point of delivery from the facility of the local service to the City of Courtenay, to the Town of Comox and to each local service area within each participating Electoral Area that receives water from the local service authorized by this Bylaw.
7. The Regional District is authorized to sell water in bulk to the City of Courtenay and to the Town of Comox at a rate sufficient to meet the cost of such supply.
8. The Regional District is authorized to sell water in bulk to water local service areas created in the participating Electoral Areas at a rate sufficient to meet the cost of the Regional District providing such water service.

Local Service Areas Within Electoral Areas

9. The existing Specified Areas of Comox Valley, Arden and Marsden/Camco Road as defined in the bylaws converting those specified areas to local service areas will continue to be entitled to receive water in bulk as local service areas within the participating Electoral Areas as shown on Schedule 'A' attached hereto and forming part of this Bylaw.
10. No new water local service area may obtain water from the water local service area created by this Bylaw unless approved by a majority of the weighted votes of the Water Committee created by this Bylaw.
11. Notwithstanding section 10, if a water supply is required by the Medical Health Officer as a result of a failure of the water supply of persons outside municipal boundaries located within one of the participating Electoral Areas to supply potable water, the water local service area to be created for the purpose of obtaining water under this section shall be restricted to the area specified by the Medical Health Officer if supply to the new local service area is approved by the Water Committee.

Water Committee

12. The local service created by this Bylaw shall be operated by a standing committee of the Regional Board to be known as the Water Committee.
13. The Water Committee:

- (a) shall consist of the Regional Board members of the participating Municipalities and Electoral Areas as voting members;
- (b) shall consist of the Administrators of the Regional District, the City of Courtenay and the Town of Comox and the Engineer of the City of Courtenay, the Supervisor of Field Services of the Regional District and the Superintendent of Works of the Town of Comox as non-voting members;
- (c) shall have the exclusive authority to approve or refuse the connection of any municipality or local service area under the Municipal Act, to the water system other than the City of Courtenay, the Town of Comox, the Arden Local Service Area, the Comox Valley Local Service Area and the Marsden/Camco Road Local Service Area which are more particularly shown on the map annexed hereto as Schedule 'A'.
- (d) shall meet at least monthly to conduct its business;
- (e) shall conduct their meetings in accordance with the Procedure Bylaw of the Regional District as applicable;
- (f) where a member of the Regional Board cannot attend then his/her Alternate may attend as provided for attendance at the Regional Board;
- (g) shall, on adoption of this Bylaw, then in January of each year, select from amongst their voting members, a Chairman and Vice-Chairman who shall be responsible for preparing the agenda for each meeting and chairing the meeting;
- (h) shall determine all policy related to the administration and operation of this local water service.

Voting

14. For the purpose of voting on all matters related to the water local service including the creation or expansion of local service areas and notwithstanding the provisions of Part 24 of the *Municipal Act* and the Letters Patent of the Regional District, votes at the Water Committee and at the Regional Board under section 781(4) of the Municipal Act shall be as follows:
- (a) City of Courtenay 6 votes
 - (b) Town of Comox 3 votes
 - (c) Electoral Area 'A' 1 vote
 - (d) Electoral Area 'B' 1 vote
 - (e) Electoral Area 'C' 1 vote
15. The number of votes assigned to each participant from January 1, 1997 will be determined as follows:
- (a) The percentage of the water consumed by each of Courtenay and Comox and through the water local service areas by each Electoral Area of the total of water provided by the Water Local Service created by this Bylaw, shall be determined by the Regional District and provided to the Secretary of the Regional District and each member of the Water Committee on or before January 5th of each year for the previous year.
 - (b) The Secretary of the Regional District shall, on or before January 10th of each year, apply the percentage of water consumed within each participant area to 12 votes.
 - (c) For the purpose of determining any change in percentage for the calculation of vote entitlement in 1997, consumption within the participating areas for January 1, 1995 and the 1995 entitlement is:

City of Courtenay	51.69%	6 votes
Town of Comox	30.48%	3 votes
Electoral Area 'A'	2.74% less the amount in Arden within Electoral Area 'C'	1 vote
Electoral Area 'B'	12.52%	1 vote
Electoral Area 'C'	.44% plus the amount of Arden not in Electoral Area 'A'	1 vote

- (d) Where the number determined for any participant includes a part of a vote if the percentage exceeds .50 of a vote, the participant will be assigned the whole vote.
- (e) In no event shall any participant be assigned less than one vote.
- (f) At the first Board Meeting in February, the Secretary will report the result of the assignment of votes as determined by this section and his/her assignment will be final and binding for that year.

Pressures and Flows

16. If a proposed expansion to the use of water from the local service system in any participating area would cause the pressure and flow of water to fall below 275 Kpa (40 psi) or 1800 litres/capita/day (400 imperial gallons/capita/day) or such other volume which may be determined by the Water Committee, the Water Committee shall refuse to approve such expansion until such time as the system can absorb the expansion and maintain the above specified pressures and flows.

Citation

17. This Bylaw may be cited for all purposes as "Water Local Service Establishment Bylaw, 1995".

Schedule A

Existing Boundaries of Municipal and Local Service Areas(Water) within The Regional District Water Supply System Service Area

