

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

**DATE:**       October 02, 2017  
**PLACE:**     City Hall Council Chambers  
**TIME:**       4:00 p.m.

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**1.00       ADOPTION OF MINUTES**

1. Adopt September 18<sup>th</sup>, 2017 Regular Council meeting minutes

**2.00       INTRODUCTION OF LATE ITEMS**

**3.00       DELEGATIONS**

1. Comox Valley Economic Development and Tourism, Geoff Crawford and Lara Greasley
2. Comox Valley Community Health Network (CHN) Planning Committee, Megan Tomlinson and Betty Tate

**4.00       STAFF REPORTS/PRESENTATIONS**

**(a) Development Services**

- 1       1. Development Permit with Variances No. 1717 - 308, 320 and 332 3<sup>rd</sup> Street
- 35     2. Zoning Amendment Bylaw No. 2895 to Allow for a Secondary Suite at 1290 10<sup>th</sup> Street East

**(b) Financial Services**

- 71     3. Ranking of 2018 Grant-in-Aid Requests

**(c) Public Works Services**

- 97     4. DCBIA Proposal - Downtown Pride Diversity Crosswalk

**5.00       EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

- 101 1. Briefing Note - Parks and Recreation Master Plan Consultation Update

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

**8.00 RESOLUTIONS OF COUNCIL**

**9.00 UNFINISHED BUSINESS**

- 1. Delegation from September 18, 2017 Regular Council Meeting - Project Watershed Re: Kus Kus Sum (Fields Sawmill Site)**

Request for support from staff and Council to aid in the negotiation of a purchase and sale contract with Interfor and consider an exemption from property taxes for the 2 year period of the net lease agreement.

**10.00 NOTICE OF MOTION**

**11.00 NEW BUSINESS**

**12.00 BYLAWS**

**For First and Second Reading**

- 103 1. "Zoning Amendment Bylaw No. 2895, 2017"  
(Rezoning from (R-1) to (R-1S), 1290 – 10<sup>th</sup> Street East)
- 105 2. "Tax Exemption 2018 Bylaw No. 2901, 2017"  
(To exempt from taxation for 2018, 356 – 3<sup>rd</sup> St., 280 - 2<sup>nd</sup> St. #4 – 204 Island Hwy N.)
- 111 3. "Churches Tax Exemption 2018 Bylaw No. 2902, 2017"  
(To exempt from taxation for 2018, the land surrounding the church building and building footprint, except for that portion of lands used in residential or commercial use)

**For Third Reading**

- 115        1.    “Zoning Amendment Bylaw No. 2868, 2017”  
              (for a Mixed Use CD Zone (CD-26), 3040 & 3070 Kilpatrick Avenue)

**For Third Reading and Final Adoption**

- 127        1.    “Official Community Plan Amendment Bylaw No. 2881, 2017”  
              (To change land use designation from Urban Residential to Multi Residential,  
              1330 Lake Trail Road - Habitat for Humanity)
- 129        2.    “Zoning Amendment Bylaw No. 2892, 2017”  
              (To rezone from Residential Two Zone (R-2) to Residential Three Zone (R-3),  
              1330 Lake Trail Road – Habitat for Humanity)

**13.00        ADJOURNMENT**







THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 3060-20-1717

**From:** Chief Administrative Officer

**Date:** October 2, 2017

**Subject:** Development Permit with Variances No. 1717-308, 320 and 332 3rd Street

### PURPOSE:

The purpose of this report is for Council to consider a Development Permit with Variance to permit the construction of a medical clinic including a variance to the required width of the landscaped area inside the site's property lines.

### CAO RECOMMENDATIONS:

That based on the October 2, 2017 staff report "Development Permit with Variance No. 1717 – 308, 320 and 332 3rd Street", Council approve OPTION 1 and proceed with issuing Development Permit with Variances No. 1717.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The subject properties are located at 308, 320 and 332 3rd Street in three legal lots as shown in **Figure No. 1**. They are designated as commercial within the Official Community Plan (OCP) and zoned Commercial Five Zone (C-5). The site is currently occupied by a dwelling that is being used as a professional office and associated parking. The site is 1,320 m<sup>2</sup> in size and has connections to City services for water, sewer and storm services.

The site is occupied by an existing building located on the northwest portion of the site. Adjacent to the



**Figure No. 1: Subject Properties (outlined in red)**

building is a 20 to 25 stall parking lot. The site features small landscaped areas along portions of the northern, western and eastern property lines and a mature horse chestnut tree is located within a landscaped area along Duncan Avenue.

The site is primarily accessed off of third street by a one-way access into the parking lot. A secondary access exists off of the laneway which provides two-way traffic flow for vehicles entering and exiting the site.

Land uses surrounding the site include residential uses to the north along 3rd Street, commercial uses to the east and south along Duncan Avenue and 4th Street and multiple family residential uses to the west.

The applicant acquired the three properties in the spring of 2016 with the intention of developing a clinic and wellness centre in the Old Orchard area. The applicant has applied to demolish the existing building to facilitate the construction of the new clinic. As part of the overall development plan two of the parcels will be consolidated creating two legal parcels fronting 3<sup>rd</sup> Street (**Attachment No. 2**).

In June 2017 the owner was successful in amending the zoning of the property to permit a medical clinic. Upon completion of the development the clinic will have a gross floor area of 397.7 m<sup>2</sup> and will employ two full time chiropractors and two full time family doctors.

During the rezoning process concerns were raised by adjacent neighbours regarding increases in traffic resulting from the proposed use due to the existing access located off of 3<sup>rd</sup> Street. Because of these concerns, Council requested that development service staff investigate the possibility of having the site primarily accessed off of Duncan Avenue.

Development Services staff met with engineering staff to discuss the possibility of having the development accessed primarily off of Duncan Avenue. Following this review, and taking into consideration the arborist analysis (Attachment No. 2) of likely impacts to the mature chestnut tree staff opinion remains that maintaining the driveway at the existing location is a better option.

### **DISCUSSION:**

The primary purpose of this report is to evaluate form and character of the proposed development based on the guidelines in the OCP and whether the variance requested is acceptable based on the conditions of the site and neighbourhood interests. In this project, the applicant is requesting a variance to the Zoning Bylaw requirement for the required width of the landscaped area inside the site's property lines:

- *Reducing the required width of the landscaped area extending along the frontage of the property on a street from 4.5 metres to 1.5 metres.*

### **OCP Old Orchard and Commercial Development Permit Guidelines**

- **Form and Character**

The proposed plan is generally consistent with the form and character guidelines. The building façade represents a heritage design with earth tone colours of greens and browns. Design components include: dormers, multiple gables, hip roofs, knee braces, covered entryways, cedar shingles and timber accents. All windows and doorways will be treated with wood trim and windows have been divided into smaller paned sections.

The building has been designed to reflect a heritage residence with all four sides of the building finished to the same standard and articulated with durable finishes: cedar shingles; wood trim; fibre cement horizontal siding and stone masonry accents.

The building steps down towards both flanking streets and adjacent properties. The first floor's finished elevation sits at a level below the sidewalk elevation along 3<sup>rd</sup> Street. The height of the building is similar in height to buildings on adjacent properties. The building's second storey steps away from the street level at all four elevations to emphasize the pedestrian scale, to provide continuity on the ground level and to promote visual interest.

The building contains articulated rooflines with deep overhangs providing continuous weather protection on all exterior building walls.

Staff evaluation on the design is that it lends continuity to adjacent properties and it maintains the visual character of the Old Orchard neighbourhood. The site will be landscaped around all property lines.

- **Siting, Landscape & Screening**

A landscape plan was provided with the application detailing the type, size and location of proposed landscaping. The landscape plan features: landscaped areas with widths ranging from 1.5 metres to 7.0 metres inside the western, northern and eastern property lines; planting beds to accommodate foundation landscaping adjacent to sidewalks and building façades; an irrigation system; the retention of a mature horse chestnut tree in an expanded landscaped area along Duncan Avenue and a gated and landscaped garbage and recycling container in the southwest corner of the site.

- **Parking**

The existing parking lot is asphalt and is accessed by a one-way "entry only" off of 3<sup>rd</sup> Street and a two-way secondary access "entry and exit" off the laneway accessed from Duncan Avenue. Patient parking will be made available at the front of the building with one disabled parking stall directly adjacent to the building's front entrance. Staff parking is being provided adjacent to the laneway at the rear of the building. A majority of the parking stalls will be screened with landscaping with the exception of the staff parking stalls at the rear of the building. The development offers bicycle parking at the public entrance to the clinic. Dimensions and location of the parking spaces meets the City's parking regulations.

### Zoning Review

The proposed development meets all zoning regulations in the C-5 zone for density, lot coverage, building setbacks and building height.

A medical clinic is a permitted use on this property. However, as mentioned earlier, the project requires a variance to the width of the landscaped area required inside the site's property lines. In particular the bylaw requires that where a property adjoins a street, a landscaped area of at least 4.5 metres in width must be provided and the applicant is proposing 1.5 metres.

Landscape buffering in commercial zones separates land uses, enhances the aesthetics of the site and addresses visual, light and sound impacts of a development. The applicant is proposing a landscaped area of 6.0 metres in width along 3<sup>rd</sup> Street with the exception of the northeast corner where a landscape buffer

of 1.5 metres is being provided. Along Duncan Avenue a landscaped area 1.5 metres wide is proposed and the existing landscaped area where the horse chestnut tree is located will be expanded to 7.0 m in width. Smaller foundation landscaping is being proposed along the internal sidewalk and around the perimeter of the building.

Staff believe that reducing the width of the landscape buffer from 4.5 metres to 1.5 metres at the corner of the site and along Duncan Avenue will have minimal impact on privacy as there are no neighbours immediately adjacent to the areas where the reduced setback is requested. With this variance request, visual impact and aesthetics are the main considerations. Currently the east side of the development site contains a parking lot with sparse landscaping around its perimeter. Staff believes that implementing the proposed landscaping would provide a net visual benefit to the site from what exists today.

OCP policy 8.2(3) (C) (6) encourages a landscaped buffer of 7.5 metres along adjacent residential property boundaries, in this case, the property to the west that is zoned Residential Four B Zone (R-4B).

Staff believe that sufficient landscaping is being provided along the western property line to maintain privacy for the adjacent residential units. In order to maximize privacy the applicant has proposed approximately a 2.0 metre wide landscape area within the property line, minimizing the number of windows on the first floor of the building, the size of the windows and, fitting the windows on the first floor with obscured glass. Staff believe that this would satisfy the intention of the Bylaw and reduce the impacts on adjacent residential property to the west would.

#### **FINANCIAL IMPLICATIONS:**

The application fee for this Development Permit with Variance is \$ 4,000. Should Development Permit No. 3060-20-1717 be approved, the applicant would be required to apply for a building permit and subsequent inspections as well as a sign permit. Building permit fees are \$7.50 for every \$1000.00 of construction value.

If the value of construction exceeds \$50,000 Development Cost Charges will apply. Development Cost Charges will be collected for the commercial development at a current rate of \$47.51 per m<sup>2</sup> of total floor area. The Regional District's DCC's are collected at rates of \$34.90 per square metre of gross floor area (sewer) and \$10.80 per square metre of gross building area (water).

#### **ADMINISTRATIVE IMPLICATIONS:**

The processing of development applications is included in the current work plan as a statutory component. Staff has spent 12 hours reviewing the application, conducting a site visit and meeting with the applicant to request additional information.

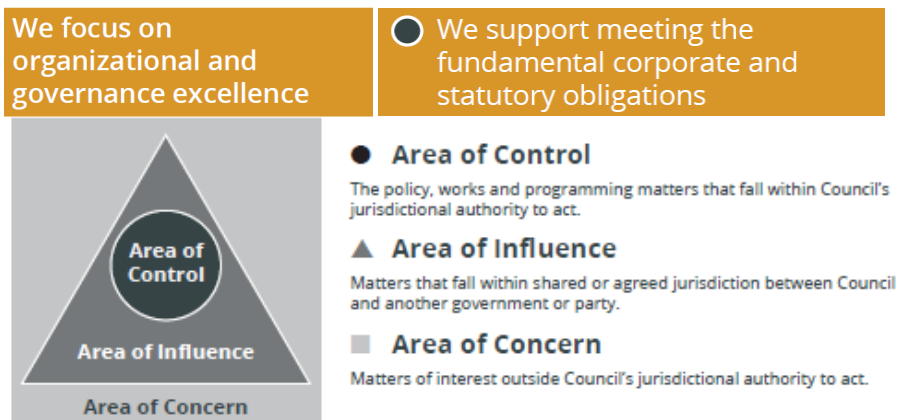
If approved, there will be approximately one additional hour of staff time required to prepare the notice of permit, have it registered on title and close the file. Additional staff time will be required for processing and issuing a sign and a building permit, and related inspections.

#### **ASSET MANAGEMENT IMPLICATIONS:**

There are no direct asset management implications related to this application. This is an infill development that will utilize existing City infrastructure.

### 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.



### OFFICIAL COMMUNITY PLAN AND LOCAL AERA PLAN

The *OCF* encourages infill development prior to consideration of development of new commercial areas (Policy 4.2.2(1)) and supports a strong, diversified commercial base that provides employment and service opportunities (Policy 4.2.2(4)). *OCF* Policy 4.2.3 supports the utilization of serviced land and commercial space prior to outward expansion.

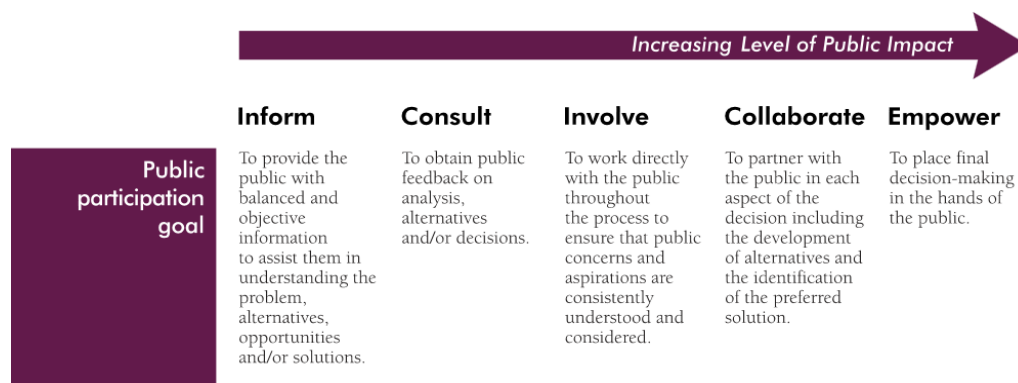
The Old Orchard Local Area Plan (LAP) supports commercial uses on properties zoned for commercial use and contains policies on commercial development including: ensuring commercial developments compliment the residential character of the neighborhood, preserving existing vegetation and providing a landscaped streetscape and strengthening the heritage character of the neighborhood. The LAP encourages smaller commercial developments on separate parcels rather than the consolidation of properties into larger sites. While the proposed development consolidates two parcels staff believe the proposed form and character of the building will maintain a residential heritage character.

### REGIONAL GROWTH STRATEGY REFERENCE:

The Regional Growth Strategy supports mixed-use office and other commercial activities within Core Settlement Areas (Policy 3B-1).

### CITIZEN/PUBLIC ENGAGEMENT:

As per Council's direction, under the IAP2 Spectrum of Public Participation the level of public input that has been undertaken is "**Consult**". In accordance with the *Local Government Act*, the City has notified property owners and occupants within 30m of the subject property with regard to the proposed amendment.



The applicant held a public information meeting on August 21, 2017 and 2 people attended. The applicant made a presentation on the proposal. To date, 5 written emails have been directly sent to planning staff. Responses from the neighbours suggest that residents are not supportive of increases in traffic in their neighbourhood, parking enforcement, parcel lot consolidation, the orientation of the building towards Duncan Avenue and the location of the access of the parking lot entrance off of 3<sup>rd</sup> street. These concerns were echoed during the public hearing process in the Spring of 2017.

#### OPTIONS:

**OPTION 1:** (Recommended): Approve Development Permit with Variances No. 1717.

**OPTION 2:** Defer issuance of Development Permit with Variances No. 1717 pending receipt of further information.

**OPTION 3:** Not approve Development Permit with Variances No. 1717.

Prepared by:

Reviewed by:

Dana Beatson, MCIP, RPP  
Planner 1

Ian Buck, MCIP, RPP  
Director of Development Services

#### Attachments:

1. Attachment No. 1: Draft Development Permit No. 1717 with Associated Schedules
2. Attachment No. 2: Arborist Report
3. Attachment No. 3: Applicant's Submissions
4. Attachment No. 4: Written comments from residents

**Attachment No. 1**  
**Draft Permit**

**THE CORPORATION OF THE CITY OF COURTENAY**

**Permit No. 3060-20-1717**

**DEVELOPMENT PERMIT WITH VARIANCE**

October 2, 2017

**To issue a Development Permit**

**To:** Third Street Holdings  
Address: 519E 5<sup>th</sup> Street,  
Courtenay BC  
V9N 1K2

**Property to which permit refers:**

Legal(s): Lot 1, Section 61, Comox District, Plan EPP 69223 (Pending Registration)  
Lot 2, Section 61, Comox District, Plan EPP 69223 (Pending Registration)

**Conditions of Permit:**

Permit issued to vary the following section of the City of Courtenay Zoning Bylaw No. 2500, 2007 to permit the construction of a medical clinic as attached in the Schedule:

- a) *Section 8.22.11* – that the landscaped area extending along the frontage of the property on a street be reduced from 4.5 metres to 1.5 metres.

Development Permit with Variance No. 1717 is subject to the following conditions:

- a) Lots must be consolidated and registered by the Land Title Office prior to a building permit application to accommodate the proposed development;
- b)
- c) Development must be in accordance with the plans and elevations contained in **Schedule No.1;**
- d) Installation of landscaping in general conformance with the plans and specifications contained in **Schedule No. 2;**
- e) Minimum depth of topsoil or amended organic soil on all landscaped areas as follows: shrubs – 450 mm, groundcover and grass – 300 mm, trees 300 mm around and below the root ball;
- f) Submission of landscape security in the amount of (125% x \$20,862.50) \$26,078.13;
- g) Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- h) All building and site lighting must be full cut off, flat lens in accordance with the City's Dark Skies Policy. All proposed lighting must be approved by the City prior to installation;

- i) Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2007, Division 7, Off-Street Parking and Loading Spaces. Visitor parking spaces must be clearly marked;
- j) The applicant must register a section 219 *Land Title Act* covenant to ensure that the parking provided on Lot 2 is secured for the permanent use of Lot 1.
- k) A sign permit shall be obtained prior to installation of new signage on the property; and
- l) No alterations or amendments shall be made without the City's permission. If any amendments are required the applicant shall apply for either an amendment to the development permit or a new development permit.

**Time Schedule of Development and Lapse of Permit**

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

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Date

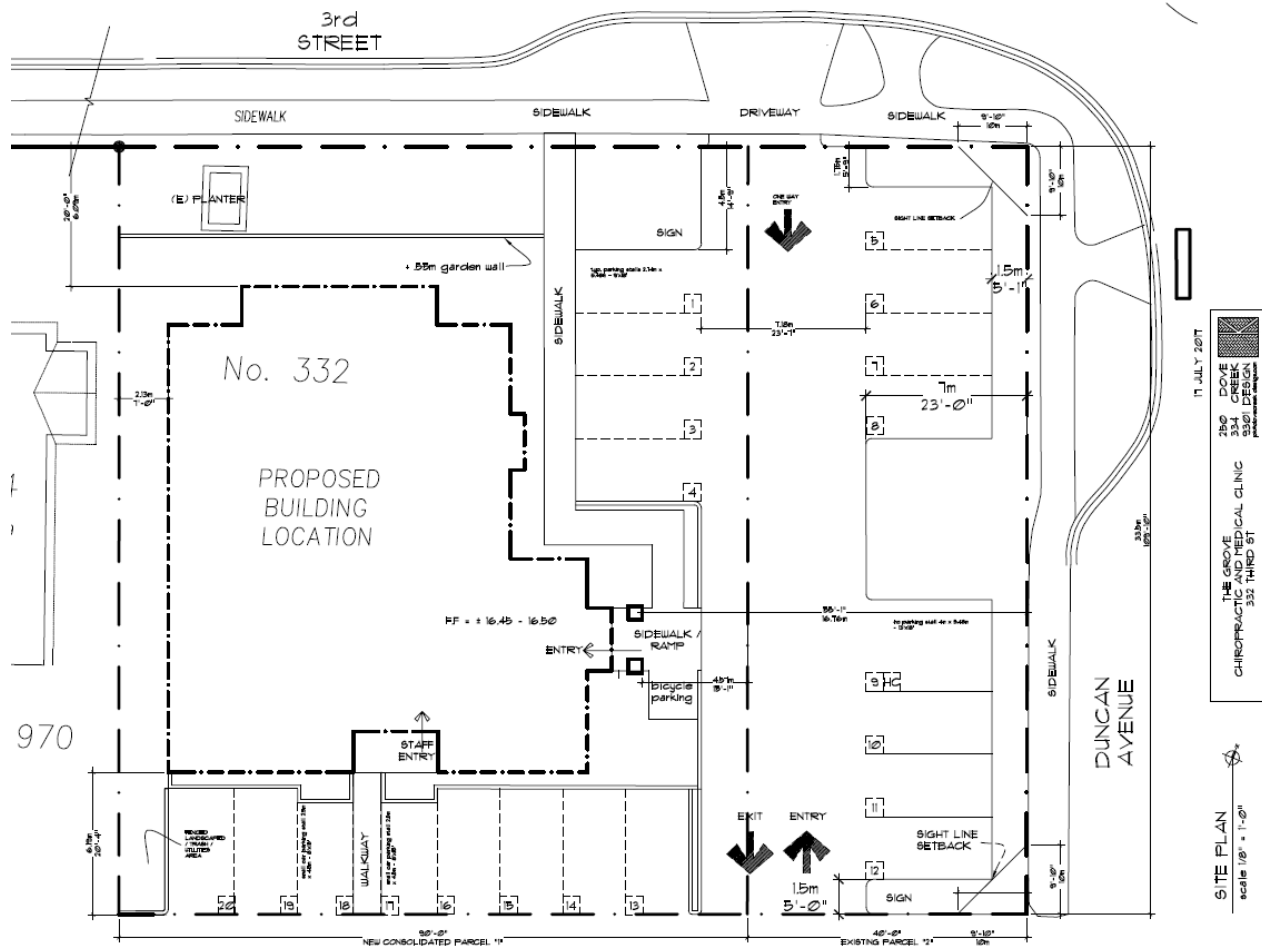
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Director of Legislative Services

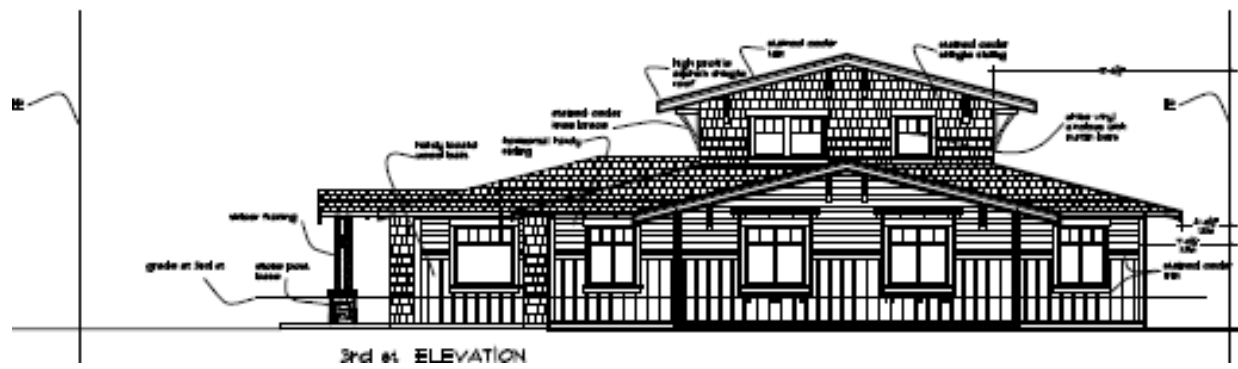


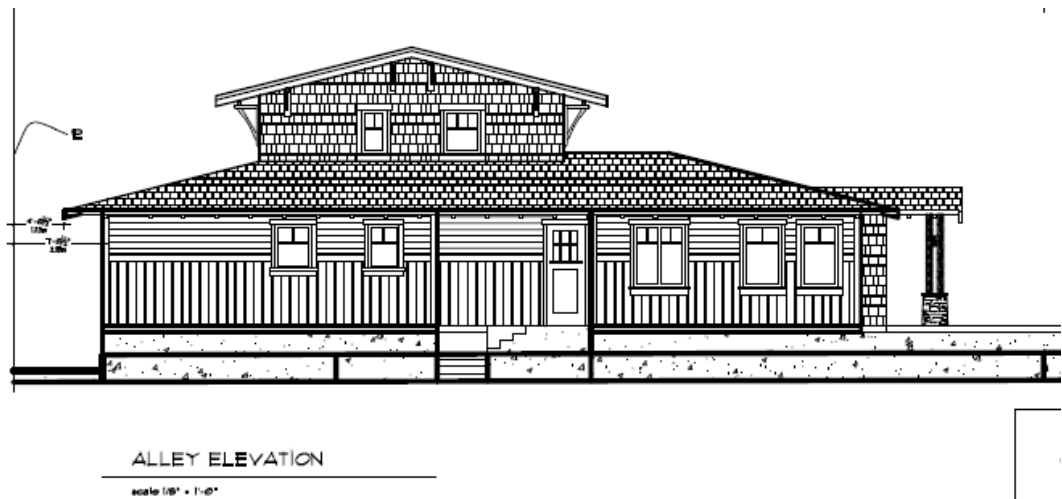
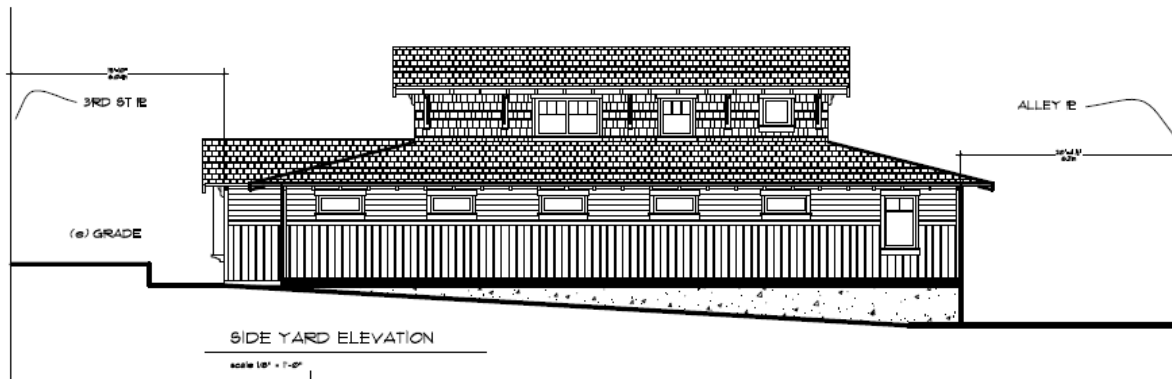
Site Plan

Schedule No. 1



## Elevation Drawings



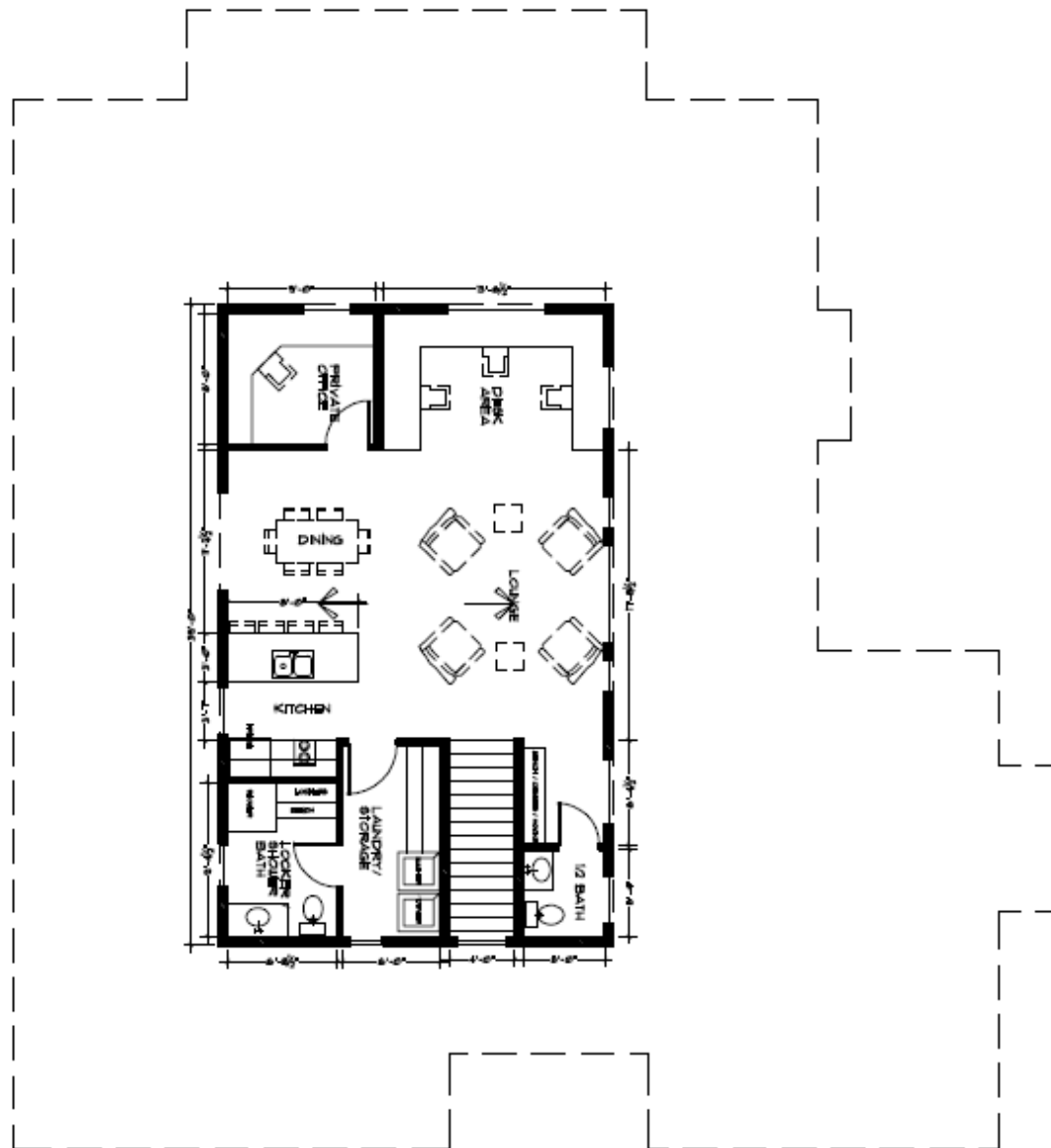




## Building Perspective



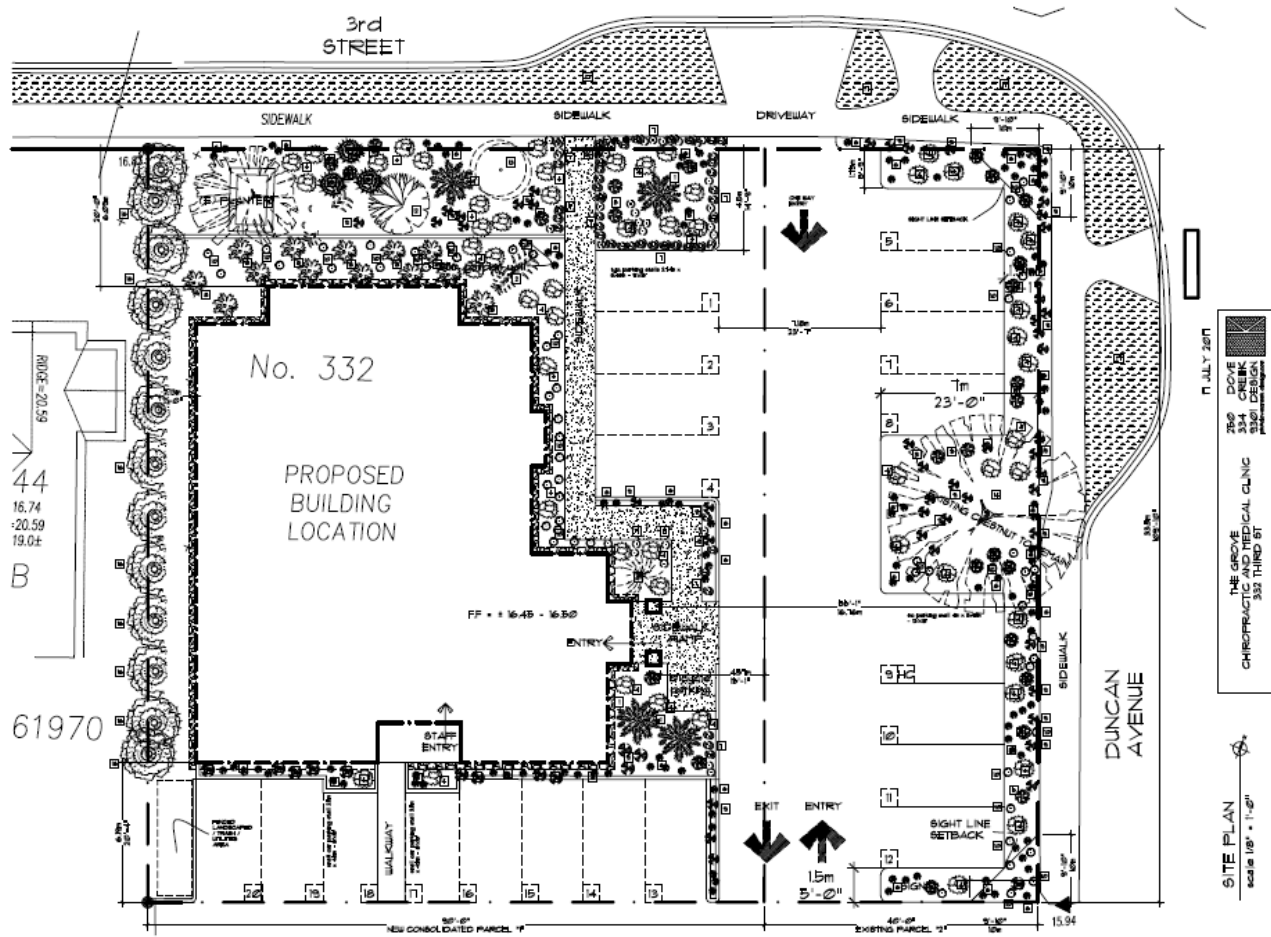
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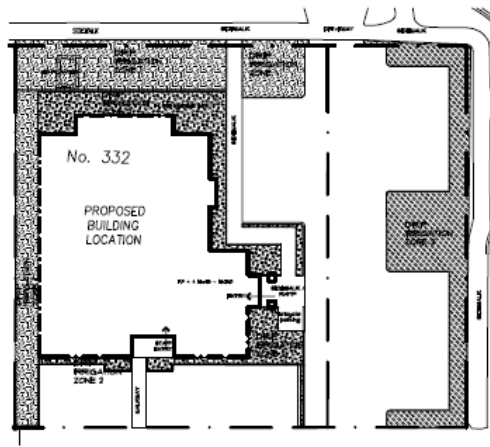
SECOND FLOOR 4'-00" x 11'-00" / 11'-00" x 11'-00"  
scale 1/8" = 1'-0"



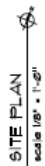
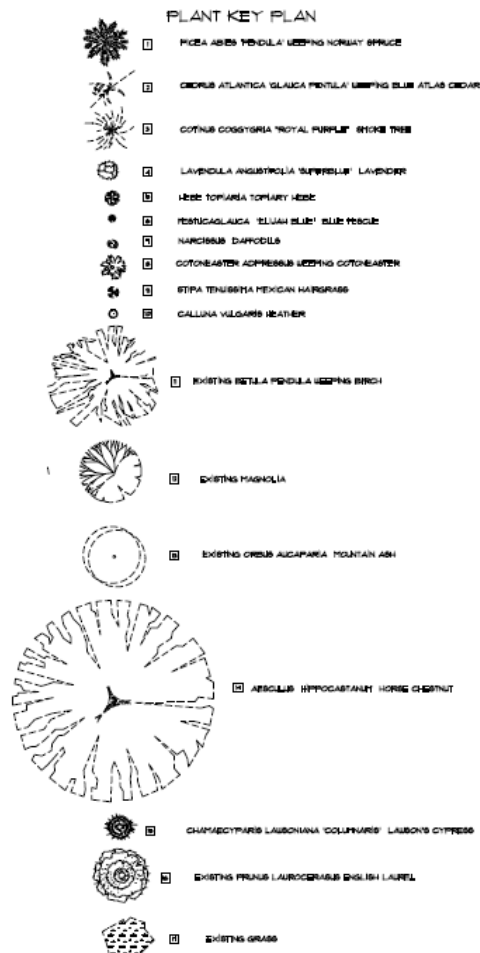
**Schedule No. 2**

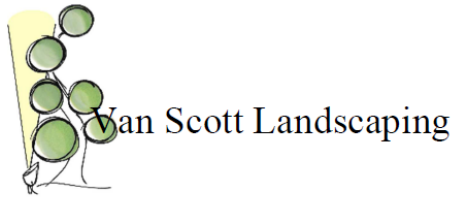






SCHEMATIC IRRIGATION PLAN  
scale 1/8" = 1'-0"





July 15, 2007

Care of: Dove Creek Design  
Third Street Holdings  
332 Third St, Courtenay, BC V9N 1E4

Thank you for the request of a landscape installation estimate.

We are a small local business, we offer full range of landscape services, from design to installation and maintenance with full liability insurance and workers compensation.

#### **SCOPE OF WORK**

Provide and install landscaping as per attached schedule and plan.

#### **ESTIMATE FOR QUOTED WORK**

\$20,862.50 +GST

#### **TERMS**

Plant materials (non-annuals) are guaranteed within the period of 1 year.

Thank you,  
Cameron Scott  
**VAN SCOTT LANDSCAPING**

**ADDRESS** 3617 DOVECREEK RD, COURTENAY BC V9J 1P3  
**PHONE** 250-792-0544 **EMAIL** VANSOTTLANDSCAPING@GMAIL.COM

**Attachment No. 2: Arborist Report**

## Arborist Letter Report

## GROW tree care



2640 Comox Road  
Courtenay, BC,  
V9N 3P6

July 13<sup>th</sup> 2017

Paul Keim  
Dove Creek Design  
5230 Stapley Road  
Courtenay, BC  
V9J 1P5

### Site Development Options Adjacent to Horse Chestnut Tree at: 332 3<sup>rd</sup> St, Courtenay, BC

Site development works are proposed for 332 3<sup>rd</sup> St, Courtenay, BC (Property) which have the potential to impact a mature horse chestnut tree. The Property currently contains a 26 bay parking lot and one commercial building (medical office). The proposed development will feature a 20 bay parking lot and a newly constructed medical building. The subject horse chestnut (*Aesculus hippocastanum*) tree (Tree) is located at the Property's north-east extent, within a vegetated landscape area between the parking lot and the sidewalk along Duncan Avenue.

Two parking lot site development options have been proposed for lands about the subject Tree:

- Option 1.** Retaining the Tree within an enlarged landscape planting area with modifications made to the existing parking area; and,
- Option 2.** Retaining the Tree within an adapted and smaller landscape planting area to accommodate a new access driveway from Duncan Ave' to the parking area. The proposed access will be located north of the Tree, within 2.0m of it's stem.



**Figure 1.** South view of Tree from Duncan Ave'



This Arborist Letter Report provides: an arborist assessment of the Tree, anticipated development impacts to the Tree and its roots from each of the two development options, and tree management recommendations for Tree retention alongside the development works.

An Arborist Assessment was conducted on June 23, 2017. The assessment was visual, non invasive and ground based, and included observations of the Tree's stem, branches, crown, rooting area, and infrastructure located about the Tree.

### Tree Description

The subject horse chestnut Tree is mature and in good health, and is one of the larger deciduous trees within Courtenay's downtown core area. The Tree has a stout stem, a compact branching structure and a dense canopy of dark green and healthy leaves. The Tree's permeable rooting area is limited to a relatively small planting bed.

Table 1. Horse chestnut Tree at 332 3 <sup>rd</sup> Street, Courtenay, BC (June 23, 2017).			
Tree	Stem Diameter	Tree Height	Crown Spread
Horse chestnut Along Duncan Ave', near 3 <sup>rd</sup> St, Courtenay	118 cm	16.0 m	North-South 12.0 m East-West 16.0 m

The Tree has a single stem that divides into two primary limbs at 1.6m. Each limb support approximately 6 primary branches that quickly divide to form the Tree's compact crown. The branching structure shows that the Tree has received heavy and regularly pruning for the duration of its life. The Tree's reaction to the heavy pruning has been favorable, and has created a complex, compact crown without elongated re-growth.

The Tree appears to have effectively formed protective callus wood over old pruning cuts, which has likely protected the Tree against the onset of decay columns within its stem, limbs and branches. Despite the Tree's complex branching structure, the branch unions appear secure, with few 'tight' unions with included bark. The Tree's stem has pronounced, but uniform, buttressing about its perimeter, indicating a strong and secure growth pattern.

The Tree's *structural* roots likely occupy much of the permeable planting bed, which measures 4.0m by 7.0m. The Tree's *feeder* roots will also occupy this area, but likely also utilize soils under the adjacent sidewalk and asphalt parking area. A narrow (2.0m) planting bed which extends 13.0m north from the Tree, along Duncan Avenue, will also likely contain a significant portion of the Tree's feeder roots.

Signs of disease, decay, damage and structural weakness were not observed, and the Tree appears to be structurally secure and biologically healthy.

The Tree's growth pattern appears to have reacted well to the repeated pruning works, and the Tree's roots must have made full use of the available permeable and non-permeable rooting soils, to allow the Tree to thrive through potentially damaging pruning works and within a restricted rooting area. However, it is likely that the Tree could start to decline in vigor if negative impacts are made to the Tree's crown and/or limited rooting area.

Arborist Letter Report – July 13<sup>th</sup> 2017  
Horse Chestnut Tree at: 332 3<sup>rd</sup> St, Courtenay, BC

GROW tree care



### Proposed Development Options

Two development options for the parking area and driveway access have been proposed for lands adjacent to the Tree. *Figure 1.* below depicts the existing rooting area (green), and modified rooting areas for Option 1 (red), and Option 2 (blue).

**Existing**, conditions includes:

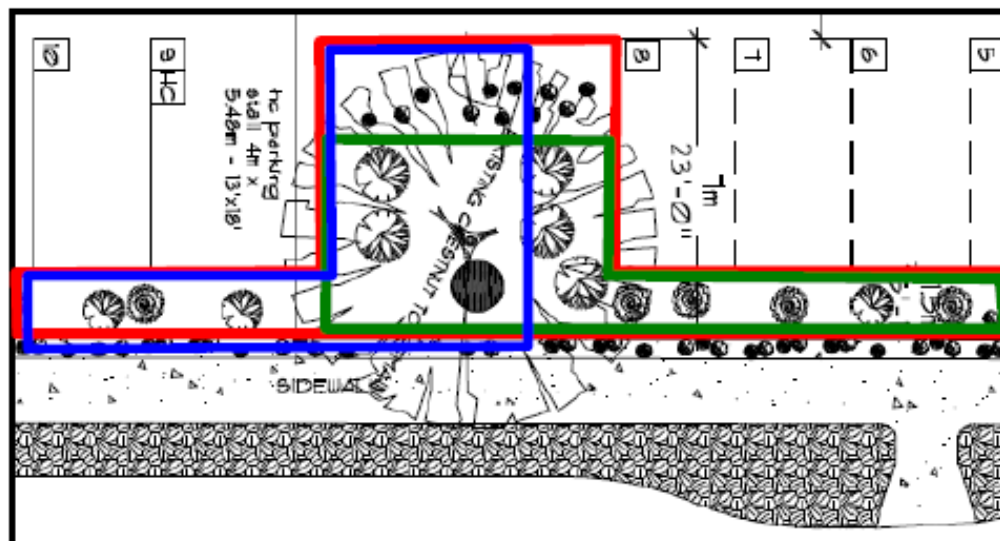
- existing 28.0 m<sup>2</sup> permeable rooting area about Tree, and
- existing north planting strip along Duncan Ave'.

**Option 1**, rooting area expansion includes:

- Enlarging the permeable planting bed about the Tree from 28.0 m<sup>2</sup> to 49.0 m<sup>2</sup>,
- retention of existing north planting strip along Duncan Ave', and
- introducing a new planting strip to the south of the Tree along Duncan Avenue.

**Option 2**, driveway installation includes:

- Enlarging the permeable planting bed about the Tree from 28.0 m<sup>2</sup> to 35.0 m<sup>2</sup>,
- installing an access driveway to the parking lot from Duncan Ave' approximately 1.5m north of the Tree's stem. This will remove approximately 8.0 m<sup>2</sup> of existing rooting area immediately adjacent to the Tree, as a drop in elevation between the lot and road requires deeper excavation,
- annexing off the existing north planting strip by the introduction of the proposed driveway, and
- introducing a new planting strip to the south of the Tree along Duncan Avenue.



**Figure 2.** Existing rooting area (green), Option 1 (red) and Option 2 (blue) development rooting areas alongside subject horse chestnut Tree at 332 3<sup>rd</sup> St, Courtenay, BC. (Note: lines not exact for visual clarity)





### Development Impacts to the Tree

The existing condition, and the likely impacts to the Tree from the two development options include:

#### **Existing**

Under 'normal' open growth conditions, with no restrictions to the Tree's rooting area, this Tree would be assessed to require a nine (9) meter rooting area between its stem and the edge of the area. However, this Tree has matured with a significantly smaller rooting area and has slowly compensated its root growth to these conditions as it matured.

#### **Option 1** Rooting area expansion

This development option would increase the Tree's immediate rooting area by 21.0 m<sup>2</sup>, retain the existing north planting strip, and include an additional south planting strip for root utilization. The enlargement of available permeable lands for feeder roots, and retention of all structural roots would provide an overall net benefit to the tree, allowing its continued viability as a landscape tree.

#### **Option 2** Driveway installation

The development option of installing an access driveway from Duncan Ave' to the parking lot, within 2.0m of the Tree's stem, would require excavation to a depth that would likely sever all the of the Tree's structural roots along its north-west edge. Removal of structural roots would also eliminate all feeder roots within this region of the rooting area.

This Tree has matured to make full use of its existing limited rooting area for structural support and biological function. Any loss of structural roots along the Tree's north-west edge would make this Tree particularly susceptible to windthrow from the prevailing easterly winds, particularly as there is only  $\leq 3.0\text{m}$  of quality rooting area available on the opposite, south-west edge, of the Tree. The loss of feeder roots within the immediate planting area and along the north planting strip would likely significantly diminish available water and nutrients to the Tree and cause it to become stressed. Typically, trees that encounter significant feeder root loss from development impacts will attempt to maintain vigor, but quickly decline after a few years.

A biologically stressed tree is less capable of protecting itself from physical and biotic impacts, such as pruning wounds, fungal infections and insect predation. Stressed trees will often develop decay cavities after pruning and become less secure, and/or are less able to maintain a health leaf canopy during the hot and dry summer months, both of which can result in tree failure or mortality.



### **Tree Management Options**

The recommended management actions for this Tree for the existing conditions, and the two development options include:

#### **Existing**

To maintain and improve the Tree's condition within the existing rooting area:

- A layer of nutrient rich mulch should be applied to the entire permeable rooting area.
- Deep root watering should be performed to fracture compacted soils and improve water and air movement within the rooting area.

#### **Option 1** Rooting area expansion

To Maintain and improve the Tree's condition with an expansion to the rooting area:

- Curb an asphalt removal along the west and south edges of the Tree should be done carefully, without disrupting any of the possible roots below, or damaging the Tree's stem and branches.
- Any roots that are damaged or cut during curb and asphalt removal should be 'traced' or severed with a clean cut to remove any frayed root parts.
- Good quality imported soils should be used to fill the enlarged rooting area.
- Rooting area soils should be covered with a layer of light mulch.
- Shrubs and other plants can be installed within the rooting area provided that installation holes do not damage existing tree roots.
- Arborist Monitoring should be conducted during excavation works to limit root damage, and after works to monitor Tree health.

#### **Option 2** Driveway installation

To assess viability of this option, protect the Tree from development impacts, and maintain some rooting area:

- An arborist 'root inspection' should be conducted with and 'air spade' just within the proposed driveway footprint.
  - If several large ( $\geq 15\text{cm}$ ) structural root are encountered, it is likely that the Tree can not tolerate the proposed structural and feeder root loss, and Option 2 should be abandoned in an effort to retain the Tree.
  - If very few roots of any size are encountered, it may be viable to retain the tree if the owner accepts the risk of an elevated chance of future Tree mortality or failure as a result of the works.
- Remaining Tree management should follow the same as Option 1.

### **Discussion**

It is my professional opinion that the Tree would not be capable of tolerating the possible root loss proposed by Option 2, and that Option 1 would improve the Tree's rooting area and benefit its long-term survivorship as a significant deciduous tree in Courtenay's downtown core area.

Arborist Letter Report – July 13<sup>th</sup> 2017  
Horse Chestnut Tree at: 332 3<sup>rd</sup> St, Courtenay, BC

GROW tree care



If you have any questions or comments regarding this Arborist Letter Report please feel free to contact me at (250) 702 7258 or [aaron.salt@growtreecare.com](mailto:aaron.salt@growtreecare.com)

Sincerely,

Aaron Salt

AScT, QEP

ISA Certified Arborist PN-2015A

ISA Tree Risk Assessment Qualified

#### Photos



Additional rooting are proposed for **Option 1**.



Approximate location of proposed driveway for **Option 2**.



North view of Tree from parking area.



North-west view of Tree along Duncan Ave'.

Aaron Salt: ISA Certified Arborist & Tree Risk Assessor, AScT, QEP  
(250) 702 7258, [aaron.salt@growtreecare.com](mailto:aaron.salt@growtreecare.com)

Office: 2640 Comox Road, Courtenay, BC, V9N 3P6  
250.702.3453, [info@growtreecare.com](mailto:info@growtreecare.com) [www.growtreecare.com](http://www.growtreecare.com)

Page 5



**Attachment No. 3: Applicants Submissions**



17 July 2017

To: City Of Courtenay Planning

Project Description

Re 332 3<sup>rd</sup> St. Summary of proposed development

The existing property consists of 3 legal parcels.

Two of the parcels are largely covered in asphalt with 19 legal sized parking spaces and 3- 4 significantly sub sized spaces. The remaining parcel has a medical office and a large concrete patio area facing the alley. The existing building finished floor level is set and approximately .3m above the 3<sup>rd</sup> street elevation.

Features / intent of the proposed development

- The new proposed use is for a mixed chiropractic and family doctor offices with two full time equivalent Chiropractors and 2 two full time family doctors. This project is the relocation of a long established old orchard district practice – Bay View Chiropractic Clinic.
- Consolidation of two of the three parcels into two parcels with the intent to locate the front yard setback along 3<sup>rd</sup> St of the parcel in which the building is located.
- A new building in the character / appearance (on all four sides of the building) as outlined in the Old Orchard district design guidelines. It is of similar high standard detailing, scale and architectural character as the residence at 543 3 St, incorporating cedar shingles, timber framing, knee braces and natural stone rock work.
- The proposed project creates a landscape feature around the existing mature chestnut tree.
- The proposed building is set into the mid-level of the property, minimizing the overall building height and providing a more wheel chair friendly access from the parking lot to the clinic.
- Proposed design reduces hardscape coverage and provides for the landscape areas to function as a part of the overall site drainage design.
- For a portion of the parcel on the corner a landscape buffer facing Duncan and 3<sup>rd</sup> Streets and the lane way along the rear of the property is reduced to 1.5m from the required 4.5m. It should be noted that the existing condition of this parcel provides no landscape buffer to either 3<sup>rd</sup> St. or the laneway nor does it comply with the sightline set back requirements at either the corner of the Duncan and the lane way or Duncan and 3<sup>rd</sup> St. Additionally there is an increased area of landscaping at the base of the large chestnut tree on the Duncan St property line. The depth of this landscape buffer increase from 1.5m to 7m for a distance of 7m along Duncan Ave.
- The project provides all required parking onsite.
- 

Thank you

Paul Keim

250.334.9301

pk@dovecreekdesign.com



sign logo  
332 3rd st

**Attachment No. 4: Public Comments**



23 August 2017

To: City Of Courtenay Planning

Re Public information meeting 332 3<sup>rd</sup> St. landscape variance

This meeting was held on August 21<sup>st</sup> from 6:30 – 7:30.

It was attended by two members of the public, the applicant and the applicant's designer.

While the meeting was held specifically to discuss the landscape variance, no real interest was shown on the part of the public. Most questions were about the driveway entrance off Third Street and why no driveway is feasible off Duncan Ave. Many efforts were made by the applicant and designer to explain these items from their perspective and still discuss the landscaping which was the purpose of the meeting.

The only comments heard re landscaping were that the landscaping seems good and is an improvement over the existing condition.

One member of the public took several comment sheets and spent most of the meeting filling out several pages. It was her wish that she return them to the city in person.

The other member of the public comment was "I'll have to speak to a planner in person". She was referred to Dana Beatson. She was encouraged to make an appointment and / or email dana with comments.

While the landscape design and the parking are essentially the same as has been presented since this project became a public process, the attendees were surprised to note that the 3<sup>rd</sup> st. entrance is one way, that there is substantially increased landscape buffering along 3<sup>rd</sup> st. and Duncan streets. These two items meet with favourable response

Thank you

Paul Keim

250.334.9301

pk@dovecreekdesign.com

**Landscape variance** 332 3<sup>rd</sup> St.

[illegible]

**Beatson, Dana**

---

**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:**



Hello,

These are my comments from the recent information meeting 02.09.17 - 332 3rd St. Landscape variance.

I am happy to know the chestnut tree will be saved and I have no problem with the landscaping plan. I remain concerned about the re-orientation of the building to face Duncan. By combining 3 lots and changing the orientation, you are effectively removing it from a residential neighbourhood and giving it to the downtown commercial core. By ignoring the Old Orchard LAP which was adopted by the City and the neighbours who spoke at the hearing, you have made a mockery of community participation and ignored your own policies and guidelines.

In addition to this concern, the entrance to the parking lot on 3rd continues to be unacceptable. If the planning dept. can make a slight modification, the entrance could be placed between the chestnut tree and the lane and the lane-way could be used as an exit only. This was a compromise that neighbourhood residents found acceptable. Please give it careful consideration. Paul Keim (builder) has suggested that I write to you so that you can make this proposal to him.

Paul also mentioned that now was the time to suggest to the city that the parking lot be used after hours as public parking. This would relieve the parking congestion on 3rd which results whenever there are public events in the downtown core. I also think you have to consider the parking problems that will be created by relocating the cars already parked in that lot. Where will they park once the lot is converted to clinic parking only?

3rd street already has public parking problems and enforcement is practically non-existent. Complaint-led enforcement is useless as by the time enforcement has arrived, the car is usually gone. Personally, this means that when people block my driveway, I often miss appointments. Can you please paint yellow or red strips across our driveways to remind motorists that they are not to block our driveways or our sight-lines? Entering 3rd without being able to see speeding cars is very dangerous.

All of this points to the ongoing need of a traffic and parking study on 3rd between Cliff and Fitzgerald - especially during rush hour, on week-ends and during events. We also need more effective enforcement of speeding and parking violations.

Please understand that the pressure on a small neighbourhood that is bounded by the river, both north and east and the downtown core to the south means that we have constant pressure on the quality of life for residents. We are desperately trying to preserve the official, heritage neighbourhood of Courtenay. Unfortunately, the OO LAP seems to be ignored by city staff. Does this mean we need to re-visit the plan and revise it?

Our concerns regarding the quality of life in our neighbourhood are overshadowed by the needs of the commercial core. This sends a message to the rest of Courtenay citizens that your policy to involve and empower residents in planning decisions, is lip-service only.

Thank you for your consideration,

**Blamire, Susan**

---

**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:**

Attention Dana Beaston

Regarding the results of the recent information meeting Medical clinic and 3rd St. access variance  
I am a resident of the Old Orchard area and I have not been involved in the resident's association. The resident's association has sent us updates from time to time and I have generally followed city council business. Life is busy and I am guilty of chasing pursuits. But that is because we are happy with our life in Courtenay and our neighbourhood.

I write you for the first time because I have a mounting concern that the City councilors and staff are not interested in finding meaningful solutions for the area. I do understand and appreciate that the effort is being expended. However, the signals I am getting are that perspectives are polarized.

Those elected to make decisions and those hired to implement decisions in my interest, seem to be going through the motions of change. It is not enough to just listen and hold meetings. You actually have to find satisfactory solutions. There are warning indicators that this is not happening, in this case. More must be done around communication and seeking solutions.

These are the kinds of signals I speak of,

I am confused about the optics and process currently at play. Is this available anywhere? I am looking on the website. Should your work not be consistent with the OCP and the requirements of the old orchard LAP? (This casues me to ask "Are there two standards? One for me as a home owner and one for the city? I don't believe it so, however the circumstance does not illustrate this)

What about parking?

What about traffic increase and speed?

We appreciate the work of council and staff on our behalf. Close to downtown Courtenay is a wonderful place to live I think that the work of the city has protected the quality of life in my neighbourhood, striking an important balance with the downtown core. I am willing to trust, but not blindly trust.

I ask that you, or the developer (at your request), put more energy into communicating the plan and asking for ideas. An information brief in every mailbox of the area is an option; or the email group of the Old Orchard community is another.

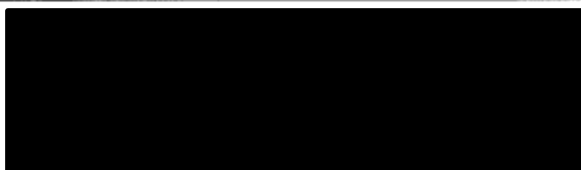
Thank you for considering this commentary.

231 1<sup>st</sup> Street

**Blamire, Susan**

---

From:  
Sent:  
To:  
Subject:



I am an OO resident who walks daily on 3rd street. I would definitely support these sentiments. All ideas here are good ones. The residents will continue to be vigilant in defence of our neighbourhood.

These are my comments from the recent information meeting 02.09.17 - 332 3rd St. Landscape variance.

I am happy to know the chestnut tree will be saved and I have no problem with the landscaping plan. I remain concerned about the re-orientation of the building to face Duncan. By combining 3 lots and changing the orientation, you are effectively removing it from a residential neighbourhood and giving it to the downtown commercial core. By ignoring the Old Orchard LAP which was adopted by the City and the neighbours who spoke at the hearing, you have made a mockery of community participation and ignored your own policies and guidelines.

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Please understand that the pressure on a small neighbourhood that is bounded by the river, both north and east and the downtown core to the south means that we have constant pressure on the quality of life for residents. We are desperately trying to preserve the official, heritage neighbourhood of Courtenay. Unfortunately, the OO LAP seems to be ignored by city staff. Does this mean we need to re-visit the plan and revise it?

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sends a message to the rest of Courtenay citizens that your policy to involve and empower residents in planning decisions, is lip-service only.

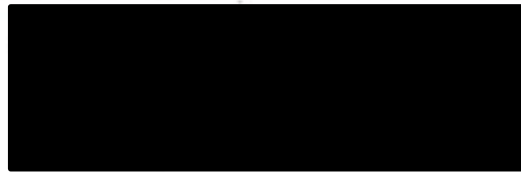
Thank you for your consideration,

[REDACTED]

**Beatson, Dana**

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From:  
Sent:  
To:  
Subject:



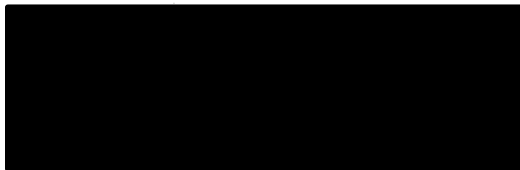
I live at 507 3rd Street and support the contents of this letter. The whole street to Harmston is affected by traffic as cars come speeding around to 3rd from Harmston enroute too Cliffe.



**Blamire, Susan**

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From:  
Sent:  
To:  
Subject:



Hi Dana,

Could you please do all that you can to close the parking lot entrance from 3rd into the medical clinic.

As a neighbourhood, we have worked hard to try to have meaningful participation in this process, and have largely been ignored. This is the last chance for the city to recognize the wishes of the neighbourhood.

Thanks,





THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 3360-20-1710

**From:** Chief Administrative Officer

**Date:** October 2, 2017

**Subject:** Zoning Amendment Bylaw No. 2895 to allow for a secondary suite at 1290 10<sup>th</sup> St. East

### 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 lawfully allow for an existing secondary suite.

### CAO RECOMMENDATIONS:

THAT based on the October 2, 2017 Staff report, "Zoning Amendment to allow for a secondary suite at 1290 10<sup>th</sup> St. East", Council support approving OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2905, 2017; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2905, 2017 on October 16, 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 an approximately 1730m<sup>2</sup> residential lot located at the intersection of Chaster Road and 10<sup>th</sup> Street East in East Courtenay, legally described as Lot 1, Section 14, Comox District, PLAN 20345 (**Figure 1.**). The property is currently developed with a single residential dwelling and an occupied secondary suite. Figures 2 and 3 on the following page show images of the dwelling from the 10<sup>th</sup> Street East and Chaster Road frontages respectively.

While Chaster Road is characterized by larger residential lots, the majority of properties in this area are generally under 1000m<sup>2</sup> in size. Most properties are zoned R-1 with a couple zoned R-1S and one larger



Figure 1: Location Map

property at the end of Chaster Road zoned Residential Two (R-2). The R-1S and R-2 zones each allow for two residential units.

The subject property was annexed into the City in 1970 and the City does not have any building permit records for the primary residence. The applicant indicates that the suite is believed to have been in place prior to annexation. However, without permit records and taking the surrounding land uses into consideration, the suite is considered to have been constructed without proper permits. Accordingly, both a zoning amendment and a building permit are required to ensure it conforms with the current City's land use classification and the Building Codes.

The rezoning application was made because the current owner is interested in subdividing the property. In order to do so the owner must bring the suite into Zoning Bylaw and Building Code compliance or decommission it. Subdivision is currently possible under the current R-1 zoning and would continue to be possible under the proposed R-1S zoning as the lot has sufficient area. Figure 4 to the right shows the site plan of the existing building. Figure 5 shows the future subdivision lot layout proposal.

No siting or form and character changes are proposed to the primary residence with the exception of possible building renovations to achieve current building code standards. Should the Zoning Amendment application be successful, and the applicant proceeds with a subdivision application, a new single family home (with suite) would be permissible on the newly created lot under R-1S zone.

There are no servicing concerns related to adding an additional dwelling unit at this address, or of adding an additional dwelling unit to a future subdivided lot. Some standard public infrastructure improvements could apply at time of subdivision, but are not contemplated as part of the Zoning Amendment application procedure.



Figure 2. View from 10<sup>th</sup> St. East



Figure 3. View from Chaster Rd.

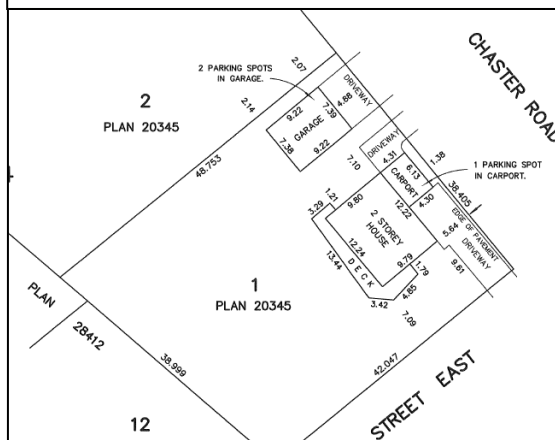


Figure 4. Current lot configuration

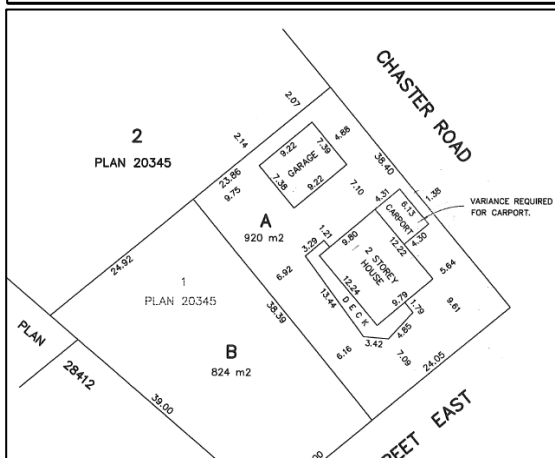


Figure 5. Proposed lot configuration

## **DISCUSSION:**

### OCP Review

The proposed application represents infill development within an established neighbourhood. The Official Community Plan (OCP) and the Affordable Housing Policy support infill development within existing urban residential areas provided it is in keeping with the character and scale of the surrounding neighbourhood. Infill housing provides more rental housing stock, diversity of housing types, and promotes more efficient use of land that is already serviced.

The location of this proposal is in close proximity to a wide range of community services and amenities including major transportation routes (for personal vehicles and transit), convenience and major shopping centres including groceries, recreational facilities, parks and trails, and the new hospital. Sidewalks are available to the major shopping routes. The property is not within a Local Area Plan area.

### Zoning Review and Analysis

The primary residence as built does not conform to the front and side yard zoning setbacks. Providing there are no building additions that increase this degree of non-conformity the application can proceed without the need for a variance.

A summary of the relevant zone requirements and the proposal's achievement of these requirements is included below:

	<u><b>Required</b></u>	<u><b>Secondary Suite Proposal</b></u>
Total Floor Area of suite	Not more than 90 m <sup>2</sup> and not more than 40% of the total habitable floor space	85.9m <sup>2</sup> and 36% of the total habitable floor space
Parking Spaces	Three (2 for the principal dwelling unit and 1 for the secondary residence)	An accessory garage, a carport and ample driveway provision is provided for and proposed

### Other Policy Implications

#### *Affordable Housing Policy*

The City's Affordable Housing Policy sets out a number of strategies that support increasing the provision of affordable housing, including secondary suites, within the community. Council's practice to-date has been to consider secondary residence rezoning applications on a case-by-case basis taking into account land use planning policy, servicing capacity and neighbourhood interests.

#### *Evaluations*

Although the subject suite exists illegally, no significant land-use issues have been identified. The applicant's intent for this application is to legalize the secondary suite through rezoning and appropriate permit process and continue to provide an affordable housing opportunity within the property. Staff review of the application suggests that the proposed development aligns with OCP policy supporting infill development in areas with existing amenities and services including as a future subdivision proposal.

Staff note the public comments submitted through the Public Information Meeting process are generally not supportive of the secondary suite proposal. Specifics on the public comments are provided in the appropriate section below and **Attachment No.3**.

A common concern is that by approving the R-1S zone with a future subdivision proposal likely, that the density will increase from one residential dwelling to potentially four. Staff note that under the current zoning the property would be permitted to subdivide thereby increasing the density of the existing property from one residential dwelling unit to two. Additionally, a property having R-1S zoning does not guarantee that a secondary suite will be included, but it is very likely. Public comments to date indicate a degree of public support for allowing the secondary suite within the existing residential dwelling unit, but not for a secondary suite in a future possible subdivided lot. Should Council share this concern it is possible for the applicant to apply for rezoning of the corner lot only, following subdivision of the land.

Staff recommend that the entire property be rezoned to R-1S in keeping with the stated land use policies above, and in particular supports infill housing in an existing serviced area and provides an affordable housing opportunity.

#### **FINANCIAL IMPLICATIONS:**

Application fees have been collected in order to process the rezoning application. Should the proposed Zoning Amendment Bylaw be adopted, Building Permit application fees will apply. A Building Permit is required to ensure the existing secondary suite meets the current B.C. Building Code.

Properties with a secondary residence are charged a second utility fee (sewer, water, garbage) for the additional dwelling unit. Should the rezoning application be approved, the additional utility fees will be charged to the property at the time of occupancy permit. Secondary residences are exempt from paying Development Cost Charges to the City and Regional District.

#### **ADMINISTRATIVE IMPLICATIONS:**

Processing zoning bylaw amendments is a statutory component of the work plan. Staff has spent approximately 20 hours processing the 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 applications including application administration 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 associated with this application.

#### **STRATEGIC PRIORITIES REFERENCE:**

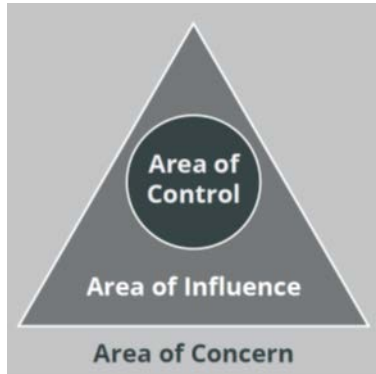
Development applications fall within Council's area of control and specifically align with the strategic priority to support meeting the fundamental corporate and statutory obligations of the City. This application also meets the goal to support densification aligned with the Regional Growth Strategy.

#### **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.

### OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed zoning amendment is consistent with the urban residential land use designation, and many other policies of the Official Community Plan. It represents infill residential development near existing amenities and services. Also, the proposed rezoning application fulfils the intent and the purpose of section 4.4.3 4 a) of the OCP - limited infill will be considered only in keeping with 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:

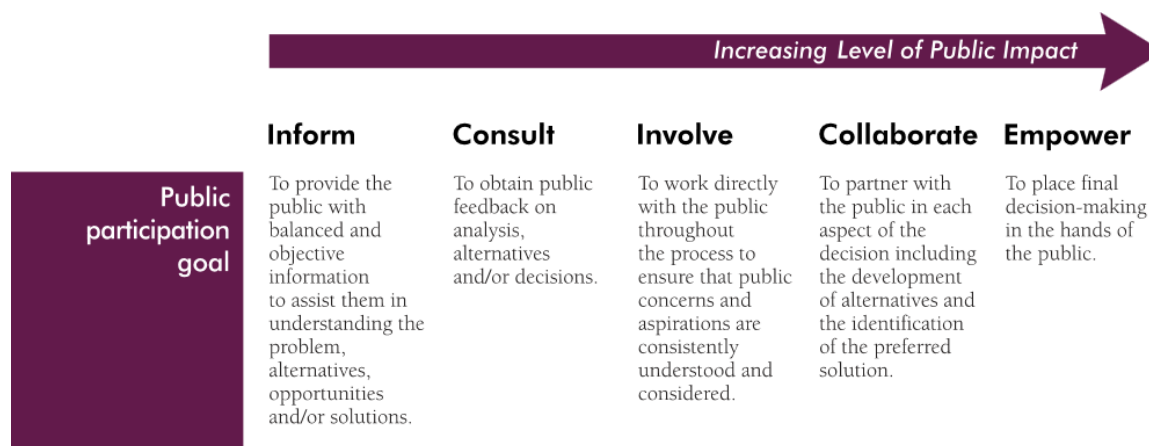
- Objective 1-A: Locate housing close to existing services; and
- Objective 1-C: Develop and maintain a diverse, flexible housing stock.

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





Should Zoning Amendment Bylaw No. 2905, 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 August 3, 2017 at the subject property. According to the meeting summary 15 people attended the meeting representing 10 property addresses. 17 people also submitted comment sheets to the City representing 13 property addresses, some of which were also in attendance at the public information meeting. A summary of the public information meeting has been included as **Attachment No. 3**. The summary provided includes the majority of the public comments which are summarized and responded to here:

1. *Concern over increased vehicle traffic, including at the 10<sup>th</sup> Street East and Back Road intersection.*  
Staff confirm that the 10<sup>th</sup> Street East and Back Road are both collector roads and are designed to carry heavier levels of traffic than currently experienced. Public inquiries regarding excessive speeding have been reported along these roads to the City, but the intersection has not been identified as a source of concern within the City otherwise.
2. *Concern over sufficient parking*  
The Zoning Bylaw requires that off-street parking be provided for any residential development, including additional for secondary suites. The current property shows a site layout with sufficient parking to meet the zoning requirements. Should the property be subdivided, any new development on the new property would have to demonstrate it meets Zoning Bylaw requirements.
3. *Concern that property owner will not be residing at subject address*  
A number of comments indicate concern over who might live in the secondary suite, or the principal residence in general. Staff confirm that the City does not have requirements regarding who may rent the dwellings, or that the owner must occupy the residence in order to rent out the suite.
4. *Concern that a successful rezoning will set precedence for the neighbourhood*  
Council's practice to-date has been to consider secondary residence rezoning applications on a case-by-case basis. Any future secondary suite proposals would be subject to the rezoning process under the current Zoning Bylaw. Staff note that there are a couple of properties in the



neighbourhood that have received R-1S zoning. Staff also note that the City's affordable housing policy supports secondary suites.

5. *Drainage concern and excessive mature vegetation growth along western boundary of property*  
Ensuring adequate drainage is part of the subdivision and building permit processes. Tree removal is subject to the Tree Bylaw, which does allow for removal of mature vegetation subject to replacement requirements.

**OPTIONS:**

**OPTION 1:** THAT based on the October 2, 2017 Staff report, "Zoning Amendment to allow for a Secondary Suite at 1290 10<sup>th</sup> Street East", Council support approving OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2905, 2017; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2905, 2017 on October 16, 2017 at 5:00 pm in City Hall Council Chambers (recommended).

**OPTION 2:** Defer consideration of the application and direct staff to return with a zoning amendment bylaw for the corner lot only following subdivision of the property.

**OPTION 3:** Defeat Bylaw No. 2905.

Prepared by:



---

Nancy Gothard, MCIP, RPP  
Environmental Planner

Approved by:



---

Ian Buck, MCIP, RPP  
Director of Development Services

**H. A. Martyn, P.Eng.**  
 1080 Arrowsmith Ave.  
 Courtenay, BC V9N 8M8  
 Tel: 250-334-2338 / Cel: 250-898-7210

**Gordon and Tracey Peter**  
**Proposed Zoning Amendment**  
**1290 10<sup>th</sup> Street East, Courtenay**

**Summary and Rationale**

**Land Use**

Gordon and Tracey Peter are the Owners of the property addressed as 1290 10<sup>th</sup> St. East and legally described as Lot 1, Section 14, Comox District, Plan 20345. This property is located at the northwest corner of the intersection of 10<sup>th</sup> Street and Chaster Road in East Courtenay. The property is a larger lot with existing house and accessory building located closer to the Chaster Road frontage. The lot is currently zoned R-1 and is sufficiently large to permit subdivision to create a second R-1 zoned lot. It is the exploration of that option that has led to the need for a zoning amendment.

The existing house, which has been in place for upwards of 50 years, has a self-contained, separated living space in the lower level of the structure. It is understood that this 'in-law suite' has been in place for 35 – 40 years and was probably created in the days prior to specific Zoning and Building Code requirements for such uses.

The Owners of the recently purchased property are interested in pursuing the subdivision of a single infill lot meeting the existing residential zoning parameters, however, in so doing it appears that the long-standing suite use in the existing house needs to be formalized. Accordingly, the Owners seek to change the Zoning from R-1 to R-1S, for the express purpose of formalizing the 'legal, non-conforming' secondary suite use.

The existing lot and building locations are illustrated on the BCLS location plan accompanying the application. In the interest of disclosure, a plan showing the proposed future subdivision of the property is also included.

**Zoning and Variances**

As currently configured, the existing lot frontage is defined as the Chaster Road side of the lot. As such, both the carport and garage are constructed within the front yard setback, thus 'legal, non-conforming' but requiring variance consideration moving forward, in the event of an application to subdivide the lot. Subdivision of the lot will alter the definition of frontage, and required variances will change as a result. A comprehensive Development Variance Permit Application will accompany any future Subdivision Application.

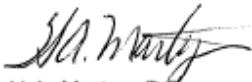
.....2

**1290 10<sup>th</sup> Street East, Courtenay****Proposed Zoning Amendment****Summary and Rationale (cont'd)**

A preliminary examination of the existing 'in-law suite' indicates that it does not conform to the BC Building Code in a number of areas, including size (approx.. 96 sq.m), area ratio (approx.. 41%), and fire separations. In order to meet Code requirements, some significant renovations are needed. The Owners are prepared to undertake the necessary improvements to ensure that the suite meets Code requirements, provided the Zoning Amendment is successful to formalize the suite. This will include reconfiguration of space to meet both maximum area and area ratio provisions among other Code Issues.

It should be noted that, if the Zoning Amendment to formalize the suite is unsuccessful, this existing residential unit will likely be lost from the affordable rental housing pool in the Valley. Approval of the amendment will provide permanence to this affordable housing option. Gordon and Tracey Peter are steadfast in their belief that they need to do their part to address the availability of lower cost housing options in the Valley, in this case by doing what is necessary to formalize an existing non-conforming housing unit, so it is not lost.

Prepared By:



H.A. Martyn, P.Eng.  
Consulting Engineer

**H. A. Martyn, P.Eng.**  
 1080 Arrowsmith Ave.  
 Courtenay, BC V9N 8M8  
 Tel: 250-334-2338 / Cel: 250-898-7210

**Gordon and Tracey Peter**  
**Proposed Zoning Amendment**  
**1290 10<sup>th</sup> Street East, Courtenay**

**Sustainability Evaluation**

The purpose of the application is to amend the current zoning (R-1) for the single-family (SF) designated property at 1290 10<sup>th</sup> Street East to be R-1S, to formalize the long-standing existence of a secondary suite within the existing house on the lot.

**Land Use**

The provision of secondary suites adds a mix of housing types to the predominately R-1 single family neighbourhood and will supplement the other two R-1S zoned properties in the immediate area (965 Nikolaisen Rd. and 855 Back Rd.). The suite is within the footprint of the existing house and will not impact the existing scale of the building nor the exterior appearance of the house. The municipal sidewalk on 10<sup>th</sup> Street at Chaster provides pedestrian linkage to Back Road and thence to Ryan Road commercial and retail locations. The site is within comfortable walking distance of schools, North Island College campus, new hospital, Aquatic Centre and many shopping destinations.

**Building Design**

The suite is self-contained within the existing house, so there will be minimal design impact. The existing municipal sidewalk is accessible across Chaster Road from the site.

**Transportation**

The site is located within easy walking distance of many commercial and retail locations within the lower Ryan Road corridor, centered on the Washington Park shopping complex and Superstore. Public transit bus routes are available at Back Road and 10<sup>th</sup> St., a short 2-block walk. The transit routes on Ryan Road are also accessible within a short walking distance. The local street network offers good cycling linkages as well, to the major transportation corridors.

**Infrastructure**

The site is within the existing serviced area of the City. The suite has existed for many years without incident, and formalization will not provide any increased load to the existing City infrastructure, including stormwater runoff.

.....2

**1290 10<sup>th</sup> Street East, Courtenay**  
**Proposed Zoning Amendment**  
**Sustainability Evaluation (cont'd)**

**Character and Identity**

Given the suite exists and is fully contained within the existing building footprint, there is little opportunity to affect the character and identity of the area.

**Environmental Protection and Enhancement**

Again, given the expected lack of change to the existing situation, further protection and enhancement measures are not planned.

Prepared By:



H.A. Martyn, P.Eng.  
Consulting Engineer

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**Gordon and Tracey Peter  
Proposed Zoning Amendment  
1290 10<sup>th</sup> Street East, Courtenay**

**Affordable Housing Statement**

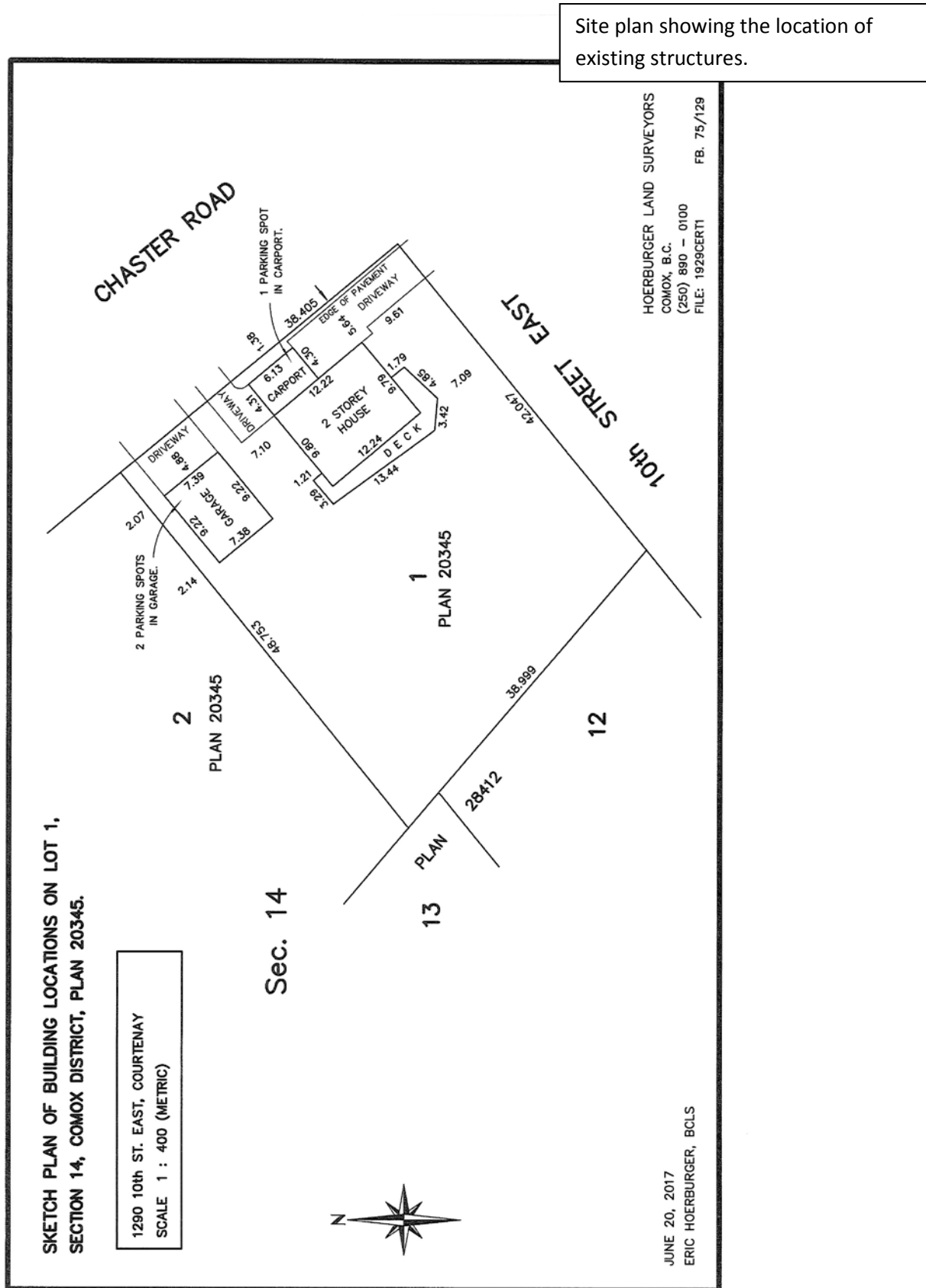
The purpose of the application is to amend the current zoning (R-1) for the single-family (SF) designated property at 1290 10<sup>th</sup> Street East to be R-1S, to formalize the long-standing existence of a secondary suite within the existing house on the lot. The development addresses the Affordable Housing Policy as follows:

1. Secondary suites are encouraged under the City's Affordable Housing Policy..
2. Recognition and formalization of the existing secondary suite usage maintains the inherent densification strategy within the urban area
3. The secondary suite provides a more affordable cost option for the student or other lower income demographic.

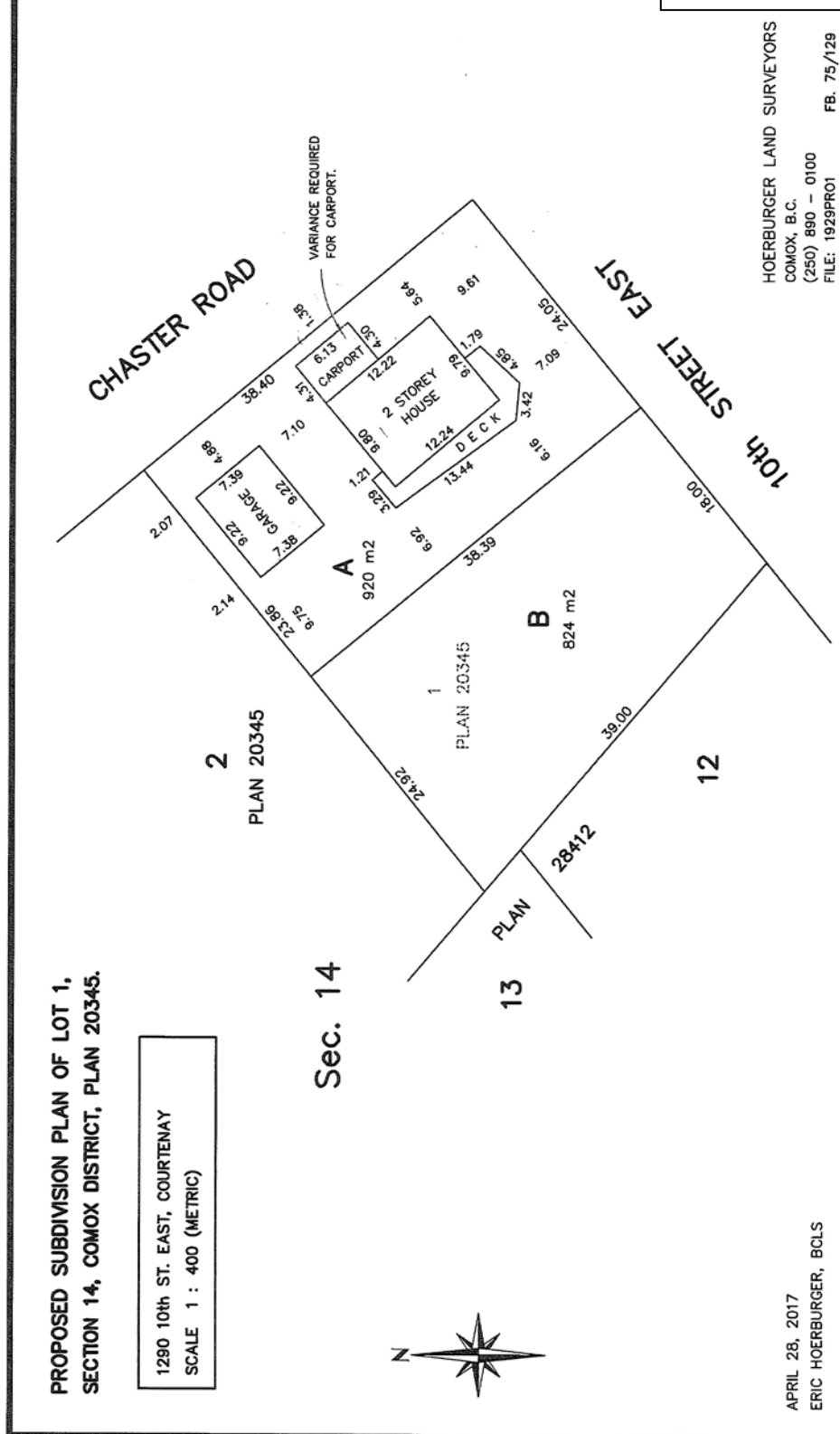
It should be noted that, if the Zoning Amendment is not approved, an existing, affordable residential unit will likely be lost from the rental housing pool in the Valley. Approval of the Amendment will offer permanence to this affordable housing option.

Prepared By:

  
H.A. Martyn, P.Eng.  
Consulting Engineer

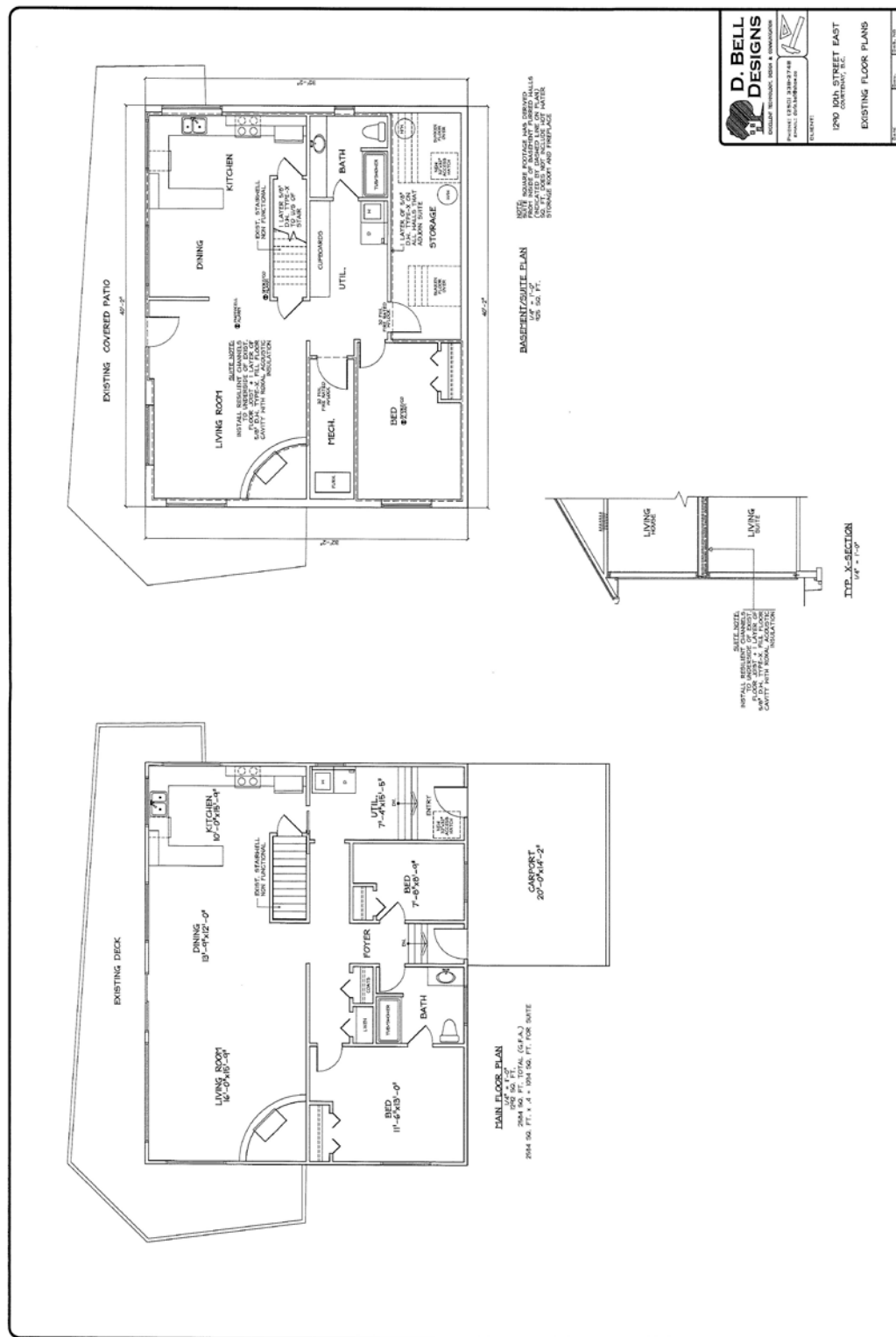


Site plan showing the subdivision proposal with existing structures.

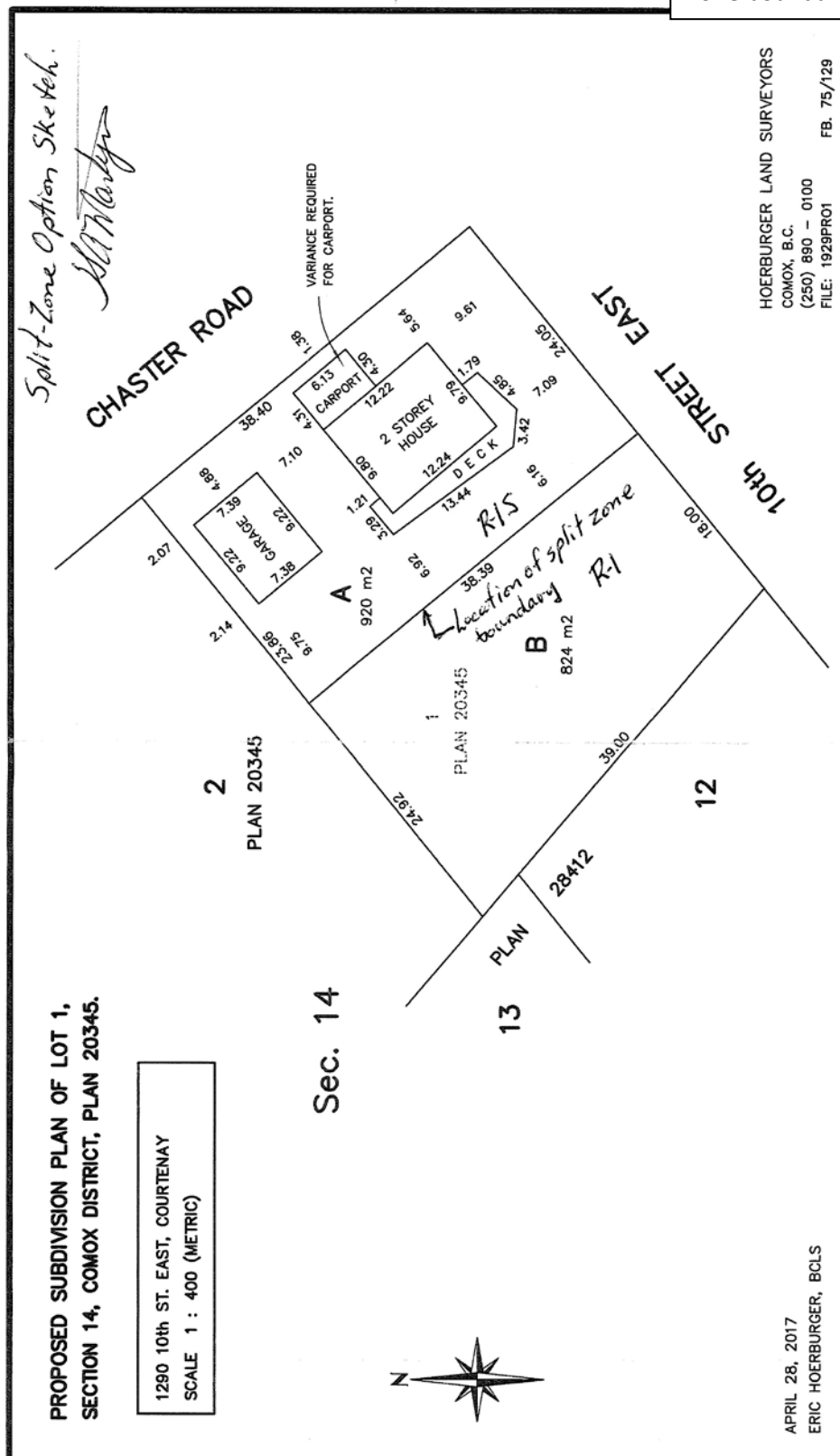




Floor plan showing existing layout.



Site plan showing location of split-zone boundary option.



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**Gordon and Tracey Peter**  
**Proposed Zoning Amendment**  
**1290 10<sup>th</sup> Street East, Courtenay**

**Neighbourhood Information Meeting**  
**Summary Report to City**

The meeting was held on Thursday, 3 Aug/17, outdoors, on the subject property at 1290 10<sup>th</sup> St. East. The meeting convened at approximately 7:10 pm and lasted approximately 3/4 hour.

The attendance sheet was signed by 15 local residents representing 10 property addresses. The property owners, Gordon and Tracey Peter, and the Applicant/Owner's Agent, Hal Martyn, P.Eng., were also present.

The meeting was advertised by way of hand-delivery of an information package to all residents/properties within a 100 m radius of the site, based on a list of names and addresses provided by the City of Courtenay. Forty-eight information packages were delivered, one of which was by mail to an absentee owner in Victoria. The hand delivery was done on the afternoon of 27 July; a revised notice, correcting an erroneous location for the meeting was hand delivered to all local addresses on 28 July.

The sign-in sheet, blank comment sheets and additional copies of the information package were available at the meeting. Mr. Martyn introduced the Owners and presented a verbal summary of the application indicating existing secondary suite use (former in-law suite), as well as the proposal to make the existing suite legal by changing the zoning from R-1 to R-1S, followed by renovations to ensure the suite meets the current BC Building Code. This would be followed by an application to subdivide the property to create an additional full-size R-1 or R-1S lot on the west side of the large existing lot.

**Questions and Answers**

1. Q – Will the Owners live in the existing house?  
A – No. The Owners live on property in Black Creek. Both suites in the existing house will be rental suites.
2. Q – How will the tenants be controlled/regulated?  
A – The Owners intend to be hands-on landlords, taking care in the selection of tenants in order to safeguard their investment in the property and proposed improvements.
3. Q – What does R-1S zone allow?  
A – one single family dwelling with the opportunity to include a secondary suite within the SF dwelling.
4. Q – How big is the house and suite?  
A – By bylaw, the maximum suite size is 90 sq.m **and** no more than 40% of the total habitable living space in the building.

.....2

**Gordon and Tracey Peter**  
**Proposed Zoning Amendment**  
**1290 10<sup>th</sup> Street East, Courtenay**

5. Q – What can be built on the new lot?  
A – It will be a single-family dwelling with a possible suite in accordance with the R-1S zone.
6. Q – Can it just be a single-family house without the suite?
7. A – The application contemplates applying the R-1S zone to the entire existing lot, therefore, there would be suite potential on the new lot, however there is no certainty that a suite would be included in a new house to be built on new lot. The Applicant is not sure if the City can split zone the property. Suggest submitting this comment to City so Staff can determine whether a split zone is possible or desirable.
8. Q – How will a house on the proposed new lot affect views?  
A – Since the subdivided lot is lower in elevation, even a full 2-storey house is likely to be lower than the existing house. Deck views to the west from the existing house could be affected somewhat, but likely no more than by the existing vegetation along the west property line.
9. Q – What would happen if the zoning amendment were denied?  
A – the current 'legal, non-conforming' use of the property would continue

Staff note that the answer provided here to question 9 is not accurate. The outcome would be that the owner would be required to decommission the suite.

**Commentary**

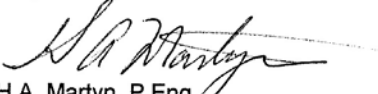
- One resident stated that they had moved from another area where the neighbourhood had deteriorated due to changes in land use. Came here because it was a quiet, single-family neighbourhood. Concerned that potential for four living units, possibly all rental, will generate noise and parking problems. Concerned that this proposal will just continue this resident's perceived deterioration of the area (north end of Williams Road) and the negative impacts of the Chances Gaming establishment and the low-income housing units at the former Washington Inn. This comment was echoed by a few of those present.  
The proponents indicated that required parking for all units would be provided on the lots, per Bylaw. Another resident noted that maintaining R-1 zoning was no guarantee of reasonable parking, pointing to a single-family residence directly across 10<sup>th</sup> St. where four vehicles were parked, with one on the street and one on the lawn.  
The proponents can offer no comment on the perceived negative impacts of other land uses to the north, well removed from the subject location.
- The Owner, Mr. Peter, noted that the provision of alternative, affordable housing was becoming ever more critical to assist people who are housing-challenged. The purpose of this zoning amendment is just to formalize and legalize the existing use of the residence. A resident suggested that the suite was originally created as an 'in-law' suite. The proponents noted that, while this may have been the case at the time, the Zoning Bylaw and the BC Building Code do not differentiate between types of suites.
- A number of residents were concerned that granting this rezoning would be the 'thin edge of the wedge' towards the area becoming something other than a single-family neighbourhood.  
The proponents noted that there are two other R-1S zoned properties nearby. Also, realistically, this zoning change does not change the neighbourhood land use but, rather, formally recognizes the existing presence of two living units in the existing house.

.....3

**Gordon and Tracey Peter**  
**Proposed Zoning Amendment**  
**1290 10<sup>th</sup> Street East, Courtenay**

Mr. Martyn encouraged the attendees to use the comment sheets provided to submit their positive or negative responses regarding the proposed application to the City.

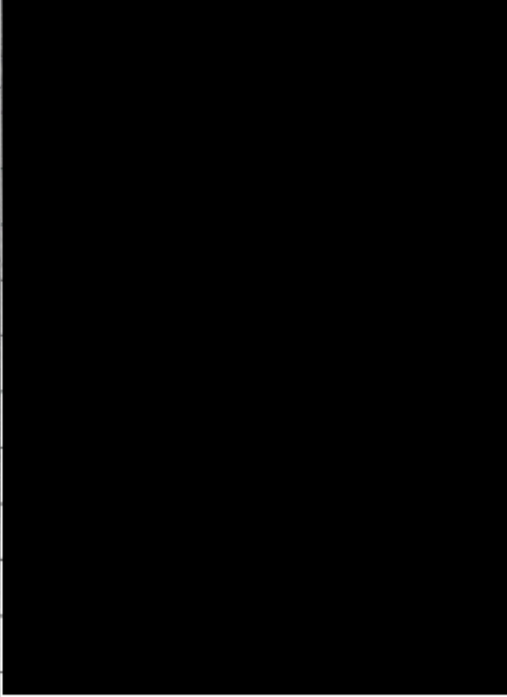
Prepared By:



H.A. Martyn, P.Eng.  
Consulting Engineer

HM/hm

**PUBLIC INFORMATION MEETING**  
**August 3rd, 2017**  
**SIGN IN SHEET**  
**FOR**  
**Zoning Amendment - 1290 East 10th Street**

NAME (Please Print)	ADDRESS
	1345 Pheasant Place, Courtenay ✓
	955 Williams Rd ✓
	1003 " " V. ✓
	1275 10 <sup>th</sup> St E ✓
	955 Williams Rd ✓
	785 Williams Rd ✓
	1330 PHEASANT
	1330 PHEASANT ✓
	1350 10 <sup>th</sup> East ✓
	901 Chaster Road ✓
	1070 Williams Rd ✓
	1315 PHEASANT PL ✓

**Blamire, Susan**

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**From:** [REDACTED]  
**Sent:** August-10-17 11:03 PM  
**To:** PlanningAlias  
**Subject:** Zoning Amendment 1290 East 10th St,

**SCANNED**

Hello,

We are writing to express our complete opposition to the proposed change to the zoning for 1290 E 10 St ,  
Courtenay,

The first communications about this proposed change indicated that all they wanted to do was bring their illegal  
suite into compliance. There is no objection to that.

However, their story has changed to the idea to convert the lot to accomodate 4 units. Sorry, but no. This would  
be a major change to the character of the neighbourhood and it is not in keeping with the OCP. There are no  
grounds whatsoever with this lot to justify a major change to the type of neighbourhood that we trusted we were  
purchasing into.

The communications from the "investor" mention addressing the need for low cost housing. This is nonsensical.  
This development will have no effect on 'low cost housing' - who are you kidding? The 'proposed' amendment is  
nothing more than a cash grab by non-resident speculators and should be rejected. Do your job.

Thank you,

[REDACTED]  
815 Williams Rd  
Courtenay BC  
[REDACTED]



**PUBLIC INFORMATION MEETING**

7 pm, Thursday, August 3rd, 2017

Zoning Amendment - 1290 East 10th Street

**SCANNED****COMMENT SHEET**

Name: [REDACTED]

Email: [REDACTED]

Address: 1330 PHEASANT PLACE

Phone: [REDACTED]

Hal Martyn, P.Eng. (on behalf of the Owners) has applied to the City of Courtenay for a Zoning Amendment to permit the formalization of an existing secondary basement suite, as a prerequisite for a subdivision of the lot into 2 single-family lots conforming to Zoning. 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?

*I do not agree with the proposed rezoning. This is a single family home neighbourhood, and rezoning could result in 2 multi-family homes on the lot with increased vehicle traffic.*

[REDACTED]

**Please return your comments by: August 10th, 2017.**

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

1. Drop your comment sheet off at the Development Services Department, City of Courtenay  
830 Cliffe Avenue
2. Email your comment sheet to [planning@courtenay.ca](mailto:planning@courtenay.ca)
3. Fax your comment sheet to 250-334-4241



~~So~~ AUG 10/2017

████████████████████  
950 WILLIAMS RD  
COURTENAY BC

SCANNED

AFTER MORE REVIEW OF PLANS TO SUBDIVIDE LOT AND CHANGE ZONING I WILL HAVE TO SAY NO TO REZONING TO SUBDIVIDE LOTS. I DO AGREE FOR EXISTING HOME TO BE ALLOWED TO DO PROPER UP GRADES TO HAVE 2 RENTALS.

★ WHEN ██████████ IS NO LONGER ABLE TO LIVE IN HIS HOME WE ARE PURCHASING HIS HOME, ★

████████████████████  
1250 10<sup>th</sup> ST EAST  
COURTENAY.

SCANNED

██████████ HAS ASKED FOR ME TO ADD HIM IN SAYING NO TO SUBDIVIDE AND HAVE A DUPLEX OR HOUSE NEXT TO HIS HOME. TO UPGRADE EXISTING HOME TO BE 2 SUITS HE IS OKAY WITH.

PROPOSED ZONING.  
1290 10<sup>th</sup> ST EAST COURTENAY

## PUBLIC INFORMATION MEETING

7 pm, Thursday, August 3rd, 2017

Zoning Amendment - 1290 East 10th Street

SCANNED

### COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]  
Address: 1020 Williams Rd. Phone: [REDACTED]

Hal Martyn, P.Eng. (on behalf of the Owners) has applied to the City of Courtenay for a Zoning Amendment to permit the formalization of an existing secondary basement suite, as a prerequisite for a subdivision of the lot into 2 single-family lots conforming to Zoning. 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 are strongly against this rezoning. Because  
we are concerned citizens whom live across the street from this  
proposed developement we have personally spoke to all the home  
owners on Williams Rd & Farquarson Dr. and couldn't find one single home  
owner that was in favor of this proposal, PERIOD! This pristine neighbourhood  
is not interested in having 'permanent affordable low income rentals'. We all  
have ownership pride. The pre-existing 'inlaw suite' should stay as intended.  
Not a rental! No, to variance consideration - No, to R1 to R1s rezoning  
No, to 2 multi unit lots. No altering this neighbourhood.

**Please return your comments by: August 10th, 2017.**

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

1. Drop your comment sheet off at the Development Services Department, City of Courtenay  
830 Cliffe Avenue
2. Email your comment sheet to [planning@courtenay.ca](mailto:planning@courtenay.ca)
3. Fax your comment sheet to 250-334-4241



**PUBLIC INFORMATION MEETING**

7 pm, Thursday, August 3rd, 2017

Zoning Amendment - 1290 East 10th Street

**SCANNED****COMMENT SHEET**

Name: [REDACTED]

Email: [REDACTED]

Address: 1062 Williams Rd.

Phone: [REDACTED]

Courtenay B.C.  
V8N 7S9

Hal Martyn, P.Eng. (on behalf of the Owners) has applied to the City of Courtenay for a Zoning Amendment to permit the formalization of an existing secondary basement suite, as a prerequisite for a subdivision of the lot into 2 single-family lots conforming to Zoning. 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?

*I am not in favour of this application. The home is a neighbour hood classic and should not be converted to suites. The owners need to give there - Rent to a single family perhaps -*

*What about traffic, parking etc*

**Please return your comments by: August 10th, 2017.**

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

1. Drop your comment sheet off at the Development Services Department, City of Courtenay  
830 Cliffe Avenue
2. Email your comment sheet to [planning@courtenay.ca](mailto:planning@courtenay.ca)
3. Fax your comment sheet to 250-334-4241

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**Blamire, Susan**

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**From:** [REDACTED]  
**Sent:** August-09-17 8:13 PM  
**To:** PlanningAlias  
**Subject:** Proposed Zoning Amendment - 1290 East 10th Street

**SCANNED**

Since tomorrow is the deadline, I am now submitting my comments by email:

I agree with comments by [REDACTED] of 955 Williams Road. Here is my slant on densification of this area: There is only one entrance and exit to serve this entire neighbourhood and that is 10th St. East off Back Road. In the event of any kind of emergency evacuation do we really need even more people to be lining up? No, we don't! This is a wonderful neighbourhood to live in - we don't need any more units per lot!

Thank you,

[REDACTED]  
1090 Farquharson Drive, Courtenay, BC V9N 8N2.

*Aug 9, 2017*

Public Information Meeting

7 pm. Thursday, August 3d, 2017

Zoning Amendment 1290 East 10th Street

**SCANNED**

Comment Sheet

[REDACTED] 955 Williams Road, [REDACTED]

The proposed subdivision plan of Lot 1, Section 14, plan 20345 would be a disservice to the neighborhood and an unfair imposition on the residents of the local community, although it would likely be profitable to the investors, who live outside of Courtenay. The creation of four rental units on one R1 lot, the declared intent of the investors, in the middle of a settled R1 neighborhood is not "in keeping with the character and scale of the surrounding neighborhood", to quote the OCP. The existing building footprint will not remain the same, there will be significant change to the existing built environment and negative financial consequences for community owners who purchased spacious R1 lots in the confidence that the designation would have meaning. If this lot is reclassified and the lot is subdivided, the grounds for the city to resist further erosion of single family designations in this neighborhood would be weakened.

The only persons who spoke in favour of the proposal at the informational meeting have sold their house and are moving to Royston.

The rationale offered for initiating this proposal is not apparently profit, which is nowhere mentioned, but the "steadfast belief" the owners have "that they need to do their part to address the availability of low cost housing options in the Valley". Slum landlords since the beginning of the industrial revolution have attempted to justify their profits as the cost of necessary service to the needy.

If these investors seriously intend to "address the availability of lower cost housing", they should develop a new subdivision with its incumbent legal and financial obligations instead of cherry-picking and exploiting an existing, developed community to its detriment.

This proposal should die in the planning office.

[REDACTED]



**PUBLIC INFORMATION MEETING**  
7 pm, Thursday, August 3rd, 2017  
Zoning Amendment - 1290 East 10th Street

**COMMENT SHEET**

Name: [REDACTED] Email: [REDACTED]  
Address: 925 Williams Rd. Phone: [REDACTED]

SCANNED

Hal Martyn, P.Eng. (on behalf of the Owners) has applied to the City of Courtenay for a Zoning Amendment to permit the formalization of an existing secondary basement suite, as a prerequisite for a subdivision of the lot into 2 single-family lots conforming to Zoning. 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?

I am very much against this rezoning  
Our area is single family homes. This will  
downgrade our community area. We do not need  
more low income housing in the area. It should  
be designated in other areas of the city

**Please return your comments by: August 10th, 2017.**

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

- Drop your comment sheet off at the Development Services Department, City of Courtenay  
830 Cliffe Avenue
- Email your comment sheet to [planning@courtenay.ca](mailto:planning@courtenay.ca)
- Fax your comment sheet to 250-334-4241

[REDACTED]  
1238 QUAIL PLACE  
COURTENAY BC  
V9N 8K5  
[REDACTED]

SCANNED

CHASTER STREET - 10<sup>TH</sup> STREET EAST SUB-DIVISION  
OF PROPERTY. ZONE R1

I AM AGAINST THE SUB-DIVISION OF THE ABOVE  
~~THE~~ PROPERTY.

WE HAVE LIVED IN THE AREA SINCE 2000 AND  
MOVED THERE BECAUSE OF SINGLE FAMILY HOMES  
ON LARGE LOTS WITH LOW TRAFFIC FLOW.

I DO NOT WANT ANY PROPERTIES BEING SUB-  
DIVIDED AND POTENTIALLY MADE INTO MULTI-FAMILY  
BY ALLOWING IN-LAW OR RENTAL SUITES IN  
THE ABOVE AREA

[REDACTED]

[REDACTED]

1238 QUAIL AVE COURTNEY BL.  
V9N 8K5

SCANNED

RE CHARLOT STREET / 10<sup>TH</sup> ST. EAST.

RE. LOT SPLIT & VARIANCE FOR GARAGE.

I, [REDACTED] AM AGAINST LOT SPLITTING IN  
ZONE R-1

I, [REDACTED] AM AGAINST INLAW / RENTAL SUITES  
IN ZONE R 1

WE BOUGHT HERE BECAUSE OF THE LOT SIZES AND  
THE ONE WAY IN AND ONE WAY OUT.

THIS KEEPS NEIGHBOR FAMILAR WITH WHO IS HERE  
AND WHO IS VISITING.

THIS IS A VERY MUCH FAMILY ORIENTED SUBDIVISION  
[REDACTED]



**Comment Sheet****SCANNED**[REDACTED]  
975 Williams Rd.,  
[REDACTED]

I am writing in regard to the proposed Zoning Amendment for 1290 East 10th Street.

I object to this proposal to turn an R-1 lot into 4 rental accommodation units. While the proposal might be very lucrative for the absentee landlords who propose it, for those who still live in the neighbourhood, I expect our property values would be degraded by plunking 4 rental units right in the middle of a single-family zone.

While I sympathize with the idea of legalizing in-law suites to address the shortage of affordable housing, I am suspicious of the motives of the owners who threaten to remove their current unit from "the affordable rental housing pool" unless they get their way. But what a trick it would be for them to magically turn one legal rental unit into 4. The whole proposal seems misleading. Now, it may not be deliberately misleading, but generally when something smells like a rat, it is a rat.

If this proposal came from someone who lived in the neighbourhood and wished to upgrade and legalize an in-law suite I might not object, but as the current proposal stands, I strenuously object.

Comment Sheet

**SCANNED**

975 Williams Rd.

I am writing this in regard to the proposed subdivision of Lot 1, Section 14, plan 20345.

I object to this proposal for several reasons. I thought that the people who lived in this house just wanted to make a legal suite (or apartment) in the existing house.

After reading the Summary and Rational for this proposal I feel that I was misled regarding the changes to this lot.

- 1) I didn't realize they wanted to rezone one lot. I thought there were 2 lots.
- 2) I didn't realize that the people who want to make these changes didn't live in the neighborhood.
- 3) There is no plan for the building to be built on Lot 2. Is this a duplex? Will it be added to the existing house to make a four-plex?
- 4) If there are to be four units will this mean 8 cars and where will they park
- 5) I think there are 2 implied threats in this document. It states that the current in-law suite "does not conform to the BC Building Code in a number of areas, primarily fire separations." The owners are prepared to undertake the necessary improvements to ensure that the suite meets Code requirements, provided the Zoning Amendment is successful." Shouldn't the owners have to ensure that the suite meets the Code anyway, especially if there are fire issues involved?
- 6) This proposal also states that if the "amendment is unsuccessful, the existing unit will be lost from the affordable rental housing pool in the Valley. Why is that?
- 7) Will the structure to be built on lot 2 really be low cost housing? I assume that once the lots are subdivided the owners can build anything they want.

There seem to be two existing proposals being rolled into one here. There is the upgrading of the existing suite to "code". And then there is the issue of subdividing an existing R-1 lot.

**PUBLIC INFORMATION MEETING**

7 pm, Thursday, August 3rd, 2017

Zoning Amendment - 1290 East 10th Street

**SCANNED****COMMENT SHEET**

Name: [REDACTED] Email: [REDACTED]

Address: 950 WILLIAMS RD COURTENAY Phone: [REDACTED]

Hal Martyn, P.Eng. (on behalf of the Owners) has applied to the City of Courtenay for a Zoning Amendment to permit the formalization of an existing secondary basement suite, as a prerequisite for a subdivision of the lot into 2 single-family lots conforming to Zoning. 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 OWN ATTACHED PROPERTY AND DO AGREE TO  
DO PROPER WORK TO MAKE A LEGAL BASEMENT SUITE.  
TO SUBDIVIDE PROPERTY AND FOLLOW BUILDING CODES  
IN FUTURE BUILD IS ALSO SOMETHING WE SUPPORT.

OUR ONLY CONCERN ON PROPERTY IS THE TREES GROWING  
ALONG 10<sup>TH</sup> ST EAST PLUS BACK SIDE PROPERTY. THESE ARE  
VERY INVASIVE TO THE PROPERTIES. I GET SHOOTS GROWING  
ALL OVER MY YARD PLUS 1250 10<sup>TH</sup> ST EAST PROPERTY.

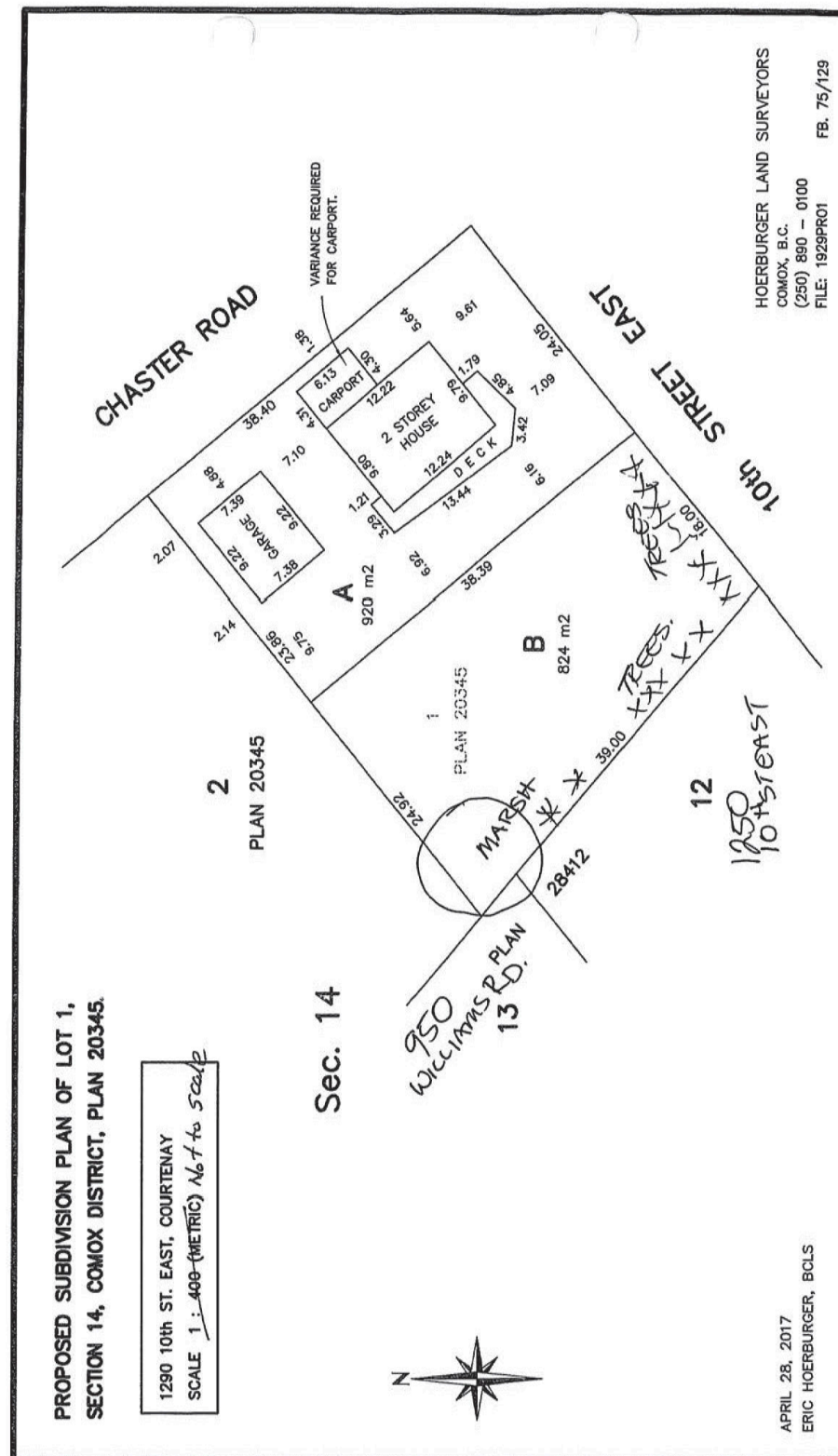
THE BACK CORNER IS PART OF A WET LAND AND  
DOES HOLD A LOT OF WATER IN THE FALL AND SPRING

**Please return your comments by: August 10th, 2017.**

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

1. Drop your comment sheet off at the Development Services Department, City of Courtenay  
830 Cliffe Avenue
2. Email your comment sheet to [planning@courtenay.ca](mailto:planning@courtenay.ca)
3. Fax your comment sheet to 250-334-4241





To City of Courtenay Planning Dept

While I support the concept of infilling in cities to make more efficient use of services I oppose methods of rapacious meddling with neighbourhood zoning to maximize returns to outsiders.

Therefore I am opposed to the development of a 4 resident sub-division at Chaster and 10<sup>th</sup> st East for these reasons.

It was deceptively presented as a simple re-zoning to bring existing residential accommodation into conformation with Courtenay By-Laws. This tactic fooled some neighbours into turning a blind eye. It is no such thing. It is the creation of two multi-unit lots.

The present use was characterized as "legal non-conforming". This is an oxymoron, in the By Law business non-conforming is about as illegal as you can be!

This suite was built for an aging family member. There is no longer this need. If the need no longer exists, should the non conforming suite?

The proponent is not a local resident and plans to sell one of the upgraded lots forthwith. He states he will rent out the other units while continuing to live out of town, basically he will be an absentee landlord. I would expect him to cash out asap.

This is a single family area and there is no reason to allow some one to degrade the neighbourhood simply to line their pockets. Those at the meeting foresaw this maneuver as the thin edge of the wedge

In closing I find the applicant's professed "steadfast belief in increasing the supply of affordable housing" near nauseating

SCANNED

Note

I regret this letter is devoid  
of usual standard items-

Salutation

Date & Return address

Subject line

My computer broke just as I was  
adding these details, Darned thing!!

785 Williams Rd



**PUBLIC INFORMATION MEETING**

7 pm, Thursday, August 3rd, 2017

Zoning Amendment - 1290 East 10th Street

**SCANNED****COMMENT SHEET**

Name: [REDACTED]

Email: [REDACTED]

Address: 1295 10<sup>th</sup> ST. E. COURTENAY, V9N 8N8

Phone: [REDACTED]

Hal Martyn, P.Eng. (on behalf of the Owners) has applied to the City of Courtenay for a Zoning Amendment to permit the formalization of an existing secondary basement suite, as a prerequisite for a subdivision of the lot into 2 single-family lots conforming to Zoning. 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?

*I am against the rezoning of this property. We were told at the meeting that the rezoning + subdivision would make the new lot an R1S. That raises the possibility of 4 rental units side by side and without the owners living in any of them. The owners of the house in question do not live in it, only the suite is rented at the moment and there are 2 cars and a trailer in the driveway. When the upper unit is rented there could be 4 cars parked. The prospect of 8+ cars parked in a small area with the extra traffic and noise they will generate makes this proposal objectionable. Also it will devalue the other properties in the neighbourhood.*

*Thank you for your attention*

**Please return your comments by: August 10th, 2017.**

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

1. Drop your comment sheet off at the Development Services Department, City of Courtenay  
830 Cliffe Avenue
2. Email your comment sheet to [planning@courtenay.ca](mailto:planning@courtenay.ca)
3. Fax your comment sheet to 250-334-4241



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Ranking of 2018 Grant-in-Aid Requests

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**File No.:** 1850-01  
**Date:** October 2, 2017

### PURPOSE:

The purpose of this supplemental report is to present Council with the results of their ranking of 2018 Grant-in-Aid requests.

### EXECUTIVE SUMMARY:

Council was asked on September 5, 2017 to review and rank the list of 2018 grant applicants so the results could be used to expedite the process of grant payments. This supplementary report provides a summarized review and suggests grants be provided to those organizations with an average ranking above 5. Two options (averaging versus majority rule) are choices available for the payment of grants to organizations above the ranking of 5. Depending on the option selected, the grant amounts to be paid range from \$91,000 to \$141,000. This is based on grant payments being limited to the original amount requested by the applicant.

Answers to Council's questions on who received funding in 2017, who is receiving 2018 Permissive Property Tax exemptions, and how CV Land Trust would use the grant dollars are also included in this report.

### CAO RECOMMENDATIONS:

That based on the October 2, 2017 staff report, "Ranking of 2018 Grant-in-Aid Requests", Council direct Staff to remit 2018 Grant-in-Aid payments to applicants with a ranking above 5, and that no additional Grant-in-Aid or Financial Aid requests be considered until the next intake for 2019.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

## BACKGROUND:

On September 5<sup>th</sup>, City Council was presented with a report identifying 2018 Grant applicants (SR-Attachment # 1). Council was asked to rank each applicant on a scale from 0 (Low priority) to 10 (High priority) and to identify how much funding would be provided to each organization.

The list of applicants requesting funding for 2018 is categorized below.

Sum of Grant Requested for 2018		
Category	Name of Organization / Society	Total
Downtown Arts & Culture	Comox Valley Art Gallery Society	20 000 \$
	Comox Valley Arts	46 000 \$
	Comox Valley Folk Society (Vancouver Island Music Fest)	9 000 \$
	Comox Valley Multicultural & Immigrant Support Society	5 500 \$
	The Alberni Project Society	10 000 \$
	The Old Church Society	50 000 \$
Downtown Arts & Culture Total		140 500 \$
Green Capital Projects - Innovation	Comox Valley Land Trust	8 000 \$
	Comox Valley Nature (Wetlands Restoration projects)	5 000 \$
	Comox Valley Project Watershed Society	6 086 \$
Green Capital Projects - Innovation Total		19 086 \$
Social / Societal Initiatives	Comox Bay Care Society - Care-a-van	9 999 \$
	Comox Valley Child Development Association	20 000 \$
	Comox Valley Transition Society	6 331 \$
	Habitat for Humanity Vancouver Island North Society	20 000 \$
	LUSH Valley Food Action Society	8 000 \$
	The SHED Tool Library and Makerspace Cooperative	4 500 \$
	YANA Fund Society (You Are Not Alone)	10 000 \$
	Comox Valley Recovery Centre	5 000 \$
	Comox Valley Coalition to End Homelessness (CVCEH)	8 000 \$
	Comox Valley Farmer's Market (late)	8 700 \$
	Indigenous Women Sharing Society (late)	5 000 \$
	L'Arche Comox Valley (late)	10 000 \$
Social / Societal Initiatives Total		115 530 \$
Grand Total		275 116 \$

During the meeting, Council requested clarification on who received grant funding in 2017, who would be receiving 2018 Permissive Property Tax Exemption, and information about how CV Land Trust intended to use the 2018 grant funding.

## DISCUSSION:

SR-Attachment # 2 identifies the results of the ranking process. Organizations with an average ranking above 5 are identified as receiving a majority of Council's vote and would receive a grant payment while anything below 5 is ineligible.

The next step in the process is the determination of what to pay organizations with a ranking above 5. There are two methods identified for Council's review. One method sums all grant payments identified by



Council members and divides it by 7 (Averaging methodology). The second method identifies a grant payment based on a tally of what each Councillor identifies as a payment amount (Majority of votes methodology).

Council's Grants-in-Aid policy states that applicants must:

"identify how much grant-in-aid or other financial commitments from the City they are requesting and describe how the project resources will be used."

Based on policy, it is suggested that Council limit maximum grant allotments to the amounts identified in the applicant's original request.

The policy also identifies a deadline date of August 1<sup>st</sup>. Three organizations: Comox Valley Farmers' Market, Indigenous Women Sharing Society, and L'Arche missed the submission deadline.

Staff is seeking a legal opinion with respect to whether or not grant funding to the Comox Valley Farmers' Market constitutes a benefit, advantage or other form of assistance to a business in light of Section 25(1) of the *Community Charter*. Council may wish to delay processing any grant payments to this organization until this legal opinion is received.

With respect to Council's inquiries, the table below identifies 2017 Grant recipients:

	2017 Actual
<b>Distribution Categories:</b>	
<b><u>Societies Managing City Arts/Culture Facilities</u></b>	
Mar 27, 2017 Resolution - Comox Valley Art Gallery Society (additional)	(10 000)
Mar 27, 2017 Resolution - CV Multicultural and Immigration Support Society	(3 000)
Mar 27, 2017 Resolution - DCBIA (\$2,500 night market + \$10,000 wayfinding signage)	(12 500)
	<b>(25 500)</b>
<b><u>Council Initiatives/Projects</u></b>	
Sep 6, 2016 Resolution Amethyst House 60% remaining property taxes	(2 252)
Dec 5, 2016 Resolution Pregnancy Centre 60% remaining property taxes	(1 725)
	<b>(3 977)</b>
<b><u>Social/Societal Initiatives</u></b>	
Mar 27, 2017 Resolution - L'Arche Comox Valley (for 'I Belong Centre' construction)	(40 000)
Mar 27, 2017 Resolution - Habitat for Humanity (\$8,556 DCC + \$40k on site servicing Lake Trail Rd project)	(48 556)
	<b>(88 556)</b>
<b><u>Green Capital Projects / Innovation</u></b>	
Mar 27, 2017 Resolution - Comox Valley Nature	(3 000)
	<b>(3 000)</b>
<b>Total</b>	<b>(121 033)</b>

The 2018 Grant Applicants who are also approved to receive a 2018 Permissive Property Tax Exemption are noted in the Table below.

Name of Organization / Society	Other financial support provided by the City?	2018 Amount of Permissive Tax
<b>The Old Church Society</b>	100% Permissive tax exemption (City property tax only)	\$ 5 440
<b>Comox Valley Recovery Centre</b>	100% Permissive tax exemption (City property tax only)	\$ 4 251
<b>Comox Valley Transition Society (CVTS)</b>	Permissive tax exemption (City tax only - estimation for 2018) -40% on 625 England (CVTS office) : \$1,884 -100% Amethyst House : \$1,955 -40% New Fourplex : \$894	\$ 4 733
<b>Comox Valley Child Development Association (CVCDA)</b>	Permissive tax exemption on CVCDA four properties (City tax only - estimation for 2018) Grandfathered 100% : -237 3rd street : \$8,944 -243 3rd street : \$465 -255 3rd street : \$465 -267 3rd street : \$263 (40% exempt)	\$ 10 137
<b>Habitat for Humanity Vancouver Island North Society</b>	40% Permissive tax exemption for their office space (City tax only - estimation for 2018)	\$ 303
<b>L'Arche Comox Valley (LATE)</b>	Permissive tax exemption (City tax only - estimation for 2018) -75% on 534 - 19th Street (supported group home): \$885 -40% 1465 Grieve Ave (new centre) : \$2,738	\$ 3 623
<b>Total</b>		<b>\$ 28 487</b>

For Council's information, Applicants can also apply directly to the BC Gaming Commission for Community Gaming grants via the "non-profit community organizations" category. In 2016/2017, BC Gaming provided grants of \$1,595,685 to various Courtenay organizations. Eight of the current list of applicants received money from the Commission. They are:

1. Comox Valley Art Gallery - \$39,000
2. Comox Valley Land Trust - \$35,000
3. Comox Valley Project Watershed Society - \$35,000
4. Comox Valley Transition Society - \$34,000
5. LUSH Valley Food Action Society - \$40,500
6. Comox Valley Child Development Association - \$77,000
7. Comox Valley Multicultural and Immigrant Support Society - \$5,500
8. L'Arche Comox Valley - \$27,000

Details of this information is in SR Attachment #3 “BC Gaming Grants Paid to Community Organizations - Final 2016/17 Year-End Report (by community) - April 1, 2016 to March 31, 2017”.

The last inquiry of Council requested information on how the CV Land Trust would use grant funds. Their application says funding would be used for:

“a Comox Valley Conservation Partnership Program Manager who will support City of Courtenay staff and elected officials by providing coordinated technical expertise and policy recommendations on behalf of the environmental community on issues pertaining to things like: an Urban Forest Strategy, Integrated Stormwater Management Plans, amendments to the subdivision bylaw, public works projects in sensitive habitats, and development referrals. These initiatives are extremely important to the community at large and the sustainable development of the City. We hope to partner with City staff, the development community, and other stakeholders in making sure the bylaws, regulations, policies and standards find the right balance between economic and environmental well-being.”

The answers to the above items have previously been addressed via email to Council.

#### **FINANCIAL IMPLICATIONS:**

The City’s policy is to only spend the balance of Gaming Funds from a previous year. As noted in the previous report of September 5, 2017, the total unused balance of 2017 Gaming Funds is \$389,379.

The dollar amount of payments that were ranked above 5 and submitted by the deadline total \$91,000 when using option 1 – Average, or up to \$141,000 when using option 2 - Majority vote. Whatever Council decides will impact the remaining balance of funding available for other uses.

#### **ADMINISTRATIVE IMPLICATIONS:**

Approximately 4 additional hours of Staff time will be required to process payments to organizations selected by Council.

#### **ASSET MANAGEMENT IMPLICATIONS:**

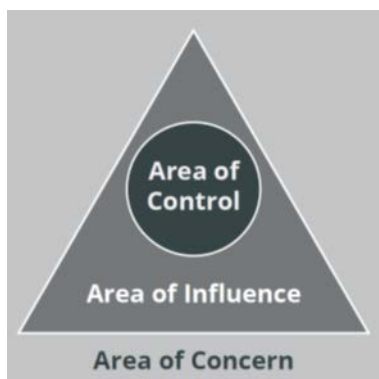
As Gaming Funds paid to Host Local Governments may be used “for any purpose within their legal authority”, utilization of them for Grants-in-Aid potentially competes with the amount of revenues available for asset management operations and capital renewal of existing assets.

#### **STRATEGIC PRIORITIES REFERENCE:**

Providing financial resources to organizations in the community and the Valley is a means for the City to follow its strategic priorities as noted below.

#### **We invest in our key relationships**

- We will continue to engage and partner with service organizations for community benefit



- **Area of Control**  
The policy, works and programming matters that fall within Council's jurisdictional authority to act.
- ▲ **Area of Influence**  
Matters that fall within shared or agreed jurisdiction between Council and another government or party.
- **Area of Concern**  
Matters of interest outside Council's jurisdictional authority to act.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

N/A

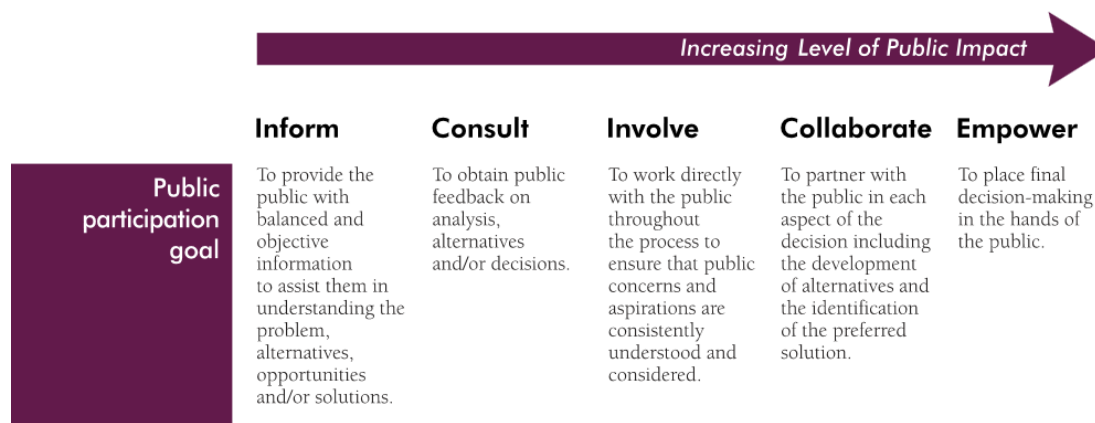
**REGIONAL GROWTH STRATEGY REFERENCE:**

N/A

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff would **inform** 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](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)

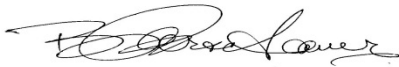


**OPTIONS:**

1. That Staff be directed to remit 2018 Grant-in-Aid payments to applicants with a ranking above 5, and process payments based on a majority vote, up to a cumulative maximum of \$141,000 and that no additional Grant-in-Aid or Financial Aid requests be considered until the next intake for 2019.
2. That Staff be directed to remit 2018 Grant-in-Aid payments to applicants with a ranking above 5, and process payments based on the average amount, up to a cumulative maximum of \$91,000 and that no additional Grant-in-Aid or Financial Aid requests be considered until the next intake for 2019.

3. That Staff be directed to contact select organizations to attend a future Council meeting to clarify 2018 grant requests; and that no additional Grant-in-Aid or Financial Aid requests be considered until 2019.
4. That no grant-in-aid payments be processed for 2018.

Prepared by:



Brian Parschauer, BA, CPA-CMA  
Director of Financial Services

SR Attachments:

1. SR-DFS-2017-09-05 2018 Grant-In-Aid Requests
2. Council Ranking Results
3. BC Gaming Grants Paid to Community Organizations - Final 2016/17 Year-End Report (by community) - April 1, 2016 to March 31, 2017



THE CORPORATION OF THE CITY OF COURTENAY

**STAFF REPORT**

**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** List of 2018 Grant-in-Aid Requests

**File No.:** 1850-01  
**Date:** September 5, 2017

**PURPOSE:**

The purpose of this report is to present Council with a list of applicants who, under the Grants-in-Aid Policy, are requesting funding from the City via the City's Gaming Funds.

**POLICY ANALYSIS:**

This report is presented as per Council's guidelines approved in the October 2016 Grants-in-Aid policy:

**GRANT POLICY**

1850-00

Moved by Hillian and seconded by Lennox that based on the October 31, 2016 staff report "Grants in Aid and Matching Grant Program – Affordable Housing Initiatives", Council select Option 1 approving the Provision of Grant-in-Aid and Other Forms of Financial Support Policy #1850.00.04 as presented; and further that the Grants-in-Aid policy #1850.00.02 and Matching Grant Program-Affordable Housing Initiatives policy #1850.00.03 be rescinded.

**EXECUTIVE SUMMARY:**

In 2016, the City revised and adopted a Grants-in-Aid Policy to respond to requests from Comox Valley community organizations asking for grant money for a variety of reasons. To create a transparent and efficient process, older policies were amalgamated and updated to require organizations to submit their grant applications annually by August 1<sup>st</sup> so all requests could be simultaneously presented to Council. Attachment # 2 itemizes the list of organizations requesting a grant for 2018. Gaming fund revenues are the source of funds for these requests.

**CAO RECOMMENDATIONS:**

That based on the September 5, 2017 staff report, "List of 2018 Grant-in-Aid Requests", Council receive the attached list of applicants and provide their decision with respect to Grant funding on September 18<sup>th</sup>.

Respectfully submitted,

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

David Allen, BES, CLGEM, SCLGM  
 Chief Administrative Officer

## BACKGROUND:

On October 31, 2016, City Council adopted a revised Grants-in-Aid policy. It amalgamated two older policies Grants-in- Aid policy #1850.00.02 and Matching Grant Program-Affordable Housing Initiatives policy #1850.00.03. The intent of the amalgamated policy was to provide a single process for the community organizations to follow when requesting financial assistance (see Attachment # 1 – Grants-In-Aid Policy). It identified Gaming Fund revenues as the source of funding for grant payments and was first applied in early 2017.

The deadline for receipt of 2018 Grant-in-Aid applications was Tuesday, August 1, 2017. Advertising of the 2018 intake of applications began on May 30, 2017 with notification on the City's webpage followed by posts on the City's Facebook and Twitter on June 5<sup>th</sup>, followed by advertisements in the local newspaper on June 13<sup>th</sup> and July 13<sup>th</sup>.

## DISCUSSION:

This report is being presented in advance in order to provide Council with sufficient opportunity to review the information submitted by each organization.

The list of applicants requesting funding for 2018 is categorized below.

Sum of Grant Requested for 2018		
Category	Name of Organization / Society	Total
<input checked="" type="checkbox"/> <b>Downtown Arts &amp; Culture</b>	Comox Valley Art Gallery Society	20 000 \$
	Comox Valley Arts	46 000 \$
	Comox Valley Folk Society (Vancouver Island Music Fest)	9 000 \$
	Comox Valley Multicultural & Immigrant Support Society	5 500 \$
	The Alberni Project Society	10 000 \$
	The Old Church Society	50 000 \$
<b>Downtown Arts &amp; Culture Total</b>		<b>140 500 \$</b>
<input checked="" type="checkbox"/> <b>Green Capital Projects - Innovation</b>	Comox Valley Land Trust	8 000 \$
	Comox Valley Nature (Wetlands Restoration projects)	5 000 \$
	Comox Valley Project Watershed Society	6 086 \$
<b>Green Capital Projects - Innovation Total</b>		<b>19 086 \$</b>
<input checked="" type="checkbox"/> <b>Social / Societal Initiatives</b>	Comox Bay Care Society - Care-a-van	9 999 \$
	Comox Valley Child Development Association	20 000 \$
	Comox Valley Transition Society	6 331 \$
	Habitat for Humanity Vancouver Island North Society	20 000 \$
	LUSH Valley Food Action Society	8 000 \$
	The SHED Tool Library and Makerspace Cooperative	4 500 \$
	YANA Fund Society (You Are Not Alone)	10 000 \$
	Comox Valley Recovery Centre	5 000 \$
	Comox Valley Coalition to End Homelessness (CVCEH)	8 000 \$
	Comox Valley Farmer's Market (late)	8 700 \$
	Indigenous Women Sharing Society (late)	5 000 \$
	L'Arche Comox Valley (late)	10 000 \$
<b>Social / Societal Initiatives Total</b>		<b>115 530 \$</b>
<b>Grand Total</b>		<b>275 116 \$</b>

The amount of requests varies from \$4,500 to \$50,000 and the reasons for the requests vary from funding for the purchase of furniture to assistance for supportive housing projects in Courtenay.

The Comox Valley Farmers' Market did not meet the August 1<sup>st</sup> deadline and was 8 days late. The applications from Indigenous Women Sharing Society and L'Arche were each submitted 3 weeks after the deadline.

Before any decisions are made, Council should consider Sections 25 (1) of the *Community Charter*. It states:

- “25 (1) Unless expressly authorized under this or another Act, a council must not provide a grant, benefit, advantage or other form of assistance to a business, including
- (a) any form of assistance referred to in section 24 (1) [*publication of intention to provide certain kinds of assistance*], or
  - (b) an exemption from a tax or fee.

The *Community Charter* defines “business” as:

“**business**” means

- (a) carrying on a commercial or industrial activity or undertaking of any kind, and
  - (b) providing professional, personal or other services for the purpose of gain or profit,
- but does not include an activity carried on by the Provincial government, by corporations owned by the Provincial government, by agencies of the Provincial government or by the South Coast British Columbia Transportation Authority or any of its subsidiaries.”

All entities listed above are eligible to receive a grant with the exception of the Comox Valley Farmers' Market. Their application was received after the August 1<sup>st</sup> deadline. Any funds granted to the Farmers' Market could be used to benefit local entrepreneurs, which is contrary to *Community Charter* legislation.

For Council's information, Applicants can also apply directly to the BC Gaming Commission for Community Gaming grants via the “non-profit community organizations” category. In 2016/2017, BC Gaming provided grants of \$1,507,025 to various Courtenay organizations. Eight of the current list of applicants received money from the Commission. They are:

1. Comox Valley Art Gallery - \$39,000
2. Comox Valley Land Trust - \$35,000
3. Comox Valley Project Watershed Society - \$35,000
4. Comox Valley Transition Society - \$34,000
5. LUSH Valley Food Action Society - \$40,500
6. Comox Valley Child Development Association - \$77,000
7. Comox Valley Multicultural and Immigrant Support Society - \$3,000
8. L'Arche Comox Valley - \$27,000

This information is available on the BC Gaming website below:

<http://www2.gov.bc.ca/assets/gov/sports-recreation-arts-and-culture/gambling/gambling-in-bc/reports/fin-rpt-grants-year-to-date-payments-2016-2017.pdf>



### **FINANCIAL IMPLICATIONS:**

Local Governments with gaming facilities within its jurisdiction are allowed to use Gaming Fund revenues for “any purpose within their legal authority”. The City’s policy has been to spend the balance of Gaming Funds from a previous year. In 2017, Gaming funds from 2016 were used to fund the Grant-In-Aid requests. The audited balance of Gaming Funds, as of December 31, 2016 was \$1,322,459 and \$885,000 has been budgeted for use in 2017 (see Attachment # 3). The total unused balance of 2017 Gaming Funds is \$389,379 and is identified by category in Attachment # 4.

As word continues to spread about the City’s Grant-in-Aid program, the list of applicants continues to grow. In 2012 there was only 1 request for funding. Since that time requests have increased to 10 in 2016, 12 in 2017 and 21 in 2018. While each organization arguably has a worthwhile cause identified for the funds, Council must weigh the implications of using Gaming funds for special interest groups versus applying funds for other City priorities such as:

- Capital renewal via the Asset Management program;
- Cost reduction for increased capacity to address sustainable service delivery;
- Cost reduction for rising RCMP staffing or contributions to the Police Contingency Reserve;
- Contributions to bolster various reserves,
- Financial resources for strategic land purchases or,
- Off-setting property tax increases for the community.

### **ADMINISTRATIVE IMPLICATIONS:**

Approximately 30 hours of staff time was spent to process the list of 2018 Grant applicants. It is expected that an additional 5 hours of time will be required to provide a subsequent report and to process payments to those organizations selected by Council.

### **ASSET MANAGEMENT IMPLICATIONS:**

Utilization of Gaming Funds for Grants-in-Aid potentially reduces the amount of revenues available for asset management.

### **STRATEGIC PRIORITIES REFERENCE:**

Providing financial resources to organizations in the community and the Valley is a means for the City to follow its strategic priorities as noted below.

#### **We invest in our key relationships**

- We will continue to engage and partner with service organizations for community benefit



- **Area of Control**  
The policy, works and programming matters that fall within Council's jurisdictional authority to act.
- ▲ **Area of Influence**  
Matters that fall within shared or agreed jurisdiction between Council and another government or party.
- **Area of Concern**  
Matters of interest outside Council's jurisdictional authority to act.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

N/A

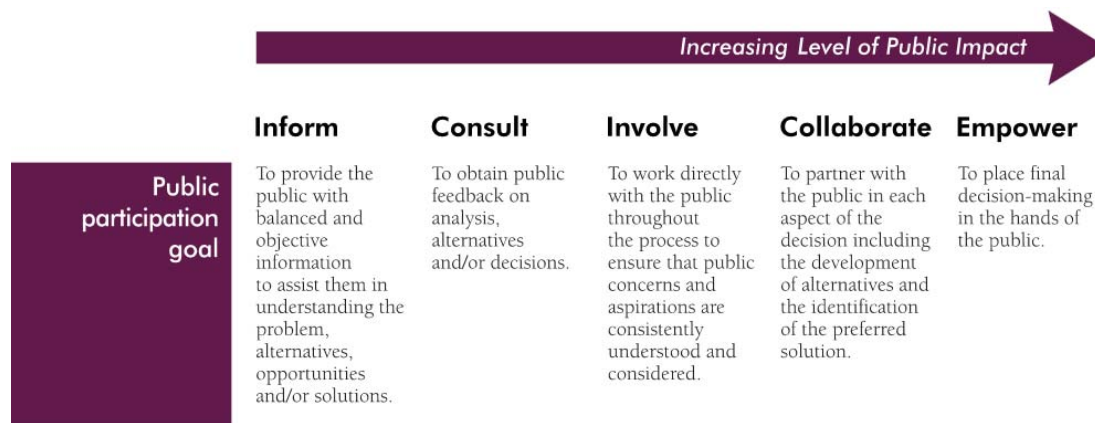
**REGIONAL GROWTH STRATEGY REFERENCE:**

N/A

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff would **inform** the public based on the IAP2 Spectrum of Public Participation:

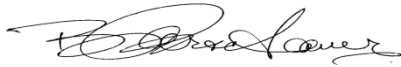
[http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum\\_vertical.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)



**OPTIONS:**

1. That Council receive the attached list of applicants and make their grant allocation decision at the September 18<sup>th</sup> Council meeting.
2. That Staff be directed to remit Grant-in-Aid payments to all applicants approved by Council and that no additional Grant-in-Aid or Financial Aid requests be considered until 2019.
3. That Staff be directed to contact select organizations to attend a future Council meeting to clarify their grant requests prior to processing any Grant-in-Aid payments.

Prepared by:



Brian Parschauer, BA, CPA-CMA  
Director of Financial Services

Attachments:

1. Grants-in-Aid Policy 1850.00.04
2. List of Grant Applicants
3. 2016 – 2018 Approved Schedule of Gaming Funds Distribution
4. Unspent Gaming Funds by Major Category

**City of Courtenay****Policy**

Page 1 of 3

<b>Section: 5 - Finance</b>	<b>Policy # 1850.00.04</b>
<b>Subject: Provision of Grant-in-Aid and other Forms of Financial Support</b>	<b>Revision #</b>

**PURPOSE:**

The purpose of this policy is for Council to provide criteria to identify the appropriateness and suitability of applications from organizations requesting Grants-in-Aid and other forms of financial support from the City of Courtenay. Council decisions with respect to the provision of these forms of support will be made after carefully reviewing all applications and in conjunction with annual budgetary planning.

**POLICY:**

The City has limited financial resources available for the provision of Grants-in-Aid or other forms of financial support to special interest groups. In order to be consistent and fair to all applicants, the following criteria must be met:

- 1. Entity must complete the Application and provide correspondence to City Council:**
  - a. identifying who they are and whether they are a “for-profit” or “not-for-profit” organization,
  - b. what special interest they represent and a demonstrated financial need,
  - c. how much grant-in-aid or other financial commitments from the City they are requesting,
  - d. describe what project the resources will be used for,
  - e. describe how the project will benefit the community of the City of Courtenay and the greater Comox Valley region,
  - f. provide the project business case in terms of confirmation of need and demand, project sustainability, capital budget plan and operating budget plan if applicable, (*exclude if request is below \$10,000*),
  - g. provide the organization’s audited financial statements for the past three years, (*provide prior year financial information if request is below \$10,000*),
  - h. identify projects in the Comox Valley they have successfully completed, (*exclude if request is below \$10,000*),
  - i. identify whether they are receiving or soliciting any other form of supplementary City funding, subsidy or fee reductions relative to the application;
  - j. identify other requests or receipt of funding from other organizations and Comox Valley local governments; and,
  - k. identify what City support they have received in the past five years and how it has been used.

<b>AUTHORIZATION: CoW 1.00.03</b>	<b>DATE: October 31, 2016 CoW</b>
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<b>Section: 5 - Finance</b>	<b>Policy # 1850.00.04</b>
<b>Subject: Provision of Grant-in-Aid and other Forms of Financial Support</b>	<b>Revision #</b>

2. Organizations must be based in the City of Courtenay. Funding is **not** available for individuals.
3. Organizations must identify and provide proof of supplementary funding payments or agreements from external sources supporting their initiative. Provincial and Federal funding agreements or correspondence identifying dollar amounts must be provided for Council information.
4. A Council resolution must authorize and determine the grant in aid payment or any other financial commitment from the City.
5. Grants-in-Aid and other commitments must be used for the purpose intended. City resources cannot be used to provide any type of assistance to other organization(s) working in tandem with the applicant.
6. Payments will only be issued upon direction provided by the Chief Administrative Officer or Director of Finance.
7. **Gaming Funds will be the primary funding source for all monetary commitments to organizations or entities requesting assistance.**
8. Grants or other City resources cannot be used for illegal purposes or anything disallowed by the Community Charter.
9. Applicants must publicly acknowledge the City of Courtenay's contribution.
10. Applications must be submitted by **August 1<sup>st</sup> of each year**, to the Director of Finance using the prescribed application form. The Director will review the applications for completeness and arrange contact with applicants for additional information as necessary.
11. The Director of Finance will present a summary report of the applications, relative to the eligibility criteria, to Council and arrange for delegations to Council as necessary.
12. Within one year of the date of receipt of the grant, entities must provide an independent reporting of how the grant was utilized and the outcomes of the dollars received.

<b>AUTHORIZATION: CoW 1.00.03</b>	<b>DATE: October 31, 2016 CoW</b>
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<b>Section: 5 - Finance</b>	<b>Policy # 1850.00.04</b>
<b>Subject: Provision of Grant-in-Aid and other Forms of Financial Support</b>	<b>Revision #</b>

13. Grants-in-Aid shall be considered on a year-to-year basis and continuing support should not be anticipated.

**SCOPE:**

This policy applies to all grant-in-aid and financial requests submitted to the City of Courtenay. Authority for, and restrictions on the provision of, any form of assistance is provided under The Community Charter, Sections 8(1), 24 and 25. Preference will be given to organizations who can demonstrate a request that promotes the City's strategic priorities as identified in the Strategic Priorities found on the City's webpage.

**RELATED DOCUMENTS:****RESPONSIBILITY:**

City of Courtenay council members are responsible for adopting policies that manage the financial resources of the community. These policies must recognize the budgetary demands of City operations as a whole and be responsive to public perceptions and constraints. There is a limited sum of tax dollars and external revenue sources available for grants to organizations.

The Chief Administrative Officer or Director of Finance has responsibility for processing all payments.

**REVIEW DATE:**

This policy has an intended life of 20 years, or less dependent on the discretion of Council of-the-day.

<b>AUTHORIZATION: CoW 1.00.03</b>	<b>DATE: October 31, 2016 CoW</b>
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2018 Grant Applications  
City of Courtenay

Attachment #2

Name of Organization / Society	Purpose	Category	Date Received	Grant Requested for 2018	Other forms of subsidy requested	Applied last year?	Amount granted last year	Other financial support provided by the City?	2018 Amt. of Permissive Tax or Grant	Request for funding from other organizations for 2018?
<b>Comox Valley Folk Society</b> (Vancouver Island Music Fest)	Request is to fund the purchase of a 32 foot dry storage trailer to be used to house instruments and staging and ensure the assets of the organization are protected from weather, locked and easily transportable. Transportability of staging is key as CVFS is sharing staging multiple times throughout the year with other groups and a van would allow it to be moved safely.	Downtown Arts & Culture	18-Jul-17	\$ 9,000	No	No		No		2017 Budget : Heritage Canada \$40,000 BC Arts Council \$15,000
<b>The Old Church Society</b>	Request is to fund the replacement of the windows on the balcony level with safety windows (The Old Church owns the building)	Downtown Arts & Culture	26-Jul-17	\$ 50,000	No	No		100% Permissive tax exemption (City property tax only)	\$ 5,440	na
<b>The Alberni Project Society</b>	-Museum Operations (rent, heating, light) \$5,000 -Events & Guests Exhibits (ANZAC Day, Canadian Merchants Day, Summer & Winter exhibits, advertising and promotion) \$4,000 -School Education Programs (annual development of remote school field trips via the internet) \$1,000 Running on a deficit	Downtown Arts & Culture	28-Jul-17	\$ 10,000	No	2017 Grant request for \$9,500; City did not approve. TAP applied too late for 2016 grant. Received \$2,000 in 2015		No		For 2017: CVRD \$1,000 Royal Canadian Legion tba
<b>Comox Valley Multicultural &amp; Immigrant Support Society</b>	-Lunar Festival 2018 Celebration \$1,500 -CV Multicultural 2018 Festival \$1,200 -High Five Kids (after school children cultural programs) \$1,000 -Workshops New Comers \$1,000 Asking for funding to facilitate the CVAG outreach and education programs for local children, youth and families (operations and administrative costs and additional staff hours). Ref. Jul 17, 2017 business case	Downtown Arts & Culture	31-Jul-17	\$ 5,500	No	Yes	\$ 3,000	No		For 2018 : CVRD \$2,000 BC Provincial \$2,040 BC Gaming \$3,000
<b>Comox Valley Art Gallery Society</b>		Downtown Arts & Culture	01-Aug-17	\$ 20,000	No	\$ 20,000	\$ 10,000	Yes - annual grant from Gaming Fund	\$ 65,000	For 2016 : BC Arts Council \$76,471 CVRD \$7,250 Comox \$5,000 Service Canada \$179,361 Industry Canada \$17,803 Canada Museums \$8,185 BC Gaming \$39,000 (2017)
<b>Comox Valley Arts</b>	Operational support : \$12,500 General Programming : \$13,500 Cultural Tourism : \$10,000 Cultural Planning : \$10,000	Downtown Arts & Culture	01-Aug-17	\$ 46,000	No	Yes, requested \$20,000 in 2017. Presentation to Council on May 15, 2017.	\$ -	Yes - annual grant from Gaming Fund (year 2 of 3 supporting Elevate the Arts program)	\$ 5,000	For 2016 : Elevate Arts \$26,464 BC Gaming \$22,000 BC Arts Council \$16,431 Federal Government \$4,000 CVRD \$2,500
<b>Comox Valley Nature (Wetlands Restoration projects)</b>	Control and replacement of invasive plants (purchase of plants, fertilizer, soil and associated materials) \$3,000 Knotweed area treatment (removal of large infestation) \$2,000	Green Capital Projects - Innovation	13-Jul-17	\$ 5,000	No	Received \$3,000 for 2017. Applied too late for 2016 grant. Received \$2,500 since 2006	\$ 3,000	No		Comox Valley Regional District \$10,000 BC Nature \$2,750
<b>Comox Valley Land Trust</b>	Asking funding for a CV Conservation Partnership Program Manager who will support City of Courtenay staff and community on issues pertaining to: an Urban Forest Strategy, Integrated Storm Water Management Plans, amendments to the subdivision bylaw, public works projects in sensitive habitats and development referrals.	Green Capital Projects - Innovation	30-Jul-17	\$ 8,000	No	Thinking like a Watershed : Eco-assets Symposium	\$ 5,000	No	\$ -	For 2017 : CVRD \$9,000 Cumberland \$2,000 Real Estate Foundation of BC (2017-19) \$150,000 Habitat Conservation Trust Foundation \$200,000 (acquisition of parkland in CVRD) RBC \$6,000 BC Gaming \$35,000

Name of Organization / Society	Purpose	Category	Date Received	Grant Requested for 2018	Other forms of subsidy requested	Applied last year?	Amount granted last year	Other financial support provided by the city?	2018 Amt. of Permissive Tax or Grant	Request for funding from other organizations for 2018?
<b>Comox Valley Project Watershed Society</b>	Asking for \$6,086 for fencing and signage in Simms Millennium Park : \$4,536 for safety fencing \$1,550 for 2 metal sign stands (or in kind) \$660 f (in kind) or installing 2 educational signs	Green Capital Projects - Innovation	31-Jul-17	\$ 6,086	Installation of 2 educational signs (in kind approx 6605)	Yes - in kind donation for meeting and creation of 3 sign bases and their installation. Also staff time, sandbags and temporary perimeter fencing toward the Simms Park project (approx \$4,600)	In kind	No	No	Recreational Fisheries \$99,306 Fish and Wildlife Compensation Program \$117,000 Habitat Compensation Trust Fund \$42,400 <b>BC Gaming \$35,000</b> M.C. Wright and Associates Ltd \$10,000
<b>Comox Valley Recovery Centre</b>	Request to fund the new Alcohol and Drug Respectful Recreation Project by providing weekly supervised recreational activities in the community (based on evidence that healthy recreational activities strongly increases a client's physical, mental and emotional health)	Social / Societal Initiatives	07-Jul-17	\$ 5,000	No	No		100% Permissive tax exemption (City property tax only)	\$ 4,251	na
<b>Comox Valley Transition Society</b>	Request to cover the remaining 60% (\$5,876) of the 2017 property taxes not exempt for 625 England Ave (CVTS offices) and 2017 water and sewer utility fees (\$455) so more services can be provided to more residents	Social / Societal Initiatives	28-Jul-17	\$ 6,331	No	No		Permissive tax exemption (City tax only - estimation for 2018) -40% on 625 England (CVTS office) : \$1,884 -100% Amethyst House : \$1,955 -40% New Fourplex : \$894 (to be approved by Council)	\$ 4,733	For 2016-17 : BC Housing \$691,802 Ministry of Public Safety and Solicitor \$280,444 Island Health \$268,824 Government Agencies \$118,130 <b>(Incl. BC Gaming \$34,000)</b> Ministry of Social Development \$75,179 CVRD \$54,096 Creative Employment Access Society : \$29,213
<b>YANA Fund Society (You Are Not Alone)</b>	Request is for new furniture and some necessary maintenance at the four YANA apartments located at 3300 Oak Street in Vancouver (exclusively available to and used by Comox Valley families)	Social / Societal Initiatives	28-Jul-17	\$ 10,000	No	No		No	No	For 2016-17 : BC Family Residence Program \$8,850
<b>LUSH Valley Food Action Society</b>	Asking for \$8,000 to support the coordination of the LUSH Valley Fruit Tree Program (FTP) 2018 season: - \$6,000 for 300 hrs FTP Coordinator - \$1,000 for a computer for the coordinator - \$500 for educational / promotional materials - \$500 for administrative costs This program, known as the flagship of the organisation, has run since 2002 and currently runs on a deficit.	Social / Societal Initiatives	31-Jul-17	\$ 8,000	No	No		In the last 5 years, Public Works has supported the 'Share to Harvest' Community Gardens		<b>BC Gaming (\$40,500 with \$6,000 for the FTP)</b> Peninsula Coop (\$3,500) United Way North Island Vancouver Island Health Authority Comox Valley Community Foundation
<b>Comox Valley Coalition to End Homelessness (CVCEH)</b>	Comox Valley Transition Society is the financial host for this application put forth by CVCEH. Asking for funding for 24 weeks of the Drop-in and Connect Program offered at the Public Library, which focus is to improve self-sufficiency of Courtenay's homeless and at-risk population by increasing their life-skills. This program has been running since Nov. 2016 (935 visits with 70% return rate) and the Coalition is considering, in their 5 year plan, opening a permanent Drop-In Centre in 2019-2020.	Social / Societal Initiatives	31-Jul-17	\$ 8,000	No	No		No	No	United Way Central & Northern Vancouver Island \$8,000 HPS Rural & Remote Funding (Federal) \$35,000 (not confirmed)



Name of Organization / Society	Purpose	Category	Date Received	Grant Requested for 2018	Other forms of subsidy requested	Applied last year?	Amount granted last year	Other financial support provided by the city?	2018 Amt. of Permissive Tax or Grant	Request for funding from other organizations for 2018?
Comox Valley Child Development Association	Asking for a \$20,000 contribution for the enhancement of their Autism services through the creation of a new Autism Centre of Excellence to be located at 3rd and Cliffe Ave as current space is not adequate to meet demand. Budget for the project is \$500,000; CVFDA already raised \$167,000 plus request pending for \$150,000.	Social / Societal Initiatives	01-Aug-17	\$ 20,000	No	No		Permissive tax exemption on CVFDA four properties (City tax only - estimation for 2018) Grandfathered 100% : -237 3rd street : \$8,944 -243 3rd street : \$465 -255 3rd street : \$465 -267 3rd street : \$263 (40% exempt)	\$ 10,137	For 2017-18 BC Ministry of Health \$150,000 Private donations \$67,000 <b>BC Gaming : \$77,000</b> Active seeking of private and corporate donations
Habitat for Humanity Vancouver Island North Society	Asking for \$20,000 to go towards the phase 1 (2 units) of a 10-unit project at 1330 Lake Trail Road to be completed by the end 2018	Social / Societal Initiatives	01-Aug-17	\$ 20,000	No	Yes, to offset Phase 1 DCC fees + on site servicing for unit 1 & 2	\$ 48,556	40% Permissive tax exemption for their office space (City tax only - estimation for 2018)	\$ 303	BC Housing Corporation \$100,000 Home Depot Canada Foundation \$17,000 Tachane Foundation \$10,000 CMHC Grant \$15,000 Genworth Financial Grant \$5,000 Greatwest Life / London Life \$5,000 <b>BC Gaming \$9,068 (2015)</b> DOW Canada Gift in kind \$5,000 Home Depot Canada Gift in kind \$80,000
Comox Bay Care Society - Care-a-van	To support the Care-a-van mobile health services offered to homeless people living in the Comox Valley	Social / Societal Initiatives	01-Aug-17	\$ 9,999	No	No	\$ -	No	\$ -	na
The SHED Tool Library and Makerspace Cooperative	Mission is to share tools, skills and workspace in the Comox Valley. Asking for funding for RV insurance (\$2,500 - RV to be used as a mobile tool library). Business insurance (\$1,250) and General Liability insurance (\$800)	Social / Societal Initiatives	01-Aug-17	\$ 4,500	No	No		No		Coastal Community Credit Union - Building Healthier Communities Grant \$5,500
Comox Valley Farmer's Market (LATE)	<b>REQUEST RECEIVED AFTER DEADLINE.</b> To support the fall, winter and Wednesday markets operational expenses	Social / Societal Initiatives	09-Aug-17	\$ 8,700	No	No		No		CVRD \$4,000
Indigenous Women Sharing Society (LATE)	<b>REQUEST RECEIVED AFTER DEADLINE.</b> Seeking funding to continue their programs and cover start up costs : purchase of a computer, printer, monitor, book keeping software, cabinet and storage fees, insurance and post office box. The purpose of the society is to build respectful networks inclusive of all Nations; promote healthy living, social activities and supportive services for seniors and families, inclusive of all ages and foster cross cultural respect and understanding through collaborative activities and projects.	Social / Societal Initiatives	21-Aug-17	\$ 5,000	No	No	No	No		Applied for grant with CVRD and Gaming (not confirmed)
L'Arche Comox Valley (LATE)	<b>REQUEST RECEIVED AFTER DEADLINE.</b> Request to support the 'I Belong Centre' social and recreational programming	Social / Societal Initiatives	22-Aug-17	\$ 10,000	No	Yes, received \$40,000 for the construction of the new centre	\$ 40,000	Permissive tax exemption (City tax only - estimation for 2018) -75% on 534 - 19th Street (supported group home) : \$885 -40% 1465 Grieve Ave (new centre) : \$2,738	\$ 3,623	For 2017 <b>BC Gaming \$27,000</b> Vancouver Foundation
<b>Total 2018 Grant requests</b>				\$ 275,116						

## 2016 - 2018 Approved Schedule of Annual Gaming Funds Distribution

Distribution: Major Categories	Distributions -2016			Distributions -2017			Distributions -2018		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
	Estimated Annual Funds Available	Estimated Annual Funds Available	Estimated Annual Funds Available	Estimated Annual Funds Available	Estimated Annual Funds Available	Estimated Annual Funds Available	Estimated Annual Funds Available	Estimated Annual Funds Available	Estimated Annual Funds Available
<b>Support Downtown Arts and Culture</b>	CV Art Gallery			CV Art Gallery			CV Art Gallery		
	Ctny & Dist Historical Society			Ctny & Dist Historical Society			Ctny & Dist Historical Society		
	Sid Williams Theatre Society			Sid Williams Theatre Society			Sid Williams Theatre Society		
	Downtown cultural events			Downtown cultural events			Downtown cultural events		
		\$ 65,000	\$ 65,000		\$ 65,000	\$ 65,000		\$ 65,000	\$ 65,000
<b>Council Initiatives &amp; Projects</b>	Purple ribbon Campaign			Purple ribbon Campaign			Purple ribbon Campaign		
	Bus shelters - 3 per year			Bus shelters - 3 per year			Bus shelters - 3 per year		
	Other projects and initiatives			Other projects and initiatives			Other projects and initiatives		
		\$ 3,500	\$ 3,500		\$ 3,500	\$ 3,500		\$ 3,500	\$ 3,500
		\$ 30,000	\$ 30,000		\$ 30,000	\$ 30,000		\$ 30,000	\$ 30,000
<b>Public Safety / Security</b>	Policing - fund two officers			Policing - fund two officers			Policing - fund two officers		
		\$ 375,000	\$ 375,000		\$ 385,000	\$ 385,000		\$ 395,000	\$ 395,000
	Council supported supportive housing initiatives			Council supported supportive housing initiatives			Council supported supportive housing initiatives		
		\$ 50,000	\$ 50,000		\$ 50,000	\$ 50,000		\$ 50,000	\$ 50,000
	Reserve funds for third bridge crossing			Reserve funds for third bridge crossing			Reserve funds for third bridge crossing		
<b>Green Capital Projects / Innovation</b>	Council supported initiatives to achieve outcomes of reduced greenhouse gas emissions, cleaner air, cleaner water			Council supported initiatives to achieve outcomes of reduced greenhouse gas emissions, cleaner air, cleaner water			Council supported initiatives to achieve outcomes of reduced greenhouse gas emissions, cleaner air, cleaner water		
		\$ 50,000	\$ 50,000		\$ 50,000	\$ 50,000		\$ 50,000	\$ 50,000
<b>90 Total Annual Distribution</b>			<b>\$ 875,000</b>	<b>\$ 885,000</b>			<b>\$ 895,000</b>		

	Gaming Fund			Accum
	Budget	Actual	Difference	Surplus
<b>Social/Societal Initiatives</b>				
2017	50,000	88,556	(38,556)	
2016	50,000	-	50,000	
2015	50,000	-	50,000	
2014	50,000	-	50,000	
				111,444
<b>Green Capital Projects</b>				
2017	50,000	3,000	47,000	
2016	50,000	-	50,000	
2015	35,000	25,800	9,200	
2014	35,000		35,000	
				141,200
<b>Council Initiatives/Projects</b>				
2017	36,500	54,477	(17,977)	
2016	75,000	18,820	56,180	
2015	75,000	10,500	64,500	
2014	75,000	40,968	34,032	
				136,735
	Unspent / Available for 2018			<b>389,379</b>

## SR-Attachment # 2

**2018 Grant Applications**  
**City of Courtenay**

Name of Organization / Society	Category	Grant Requested for 2018	Average Ranking	Option 1 Average Max \$	Option 2 Majority of votes	
Comox Bay Care Society - Care-a-van	Social / Societal Initiatives	\$ 9 999	9	\$ 8 600	\$ 10 000	5 votes (2 votes for 5k)
YANA Fund Society (You Are Not Alone)	Social / Societal Initiatives	\$ 10 000	7	\$ 7 000	\$ 10 000	4 votes (2 votes for 2k)
Comox Valley Coalition to End Homelessness (CVCEH)	Social / Societal Initiatives	\$ 8 000	7	\$ 5 900	\$ 8 000	5 votes
Comox Valley Recovery Centre	Social / Societal Initiatives	\$ 5 000	6	\$ 7 100	\$ 5 000	4 votes (1 vote for 30k)
Comox Valley Project Watershed Society	Green Capital Projects - Innovation	\$ 6 086	6	\$ 4 500	\$ 6 086	5 votes
LUSH Valley Food Action Society	Social / Societal Initiatives	\$ 8 000	6	\$ 5 100	\$ 8 000	3 votes
Comox Valley Transition Society	Social / Societal Initiatives	\$ 6 331	6	\$ 4 200	\$ 6 331	4 votes
Comox Valley Land Trust	Green Capital Projects - Innovation	\$ 8 000	6	\$ 4 800	\$ 8 000	3 votes
Comox Valley Arts	Downtown Arts & Culture	\$ 46 000	5	\$ 13 000	10 000 / 20 000	2 votes for 10k / 2 for 20k (1 for 5k / 1 for 12,5k / 1 for 13,5k)
Habitat for Humanity Vancouver Island North Society	Social / Societal Initiatives	\$ 20 000	5	\$ 10 000	\$ 20 000	3 votes
Comox Valley Nature (Wetlands Restoration projects)	Green Capital Projects - Innovation	\$ 5 000	5	\$ 2 900	\$ 5 000	4 votes
Comox Valley Child Development Association	Social / Societal Initiatives	\$ 20 000	5	\$ 8 900	\$ 20 000	2 votes (1 vote for 10k / 1 for 12k)
Comox Valley Multicultural & Immigrant Support Society	Downtown Arts & Culture	\$ 5 500	5	\$ 3 500	\$ 5 500	3 votes
Comox Valley Folk Society (Vancouver Island Music Fest)	Downtown Arts & Culture	\$ 9 000	5	\$ 5 500	\$ 9 000	3 votes
L'Arche Comox Valley (LATE)	Social / Societal Initiatives	\$ 10 000	4	\$ 4 200		
The Old Church Society	Downtown Arts & Culture	\$ 50 000	4	\$ 13 600	\$ 5 000	2 votes
Indigenous Women Sharing Society (LATE)	Social / Societal Initiatives	\$ 5 000	3	\$ 1 900	\$ 2 000	2 votes
Comox Valley Art Gallery Society	Downtown Arts & Culture	\$ 20 000	3	\$ 4 400	\$ 10 000	2 votes
Comox Valley Farmer's Market (LATE)	Social / Societal Initiatives	\$ 8 700	3	\$ 1 100		
The SHED Tool Library and Makerspace Cooperative	Social / Societal Initiatives	\$ 4 500	2	\$ 1 200	\$ 2 000	2 votes
The Alberni Project Society	Downtown Arts & Culture	\$ 10 000	2	\$ 1 400		
<b>Grand Total</b>		<b>\$ 275 116</b>		<b>\$ 118 800</b>		
<b>Total average ranking 5 and up</b>		<b>\$ 166 916</b>		<b>\$ 91 000</b>	<b>\$ 130 917</b>	
					to	
					<b>\$ 140 917</b>	

2018 Grant Applications  
City of Courtenay

Name of Organization / Society	Category	Grant Requested for 2018	L. Jangula		E. Eriksson		D. Frisch		D. Hillian		R. Lennox		M. Theos		B. Wells		Average Ranking
			L. Jangula Ranking	L. Jangula Max \$	E. Eriksson Ranking	E. Eriksson Max \$	D. Frisch Ranking	D. Frisch Max \$	D. Hillian Ranking	D. Hillian Max \$	R. Lennox Ranking	R. Lennox Max \$	M. Theos Ranking	M. Theos Max \$	B. Wells Ranking	B. Wells Max \$	
Comox Valley Folk Society (Vancouver Island Music Fest)	Downtown Arts & Culture	\$ 9 000	2	\$ 1 000	8	\$ 9 000	7	\$ 9 000	6	\$ 5 400	-	\$ -	5	\$ 5 000	5	\$ 9 000	5
The Old Church Society	Downtown Arts & Culture	\$ 50 000	6	\$ 50 000	7	\$ 10 000	5	\$ 5 000	1	\$ 5 000	-	\$ -	7	\$ 25 000	-	\$ -	4
The Alberni Project Society	Downtown Arts & Culture	\$ 10 000	-	\$ -	-	\$ -	-	\$ -	2	\$ 2 000	-	\$ -	4	\$ 2 500	5	\$ 5 000	2
Comox Valley Multicultural & Immigrant Support Society	Downtown Arts & Culture	\$ 5 500	2	\$ 1 000	6	\$ 2 700	5	\$ 2 000	5	\$ 2 250	2	\$ 5 500	7	\$ 5 500	7	\$ 5 500	5
Comox Valley Art Gallery Society	Downtown Arts & Culture	\$ 20 000	2	\$ 5 000	-	\$ -	-	\$ -	3	\$ 6 000	-	\$ -	6	\$ 10 000	7	\$ 10 000	3
Comox Valley Arts	Downtown Arts & Culture	\$ 46 000	5	\$ 5 000	7	\$ 13 500	7	\$ 10 000	6	\$ 20 000	1	\$ 9 999	6	\$ 20 000	6	\$ 12 500	5
Comox Valley Nature (Wetlands Restoration projects)	Green Capital Projects -	\$ 5 000	-	\$ -	-	\$ -	10	\$ 5 000	10	\$ 5 000	-	\$ -	6	\$ 5 000	5	\$ 5 000	5
Comox Valley Land Trust	Green Capital Projects -	\$ 8 000	-	\$ -	-	\$ -	10	\$ 8 000	10	\$ 8 000	3	\$ 8 000	7	\$ 5 000	10		6
Comox Valley Project Watershed Society	Green Capital Projects -	\$ 6 086	2	\$ 1 000	6	\$ 6 000	10	\$ 6 086	10	\$ 6 086	-	\$ -	8	\$ 6 086	7	\$ 6 000	6
Comox Valley Recovery Centre	Social / Societal Initiatives	\$ 5 000	10	\$ 30 000	-	\$ -	10	\$ 5 000	4	\$ -	5	\$ 5 000	8	\$ 5 000	8	\$ 5 000	6
Comox Valley Transition Society	Social / Societal Initiatives	\$ 6 331	5	\$ 4 000	6	\$ 6 331	1	\$ -	4	\$ -	10	\$ 6 331	7	\$ 6 331	9	\$ 6 331	6
YANA Fund Society (You Are Not Alone)	Social / Societal Initiatives	\$ 10 000	4	\$ 10 000	7	\$ 2 000	7	\$ 2 000	5	\$ 5 000	8	\$ 9 999	8	\$ 10 000	9	\$ 10 000	7
LUSH Valley Food Action Society	Social / Societal Initiatives	\$ 8 000	2	\$ 1 000	6	\$ 2 000	10	\$ 8 000	5	\$ 4 000	6	\$ 8 000	6	\$ 5 000	7	\$ 8 000	6
Comox Valley Coalition to End Homelessness (CVCEH)	Social / Societal Initiatives	\$ 8 000	2	\$ 1 000	8	\$ 8 000	10	\$ 8 000	10	\$ 8 000	-	\$ -	8	\$ 8 000	10	\$ 8 000	7
Comox Valley Child Development Association	Social / Societal Initiatives	\$ 20 000	6	\$ 12 000	-	\$ -	-	\$ -	4	\$ -	7	\$ 9 999	8	\$ 20 000	10	\$ 20 000	5
Habitat for Humanity Vancouver Island North Society	Social / Societal Initiatives	\$ 20 000	10	\$ 20 000	-	\$ -	-	\$ -	5	\$ -	4	\$ 9 999	8	\$ 20 000	10	\$ 20 000	5
Comox Bay Care Society - Care-a-van	Social / Societal Initiatives	\$ 9 999	10	\$ 10 000	8	\$ 5 000	10	\$ 5 000	10	\$ 10 000	9	\$ 9 999	8	\$ 9 999	10	\$ 10 000	9
The SHED Tool Library and Makerspace Cooperative	Social / Societal Initiatives	\$ 4 500	-	\$ -	-	\$ -	5	\$ 2 000	5	\$ 2 000	-	\$ -	7	\$ 4 500	-	\$ -	2
Comox Valley Farmer's Market (LATE)	Social / Societal Initiatives	\$ 8 700	-	\$ -	-	\$ -	7	\$ 3 000	5	\$ -	-	\$ -	6	\$ 5 000	-	\$ -	3
Indigenous Women Sharing Society (LATE)	Social / Societal Initiatives	\$ 5 000	3	\$ 2 000	-	\$ -	5	\$ 2 000	6	\$ 2 500	-	\$ -	6	\$ 5 000			3
L'Arche Comox Valley (LATE)	Social / Societal Initiatives	\$ 10 000	10	\$ 20 000	-	\$ -	-	\$ -	5	\$ -	-	\$ -	5	\$ 5 000	10		4
Total 2018 Grant requests		\$ 275 116		\$ 173 000		\$ 64 531		\$ 80 086		\$ 91 236		\$ 82 826		\$ 187 916		\$ 140 331	

Councillor Eriksson's comment : I would like to support one-off request. Continuous funding is a problem. Operational costs are problematic for me.  
For 2 entities, Mayor Jangula has indicated a maximum approved amount greater than amount requested.

**Gaming Grants Paid to Community Organizations - Final 2016/17 Year-End Report (by community) - April 1, 2016 to March 31, 2017**

Courtenay	4R's Education Centre (Soc.)	Community Gaming Grant	Human and Social Services	Community Education	\$33,000.00
Courtenay	Alano Club of Courtenay	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$50,000.00
Courtenay	Arden Elementary Parents Advisory Committee	PAC	DPAC and PAC	PAC	\$6,260.00
Courtenay	B.C. Seniors Games Society - Zone 2	Community Gaming Grant	Sport	Sports - Adult	\$30,000.00
Courtenay	Beaufort Child Care Society	Community Gaming Grant	Human and Social Services	Community Education	\$20,500.00
Courtenay	Benevolent & Protective Order of Elks - Lodge #60 - Courtenay	Community Gaming Grant	Human and Social Services	Community Service Organization	\$11,000.00
Courtenay	Coastal Invasive Species Committee Society	Community Gaming Grant	Environment	Conservation of the Environment	\$8,600.00
Courtenay	Community Justice Centre of the Comox Valley Society	Community Gaming Grant	Public Safety	Enhancement of Public Safety	\$25,000.00
Courtenay	Comox Valley Ringette Association	Community Gaming Grant	Sport	Sports for Youth	\$6,000.00
Courtenay	Comox Valley Aquatic Club	Community Gaming Grant	Sport	Sports for Youth	\$43,000.00
Courtenay	Comox Valley Art Gallery	Community Gaming Grant	Arts and Culture	Adult Arts and Culture	\$39,000.00
Courtenay	Comox Valley Baseball Association	Community Gaming Grant	Sport	Sports for Youth	\$18,000.00
Courtenay	Comox Valley Child Development Association	Community Gaming Grant	Human and Social Services	Community Education	\$77,000.00
Courtenay	Comox Valley Community Adult Literacy and Learning Society (CALLS)	Community Gaming Grant	Human and Social Services	Community Education	\$13,000.00
Courtenay	Comox Valley Curling Club	Community Gaming Grant	Sport	Sports for Youth	\$13,000.00
Courtenay	Comox Valley Exhibition Association Fall Fair	Community Gaming Grant	Arts and Culture	Fairs, Festivals, Museums	\$40,000.00
Courtenay	Comox Valley Exhibition Association Fall Fair	Multiculturalism Grant	Cultural Expression	Cultural Expression	\$2,500.00
Courtenay	Comox Valley Family Services Association	Community Gaming Grant	Human and Social Services	Community Education	\$13,500.00
Courtenay	Comox Valley Food Bank Society	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$53,000.00
Courtenay	Comox Valley Ground Search & Rescue Association	Community Gaming Grant	Public Safety	Enhancement of Public Safety	\$66,000.00
Courtenay	Comox Valley Head Injury Society	Community Gaming Grant	Human and Social Services	Public Health in the Community	\$20,000.00
Courtenay	Comox Valley Land Trust	Community Gaming Grant	Environment	Conservation of the Environment	\$35,000.00
Courtenay	Comox Valley Monarch Lions Club	Community Gaming Grant	Human and Social Services	Community Service Organization	\$15,000.00
Courtenay	Comox Valley Multicultural and Immigrant Support Society	Community Gaming Grant	Arts and Culture	Fairs, Festivals, Museums	\$3,000.00
Courtenay	Comox Valley Multicultural and Immigrant Support Society	Multiculturalism Grant	Cultural Expression	Cultural Expression	\$2,500.00
Courtenay	Comox Valley Project Watershed Society	Community Gaming Grant	Environment	Conservation of the Environment	\$35,000.00
Courtenay	Comox Valley Raiders Youth Football Club	Community Gaming Grant	Sport	Sports for Youth	\$22,100.00
Courtenay	Comox Valley Skating Club	Community Gaming Grant	Sport	Sports for Youth	\$23,800.00
Courtenay	Comox Valley Therapeutic Riding Society	Community Gaming Grant	Human and Social Services	Public Health in the Community	\$50,000.00
Courtenay	Comox Valley Toy Library Society	Community Gaming Grant	Human and Social Services	Enhancement of Youth	\$1,800.00
Courtenay	Comox Valley Transition Society	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$34,000.00
Courtenay	Comox Valley Youth Music Centre	Community Gaming Grant	Arts and Culture	Youth Arts and Culture	\$25,000.00
Courtenay	Courtenay and District Historical Society	Community Gaming Grant	Arts and Culture	Fairs, Festivals, Museums	\$40,000.00
Courtenay	Courtenay Elementary School PAC	PAC	DPAC and PAC	PAC	\$3,740.00
Courtenay	Courtenay Recreational Association	Community Gaming Grant	Human and Social Services	Public Community Facilities	\$5,000.00
Courtenay	District Parent Advisory Council S.D. #71 - Comox Valley	DPAC	DPAC and PAC	DPAC	\$2,500.00
Courtenay	Eureka Support Society	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$9,200.00
Courtenay	G.P. Vanier Secondary School PAC	PAC	DPAC and PAC	PAC	\$20,680.00
Courtenay	Glacier View Lodge Society	Community Gaming Grant	Human and Social Services	Public Health in the Community	\$43,600.00
Courtenay	Glacier View PAC	PAC	DPAC and PAC	PAC	\$2,200.00
Courtenay	Huband Park Elementary School PAC	PAC	DPAC and PAC	PAC	\$6,340.00
Courtenay	Kiwanis Club of Courtenay	Community Gaming Grant	Human and Social Services	Community Service Organization	\$20,000.00
Courtenay	Lake Trail Community Education Society	Community Gaming Grant	Human and Social Services	Community Education	\$30,000.00
Courtenay	Lake Trail Middle School PAC	PAC	DPAC and PAC	PAC	\$4,960.00
Courtenay	L'Arche Comox Valley	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$27,000.00
Courtenay	LUSH Valley Food Action Society	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$40,500.00
Courtenay	Mark R. Isfeld Secondary Parents' Advisory Council	PAC	DPAC and PAC	PAC	\$19,040.00
Courtenay	Mountaineer Avian Rescue Society (MARS)	Community Gaming Grant	Environment	Conservation of the Environment	\$40,000.00

**Gaming Grants Paid to Community Organizations - Final 2016/17 Year-End Report (by community) - April 1, 2016 to March 31, 2017**

Courtenay	Mt. Washington Ski Club	Community Gaming Grant	Sport	Sports for Youth	\$15,750.00
Courtenay	North Island Distance Education School (NIDES) P.A.C.	PAC	DPAC and PAC	PAC	\$17,680.00
Courtenay	North Island Festival of Performing Arts	Community Gaming Grant	Arts and Culture	Youth Arts and Culture	\$5,000.00
Courtenay	Puntledge Park Elementary PAC	PAC	DPAC and PAC	PAC	\$9,060.00
Courtenay	Queneesh Elementary School PAC	PAC	DPAC and PAC	PAC	\$8,040.00
Courtenay	Rainbow Youth Theatre Society	Community Gaming Grant	Arts and Culture	Youth Arts and Culture	\$6,000.00
Courtenay	Rotary Club of Strathcona Sunrise	Community Gaming Grant	Human and Social Services	Community Service Organization	\$14,000.00
Courtenay	Scouts Canada - 3rd Courtenay	Community Gaming Grant	Human and Social Services	Enhancement of Youth	\$4,600.00
Courtenay	Scouts Canada- 1st Cumberland Scouts	Community Gaming Grant	Human and Social Services	Enhancement of Youth	\$3,900.00
Courtenay	Sid Williams Theatre Society	Community Gaming Grant	Arts and Culture	Adult Arts and Culture	\$5,000.00
Courtenay	Sid Williams Theatre Society	Multiculturalism Grant	Cultural Expression	Cultural Expression	\$2,500.00
Courtenay	Soroptimist International Of Courtenay	Community Gaming Grant	Human and Social Services	Community Service Organization	\$10,000.00
Courtenay	Stepping Stones Recovery House for Women Society	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$50,000.00
Courtenay	The Comox Valley Minor Hockey Association	Community Gaming Grant	Sport	Sports - Adult	\$100,000.00
Courtenay	Today 'N' Tomorrow Learning Society	Community Gaming Grant	Human and Social Services	Community Education	\$15,800.00
Courtenay	Tsolum River Restoration Society	Community Gaming Grant	Environment	Conservation of the Environment	\$15,000.00
Courtenay	Valley Charitable Gaming Society	Community Gaming Grant	Human and Social Services	Community Service Organization	\$15,000.00
Courtenay	Valley View Elementary School PAC	PAC	DPAC and PAC	PAC	\$7,660.00
Courtenay	Vancouver Island Mountain Sports Society	Community Gaming Grant	Human and Social Services	Enhancement of Youth	\$13,000.00
Courtenay	Volunteer Comox Valley Society	Community Gaming Grant	Human and Social Services	Community Education	\$24,875.00
Courtenay	Wachiy Friendship Centre Society	Community Gaming Grant	Human and Social Services	Disadvantage Distress Poverty	\$100,000.00
Courtenay	World Community Development Education Society	Multiculturalism Grant	Cultural Expression	Cultural Expression	\$2,500.00
					<b>\$1,595,685.00</b>







THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 5400-12

**From:** Chief Administrative Officer

**Date:** October 02, 2017

**Subject:** DCBIA Proposal - Downtown Pride Diversity Crosswalk

### PURPOSE:

To provide Council with the costs and implications of installing a pride diversity crosswalk in the Downtown Core.

### EXECUTIVE SUMMARY:

Annual road marking operational budget is \$150,000. This is accomplished through a combination of contracted road marking services (\$100K) and a Public Works Services Painter/Signman (\$50k). Public Works Services repaints over 300 crosswalks annually. Each "rainbow" coloured crosswalk that is installed will add an additional \$1,500 per year to this operating budget item.

### CAO RECOMMENDATIONS:

Should Council recommend staff install a pride diversity crosswalk in the Downtown core, the following recommendation would be appropriate.

THAT based on the October 2, 2017 staff report "DCBIA Proposal - Downtown Pride Diversity Crosswalk", Council approve OPTION 1 and direct staff to install a pride diversity crosswalk at the controlled crossing across 5<sup>th</sup> Street at Duncan Avenue and increase the 2018 Operating budget accordingly.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

On July 29, 2017 City of Courtenay Council received a letter of support from the Downtown Courtenay Business Improvement Association endorsing a project to install a permanent pride crosswalk within Downtown Courtenay boundaries. Suggested locations were:

1. 5<sup>th</sup> Street and Duncan Avenue (crossing Duncan).
2. 5<sup>th</sup> Street and Duncan Avenue (crossing 5<sup>th</sup>).
3. 5<sup>th</sup> Street mid-block crossing between Duncan and England.

At the September 5<sup>th</sup>, 2017 Regular Council meeting, City of Courtenay Council passed the motion:

*Moved by Hillian and seconded by Frisch that Council direct staff to provide a report with costs and implications to install a pride diversity crosswalk within downtown Courtenay and report back to Council.*

## **DISCUSSION:**

Installation of pride diversity crosswalks (rainbow colours) have occurred throughout North America in recent years. They have become widely accepted as a symbol of a community's inclusiveness. Many communities on Vancouver Island have installed these pride diversity crosswalks including Campbell River, Nanaimo, Ladysmith, Victoria and Saanich.

There have been, however, issues related to their installation. A number of concerns have been identified.

- **Cost**

Due to the number of colors, rainbow crosswalks are more expensive to install and maintain. A regular white striped crosswalk is approximately \$500 to install and then another \$500 annually to refresh. The multi-colour pride diversity crosswalks are considerably more intricate to lay-out and paint, and cost approximately \$1,500 to install and another \$1,500 to refresh.

- **Vandalism**

Recent installations both nationally and on Vancouver Island have experienced vandalism and have had to be either touched up or entirely re-painted. Acts of vandalism have ranged from tire marks to white or black paint being thrown onto the colors.

- **On-going group requests**

Communities that have installed pride diversity crosswalks have also seen a rise in additional requests from other community groups wishing to have their identities heightened. These have ranged from Veterans groups (poppy crosswalks) to Children advocate groups (School crosswalks).

- **Legality**

Recent discussions around liability and the enforceability of the use of multi-colours for crosswalks have been raised. Traffic Control Devices such as signs, signals and pavement markings provide instructions to the drivers about changes in driving conditions. Standardized national sign conventions are outlined in the "Manual of Uniform Traffic Control Devices for Canada".

There are two types of pedestrian crossings: Controlled and uncontrolled. Mid-block crossings are considered *uncontrolled* and as such are painted reflective white in a zebra fashion with no stop bar. Crossings at traffic lights and stop signs are considered to be *controlled* and are identified with parallel reflective white stripes and a stop bar.

Installing a pride diversity crosswalk in the mid-block crossing (See Fig. 1) is not advisable as it changes the visual dynamics of the crossing to the oncoming driver (multi-colour as opposed to standard white).

Fig. 1



However, infilling a controlled crossing (See Fig. 2) with pride diversity colours does not change the visual standard for oncoming drivers and still satisfies industry best practices.

Fig. 2



**FINANCIAL IMPLICATIONS:**

Cost for this work has not been included in the 2017-2021 Financial Plan. If Council wishes to proceed with this project, additional funds will need to be allocated to the road marking operational budget for 2018 (\$1,500 per crosswalk).

**ADMINISTRATIVE IMPLICATIONS:**

N/A

**ASSET MANAGEMENT IMPLICATIONS:**

Pride diversity crosswalks are a higher-level of service than typical crosswalks. Due to higher installation costs, colour-fading and potential vandalism, increased operating costs are anticipated.

**STRATEGIC PRIORITIES REFERENCE:**

Installing a pride diversity crosswalk would be a visual marker that Courtenay is an inclusive community and that Council invests in our key relationships

**OFFICIAL COMMUNITY PLAN REFERENCE:**

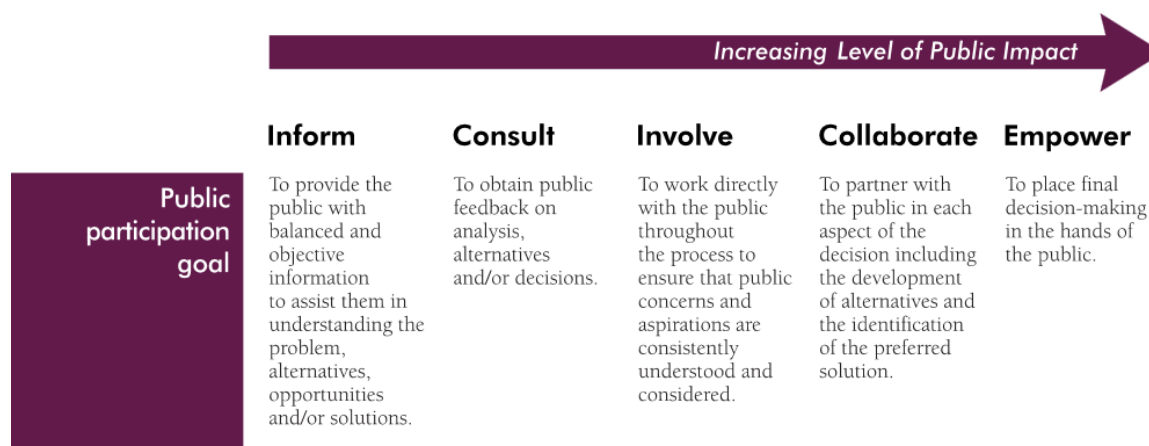
N/A

**REGIONAL GROWTH STRATEGY REFERENCE:**

N/A

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff would **inform** the public based on the IAP2 Spectrum of Public Participation:



**OPTIONS:**

1. THAT Council direct staff to install a pride diversity crosswalk at the controlled crossing across 5<sup>th</sup> Street at Duncan Avenue and increase the 2018 Operating budget accordingly.
2. THAT Council does not support the installation of a pride diversity crosswalk in the Downtown due to increased operating costs.
3. THAT Council refer the matter to the 2018 budget review process for consideration.

Prepared by:

Trevor Kushner,  
Director of Public Works Services



## BRIEFING NOTE

**To:** Council

**File No.:** 6120-02

**From:** Director of Recreation and Cultural Services

**Date:** September 28, 2017

**Subject:** Parks and Recreation Master Plan Consultation Update

### ISSUE:

City staff have consulted with 151 participants as part of 8 focus groups and 2 community workshops to gather public recommendations for consideration in the development of the Parks and Recreation Master Plan. To date over 600 surveys have been completed as well. As such, staff believe that this level of engagement requires an update to Council.

### BACKGROUND:

In 2016 staff hired Urban Systems to begin a process that will lead to the creation of a parks and recreation master plan to replace the last one done in 1994.

The process began with a thorough evaluation of the condition of the City's parks and recreation assets. Thousands of data points were collected along with the condition of trails, parks, furnishings, buildings, sports fields, and playgrounds. This work was then used as a foundation for the next phases of the Parks and Recreation Plan process.

The inventory and analysis phase included the identification of trail gaps, the number and classification of parks, as well as recreation programs and services. The recommendations from this report along with the public input gathered through the consultation phase will inform the final master plan. The master plan recommendations will include aspirational statements as well as possible changes to levels of service with budget implications. Council will be able to affirm the recommendations or refer them back to staff for adjustment at the draft stage or prior to the final adoption of the master plan. The implementation of recommendations that have cost implications will also be a council decision through staff reports as required.

Over a four day period, City staff and consultants met with the public through eight focus groups and two community workshops. Mayor and council were invited to attend any of the sessions that would fit their schedules.

### KEY CONSIDERATIONS:

The following is a listing of the organizations invited to offer feedback through the focus group sessions:

#### ***Recreation Advisory Groups:***

CRA Board members, Evergreen Club Executive, Youth Advisory, Accessibility Committee, Early Years, Boys and Girls Club.

#### ***Indoor Recreation:***

Squash Club, Recreation Instructors, Special Needs Rec, Cozy Corner Preschool, Blue Devils Swim Club, Senior Badminton.

#### ***Permanent Recreation Staff:***

21 staff members were able to attend.

***Cultural Groups:***

CV Art Gallery, CV Community Arts Council, DCBIA, Sid Williams Theatre, Museum, CV Multicultural Society, Simms Concert Series, Elevate the Arts, Strathcona Symphony, K'omoks First Nation, CYMC, CV Pride, CV Farmers Market Assoc., VI Regional Library, HMCS Quadra.

***Outdoor Recreation and Associated Groups:***

CV Road Runners, K'omoks First Nation, Cycling Coalition, Project Watershed, CV Triathlon Club, Comox Bay Sailing Club, Courtenay Marina Society, CV harbour Authority, Glacier Machinery Club, CV Paddlers, Active Comox Valley, CV Mountaineering, Nordic Pole Walkers, Fish and Game Club, CV Cougars, LUSH Valley, CV Horseshoe Club.

***Sports Fields and Courts:***

Lawn Bowling Club, Raiders Football, CV Tennis Club, CV Baseball, CV Slo-pitch, Sports and Social Club, CV Lacrosse, CV United Soccer, CV Pickle Ball Association, CV Kickers Rugby, CV Youth Basketball Assoc., CV Field Hockey League, Evergreen Club Slo-pitch, Dawn to Dawn Soccer, Special Olympics, 55+ BC Games.

***City Staff:***

Public Works Services, Parks, Recreation, Planning and Development Services, Asset Management Technical Services, Engineering, Legislative Services, Finance, CAO, and Strategic Initiatives.

***Municipal Partners:***

CVRD, Town of Comox, Village of Cumberland, City of Courtenay, School District 71, 19 Wing Comox, K'omoks First Nation, Black Creek Community Centre, North Island College.

***Community Workshops:***

In addition to an open invitation to the community, the following groups were invited to the workshops:

Elementary, middle and high school PAC's and Phys. Ed teachers, Courtenay Rotary Club, Strathcona Sunrise Rotary Club, CV Monarch Lions, Kinsmen, Kiwanis Club, Sorooptimist Club

Over the winter of 2017/2018 the results of the analysis and community feedback will be tabulated into a draft plan for council consideration. The draft will also be shared with the community for ongoing feedback with the final plan scheduled for the spring of 2018.

The resulting master plan will be a tool for staff and council decision making, and will set the stage for Council's consideration of levels of service, and the public's willingness to pay. It will be presented to council for adoption when the process is complete.

Respectfully submitted,



Dave Snider MBCSLA  
Director of Recreation and Cultural Services



# THE CORPORATION OF THE CITY OF COURTENAY

# BYLAW NO. 2895

## **A bylaw to amend Zoning Bylaw No. 2500, 2007**

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

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2895, 2017**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - (a) by rezoning Lot 1, Section 14, Comox District, PLAN 20345 (1290 10<sup>th</sup> St. East), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential One Zone (R-1) to Residential One S (R-1S); and
  - (b) That Schedule No. 8, Zoning Map be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017

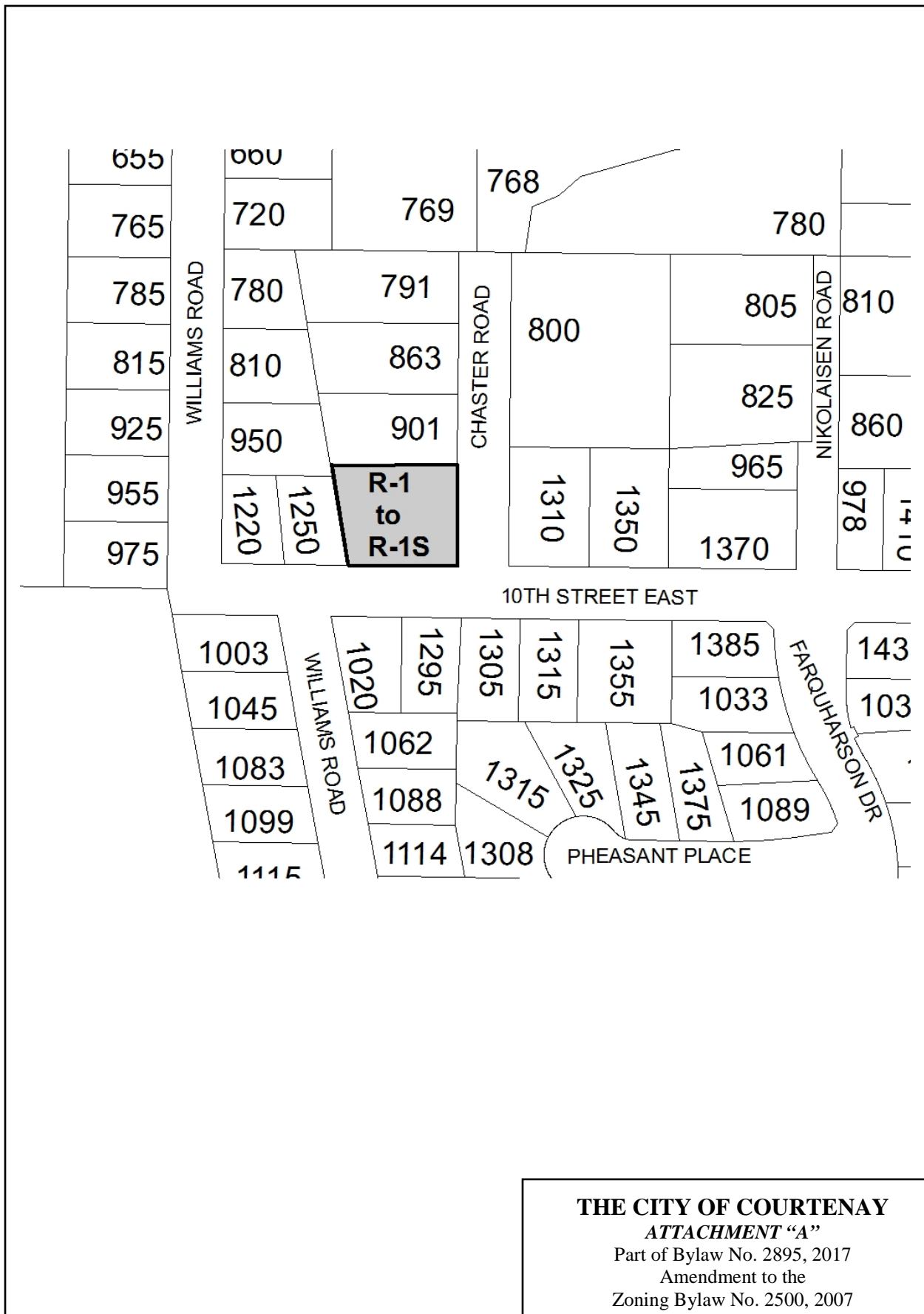
Considered at a Public Hearing this                      day of                      , 2017

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Finally passed and adopted this                      day of                      , 2017

Mayor

Director of Legislative Services



# **THE CITY OF COURTENAY**

## **ATTACHMENT "A"**

Part of Bylaw No. 2895, 2017

Amendment to the

Zoning Bylaw No. 2500, 2007

# THE CORPORATION OF THE CITY OF COURTENAY

## BYLAW NO. 2901

### A bylaw to exempt certain lands and improvements from taxation for the year 2018

WHEREAS the Council of the Corporation of the City of Courtenay deems that land and improvements described herein meet the qualifications of Section 224 of the *Community Charter*;

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

1. This bylaw may be cited for all purposes as "**Tax Exemption 2018 Bylaw No. 2901, 2017**".
2. The following properties are hereby exempt from taxation for land and improvements to the extent indicated for the year 2018:

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
49.000	LOT 41, SECTION 61, CD, PLAN 311	280 – 4 <sup>TH</sup> STREET	EUREKA SUPPORT SOCIETY	100%
112.000	PARCEL A OF LOT 124&125 DD, PLAN 80170N, SECTION 61, CD, EXCEPT PLAN 472BL OF L PID 004-863-682	243-4 <sup>TH</sup> STREET	BOYS AND GIRLS CLUBS OF CENTRAL VANCOUVER ISLAND (LEASED FROM CITY OF COURTENAY)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
122.000 1650.000	LOT 1, PLAN 40587 LOT 16, PLAN 5618	367 CLIFFE AVENUE 101 ISLAND HIGHWAY	ROYAL CANADIAN LEGION	100%
163.000 164.000 165.000	LOTS 14, 17, 18, 21, 22 SECTION 61, CD, PLAN 1517	237 – 3 <sup>RD</sup> STREET 243 – 3 <sup>RD</sup> STREET 255 – 3 <sup>RD</sup> STREET	COMOX VALLEY CHILD DEVELOPMENT ASSOCIATION	100%
348.000	LOT 15, SECTION 61, CD, PLAN 4906	543 – 6 <sup>TH</sup> STREET	ALANO CLUB OF COURTENAY	100%
400.000	LOT A, SECTION 61, CD, PLAN 18979	A1-310 8 <sup>TH</sup> STREET	CITY OF COURTENAY (LEASED FROM WEST ISLAND CAPITAL CORP)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
513.000	LOT A, DL 127, CD, PLAN 7719	755 HARMSTON AVENUE	OLD CHURCH THEATRE SOCIETY	100%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
750.020	LOT 1, DL 127, CD, PLAN VIP62285	641 MENZIES AVENUE	COMOX VALLEY RECOVERY CENTRE SOCIETY	100%
1037.000	LOTS 1 AND 2, SECTION 41, CD, PLAN 3930	1415 CLIFFE AVENUE	COMOX VALLEY FAMILY SERVICES ASSOCIATION	100%
1494.000 1494.010 1494.050	LOT A, SECTION 6 AND 8, CD, PLAN 35008 LOT 1 AND 2, SECTION 6 AND 8, CD, PLAN 2849, EXCEPT PLAN 35008	2450 BACK ROAD 2470 BACK ROAD	GLACIER VIEW LODGE SOCIETY	100%
1960.300	LOT A PLAN 15464	SANDPIPER DRIVE	THE NATURE TRUST OF BRITISH COLUMBIA	100%
2016.007	LOT 7, PLAN 27200	1571 BURGESS ROAD	STEPPING STONES RECOVERY HOUSE FOR WOMEN (LEASE)	100%
2200.044	LOT 3, DL 138, CD, PLAN 20288	2564 CUMBERLAND ROAD	COURTENAY & DISTRICT HISTORICAL SOCIETY IN TRUST	100%
3200.072	LOT A, SECTION 18, CD, PLAN 12735	4835 HEADQUARTERS RD	COMOX VALLEY CURLING CLUB	100%
<b>170.002</b>	<b>LOT A, SECTION 61, PLAN 54105 PID 017-752-141</b>	<b>280 2<sup>ND</sup> STREET</b>	<b>COMOX VALLEY TRANSITION SOCIETY (LEASED FROM FOUR PAWS INVESTMENTS LTD.)</b>	<b>100%</b>
<b>1577.018</b>	<b>LOT 4, SECTION 16, PLAN VIS2269, PID 017-693-071</b>	<b>#4 - 204 ISLAND HWY N</b>	<b>COMOX VALLEY PREGNANCY CARE CENTRE</b>	<b>100%</b>
750.100	LOT 1, PLAN VIP 62247	994 – 8 <sup>TH</sup> ST	ST JOHN THE DIVINE ABBEYFIELD HOUSE SOCIETY	75%
757.000 757.001 758.000	LOT A, BLOCK 2, PLAN 1951 LOT A, BLOCK 2, PLAN 1951 EXCEPT PLAN 4288 & 4941 LOT A&B, PLAN 16907	1051 – 8 <sup>TH</sup> STREET 1061 – 8 <sup>TH</sup> STREET 635 PIDCOCK AVE	COMOX VALLEY KIWANIS VILLAGE SOCIETY	75%

<b>FOLIO</b>	<b>LEGAL DESCRIPTION</b>	<b>CIVIC ADDRESS</b>	<b>REGISTERED OWNER/LESSEE</b>	<b>PERCENTAGE EXEMPTION</b>
1286.045	LOT 8, BLOCK 3, PLAN 16252	534 – 19 <sup>TH</sup> STREET	L' ARCHE COMOX VALLEY	75%
34.000	LOT 2, SECTION 61, CD, PLAN 20159 PID 003-698-254	231 6 <sup>TH</sup> STREET	COURTENAY ELKS' LODGE #60 OF THE BENEVOLENT AND PROTECTIVE ORDER OF THE ELKS' OF CANADA	40%
166.000	LOT 8 PLAN 2834 PID 003-451-941	267 3 <sup>RD</sup> STREET	COMOX VALLEY CHILD DEVELOPMENT ASSOCIATION	40%
459.000	LOT B, PLAN 20211 PID 003-519-376	956 GRIEVE AVENUE	UPPER ISLAND WOMEN OF NATIVE ANCESTRY	40%
1516.004	LOT 4, SECTION 14, CD, PLAN 30419 PID 000-150-541	464 PUNTLEDGE RD	CANADIAN RED CROSS SOCIETY (LEASED FROM 660511 BC LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1960.004	LOT B, SECTION 67, CD, PLAN 33851 PID 000-262-170	#8, 468 29 <sup>TH</sup> STREET	THE GOVERNING COUNCIL OF THE SALVATION ARMY IN CANADA (LEASED FROM NOORT DEVELOPMENT LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1960.006	LOT C, SECTION 67, CD, PLAN 33851 PID 000-217-158	2966 KILPATRICK AVE	AARON HOUSE MINISTRIES (LEASED FROM NOORT DEVELOPMENT LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
2024.009	LOT 2 PLAN VIP53672 PID 017-650-097	1755 13 <sup>TH</sup> STREET	HABITAT FOR HUMANITY VANCOUVER ISLAND NORTH SOCIETY	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE USED FOR ADMINISTRATION OFFICES

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
2091.136	LOT 4, DL 230, CD, PLAN VIP57822 PID 018-564-381	2398 ROSEWALL CRESCENT	SALTWATER EDUCATION SOCIETY (LEASED FROM SPACIAL HOLDINGS INC)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
3200.032	LOT A, SECTION 18, CD, PLAN VIP 75369 PID 025-673-017	4729 HEADQUARTERS RD	YOUTH FOR CHRIST COMOX VALLEY	40% OF THE ASSESSMENT – <i>EXCLUDING</i> CARETAKER RESIDENTIAL SPACE
1113.000	LOT 19, SECTION 41, DL 15, PLAN 9230, PID 005-583-314	1465 GRIEVE AVENUE	L' ARCHE COMOX VALLEY	40%
<b>131.002</b>	<b>LOT A, SECTION 61, PLAN EPP61970, PID 029-906-431</b>	<b>356 3<sup>RD</sup> STREET</b>	<b>COMOX VALLEY TRANSITION SOCIETY</b>	<b>40%</b>
409.000	LOT A, SECTION 61, PLAN 1674, PID 001-159-526	625 ENGLAND AVENUE	COMOX VALLEY TRANSITION SOCIETY	40%
1038.000	LOT A, SECTION 41, PLAN VIP 60527, PID 023-021-128	1455 CLIFFE AVENUE	JOHN HOWARD SOCIETY OF NORTH ISLAND (LEASED FROM LUCK'S DENTAL LABORATORY LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE

Read a first time this      day of                      2017

Read a second time this      day of                      2017

Read a third time this      day of                      2017

Finally passed and adopted this      day of                      2017

\_\_\_\_\_  
Mayor

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



**CITY OF COURTENAY**

**BYLAW REFERENCE FORM**

**BYLAW TITLE**

City of Courtenay Tax Exemption 2018 Bylaw No.2901, 2017

**REASON FOR BYLAW**

To exempt from taxation for 2018, the land and improvements for the following new applicants as follows:

- 356 3<sup>rd</sup>, Street, Comox Valley Transition Society (new location) - 40%
- 280 2<sup>nd</sup>, Street, Comox Valley Transition Society (Amethyst House; change in exemption rate) - 100%
- #4-204 Island Highway North, Comox Valley Pregnancy Care Centre (change in exemption rate) - 100%

**STATUTORY AUTHORITY FOR BYLAW**

Section 224 of the *Community Charter*

**OTHER APPROVALS REQUIRED**

As per the reports presented to City Council on August 21<sup>st</sup>, 2017.

**STAFF COMMENTS AND/OR REPORTS**

Statutory Advertising required prior to final adoption of bylaw has been completed on August 29<sup>th</sup> and September 5<sup>th</sup>, 2017.

**OTHER PROCEDURES REQUIRED**

October 2<sup>nd</sup>, 2017

B. Parschauer  
Staff Member



# THE CORPORATION OF THE CITY OF COURTENAY

## BYLAW NO. 2902

### A bylaw to exempt certain lands and improvements, set apart for public worship, from taxation for the year 2018

WHEREAS the Council of the Corporation of the City of Courtenay deems that land and improvements described herein meet the qualifications of Section 220 of the *Community Charter*;

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

1. This bylaw may be cited for all purposes as "**Churches Tax Exemption 2018 Bylaw No. 2902, 2017**".
2. Pursuant to Section 224(2)(a)(f)(g) of the *Community Charter*, the following properties on which a church hall or facility is situated, the land on which such a hall stands, the remaining area of land surrounding the building set apart for public worship, and the remaining area of land surrounding the exempted building, exempted hall, or both, are hereby exempted from taxation for land and improvements to the extent indicated for the year 2018 *except for that portion of the property used for residential or commercial purposes*:

	FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER	PERCENTAGE EXEMPTION
1.	143.000	LOT AM 11, SECTION 61, CD, PLAN 33854N	467 – 4 <sup>TH</sup> STREET	GRACE BAPTIST CHURCH OF THE COMOX VALLEY	100%
2.	313.100	LOT 1, SECTION 62, CD, PLAN VIP 74608	591 – 5 <sup>TH</sup> STREET	ANGLICAN SYNOD DIOCESE OF B.C.	100%
3.	336.000	LOT 7, SECTION 61, CD, PLAN 4906	505 FITZGERALD AVENUE	CENTRAL EVANGELICAL FREE CHURCH	100%
4.	341.000	AMENDED LOT 1, PLAN 55886N, SECTION 61 CD, PLAN 4906	566 – 5 <sup>TH</sup> STREET	ELIM GOSPEL CHAPEL TRUSTEES	100%
5.	342.000	LOTS 3 & 4, BLOCK 6, CD, PLAN 472B	576 – 5 <sup>TH</sup> STREET	ELIM GOSPEL CHAPEL TRUSTEES	50.63% OF THE ASSESSED VALUE OF LAND ONLY
6.	346.000	LOTS 10,11,12, AND 13, SECTION 61, CD, PLAN 4906	505 – 6 <sup>TH</sup> STREET	ST. GEORGES CHURCH	100%
7.	618.220	LOT 1, DL 118, CD, PLAN VIP 73074	2201 ROBERT LANG DRIVE	RIVER HEIGHTS CHURCH SOCIETY	100%
8.	1074.050	LOT A, PLAN 54316P, SECTION 41, CD, PLAN 7449	1580 FITZGERALD AVENUE 1590 FITZGERALD AVENUE	GOVERNING COUNCIL SALVATION ARMY CANADA WEST	100%

	FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER	PERCENTAGE EXEMPTION
9.	1166.000	LOT A, PLAN 121193ER, SECTION 41, CD, FORMERLY LOTS 32 & 33, CD, PLAN 10725	771 – 17 <sup>TH</sup> STREET	TRUSTEES LUTHERAN CHURCH	100%
10.	1211.004	LOT 4, SECTION 68, CD, PLAN 14176	1814 FITZGERALD AVE	VALLEY UNITED PENTACOSTAL CHURCH OF BC	100%
11.	1524.102	LOT B, SECTION 15, CD, PLAN 54793 EXCEPT PLANS 14713, 36414, 51121	1599 TUNNER DRIVE	BISHOP OF VICTORIA, CHRIST THE KING CATHOLIC CHURCH	100%
12.	1594.000	LOT 16, SECTION 16, CD, PLAN 7037 EXCEPT PLAN 44368	1581 DINGWALL RD	TRUSTEES OF THE KINGDOM HALL OF JEHOVAH WITNESS	100%
13.	1691.030	LOT 1, SECTION 17, CD, PLAN VIP 79479	4660 HEADQUARTERS ROAD	SEVENTH DAY ADVENTIST CHURCH	100%
14.	1691.044	LOT 2, SECTION 17, CD, PLAN VIP 61425	4634 ISLAND HWY	ANGLICAN SYNOD DIOCESE OF BC	100%
15.	1691.046	LOT 3, SECTION 17, CD, PLAN VIP 61425	1514 DINGWALL ROAD	ANGLICAN SYNOD DIOCESE OF BC	100%
16.	2005.000	LOT 12, DL 96 & 230, CD, PLAN 1406	1901 – 20 <sup>TH</sup> STREET	LDS CHURCH	100% EXCEPT THAT PART ASSESSED FOR SCHOOL USE
17.	2017.034	LOT 1, DL 96, CD, PLAN VIP 59504	1640 BURGESS RD	FOURSQUARE GOSPEL CHURCH OF CANADA	100%
18.	2200.088	LOT A, PLAN 27596	2963 LAKE TRAIL ROAD	COURTENAY BAPTIST CHURCH	100%

Read a first time this      day of                      2017

Read a second time this      day of                      2017

Read a third time this      day of                      2017

Finally passed and adopted this      day of

\_\_\_\_\_  
Mayor

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

**CITY OF COURTENAY**  
**BYLAW REFERENCE FORM**

**BYLAW TITLE**

City of Courtenay Churches Tax Exemption 2018 Bylaw No.2902, 2017

**REASON FOR BYLAW**

To exempt from taxation for 2018, the land surrounding the church building and building footprint, except for that portion of lands used in residential or commercial use.

**STATUTORY AUTHORITY FOR BYLAW**

Section 224 of the *Community Charter*

**OTHER APPROVALS REQUIRED**

As per the reports presented to City Council on August 21<sup>st</sup>, 2017.

**STAFF COMMENTS AND/OR REPORTS**

Statutory Advertising required prior to final adoption of bylaw has been completed on August 29<sup>th</sup> and September 5<sup>th</sup>, 2017.

**OTHER PROCEDURES REQUIRED**

October 2<sup>nd</sup>, 2017

B. Parschauer  
Staff Member



**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2868**

**A bylaw to amend Zoning Bylaw No. 2500, 2007**

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

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2868, 2017**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
3. (a) By adding Part 53 - Comprehensive Development Twenty-Six Zone (CD- 26) as follows and renumbering the remainder of the bylaw accordingly:

<p><b>Part 53 - Comprehensive Development Twenty-Six Zone (CD- 26)</b> <b>(3040 &amp; 3070 Kilpatrick Ave)</b></p>
--

**8.53.1 Intent**

The CD-26 Zone is intended to accommodate a use mixed commercial and residential development on the properties legally described as Lot B, Section 67, Comox District, Plan VIP81460 and Lot 3, Section 67, Comox District, Plan VIP35438. These properties shall be developed substantially in accordance with Schedules A, B, C, and D which form part of this zone.

**8.53.2 Permitted Uses**

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

1. *General Service*
2. *Medical Clinic*
3. *Financial Institution*
4. *Office*
5. *Restaurant*
6. *Personal Service*
7. *Retail*
8. *Fitness Facility*
9. *Studio*
10. *Community Service*
11. *Liquor Store*
12. *Multi Residential*
13. *Home Occupation*



### 8.53.3 Lot Coverage

A *lot* shall not be covered by buildings to a greater extent than 40% of the total area of the *lot*.

### 8.53.4 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 1.2.

### 8.53.5 Minimum Lot Size

A *lot* shall have an area of not less than 1.0 hectare.

### 8.53.6 Minimum Lot Frontage

A lot shall have a *frontage* of not less than 30.0 m

### 8.53.7 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

- |                       |  |
|-----------------------|--|
| (1) <i>Front Yard</i> | 7.5 m for that portion of a building with a height less than 9.0 m<br>11.5 m for that portion of a building with a height greater than 9.0 m |
| (3) <i>Rear Yard</i>  | 7.5 m except for underground parking structures which shall be a minimum of 0.6 m.   |

Notwithstanding the required *rear yard setback* specified above, the minimum *rear yard setback* can be reduced to 4.5 m for a building including balconies or to 3.2 m for a staircase for that portion of Building 1 shown in Schedule A.

- |                      |   |
|----------------------|---|
| (2) <i>Side Yard</i> | 4.5 m except where a building greater than 4 <i>storeys</i> abuts a residential use, in which case the minimum distance shall be 6.5 m for the 5 <sup>th</sup> storey |
|----------------------|---|

Notwithstanding the required *side yard setback* specified above, balconies may extend up to 1.2 m into the *side yard setback* along the north property line and up to 0.8 m along the southern property line.

Notwithstanding the required front, rear, and side yard setbacks specified above, roof overhangs may extend up to 0.76 m into the required setback.

### 8.53.8 Height of Building

Maximum *building height* shall be in accordance with Schedule B and includes the elevator and roof top mechanical systems. For clarity, the curb height is determined as the average curb height along the lot frontage. For Buildings 1 and 2, Lot 3 of Plan VIP35438 and for Building 3, Lot B of Plan VIP81460.

- |     |  |
|-----|--|
| (1) | Building 1 – 10.5 m to roof parapet, 12.5 m to top of elevator |
| (2) | Building 2 – 12.5 m to roof parapet, 14.5 m to top of elevator |
| (3) | Building 3 – 8.5 m   |

### 8.53.9 Useable Open Space

- (1) A minimum of 1,930 m<sup>2</sup> of *useable open space* must be provided as shown in Schedule B. For clarity this includes common outdoor areas and private balconies or patios.
- (2) A walkway connection must be provided on the site between Cliffe Avenue Greenway and Kilpatrick Avenue as shown in Schedule A.

### 8.53.10 Accessory Structures

- (1) Shall not be permitted except for waste and recycling facilities
- (2) Shall not be permitted in the *front* or *rear yard*
- (2) Shall not be located within 1.5 m of the *side lot line* abutting a commercial use or within 4.5 m of a *side lot line* abutting a residential use or *street*, except for underground garbage and recycling structures which shall be located a minimum of 0.6 m from the *side lot line*.

### 8.53.11 Off-Street Parking and Loading

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) For multi residential uses parking shall be provided at a rate of 1.3 *parking spaces* per *dwelling unit* inclusive of visitor parking;
- (2) For general commercial uses parking shall be provided at a rate of 1.0 *parking spaces* for every 30 m<sup>2</sup> of *floor area*;
- (3) For restaurants with a drive-thru facility parking shall be provided at a rate of 1.0 *parking spaces* for every 10 m<sup>2</sup> of *floor area*.
- (4) Minimum parking stall dimensions are 2.6 m in width and 5.5 m in length for standard stalls
- (5) Minimum aisle width in the underground parking structure can be reduced to 6.7 m in accordance with Schedule C
- (6) No more than 25% of parking spaces can be designated as small car parking spaces

### 8.53.12 Landscaping and Screening

In addition to the Landscape Requirements identified in Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland except reduced widths shown in Schedule A.
- (2) A landscaped area of not less than 3.0 m in width shall be provided inside all side lot lines adjacent to commercial uses.
- (3) Where a *lot* in this zone adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property shall be provided inside the property line.
- (4) Storage areas, garbage and recycling containers shall be screened and gated to a minimum *height* of 2 m by a *landscaping* screen or solid decorative *fence* or a combination thereof.



## SCHEDULE A

Note: Please refer to full size drawings in file 3360-20-1611







North Elevation Building 1  
1 : 500



South Elevation Building 1  
1 : 500



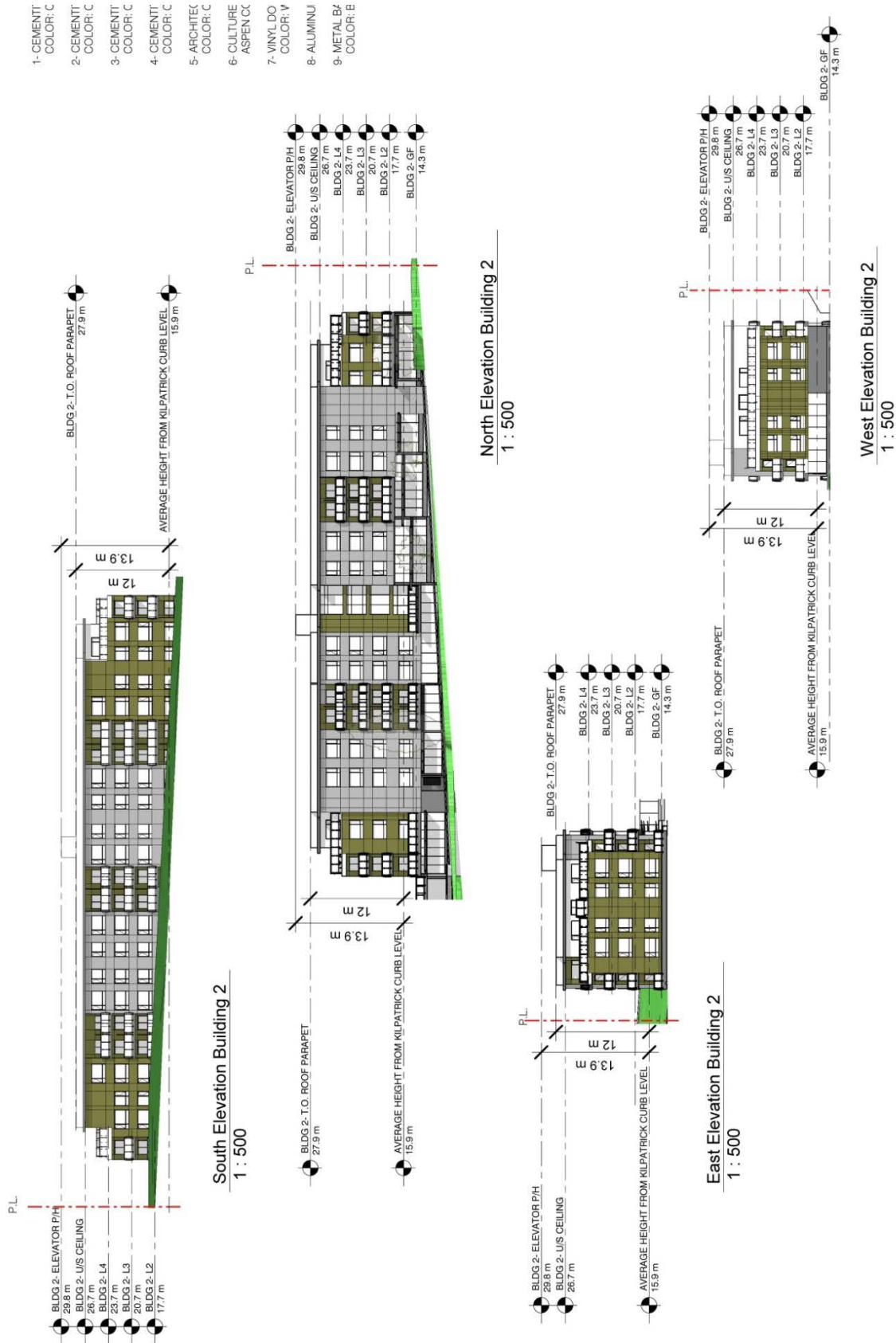
East Elevation Building 1  
1 : 500



West Elevation Building 1  
1 : 500

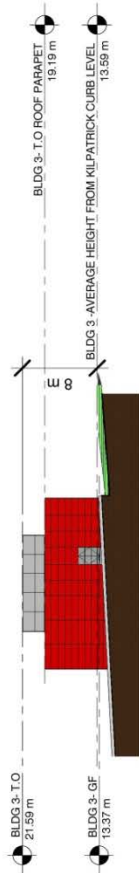
## SCHEDULE C

Note: Please refer to full size drawings in file 3360-20-1611

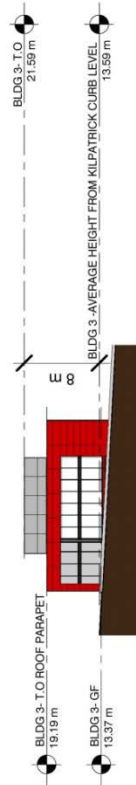


## SCHEDULE C

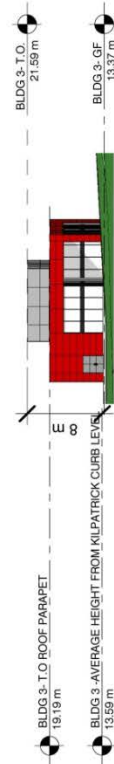
Note: Please refer to full size drawings in file 3360-20-1611



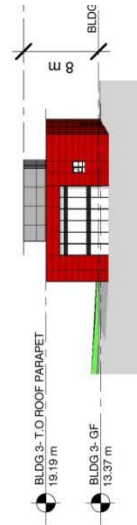
North Elevation Building 3  
1 : 500



South Elevation Building 3  
1 : 500



West Elevation Building 3  
1 : 500



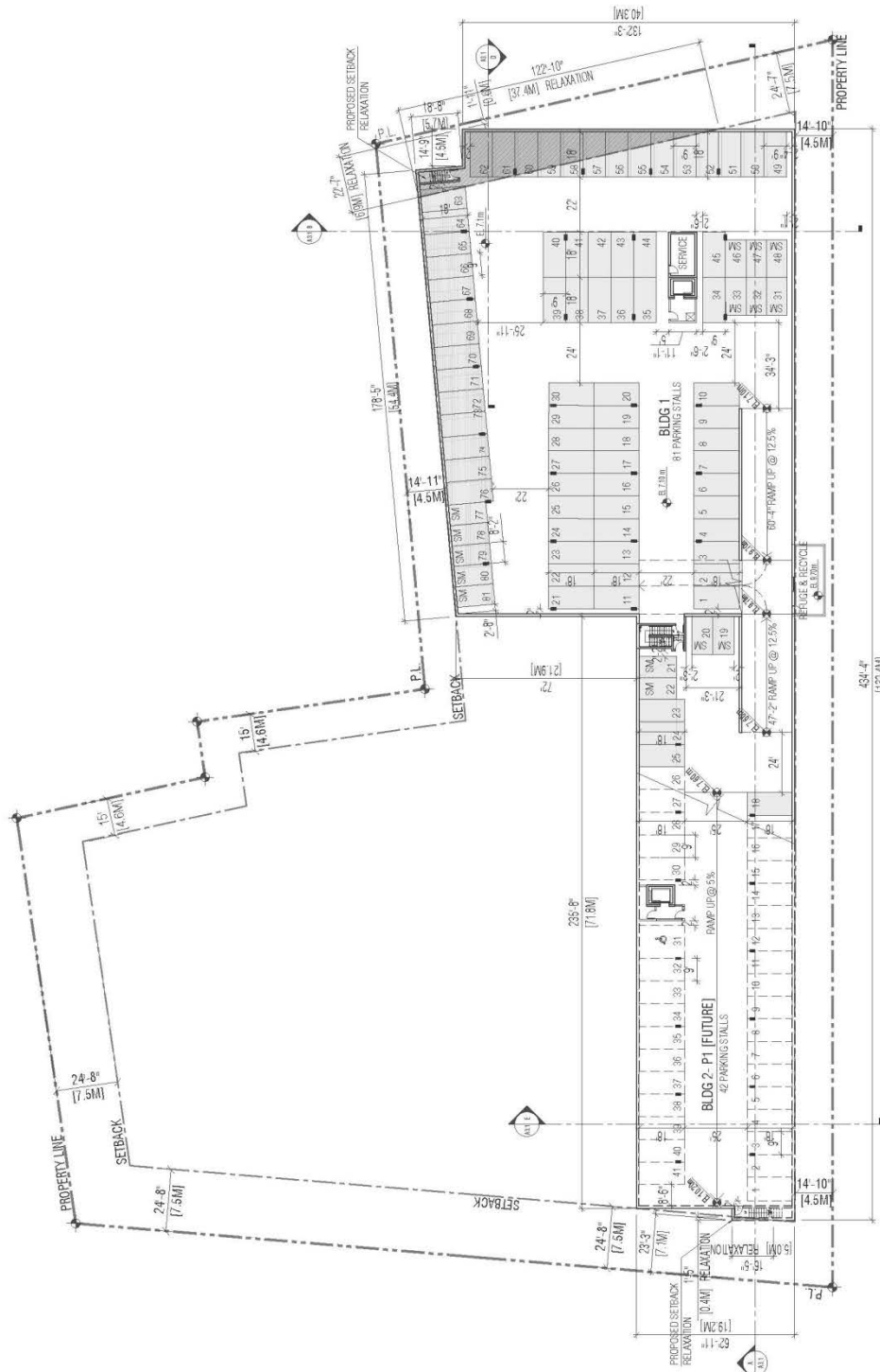
East Elevation Building 3  
1 : 500

- 1-CEMENTITIOUS SIDING PANELS PAINTED  
COLOR: CLV 11411N OR SIMILAR
- 2-CEMENTITIOUS SIDING PANELS PAINTED  
COLOR: CL 1656N OR SIMILAR
- 3-CEMENTITIOUS SIDING BOARDS OR PANELS PAINTED  
COLOR: CL 2932W OR SIMILAR
- 4-CEMENTITIOUS SIDING PANELS PAINTED  
COLOR: CLC 1288N OR SIMILAR
- 5-ARCHITECTURAL FINISH EXPOSED CONCRETE PAINT  
COLOR: CL 3214M OR SIMILAR
- 6-CULTURED STONE CLADDING  
ASPEN COUNTRY OR SIMILAR
- 7-VINYL DOUBLE GALZED WINDOWS  
COLOR: WHITE FRAME
- 8-ALUMINUM STOREFRONT WINDOWS AND DOORS
- 9-METAL BALCONIES  
COLOR: BLACK

## SCHEDULE C

Note: Please refer to full size drawings in file 3360-20-1611





U/G PARKING PLAN  
SCALE 1:500

PROPOSED MIXED USE DEVELOPMENT | 3040 & 3070 KILPATRICK AVE | COURTENAY, B.C. | Aug. 11, 2017

## SCHEDULE D

Note: Please refer to full size drawings in file 3360-20-1611

(b) By rezoning Lot B, Section 67, Comox District, Plan VIP81460 and Lot 3, Section 67, Comox District, Plan 35438 (3040 & 3070 Kilpatrick Avenue), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Commercial Two Zone (C-2) to Comprehensive Development Twenty Six Zone (CD-26).

(b) That Schedule No. 8, Zoning Map be amended accordingly.

4. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 5<sup>th</sup> day of September, 2017

Read a second time this 5<sup>th</sup> day of September, 2017

Considered at a Public Hearing this 18<sup>th</sup> day of September, 2017

Read a third time this                                      day of                                      , 2017

Finally passed and adopted this                                      day of                                      , 2017

\_\_\_\_\_  
Mayor

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

Approved under S.52(3)(a) of the *Transportation Act*

\_\_\_\_\_  
Brendan Kelly  
Development Technician  
Ministry of Transportation and Infrastructure





# THE CORPORATION OF THE CITY OF COURTENAY

**BYLAW NO. 2881**

## A bylaw to amend Official Community Plan Bylaw No. 2387, 2005

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

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2881, 2017**”.
2. That “Official Community Plan Bylaw No. 2387, 2005” be hereby amended as follows:
  - (a) by changing the land use designation of Lot 1, District Lot 96, Comox District, Plan 40243 (1330 Lake Trail Road) from Urban Residential to Multi Residential as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw; and
  - (b) That Map #2, Land Use Plan be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 21<sup>st</sup> day of August, 2017

Read a second time this 21<sup>st</sup> day of August, 2017

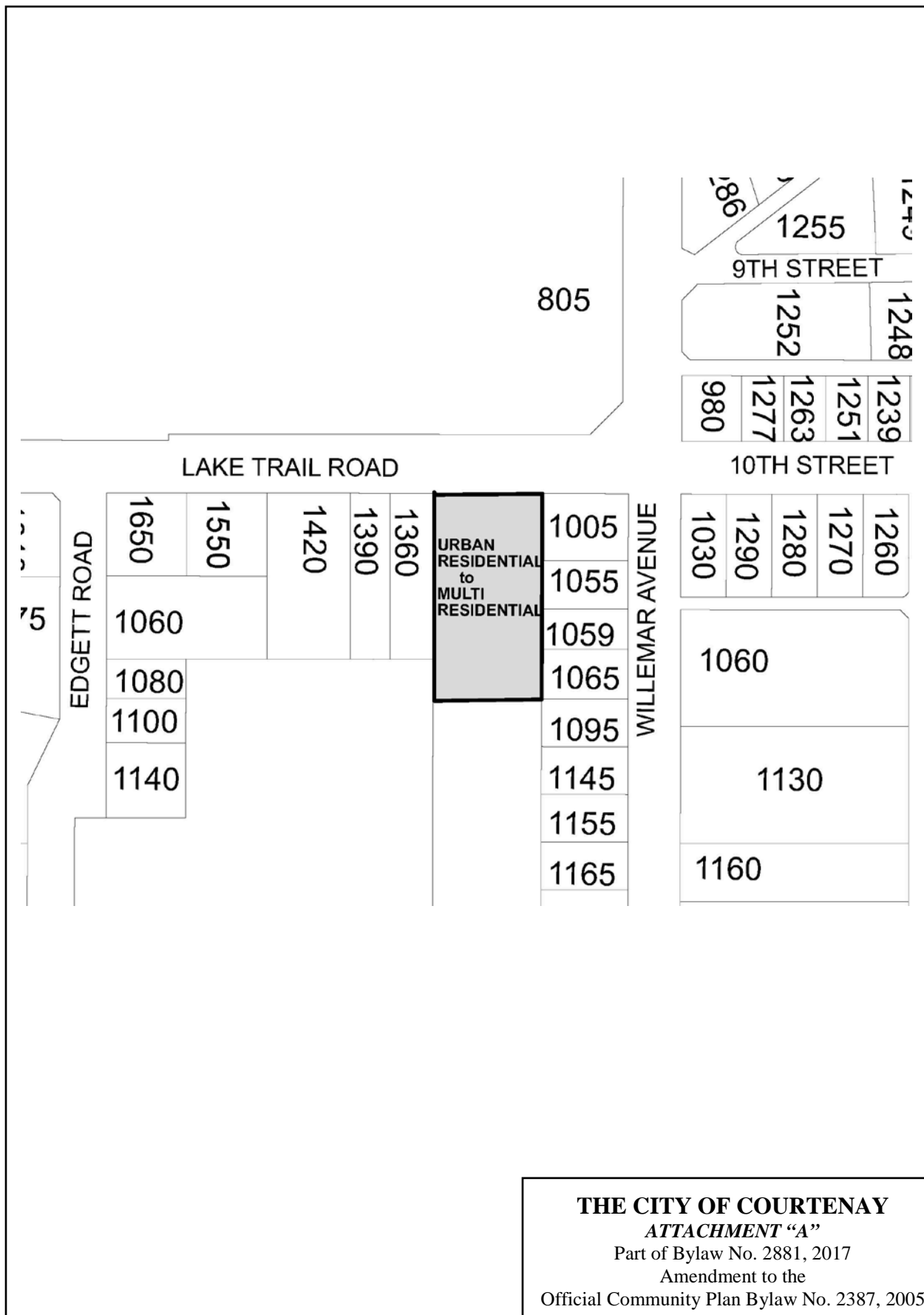
Considered at a Public Hearing this 5<sup>th</sup> day of September 2017

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Finally passed and adopted this                      day of                      , 2017

Mayor

Director of Legislative Services



**THE CITY OF COURTENAY**  
**ATTACHMENT "A"**

Part of Bylaw No. 2881, 2017  
 Amendment to the  
 Official Community Plan Bylaw No. 2387, 2005

# THE CORPORATION OF THE CITY OF COURTENAY

# BYLAW NO. 2892

## **A bylaw to amend Zoning Bylaw No. 2500, 2007**

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

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2892, 2017**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - (a) by rezoning Lot 1, District Lot 96, Comox District, Plan 40243 (1330 Lake Trail Road), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential Two Zone (R-2) to Residential Three Zone (R-3); and
  - (b) That Schedule No. 8, Zoning Map be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 21<sup>st</sup> day of August, 2017

Read a second time this 21<sup>st</sup> day of August, 2017

Considered at a Public Hearing this 5<sup>th</sup> day of September, 2017

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Finally passed and adopted this                      day of                      , 2017

Mayor

Director of Legislative Services



