

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

DATE: August 08, 2017
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

1.00 ADOPTION OF MINUTES

1. Adopt July 17th, 2017 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. LCdr D. Earl Phillips, CD, Sea Division Training Officer, HMCS QUADRA

4.00 STAFF REPORTS/PRESENTATIONS

(a) Legislative Services

- 1 1. Bylaw Enforcement Policy
- 9 2. Fence Heights in Zoning Bylaw

(b) Development Services

- 13 3. Development Variance Permit No.1704 – 127 Woods Avenue

(c) Financial Services

- 27 4. Police Contingency Reserve
- 31 5. Headquarters/Pebernat Road - Sanitary Sewer Extension – 15 Year Parcel Tax Option

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 37 1. Briefing Note: Crown Isle Traffic Issues
- 41 2. Briefing Note: Update – Williams Lake Wild Fire 2017-07-21
- 43 3. Briefing Note: Update – Williams Lake Wild Fire 2017-08-03
- 45 4. Briefing Note: Pickleball and Tennis Pilot Project

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

8.00 RESOLUTIONS OF COUNCIL

1. In Camera Meeting

That August 8th, 2017 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.
- 90 (1) (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 47 1. 2017 UBCM Letter from Premier John Horgan to Mayors and Regional District Chairs
- 49 2. 2017 UBCM Letter from Minister of Municipal Affairs and Housing - Meeting Requests to Mayors and Regional District Chairs
- 51 3. Draft response to Comox Valley Taxpayers Alliance Record Newspaper Ad of June 15, 2017

12.00 BYLAWS

For First, Second and Third Readings

- 53 1. "Headquarters/Pebernat Road Sanitary Sewer Service Area Parcel Tax Bylaw No. 2887, 2017"
(A bylaw to impose a Parcel Tax on Property in the Glacier/Chapman Sanitary Sewer Service Area)
- 57 2. "Police Contingency Reserve Bylaw No. 2890, 2017."
(A Bylaw to establish a Police Contingency Reserve)

For Third Reading

- 61 1. "Zoning Amendment Bylaw No. 2810, 2017"
(from Residential One B (R-1B) Public Assembly Two (PA-2) 3300 Mission Road)

For Third Reading and Final Adoption

- 63 1. "Zoning Amendment Bylaw No. 2882, 2017"
(to allow for a Carriage Suite 525 Back Road)

13.00 ADJOURNMENT

NOTE: There is a Public Hearing scheduled for 5:00 p.m. regarding:

Bylaw No. 2870 amendment to *Zoning Bylaw No. 2500, 2007* to rezone the properties from Commercial Two (C-2) to Residential Four A (R-4A) and to amend the R-4A zone to include care facility (2850 and 2924 Cliffe Avenue).



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Bylaw Enforcement Policy

File No.: 4000-00
Date: August 8th, 2017

PURPOSE:

The purpose of the report is to provide Council with a draft bylaw enforcement policy for approval.

POLICY IMPLICATIONS:

Council currently does not have a bylaw enforcement policy. In 2016, the office of the Ombudsperson published a *Bylaw Enforcement Best Practices Guide for Local Governments*. Along with other recommendations, the guide recommends that Council adopt a bylaw enforcement policy to ensure a consistent, fair and transparent approach to bylaw enforcement.

Staff believe the adoption of a policy is a good step in the development of a comprehensive bylaw enforcement system.

CAO RECOMMENDATIONS:

That, based on the August 8, 2017 staff report "Bylaw Enforcement Policy", Council approve the draft bylaw enforcement policy attached to this report.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Staff deal with bylaw complaints on a daily basis. These include noise, animal control, zoning, parking, unsightly property, sidewalk encroachments, etc. Currently, staff use discretion to determine the appropriate course of action based on a number of factors including urgency, issues of public safety, and available resources.

At the staff level, our current philosophy regarding bylaw enforcement is to seek compliance. This has generally been very successful, with compliance achieved primary due to informal mediation by the Bylaw Enforcement Officer and Director of Legislative Services. It is fairly rare that staff recommend that Council proceed with prosecution. This will not change with the adoption of the policy.

Other than voluntary compliance, there have been instances where municipal ticketing, prosecution, or remedial action requirements have been used in order to achieve compliance. Although these are not the preferred initial strategy, they are available and can be very effective.

DISCUSSION:

The intent of the policy is to ensure that bylaw complaints are addressed in a fair and consistent manner. Staff has some discretion in the administration of bylaw enforcement; however ultimately Council has the legal authority to determine whether or not to enforce the City's bylaws.

At present, staff generally follow the principles outlined in the policy. The policy will assist staff, Council and the public in understanding the role of staff, as well as the expected levels of service to be provided by staff in the enforcement of the City's bylaws

The attached draft Bylaw Enforcement Policy has been prepared based on the principles in the *Bylaw Enforcement Best Practices Guide for Local Governments* created by Office of the Ombudsperson in March 2016. The full guide is available at the following link:

<http://www.bcombudsperson.ca/sites/default/files/Special%20Report%20No%20-%2036%20Bylaw%20Enforcement%20-%20Best%20Practices%20Guide%20for%20Local%20Governments.pdf>

FINANCIAL IMPLICATIONS:

There are no financial implications in adopting the policy. General financial implications regarding bylaw enforcement vary according to the method of enforcement. Court actions typically result in the most costs to the municipality, and the recovery of costs from the violator is not likely.

ADMINISTRATIVE IMPLICATIONS:

Administration of the proposed policy would be included in the Legislative Services work plan. Bylaw staff field inquires and complaints daily, and have experienced up to several dozen calls in one week. The remainder of staff time is spent investigating complaints and responding to complainants, for a current total of 32 hours per week.

This does not include animal control or parking control. Animal control is currently 2 days per week, which primarily consists of responding to and investigating complaints including barking dogs, etc.

Traffic control primarily consists of patrols in the downtown core, with some investigation of complaints in residential neighbourhoods for 6 hours per day.

ASSET MANAGEMENT IMPLICATIONS:

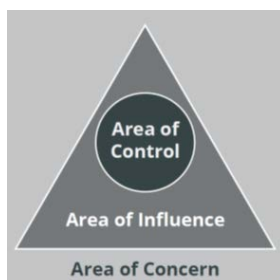
None.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- We support and encourage initiatives to improve efficiencies

- We support meeting the fundamental corporate and statutory obligations
- We recognize staff capacity is a finite resource
- Communication with our community is a priority, and is considered in all decisions we make



- **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:

Not referenced.

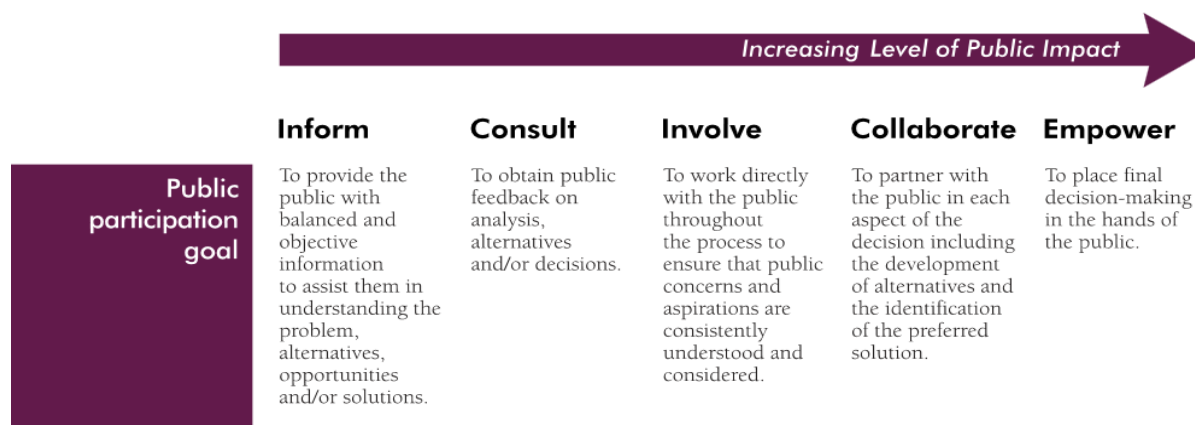
REGIONAL GROWTH STRATEGY REFERENCE:

Not referenced.

CITIZEN/PUBLIC ENGAGEMENT:

Council 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



OPTIONS:

- Option 1: That Council adopt the draft bylaw enforcement policy.
- Option 2: That Council not adopt bylaw enforcement policy.
- Option 3: That Council refer the matter back to staff for amendments to the policy.

Prepared by:

A handwritten signature in black ink, appearing to read "J. Ward", with a large circular flourish at the beginning.

John Ward, CMC
Director of Legislative Services/Deputy CAO

Attachments:

1. Draft Bylaw Enforcement Policy

City of Courtenay Policy

Page 1 of 3

Section 9 – Legislative Services	Policy # 4000.00.01
Subject: Bylaw Enforcement Policy	Revision #

PURPOSE:

The purpose of this Bylaw Enforcement Policy is to provide consistent enforcement and management of complaints relating to City of Courtenay bylaws.

POLICY:

The Bylaw Enforcement Policy is complaint based. The City does not have the resources to generally review bylaw compliance on its own initiative; therefore it will primarily rely on complaints from the public in order to initiate any investigations.

The City has no duty to take enforcement action for each bylaw contravention that may occur. Discretion will be exercised by City staff and Council on a case-by-case basis.

Bylaw investigation will be undertaken only in response to written complaints, and where complainants provide their name, address and telephone number. The identity of complainants is protected under the *Freedom of Information and Protection of Privacy Act*. The City will not respond to anonymous complaints. Bylaw investigations may be undertaken in response to complaints or observations from City staff, or other agencies such as the RCMP.

The City's highest bylaw enforcement priority is generally matters relating to public health and safety and complaints relating to these areas will be investigated as soon as possible. Response priority on routine matters such as permits, zoning bylaw violations, etc. will be determined on the order received, and the availability of staff resources.

Voluntary compliance is the first goal of bylaw enforcement. Individuals will be given the opportunity to cease the violation activity before further action is taken. Compliance may be encouraged through notification of municipal fines associated with the offence. Municipal tickets (MTI) may be issued if required at the discretion of the City staff.

A complainant may be requested to sign an affidavit and/or be prepared to stand as a witness in the event enforcement action proceeds to court.

Injunctive or other court proceedings may be initiated if voluntary compliance is not achieved within 90 days of the City issuing a warning. Where voluntary compliance fails, and where injunctive proceedings are recommended, the Chief Administrative Officer (CAO) will request approval from Council to commence legal proceedings.

AUTHORIZATION:	DATE:
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Section 9 – Legislative Services	Policy # 4000.00.01
Subject: Bylaw Enforcement Policy	Revision #

Council may, through a formal resolution of Council, direct staff to investigate a matter, or enforce City bylaws. An individual Council member may refer a bylaw enforcement matter to staff for investigation through the CAO.

PROCEDURES:

1. All bylaw complaints will be directed in writing to the Bylaw Enforcement Officer (BEO), who will undertake a preliminary review of the complaint to ensure the complaint is founded. If no violation exists, the alleged violator and complainant will be advised, and the file will be closed. If a violation exists, the alleged violator will be verbally requested to cease the activity. The BEO may conduct a site visit to determine compliance. The BEO may refer animal complaints to the Animal Control Officer or traffic complaints to the Traffic Control Officer as appropriate.
2. In order for enforcement to be considered, routine complaints must meet the following criteria:
 - Two complete written bylaw complaints signed by unrelated complainants with the City of Courtenay;
 - One complete written bylaw complaint signed by a complainant whose property is located within 100 metres of the property; or
 - One written or verbal complaint from an RCMP officer.

Complaints involving public health and safety risks to humans, significant adverse environmental impacts and/or harm to City infrastructure require only one written complaint.

3. The BEO will verbally request voluntary compliance with the alleged violator and establish time limits for compliance. If the violation continues, MTI fines may be issued to seek compliance. Alternative dispute resolution processes such as mediation or negotiation may be used at any time in order to seek compliance. If the violation continues, the BEO may send formal letters demanding compliance, and may undertake other remedies as authorized by bylaw. The BEO will maintain a record of all complaints received, and the actions taken to resolve the issue.

AUTHORIZATION:	DATE:
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Section 9 – Legislative Services	Policy # 4000.00.01
Subject: Bylaw Enforcement Policy	Revision #

4. Where compliance has not been achieved, the BEO will provide a recommended approach to bylaw enforcement. Where the recommendation is to seek injunctive relief or other forms of legal action, the Director of Legislative Services/Deputy CAO will prepare a report to Council through the CAO. Council will then either resolve to proceed with legal action, decline to proceed, or seek other remedies. Following approval of Council by resolution, with the assistance of legal counsel, staff will initiate if applicable, legal proceedings.
5. All complainants will be advised of the status of their complaint in a timely manner based on available resources. Should the complainant be unsatisfied with the disposition of the complaint, the complainant may appeal to the CAO. If the complainant remains unsatisfied, then an appeal may be made directly to Council in writing.
6. In the case of frivolous, repeat and/or multiple complaints, each complaint will be considered according to this policy. Bylaw enforcement staff will endeavor to balance the interest of the complainant as well as the broader community. The City has the discretion to not to intervene in civil matters that are clearly disputes between individuals.

AUTHORIZATION:	DATE:
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THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Fence Heights in Zoning Bylaw

File No.: 4020-20 (Fences)
Date: August 8th, 2017

PURPOSE:

The purpose of the report is to seek Council direction regarding the enforcement or revision of the Zoning Bylaw in relation to fence heights

POLICY IMPLICATIONS:

There are currently a large number of fences within the City of Courtenay that exceed the maximum allowable height provided for in the City's current zoning bylaw. While to date there have been very few complaints related to fence heights, staff are seeking direction on whether to enforce or revise the zoning bylaw respecting fence heights, as there is the potential for this issue to impose considerable time and resources to address.

CAO RECOMMENDATIONS:

That, based on the August 8, 2017 staff report, "Fence Heights in Zoning Bylaw", Council provide staff direction regarding enforcement of over height fences under the Zoning Bylaw, or revising the City zoning bylaw to increase the allowable fence heights, as per the options outlined in this report.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Fence height regulations are contained in Part 8 of Zoning Bylaw No. 2500, 2007.

Part 7 Fences

- 6.7.1 In the residential zones the maximum *height* for a *fence* in or along the *front yard* shall be 1.25 m and in or along the side or *rear yards* shall be 2.0 m.

DISCUSSION:

The City receives very few complaints regarding over height fences. Staff do at times receive complaints regarding fences and vehicular sightlines, which may or may not be related to height.

In addition, in the past staff have received complaints regarding the materials used in the construction of fences. The City does not regulate the fencing materials, with the exception of electrical, barbed or razor wire fencing being prohibited in all Residential and Multi Residential zones.

There are a significant number of over height fences in the City. Preliminary investigation indicates that some areas of the City, including Crown Isle, appear to have a higher ratio of over height fences than the remainder of the City, although over height fences exist throughout the entire City.

There appears to be a general acceptance of increased fence heights in the City, given the few complaints received. Due to the potential for a significant demand on the City's resources and public complaints, staff have been reluctant to take injunctive action against property owners with over height fences.

Provincial legislation gives municipal councils the discretion whether or not to enforce its bylaws. Staff do not recall a recent situation where staff have recommended injunctive action regarding fence height. Typically any over height fence complaints have been resolved through voluntary compliance.

A recent bylaw complaint has resulted in a citizen requesting that either Council either enforce the fence height provision in the Zoning Bylaw, or change the provision to allow increased height. While this appears to be a reasonable request, there are potentially significant implications to either course of action.

Should Council resolve to instruct staff to continue to investigate enforcement of the fence height provision, then staff would bring forward enforcement recommendations for specific properties which have generated complaints. Based on correspondence from these properties, enforcement of the bylaw will likely result in additional complaints regarding over height fences in the immediate area.

FINANCIAL IMPLICATIONS:

There is potential for significant financial implications, depending on the direction Council wishes to take. Costs are unknown at this time.

ADMINISTRATIVE IMPLICATIONS:

Bylaw Enforcement is contained in the Legislative Services Department Work Plan. Any changes to the Zoning Bylaw would be initiated through the Development Services Department and would require a public process, which would likely include a Public Hearing and notification. Specific estimates on the amount of staff time required will need further review.

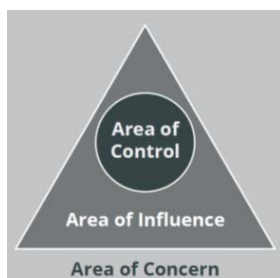
ASSET MANAGEMENT IMPLICATIONS:

None.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

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OFFICIAL COMMUNITY PLAN REFERENCE:

Not referenced.

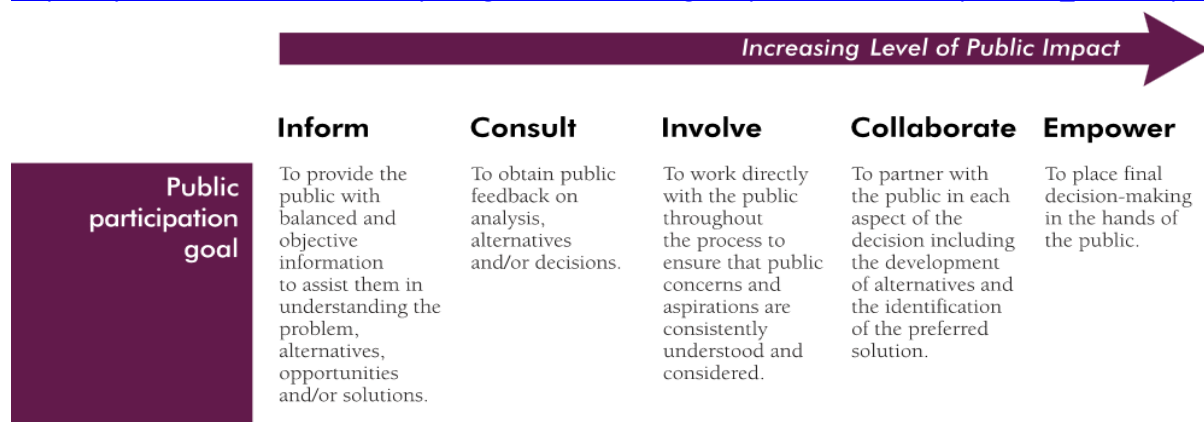
REGIONAL GROWTH STRATEGY REFERENCE:

Not referenced.

CITIZEN/PUBLIC ENGAGEMENT:

Council 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



OPTIONS:

- Option 1: That Council direct staff to investigate and recommend enforcement action on over height fences upon the receipt of a valid complaint (or past complaint) pursuant to the bylaw enforcement policy.
- Option 2: That Council direct staff to investigate amendments to the Zoning Bylaw to allow for increased fence heights.
- Option 3: That Council refer the fence height issue back to staff for further information.

Prepared by:

A handwritten signature in black ink, appearing to read "J. Ward", with a large loop at the beginning.

John Ward, CMC
Director of Legislative Services/Deputy CAO



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Development Variance Permit No.1704 – 127 Woods Avenue

File No.: 3090-20-1704

Date: August 8, 2017

PURPOSE:

The purpose of this report is to consider a Development Variance Permit (DVP) to reduce the number of parking stalls for a proposed duplex, and to vary the maximum fence height in the front yard, at the property located at 127 Woods Ave.

CAO RECOMMENDATIONS:

That based on the August 8, 2017 staff report “Development Variance Permit No.1704 – 127 Woods Avenue”, Council support approving OPTION 1 and direct staff to proceed with issuing Development Variance Permit No. 1704.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is a 641m² residential lot located at 127 Woods Avenue near the corner of Woods Avenue and 1st Street in west Courtenay (**Figure 1**). The lot is legally described as: Lot 21, District Lot 127, Comox District, Plan 10790. The lot is currently zoned Residential Two (R-2). An existing single residential dwelling and detached two car garage is located on the property.

The applicants wish to convert the existing single residential dwelling into a duplex as shown in **Attachment No. 2**. The intended use is permitted in the zone.

Pursuant to Schedule 7A of the Zoning Bylaw, duplexes require two parking stalls per unit. The

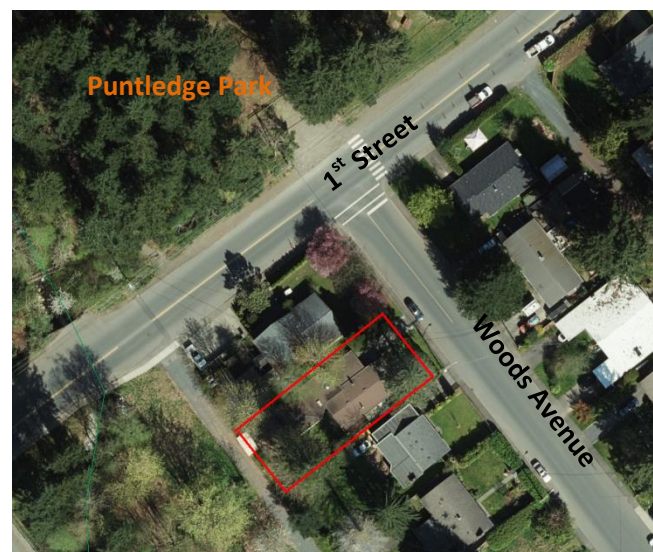


Figure 1: Location Map

applicants are seeking a variance to reduce the parking requirement from the required four off-street parking spaces to two.

In addition, the applicants are seeking a variance to the height of the gate at the front entrance to the property as it exceeds the maximum height permitted in the Zoning Bylaw. The requested variance is to increase the maximum front yard fence height from 1.25m to 2.13m.

The property has a Bylaw Contravention Notice registered on title regarding building construction being undertaken without proper inspections under previous ownership. This Notice is regarding the exterior stucco siding inspections. Staff note that the proposed Development Variance Permit Application has no bearing on this Notice or vice versa and that a DVP may be issued with the condition that at the Building Permit stage the applicants address any applicable inspection deficiencies that led to the Notice being placed on title.



Figure 2: Photo of the property frontage from Woods Ave.

DISCUSSION:

The table below lists the requirements and requested variances. The rationale for the variances from the applicants is included in **Attachment No.1**.

Zoning Bylaw Section	Required	Variance Sought
Schedule 7A Minimum number of off-street parking spaces for duplex	Two spaces per duplex unit for a total of four off-street parking spaces	That only two off-street parking space be provided
S.6.8.1 Maximum front yard fence height	Maximum 1.25m	Height of 2.13m (increase in 0.88m)

OCP Review

Generally speaking, the proposed application meets the infill development policies of the Official Community Plan (OCP). These policies encourage increased densities in existing neighbourhoods if the development is in keeping with the character and scale of the surrounding neighbourhood. Since the existing building footprint will remain the same, there will be no change to the existing built environment. The proposed development will have a new door to one of the units, but there will be almost no visual change recognised from the street. Since it is a conversion of existing structure from a single detached dwelling to duplex and there are no plans of altering the building façade, the proposal is not subject to the Development Permit Guidelines.

Zoning Review

Staff review of the proposed plan suggests the proposal meets all zoning bylaw requirements with the exception of the proposed variances.

Staff evaluation of the proposed variances is that they are relatively minor in nature, and considering the size and configuration of each unit (one bed room dwellings), the proposal will have no substantial negative impact on the neighbouring residents. Below is a brief summary of the staff evaluation.

Parking Variance

- Each proposed unit contains only one bedroom thereby limiting the number of total occupants, and potential vehicle use for the property. The two proposed units are respectively 115m² and 90m² in size. Staff note that the attached floorplan indicates that one of the units will include an office, which could be used as a bedroom. Even if the office were to be used as a bedroom, the total number of bedrooms within the building would still be three, which is typical of a single family home. Based on the information provided a significant increase in parking demand is not anticipated.
- Woods Avenue is of a sufficient width to accommodate on-street parking on both sides. It is staff's opinion that there are sufficient on-street parking options in the immediate area if necessary.
- Requiring the provision of two additional off-street parking spaces will result in the removal of mature landscaping and will alter the form and character of the property. The images provided by the applicant suggest that it would require significant alteration if off-street parking was required (**Attachment No. 3**). According to the applicant, retaining the existing landscaping is also favourably viewed by the neighbours (**Attachment No. 4**).

Fence height variance

- The front yard fence is integrated with the well-established mature hedge fronting the property. Requiring removal would impact the aesthetics of the street and the private property.
- According to the applicant the neighbours who attended the Public Information Meeting indicate support for and preference of maintaining the fence as is.

FINANCIAL IMPLICATIONS:

Development application fees cover the cost of administration of the land use regulation. Should DVP 1704 be approved, the applicant will be required to apply for a Building Permit to convert the single residential dwelling into a duplex. Building Permit fees will apply. A water meter setter will also be required, the costs of which are borne by the applicant and the works conducted by the Public Works Department.

Properties with a secondary residence are charged a second utility fee (sewer, water, garbage) for the additional dwelling unit. Should the Development Variance Permit application and subsequent anticipated Building Permit be approved, the additional utility fees will be charged to the property at the time of occupancy permit. Secondary residences under 90 square metres are exempt from paying Development Cost Charges to the City and the Regional District.

ADMINISTRATIVE IMPLICATIONS:

The processing of development applications is included in the current work plan as a statutory component. Staff has spent 15 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 the Building Permit.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications related to this application.

STRATEGIC PRIORITIES REFERENCE:

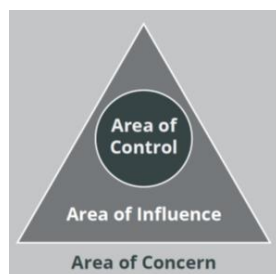
Development applications fall within Council's area of control and specifically align with the following priorities:

We focus on organizational and governance excellence

- We support meeting the fundamental corporate and statutory obligations

We support diversity in housing and reasoned land use planning

- Support densification aligned with community input and regional growth strategy



- **Area of Control**

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

OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed Development Variance Permit to relax the number of off-street parking spaces in order to accommodate an additional dwelling unit in an existing neighbourhood represents infill residential development near existing amenities and services. By allowing the property to remain 'as is' without disruption to the landscaping and frontage character, the variances would fulfil the intent 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:

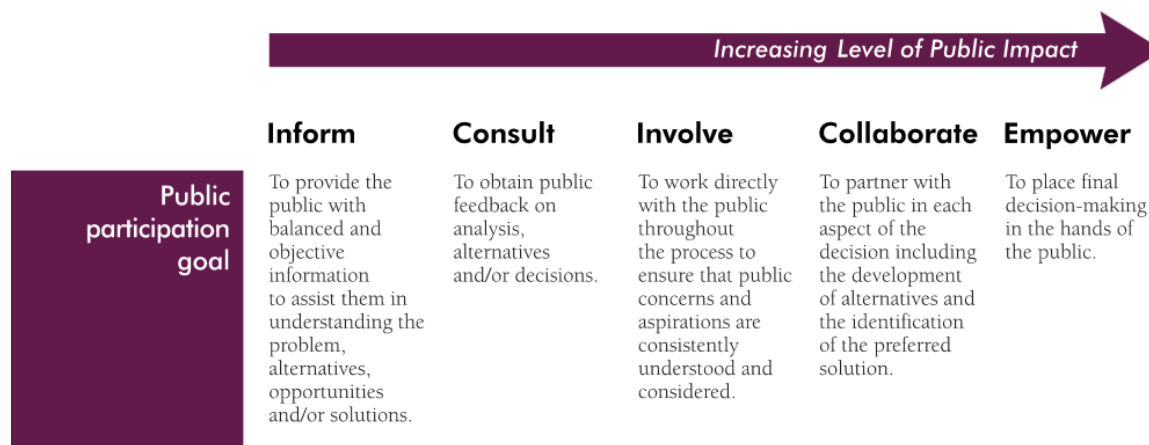
Approving this Development Variance Permit will allow an additional dwelling unit which is consistent with the RGS Housing Goal to "ensure a diversity of affordable housing options to meet evolving regional demographics and needs" including:

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

CITIZEN/PUBLIC ENGAGEMENT:

The level of public input staff is undertaking is to **Consult**. In accordance with the Local Government Act and Council policy, the City has notified 11 property owners and occupants within 30m of the property with

regard to the proposed variances. At the time of the writing of this report, staff has not received any public comments regarding this application.



OPTIONS:

OPTION 1: (Recommended) That based on the August 8, 2017 staff report "Development Variance Permit No.1704 – 127 Woods Avenue", Council support OPTION 1 and proceed with issuing Development Variance Permit No. 1704.

OPTION 2: Defer consideration of Development Variance Permit No. 1704 pending receipt of further information.

OPTION 3: Not approve Development Variance Permit No. 1704.

Prepared by:

Nancy Gothard, MCIP, RPP
Environmental Planner

Reviewed by:

Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

1. Attachment No.1: Written rationale
2. Attachment No.2: Floorplan
3. Attachment No.3: Site photos
4. Attachment No.4: Public Information Meeting summary
5. Attachment No.5: Draft Development Variance Permit No. 1704

DEVELOPMENT VARIANCE APPLICATION

June 05, 2007

127 Woods Ave,
Courtenay, BC.
V9N 3Y6

--Our application requires **no changes to the building envelope**

--Both units are *one*-bedroom units

--Unit A is a one-bedroom 970 sq. ft.; Unit B is a one-bedroom 1237 sq. ft.

--Currently two car parking is in a double car garage off the laneway

Providing increased parking will compromise significant features of our property:

--Our lot size is smaller than average

--we will need to destroy the beautifully landscaped backyard and drastically eliminate its functional, aesthetic greenspace to accommodate increased car parking spot

--we will need to excavate earth from the sloping property and construct a retaining wall 4' high since the yard slopes down the laneway to a nearby creek. We will need to remove large amounts of landscaping, construct a parking pad and install a reinforced retaining wall to support both neighbours' properties abutting our property

--we will need to eliminate the existing solidly built wooden garden shed as there will be no yard space to resituate it

--we will need to eliminate the mature cedar hedge on the perimeter of the property to accommodate increased parking and replace the hedge with a private wooden fence for security from the laneway

--we will need to spend \$20,000-30,000 (estimated costs) to accomplish the above-mentioned alterations just required for increased parking

--Finally, due to being a pleasant 12-minute walk (Google maps) to downtown Courtenay and being on an active municipal bus route, tenants will be limited in their rental contract to a strict one car policy.

Thank you,
Owen Williams and Matthew Kelly

DEVELOPMENT VARIANCE APPLICATION
(entrance gate)

June 10, 2007

127 Woods Ave,
Courtenay, BC.
V9N 3Y6

--Our application requires **no changes to the building envelope**

Destroying our entrance gate will compromise significant features of our property:

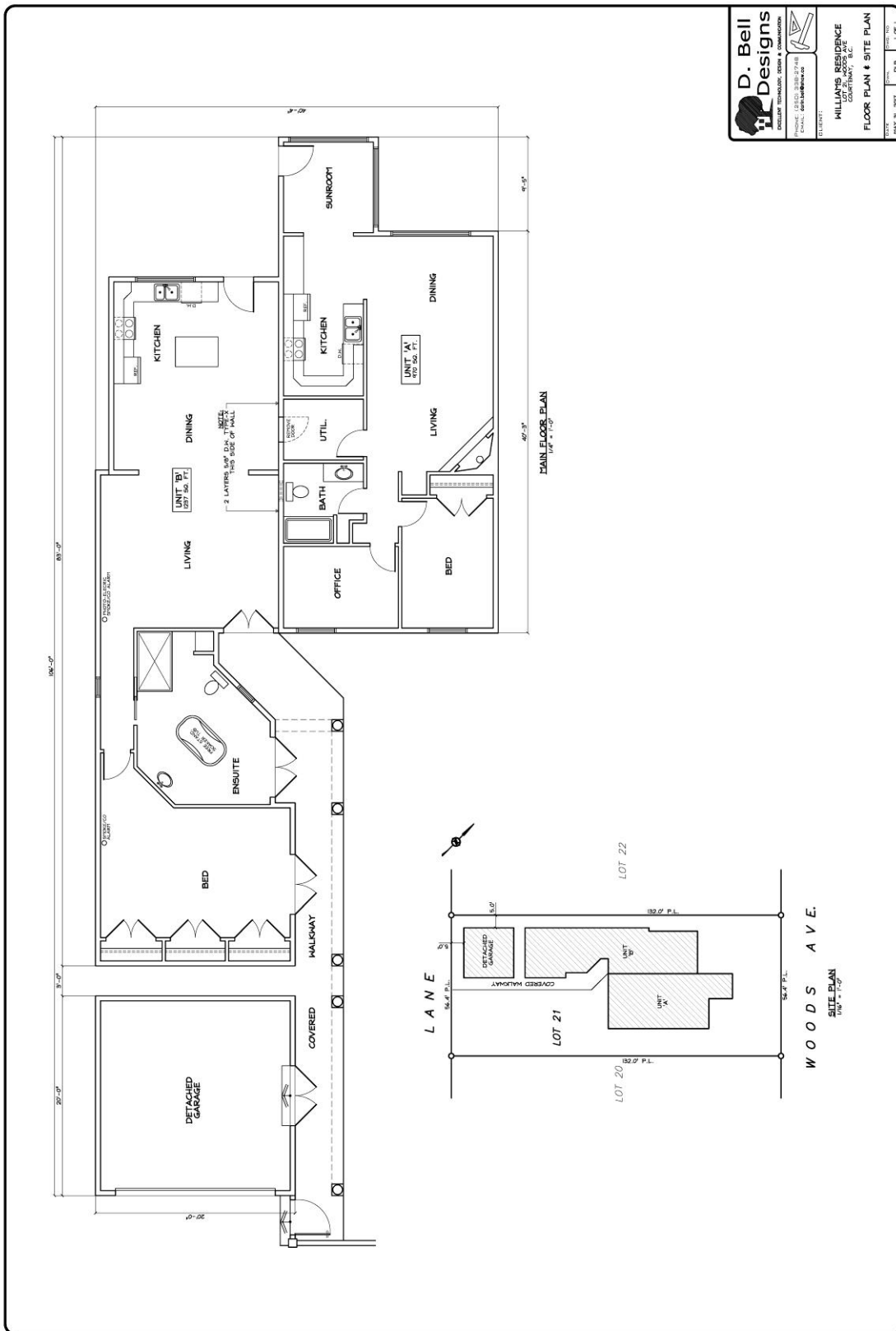
--the charming entrance gate was the *first* feature that attracted us to the property. It was built by the previous owners. The entrance gate is finished with esthetically pleasing slate tile that is in keeping with the roofing on the rest of the property.

--the gate was **not** erected at the edge of the property, imposing upon pedestrian traffic. Instead, it was built 4 metres away from the sidewalk at a pleasing distance

--we feel that to destroy the beautifully crafted gate will *decrease* the esthetic and resell value of our property. The gate adds value and character to the property

--to destroy the gate because it doesn't conform to height restrictions, will result in the destruction of the vibrant, mature cedar hedging built around it. We would then erect a dull wooden privacy fence out of character for the neighbourhood

Thank you,
Owen Williams and Matthew Kelly





The image above shows the backyard which the applicants point out is landscaped and 'quite small', making it difficult to accommodate additional parking while also maintaining a yard. The image shows both the primary residential building as well as the double car garage, separated by a distance of 1.4m (in the background).

The image below shows the same side and rear yard, photo taken from the face of the building.





The image above shows the front yard inside the fence for which a height variance is being sought. The applicants point out that the aesthetics of the front yard from the street and from the private home would be significantly impacted if the fence must be removed and reduced in height or accommodate additional parking.

PUBLIC INFORMATION MEETING**(Date of Meeting)****(Application Information and Address of Subject Property)**RECEIVED
06 2017
CITY OF COURTENAY**COMMENT SHEET**

Name: Matt Kelly & Owen Williams Email: mattkeli@rogers.com
 Address: 127 Woods Ave, Courtenay V9N 3Y6 Phone: (250) 204-7664

[INSERT APPLICANT] has applied to the City of Courtenay for an [INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit]. [INSERT PROJECT DESCRIPTION]. 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?

- ⊗ All neighbours signed the form except those who were mailed the invitation and proposal (incl. floor plan).
- ⊗ All neighbours say they have no concerns w/ parking staying @ 2 car parking.
- ⊗ All neighbours want the entrance gate to remain as is.
- ⊗ All neighbours would not want the entrance gate torn down to revert back to a driveway to accommodate 3-4 car parking.
- ⊗ It was explained that due to our small back yard, we would need to take down the gate to accommodate 3-4 car parking.
- ⊗ All neighbours want 127 Woods yard space to remain as is and are in agreement to converting the residence to 2 units of 1 bedroom each unit.

Please return your comments by [DATE].

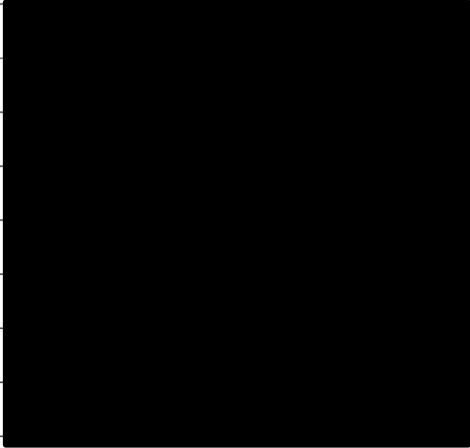
Comment sheets can be submitted by one of the following methods:

1. Hand your comment sheet in tonight.
2. Drop your comment sheet off at [insert location for drop off]
3. Email your comment sheet to [insert email address]

July 04, 2017
4:30- 5:00 pm

PUBLIC INFORMATION MEETING**(DATE OF PUBLIC INFO MTG.)****SIGN IN SHEET****FOR****(APPLICATION NAME AND ADDRESS)**

Owen Williams & Matthew Kelly 127 Woods Ave., Courtenay
V9N 3Y6

NAME (Please Print)	ADDRESS
	142 A Woods Ave
	142 B Woods Ave.
	151 WOODS AVE.
	126 Woods Ave.
	1210 1st St.
	158 WOODS
	139 WOODS
	1210 1st St.
<p>@ meeting was held @ the residence of 127 Woods Ave. on July 04, 2017 from 4:30- 5:00pm.</p>	

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. DVP 1704

DEVELOPMENT VARIANCE PERMIT

August 9, 2017

To issue a Development Variance Permit

To: Name: Owen Williams and Matthew Mark John Kelly
Address: Box 267, 392 Sutil Road, Quathiaski Cove, B.C., V0P 1N0

Property to which permit refers:

Legal: Lot 21, District Lot 127, Comox District, Plan 10790
Civic: 127 Woods Avenue

Conditions of Permit:

Permit issued to allow for the following variances to the *City of Courtenay Zoning Bylaw No. 2500, 2007*:

- *Schedule 7A*: Reduce the minimum number of off-street parking spaces from four (4) to two (2); and
- *Section 6.8.1*: Increase the maximum front yard fence height from 1.25m to 2.13m.

Development Variance Permit No. 1704 is subject to the following conditions:

- That any new building permits conform to any requirements of the Bylaw Contravention Notice registered on the Certificate of Land Title.
- That the duplex generally conform to the floorplan as shown in *Schedule No. 1*.

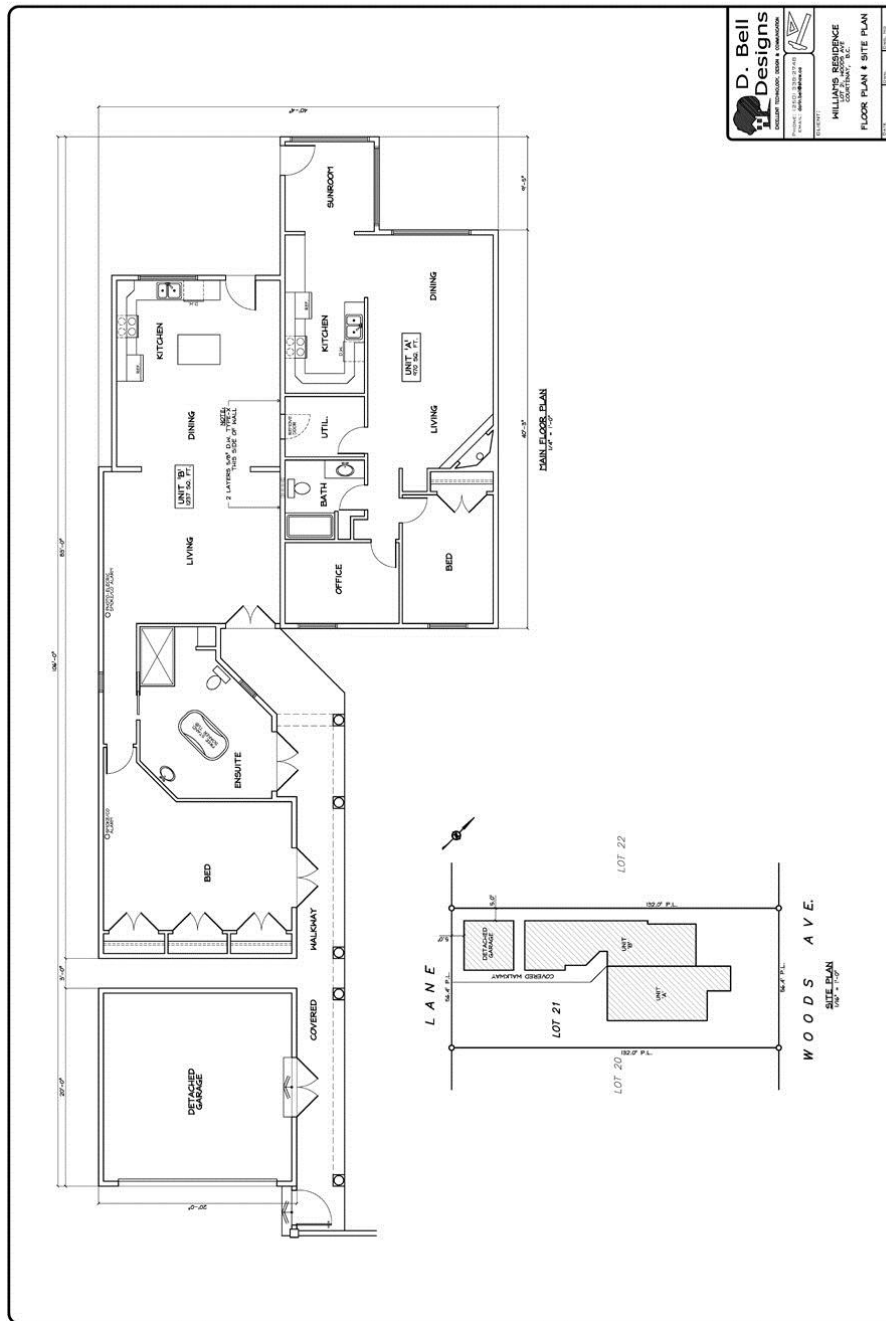
Time Schedule of Development and Lapse of Permit

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

Date

Director of Legislative Services

Schedule No.1



D. Bell Designs
 ARCHITECTURE, INTERIOR DESIGN & LANDSCAPE
 1000 N. 10TH ST. SUITE 100
 FAYETTEVILLE, NC 28404
 PHONE: 704.333.7777
 FAX: 704.333.7778
 EMAIL: dbell@dbelldesigns.com
 PROJECT: 1704-127 WOODS AVENUE
 DATE: 8/1/17
 SHEET: 1 OF 1

HILLMANS RESIDENCE
 DEVELOPMENT VARIANCE PERMIT
 FLOOR PLAN & SITE PLAN

\\Vesta\CityHall\PLANNING\Development Applications\DVP\2017\1704-127 Woods\Permit\Permit.docx



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Police Contingency Reserve

File No.: 1871-01
Date: August 8, 2017

PURPOSE:

To request that Council adopt a Police Contingency Reserve and to formalize the creation and utilization of funding from this reserve.

POLICY ANALYSIS:

Section 188 (1) of the *Community Charter* permits the establishment of reserve funds for a specified purpose.

"188 (1) A council may, by bylaw, establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund."

EXECUTIVE SUMMARY:

During a review of the City's reserve funds, staff identified a potential risk to the City due to the lack of a formal reserve to provide for extraordinary police operating or capital costs. The creation of this reserve is intended to provide a funding source for police expense exceptions and provide consistency in its use and application.

CAO RECOMMENDATIONS:

That based on the August 8, 2017 staff report, "Police Contingency Reserve", Council approve Option 1 and adopt the "Police Contingency Reserve Bylaw No. 2890, 2017".

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Section 15 of the *Police Act*, identifies that a municipality must pay for the expenses necessary to provide a police force or police department with sufficient numbers to enforce municipal bylaws, criminal laws and BC laws in order to maintain law and order in a municipality. This includes providing accommodation, equipment and supplies for the detachment as well as includes the care of people when detained. It also identifies that a municipality is required to pay for the use of specialized services when required (paraphrased).

Each year the City reviews the RCMP budget request for the provision of law enforcement services and includes the costs in its annual financial plan. Gaming Funds, Traffic Fine Revenues, prior year's surplus and annual tax dollars are used to fund the cost of policing services. The 2017 Financial Plan provides \$6,521,600 for Police Protection services with \$275,000 added to provide financial resources for one-time retro-pay salary payments to police staff.

Criminal activity that results in the use of specialized policing services from outside the Comox Valley Detachment is not included in the annual budget. The City has no option but to pay for these services and typically must find funds from other service areas to cover these costs or to tax residents in future years to cover a prior year's funding shortfall.

DISCUSSION:

The City has several non-statutory reserves where funding from Police revenues is placed. One reserve is identified as Computer Equipment and was originally set up to fund computer equipment for the Criminal Records Check position at the RCMP detachment. This position no longer exists, so providing for office equipment is no longer necessary. As of December 31, 2016 this reserve had a balance of \$26,864.58.

The second reserve is noted as the Provincial Traffic Fines Reserve. Historically, this reserve has been used to pay for two RCMP full-time members. As of December 31, 2016 this reserve has a balance of \$168,621. It costs approximately \$165,000 to fund a full-time RCMP member. Traffic fine revenues fluctuate from year to year [\$226,200 (2015), \$197,860 (2014) and \$197,111 (2013)] and there is no guarantee those revenues will be sufficient to continue to contribute at historic levels.

Section 188 (1) of the *Community Charter* permits Council by bylaw, to create a specific reserve. Staff recommend that these non-statutory reserves be incorporated into one statutory reserve where Council authorizes the disposition of the monies placed into and used from the reserve.

The reserve will be used to provide the equivalent of funding for:

1. two full-time RCMP members;
2. operating expenditures outside of the regular norm of policing operations, such as unanticipated costs for police investigations, retro-pay settlements; and
3. one-time capital expenditure requests.

FINANCIAL IMPLICATIONS:

Consolidating the balances from the non-statutory reserves into one statutory reserve ensures these funds are applied for policing purposes. It provides a resource to mitigate one-time expenditures that would otherwise require funding from taxpayer dollars. Such surprise expenditures would otherwise have the effect of upsetting the approved Financial Plan and could necessitate cancellation of one or more planned service activity.

It is suggested that the reserve maintain a minimum balance of \$350,000 (the equivalent of two Full-time RCMP members) and an optimum balance of \$750,000 to cover any unforeseen expenditures.

ADMINISTRATIVE IMPLICATIONS:

Approximately one hour of staff time will be required to create the statutory reserve and to amalgamate the funds into the new reserve. Future spending from this reserve will be restricted to Council's approved funding intentions as stipulated in the bylaw.

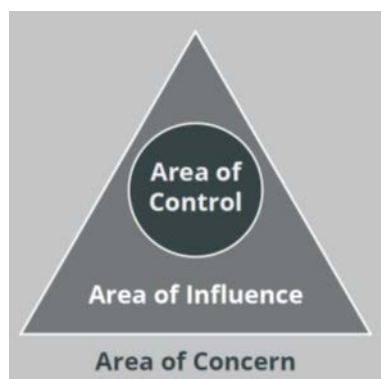
ASSET MANAGEMENT IMPLICATIONS:

N/A

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- We support meeting the fundamental corporate and statutory obligations
- We responsibly provide services at a level which the people we serve are willing to pay



- **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:

OCP section 4.11.4

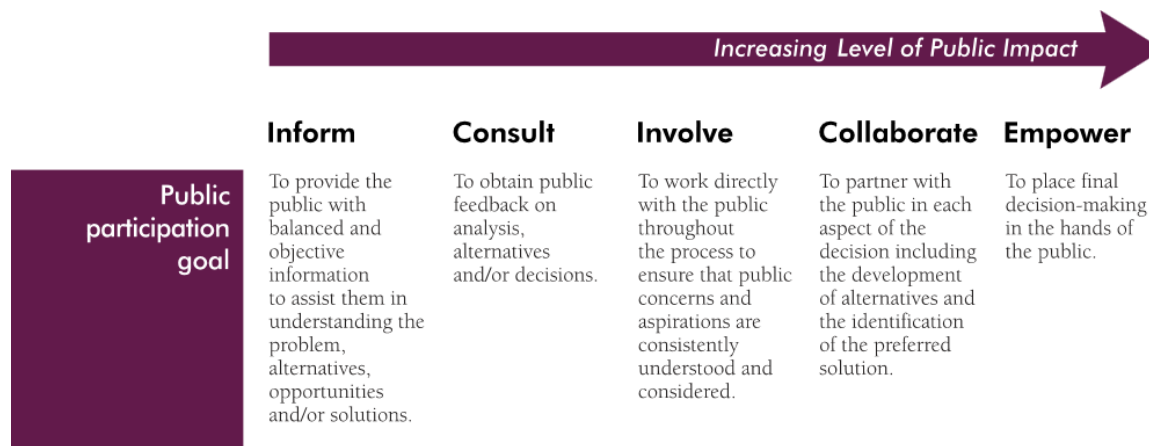
REGIONAL GROWTH STRATEGY REFERENCE:

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



OPTIONS:

1. That Council endorse the "Police Contingency Reserve Bylaw No. 2890, 2017".[Recommended]
2. That Council amend the Police Contingency Reserve Bylaw No. 2890,2017.
3. That no changes be made to existing police non-statutory reserves.

Prepared by:

Brian Parschauer, BA, CPA-CMA
Director of Finance



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 1970-14

From: Chief Administrative Officer

Date: August 8, 2017

Subject: Headquarters/Pebernat Road - Sanitary Sewer Extension – 15 Year Parcel Tax Option

PURPOSE:

The purpose of this report is to establish a fifteen year parcel tax payment option for the properties within the Headquarters/Pebernat Roads sanitary sewer extension service area.

POLICY ANALYSIS:

Sections 200 through 209 of the *Community Charter* allow Council to impose a parcel tax to provide all or part of the funding for a service.

EXECUTIVE SUMMARY:

The Headquarters/Pebernat Road sanitary sewer extension was constructed in the spring of 2017.

On April 14, 2016, correspondence was sent to property owners inquiring about their level of support for the sanitary extension on Headquarters/Pebernat Road. The letter identified the application of an \$8,000 connection fee in accordance with the City's Sanitary Sewer Use, Extension and Connection Amendment Bylaw 2342, 2004, and Fees and Charges Amendment Bylaw 2845, 2016. Property owners were asked to identify their payment option - whether a lump sum fee or a 15 year parcel tax. Four of the five property owners responded indicating support for the project with one indicating their willingness to pay the \$8,000 fee and the remainder requesting a 15 year parcel tax repayment option.

Council is asked to consider a fifteen year parcel tax bylaw which would provide property owners a commutation option. The annual parcel tax is calculated to be \$563.69 per year for fifteen years levied on the annual property taxes.

CAO RECOMMENDATIONS:

That based on the August 8, 2017 report "Headquarters/Pebernat Road – Sanitary Sewer Extension – 15 Year Parcel Tax Option" Council approve OPTION 1 and consider adopting the "City of Courtenay Headquarters/Pebernat Roads Sanitary Sewer Parcel Tax Bylaw 2887,2017" which provides property owners a fifteen year parcel tax option for payment of the \$8,000 connection fee.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The Headquarters/Pebernat Road area is within the North Courtenay boundary extension area which took place in November 2002. The sewer extension to this area was constructed in two phases. Phase 1 was constructed in 2014 on Headquarters and Vanier Roads to fix a flow constraint in order to provide extra flow capacity for future growth. Phase 2 provided sanitary service to the remaining five properties in the area. Construction began in the spring of 2017 and was completed by June 2, 2017.

In April 2016, the property owners along Headquarters Road (north of Vanier Drive) and Pebernat Road were provided with correspondence requesting their interest in connecting to the City sanitary system. All owners supported the project. The property at the corner of Headquarters Road and Dove Creek Road was originally contacted regarding interest in servicing, however the property changed ownership during the delivery of the project. The Comox Valley Regional District (CVRD) purchased the property and will service the property through another existing sanitary connection.

On April 24, 2017 a second letter was provided to residents noting the construction schedule and requested their clarification regarding the method of payment for the \$8,000 fee – the mandatory connection fee of \$3,000 and capital contribution charge of \$5,000 per connection on properties receiving sewer service. Two payment options were provided to the property owners, a lump sum payment, or a 15 year parcel tax.

DISCUSSION:

In order to provide property owners with an alternative method of payment to the \$8,000 lump sum fee, a 15 year parcel tax bylaw is presented for Council's consideration. It provides for the implementation of a parcel tax (\$563.69 per year) on their property tax account for a period of 15 years starting in 2018. The cumulative total of principal and interest is \$8,455.35 per connection.

Property owners were provided written notice of the two options. Four of the five property owners requested application of a parcel tax and one chose to pay in full.

Residents have been informed that the sanitary sewer service is complete and ready for use. A connection deadline of July 2, 2017 was provided for benefiting residents.

FINANCIAL IMPLICATIONS:

The sewer extension into Headquarters/Pebernat Road was estimated to cost \$137,000 and was budgeted as a two year sewer capital project between 2016 and 2017. Total actual costs incurred to the end of June, 2017 are \$134,255.00. The mandatory sewer connections in the service area provide \$40,000 in funding with the balance of \$94,254 being funded through the sewer capital budget - Reserve for Future Expenditures.

ADMINISTRATIVE IMPLICATIONS:

Once the Bylaw is approved, staff will proceed with updating the property tax system for property owners who chose the fifteen year payment option.

ASSET MANAGEMENT IMPLICATIONS:

Phase 2 sewer extension adds 214 meters of infrastructure to the City's sewer network.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- Communication with our community is a priority, and is considered in all decisions we make
- We responsibly provide services at a level which the people we serve are willing to pay

OFFICIAL COMMUNITY PLAN REFERENCE:

6.3 Sanitary Sewer Treatment:

"Policies:

4. The City through the development of a Master Sewer Strategy will develop strategies to facilitate providing alternative trunk networks and systems to transport effluent to treatment facilities."

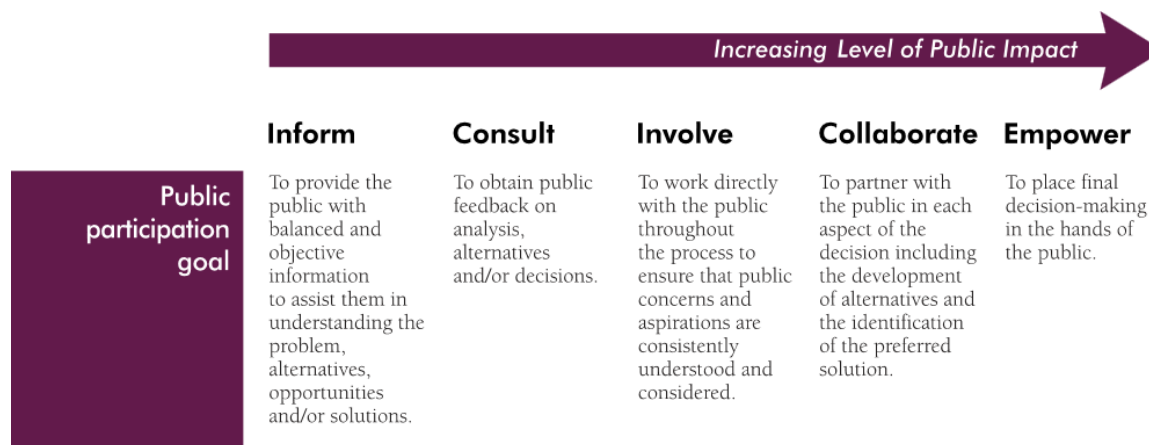
REGIONAL GROWTH STRATEGY REFERENCE:

5-D Sewer: Encourage sewer management approaches and technologies that respond to public health needs and maximize existing infrastructure.

CITIZEN/PUBLIC ENGAGEMENT:

Staff have **informed and consulted** with 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



Letters have been provided to property owners and residents have communicated directly with Engineering whenever clarification was required.

OPTIONS:

1. That Council endorse the Headquarters/Pebernart Roads Sanitary Sewer Service Area Parcel Tax Bylaw No. 2887, 2017, which provides for a 15 year parcel tax payment option for property owners within this new service area.

2. That Council defer this proposed bylaw upon further discussion.

Prepared by:

A handwritten signature in black ink, appearing to read "Brian Parschauer".

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

Attachment # 1 – Map of newly serviced properties

SCHEDULE 'A'

Vanier Dr

Properties Serviced by
Sanitary Sewer Extension

Headquarters Rd

Pebernatt Rd

Dove Creek Rd



BRIEFING NOTE

To: Council
From: Chief Administrative Officer
Subject: Crown Isle Traffic Issues

File No.: 5210-02 (2017)
Date: August 3, 2017

ISSUE:

The purpose of this Briefing Note is to provide Council with staff's response to concerns received from residents regarding traffic issues in the Crown Isle area.

BACKGROUND:

Over the past several weeks, the City has received a number of complaints regarding truck traffic in the Crown Isle area. Generally the complaints relate to dust from gravel trucks, unsecured loads, and dangerous goods.

KEY CONSIDERATIONS:

Generally the concerns relate to moving violations, which are outside the jurisdiction of the City. However, the *2005 Ward Transportation Study* speaks to Trucks routes:

2.12 Truck Routes

The existing truck routes in the City of Courtenay are shown in Exhibit 2.10 (attached). As can be seen in this exhibit and when compared to the road classification map, all arterial routes as well as Ministry of Transportation routes are specifically classified as truck routes. In addition, all industrial/commercial collectors are also truck routes. However, residential collectors as well as most local roads are not classified as truck routes.

Based on this study Royal Vista Way is a Collector... and therefore NOT a designated truck route. However, temporary construction exemptions exist for non-truck routes as it's the only way to deliver construction goods. The intent of truck routes is for through-traffic to use designated roads only. Delivery of goods and services are allowed on all streets.

A question has been raised as to whether an alternate access for construction traffic off Ryan Road could be used. Staff understand that the Ministry of Transportation and Infrastructure closed this access due to safety concerns related to vehicles coming out on to this section of Ryan which is 80 KM per hour.

That said, the City has contacted Crown Isle along with construction companies to request their assistance in dealing with these complaints. In particular, the City requested consideration of the concept of

coordinating with the various builders and trades in attempt to alleviate the concerns of neighbourhood residents.

With respect to the dangerous goods issue, fuel is not considered a dangerous good in terms of specific route requirements; only that the carrier labels accordingly.

Regarding unsecured loads, this is under the *Motor Vehicle Act Regulations*. The complainants can forward the truck licence numbers to the provincial commercial vehicle inspector and they will likely take action at 1-888-775-8785. The City cannot enforce this.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David Allen', with a stylized, cursive script.

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

Attachment 2.10 – Existing Road Classifications

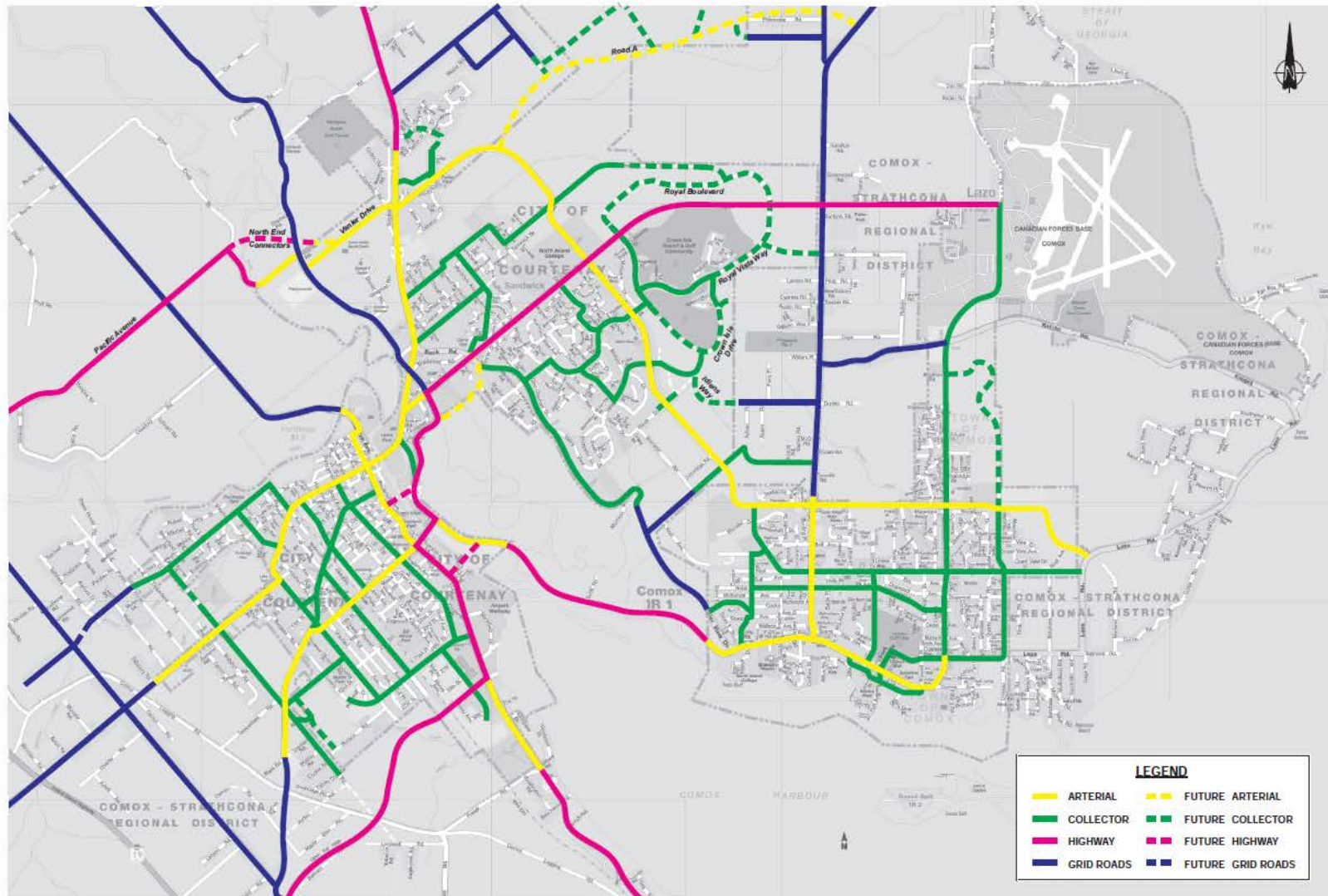


THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE



EXHIBIT **2.1**
EXISTING ROAD CLASSIFICATION



1/29



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE

To: Council
From: Chief Administrative Officer
Subject: Update – Williams Lake Wild Fire

File No.: 7130-06
Date: July 21st, 2017

ISSUE:

The Courtenay Fire Department is currently assisting in the efforts regarding the Williams Lake wild fire.

BACKGROUND:

On Tuesday July 11th, the Office of the Fire Commissioner requested resources from the Courtenay Fire Department to help them battle the wildfires in the Williams Lake area.

The department sent Engine 11 and four members of the department up to the area the next day, where they have been tasked with the protection of a large mill for the duration of the trip. By all accounts Courtenay Fire Department representatives have performed admirably, so much so that we have been asked by the Incident Commander in Williams Lake to send up an additional four members to relieve the ones currently up in the area. The shift change is taking place this evening with the first deployment returning to town the evening of July 18th.

KEY CONSIDERATIONS:

We have received tremendous support from our volunteers who have remained in town and available to respond to calls during these deployments. We currently have no concerns with our ability to protect our residents should something occur here.

We also have been working closely with our mutual aid partners ensuring that we have access to their resources should the need arise. An example of this cooperation would be the wildfire that occurred in Comox's area on Saturday July 15th. Resources from Courtenay, Cumberland, Oyster River, Campbell River, 19 Wing and the Ministry of Forests, Lands and Natural Resource Operations all assisted Comox with the fire, and managed to save a home in the process.

This is an example of effective sharing of resources throughout the entire Comox Valley and beyond.

Expenses incurred during the deployments associated with the City's participation in these wildfire events are covered by the Province of BC.

Prepared by,

Kurt MacDonald,

Acting Fire Chief



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE

To: Council
From: Chief Administrative Officer
Subject: Update – Williams Lake Wild Fire

File No.: 7130-06
Date: August 3 2017

ISSUE:

Courtenay Fire Department assistance with Williams Lake Wildfire

BACKGROUND:

The Courtenay Fire Department has continued to assist the Province of BC in battling the Interior fires. Since July 11th, we have sent five different crews to locations such as Williams Lake, 150 Mile House, Loon Lake, Kelowna, Monte Lake, and Clinton where they have performed their duties admirably. Days have been long, hot and tiring with the crews often working between 10 and 14 hours at a time, and the tasks they have been performing have included the protection of a Williams Lake Sawmill, extinguishing hot spots in residential areas, removing fuel loads from homes that have been evacuated, and supporting the BC Forest Service in their attempts to divert the fires around populated areas. Each crew has been working a 6 day shift on average, which has allowed 20 different members of our department to experience an event of this magnitude. They have come back with some great ideas on how to improve our wildfire fighting capabilities that we will be implementing in the near future, and have been very grateful for the opportunity to participate.

KEY CONSIDERATIONS:

We continue to have tremendous support from our volunteer fire fighters who have remained in town during these deployments, and currently have no concerns with our ability to protect our residents should the need arise. We have also maintained close contact with the Oyster River Fire Department and Comox Fire Rescue to see what resources they have left that the City can use in the event of a mutual aid request.

Expenses incurred during the deployments associated with the City's participation in these wildfire events are covered by the Province of BC.

Prepared by

Kurt Macdonald
Acting Courtenay Fire Chief



BRIEFING NOTE

To: Council
From: Director of Recreation and Cultural Services
Subject: Pickleball and Tennis Pilot Project

File No.: 6120-02
Date: July 27, 2017

ISSUE:

Staff has assessed a current pilot project that introduces the shared use of the Lewis Park tennis courts between pickleball and tennis players. The pilot project has proven to be unsuccessful and will be discontinued as of July 28, 2017 based on factors outlined in this staff Briefing Note.

BACKGROUND:

In the spring of 2017 a pilot project was initiated to mark four pickleball courts on one of the tennis courts at Lewis Park using painter's tape. It was hoped that pickleball courts would be compatible with adjacent tennis play. Over the subsequent months, the City received a high volume of complaints about the pilot project. There have also been negative verbal exchanges between groups on site.

On July 20 the City received a petition from tennis players and supporters, and over the last few weeks a large number of emails identifying their concerns with the pilot. A similar quantity of pickleball players have also emailed council and staff to advocate for permanent court lines. Staff has been in discussions with both parties in an attempt to work out some solutions.

The Mayor invited both parties to speak as delegations on July 17, 2017. Both groups attended in numbers that were far beyond the capacity of Council chambers. The pickleball association requested permanent pickleball lines to be painted on the tennis courts and the presentation from the tennis association opposed the same. Council has referred the request back to staff. After the consultation process, staff will present a report to council. Due to the consultation schedule, this report will be coming to council in the fall.

The cancellation of the pilot project is an operational issue. This briefing note clarifies the status of the pilot project and the reasons for changes.

KEY CONSIDERATIONS:

The feedback from the participants is used to determine the success of a public pilot project. From this measure, the failure of the pilot is clear. However, the pilot is also being discontinued based on the following factors:

- There have been several verbal exchanges on site that have left some users feeling unsafe, with the most recent being reported on July 25. These are a direct result of the pilot project.
- Tennis players have expressed a concern that the lines create a slip hazard on the playing surface. Although the lines can be removed for tennis play, it increases the cost of the pilot and has subjected tennis players to criticism from pickleball players. This has included pickleball players taking photos of the tennis players removing the lines and confronting them as vandals.
- New services are generally introduced after council approval. Tennis is an existing service at Lewis Park while pickleball is an introduced activity through this pilot project. Although the intent of the

pilot was positive, staff do not believe that the continuation of this pilot will yield any different results based on the response to date, and may result in a further escalation of conflict between pickleball and tennis players. The ongoing master plan process, as well as the regional task force on indoor tennis and pickleball, are the appropriate forums to investigate solutions to user group needs.

One successful component of the pilot project has been the use of the tennis practice court for pickleball. Although the spacing isn't ideal, two courts can be positioned on the practice court. Staff have decided to allow the continued use of these two pickleball courts until the start of September. Also staff will continue to work with our regional and municipal partners to watch for other locations for both temporary and permanent pickleball use.

Both user groups are encouraged to participate in the upcoming parks and recreation master plan consultation sessions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D Snider', with a stylized flourish at the end.

Dave Snider MBCSLA
Director of Recreation and Cultural Services



August 1, 2017

Dear Mayors and Regional District Chairs:

As we prepare for the 2017 Union of British Columbia Municipalities (UBCM) Convention in Vancouver, September 25 to 29, I wanted to let you know my caucus is looking forward to meeting you and working with you to build strong and vibrant communities throughout B.C.

This year's theme, *Roots to Results*, reminds us that we all have a role to play in finding solutions to the problems our communities face. UBCM gives us the opportunity to listen to one another, share ideas, and work together to build a better future for people and communities.

If you would like to request a meeting with me or a Cabinet Minister during this year's convention, please register online at <https://UBCMreg.gov.bc.ca>. This site will go live on August 3rd, 2017. Please note the invitation code is MeetingRequest2017 and it is case sensitive. If you have any questions, please contact Marlene Behrens, marlene.behrens@gov.bc.ca.

I look forward to meeting with many of you, and hearing about your communities and, exploring ways we can partner together to address common issues.

Sincerely,

A handwritten signature in black ink that reads 'John Horgan'. The signature is written in a cursive, flowing style.

John Horgan
Premier



AUG 02 2017

Dear Mayors and Regional District Chairs:

It is my pleasure to write to you regarding scheduling appointments for the upcoming annual UBCM Convention taking place in Vancouver, September 25 to 29, 2017.

As the Minister of Municipal Affairs and Housing, I am pleased to provide you with information regarding the process for requesting a meeting with me, as well as with provincial government, agency, commission and corporation staff. Additionally, you will receive a letter from Honourable John Horgan, Premier, containing information about the online process for requesting a meeting with Premier Horgan and other Cabinet Ministers.

If you would like to meet with me at the Convention, please complete the online form at: [Minister's Meeting](#) and submit it to the Ministry of Municipal Affairs and Housing before **August 18, 2017**. Meeting arrangements will be confirmed by early September. I will do my best to accommodate as many meeting requests as possible. In the event I am unable to meet with you, arrangements may be made for a meeting post-Convention.

To get the most out of your delegation's meeting, it would be helpful if once you make your meeting request, you could provide a one to one and one-half page summary of the matter(s) to be discussed (a template will be provided online). By providing this information in advance of the meeting, I will have a better understanding of your delegation's interests and it will allow for discussions that are more productive.

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

As the Minister responsible for local government, I appreciate the important work local governments do for the benefit of British Columbians. I look forward to meeting with many of you, hearing about your communities, and exploring ways we can partner together to address common issues.

Sincerely,

A handwritten signature in black ink, reading 'Selina Robinson'.

Selina Robinson
Minister

pc: Honourable John Horgan, Premier
Murry Krause, President, Union of British Columbia Municipalities

For the Record: City of Courtenay Mayor Jangula

Open discussion, debate and deliberation are essential in a healthy democracy, and I am very proud to participate in the democratic process at the City of Courtenay.

We recognize the importance of this process and freedom of speech. We also believe it is important to correct the public record from time to time so that our community has accurate and timely information.

That's why we will be establishing a new page on our website entitled "For the Record." Our goal is to identify and correct any incorrect information, and help set the record straight. While we will continue to provide information to our citizens through the media and our social media, there are times when additional clarification is needed.

This has been the case recently with some anonymous ads that contain incorrect statements about some members of City Council and senior staff. As a result, here are a few examples of incorrect information we wish to clarify and correct, for the record.

Conference Attendance Incorrect

A newspaper ad that ran on June 15, incorrectly stated that City of Courtenay CAO David Allen attended the Federation of Canadian Municipalities (FCM) Conference, along with some members of Council.

In fact, Mr. Allen did not attend the FCM Conference. Mr. Allen was invited to speak at the Canadian Association of Municipal Administrators (CAMA) Conference on the City's asset management practices, and how we manage our infrastructure and our assets for the benefit of our current and future citizens. The CAMA conference is held annually in advance of the FCM Conference. As an invited speaker, the majority of Mr. Allen's expenses for the trip were paid for by FCM, not the City of Courtenay.

Staffing and Services

A previous newspaper ad on May 18 provided incorrect information, stating that the number of employees at the City of Courtenay has grown to over 50 management staff in 2017.

In fact, the City of Courtenay has 31 managerial staff, with three to be added in 2017.

With regard to salaries, each year, all local governments in British Columbia release information on staff that earned over \$75,000 in the previous year. Being included on this list does not necessarily mean these employees are management. For example, some staff surpassed this threshold due to overtime and standby hours worked. Public safety issues such as snowstorms and flood alerts, or emergency utility repairs such as water main breaks, are examples of situations that may result in overtime.

The City of Courtenay bases employee compensation on several factors, including fair market rates offered by other comparable local governments as well as contractual obligations with unionized employees. The City employs around 180 full-time, part-time, and casual employees. If we include summer students, volunteer firefighters, and instructors at Courtenay Recreation, this number increases to over 300.

For the Record

In the near future, if you have questions about something you have read or heard, you will be able to check out our new “For the Record” page on our website at www.courtenay.ca/fortherecord. We will do our best to provide clarification or corrections that may be required.

And as always, I encourage citizens looking for information about the City of Courtenay to visit our website, to contact their Council representatives or send us an email to info@courtenay.ca

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2887

A bylaw to impose a Parcel Tax on Property in the Glacier/Chapman Sanitary Sewer Service Area

WHEREAS the Council has constructed sanitary sewer extensions to service additional properties on Headquarters Road and Pebernat Road;

AND WHEREAS Council has imposed a mandatory fee per connection of \$8,000 in accordance with Bylaws 2342 and 2845 to provide for part of the funding for construction of the works;

AND WHEREAS under the provisions of Section 200 of the *Community Charter*, the Council of the City of Courtenay may, by bylaw, impose a parcel tax to provide all or part of the funding for a service;

AND WHEREAS under the provisions of Section 202 of the *Community Charter*, the Council of the City of Courtenay may, by bylaw, direct the preparation of a parcel tax roll for the purposes of imposing a parcel tax;

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

1. In this Bylaw, unless the context otherwise requires:

“Parcel” means any lot, block or other area in which real property is held or into which it is sub-divided.

“Group of Parcels” means where a building or other improvement extends over more than one parcel of land, those parcels, if contiguous may be treated by the Assessor as one parcel and assessed accordingly.

2. The service for which the tax is imposed is for the extension of the sanitary sewer into the Headquarters Road and Pebernat Road service area.
3. A parcel tax roll for the Headquarters/Pebernat Road sanitary service area is hereby directed to be prepared, consisting of those properties in areas as follows:

Schedule A: Headquarters/Pebernat Road Sewer Service Area

4. The tax is imposed for fifteen (15) years, beginning with 2018 and up to and including the year 2032.
5. The parcel tax is imposed on the basis of an amount per connection on each parcel on the Headquarters/Pebernat service area parcel tax roll.

6. The parcel tax shall be levied on each parcel or group of parcels of real property within the Headquarters/Pebernath service area parcel tax roll, unless the owner or previous owner of the parcel has already paid the fee in full on connection.
7. The parcel tax roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to Section 204 of the Community Charter.
8. The parcel tax hereby imposed shall be:
 - a) Nil for each parcel of land or real property for which the owners or prior owners have chosen to prepay the connection fee(s).
 - b) \$563.69 per connection on each parcel of land or real property for which the owners or prior owners have chosen to pay the bylaw connection fee(s) over fifteen years as an annual parcel tax.
9. The parcel tax shall be levied annually upon the owner of each parcel of land or real property and shall be collected in the same manner and with like remedies as ordinary taxes upon the land are collected.
10. The Bylaw and the annual parcel tax hereby imposed shall remain in force from year to year until altered or repealed.
11. This Bylaw may be cited for all purposes as **“Headquarters/Pebernath Road Sanitary Sewer Service Area Parcel Tax Bylaw No. 2887, 2017”**.

Read a first time this day of , 2017

Read a second time this day of , 2017

Read a third time this this day of , 2017

Finally passed and adopted this day of , 2017

Mayor

Director of Legislative Service

SCHEDULE 'A'

Vanier Dr

Headquarters Rd

Dove Creek Rd

Pebernatt Rd

Properties Serviced by
Sanitary Sewer Extension

CITY OF COURTENAY

BYLAW REFERENCE FORM

BYLAW TITLE

Headquarters/Pebernatt Roads Sanitary Sewer Service Area Parcel Tax Bylaw No. 2887, 2017

REASON FOR BYLAW

This Bylaw is presented to impose a Parcel Tax on properties in the Glacier/Chapman Sanitary sewer service area, specifically to service additional properties on Headquarters Road and Pebernatt Road.

STATUTORY AUTHORITY FOR BYLAW

Section 200 - 209 of the *Community Charter*

OTHER APPROVALS REQUIRED

N/A

STAFF COMMENTS AND/OR REPORTS

See SR-DFS-2017-08-08 Headquarters/Pebernatt Roads – Sanitary Sewer Extension – 15 Year Parcel Tax Option Report

OTHER PROCEDURES REQUIRED

August 8, 2017

B. Parschauer
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2890

A Bylaw to establish a Police Contingency Reserve

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

CITATION

1. This Bylaw may be cited for all purposes as the "**Police Contingency Reserve Bylaw No. 2890, 2017.**"

ESTABLISHMENT

2. Subject to section 188 of the *Community Charter*, this bylaw establishes a reserve for a specified purpose and directs that money be placed to the credit of the reserve.
3. Funds allocated under the non-statutory reserves of Computer Equipment and Traffic Fines Revenue shall be deemed to be reserves under this Bylaw.
4. Monies in this reserve and interest earned on it must be used only for the purposes for which the reserve was established.
5. Monies are to be received through budget transfers or other Council approved allocations as authorized by the *Community Charter* and other applicable legislation and regulations.
6. Any annual police contract budget-to-actual cost savings contributing to the prior year's surplus, shall be proportionately allocated to this reserve, up to a maximum of \$250,000 annually.
7. The minimum reserve balance shall be \$350,000 with an optimal balance of \$750,000.
8. Amounts included in the Financial Plan adopted under Section 165 of the *Community Charter* or other allocations approved by Council, may from time to time be paid into this reserve.

ADMINISTRATION

9. The accumulated funds in the Police Contingency Reserve shall be used for the funding for two full-time regular police members, unanticipated policing operational anomalies such as one-time police investigations and police related one-time capital expenditures.
10. All expenditures of money from the Police Contingency Reserve shall be provided for in the annual Financial Plan or approved by Council amendment thereto.
11. Council hereby authorizes the administration of this bylaw to the Director of Finance.

SEVERANCE

12. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed portion.

EFFECTIVE DATE

13. This Bylaw will come into force on the date of its adoption.

Read a first time this day of August, 2017

Read a second time this day of August, 2017

Read a third time this day of August, 2017

Finally passed and adopted this day of August, 2017

Mayor

Director of Legislative & Corporate Services

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

Police Contingency Reserve Bylaw No. 2890, 2017

REASON FOR BYLAW

This Bylaw is presented to:

- create a reserve for the placement of surplus dollars from police operations and to permit the use of said funds for one-time police operating and capital expenditures

STATUTORY AUTHORITY FOR BYLAW

Section 188 of the *Community Charter*

OTHER APPROVALS REQUIRED

N/A

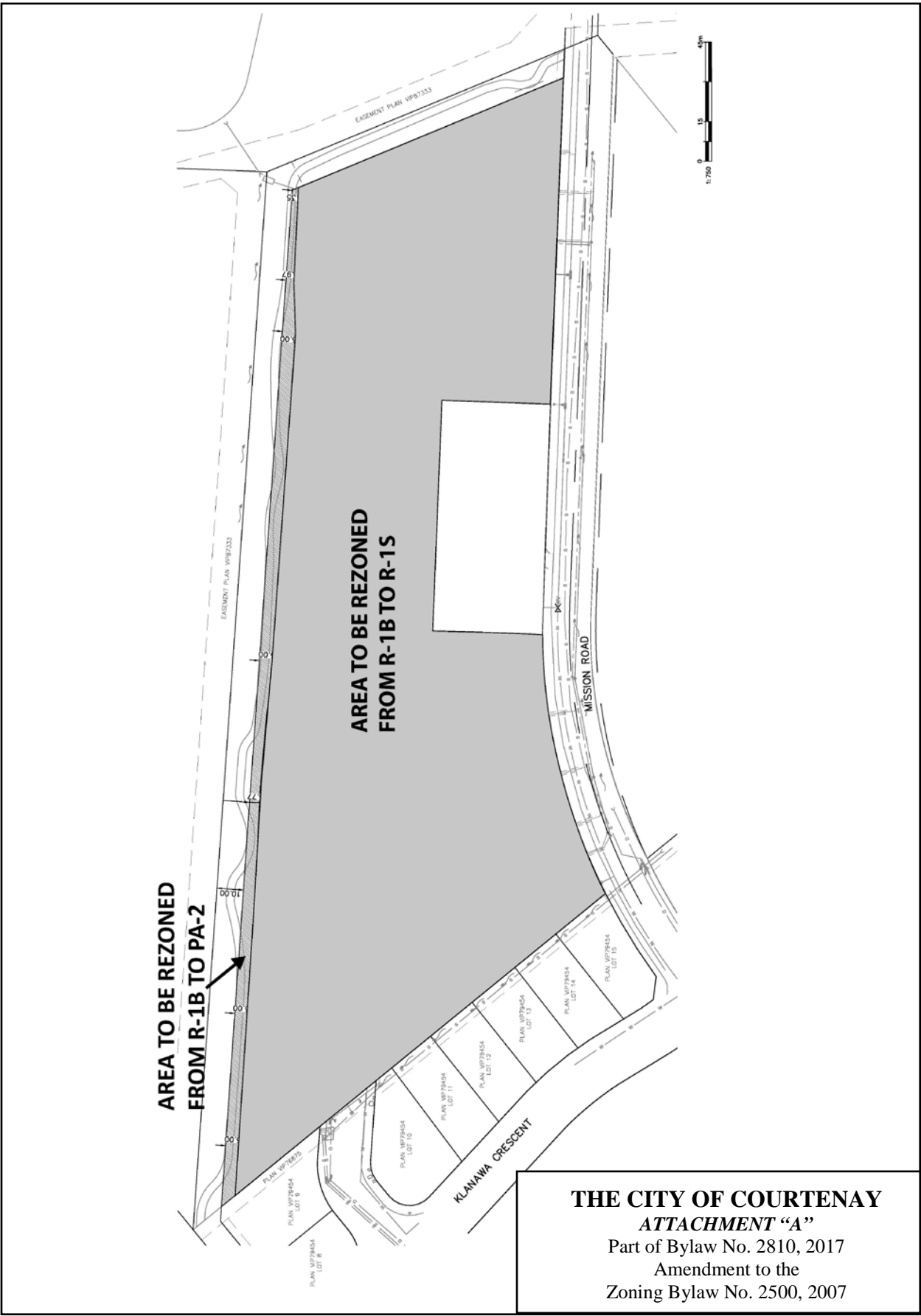
STAFF COMMENTS AND/OR REPORTS

See SR-DFS-2017-08-08 Police Contingency Reserve report

OTHER PROCEDURES REQUIRED

August 8, 2017

B. Parschauer
Staff Member



THE CITY OF COURTENAY
ATTACHMENT "A"
Part of Bylaw No. 2810, 2017
Amendment to the
Zoning Bylaw No. 2500, 2007

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2882

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. 2882, 2017**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Lot 2, Section 15, Comox District, Plan 48973 (525 Back Road), 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 Two Zone (R-2); 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 4th day of July, 2017

Read a second time this 4th day of July, 2017

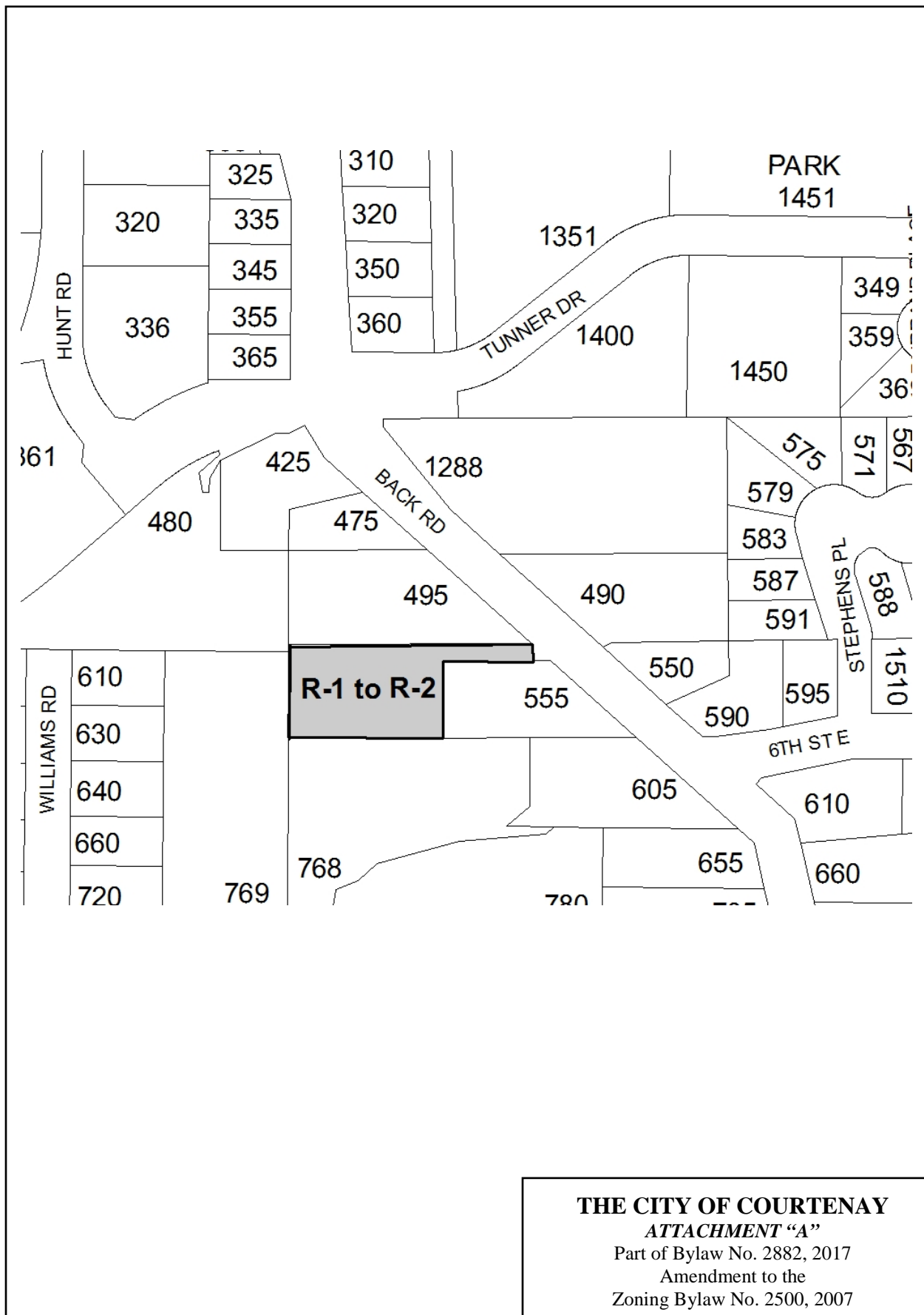
Considered at a Public Hearing this 17th day of July, 2017

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. 2882, 2017
Amendment to the
Zoning Bylaw No. 2500, 2007