

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

*We respectfully acknowledge that the land on which we gather is the
unceded traditional territory of the K'ómoks First Nation*

DATE: February 19, 2019
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

1.00 ADOPTION OF MINUTES

- 1 1. Adopt February 4th, 2019 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Dr. David Parkinson - The Impact of Climate Change in the Comox Valley

4.00 STAFF REPORTS/PRESENTATIONS

(a) Recreation and Cultural Services

- 9 1. Lush Valley Food Action Society Community Garden Agreement

(b) Development Services

- 47 2. Zoning Amendment Bylaw No. 2946 - #105-789 Ryan Road

(c) Engineering Services

- 77 3. Grant Application - UBCM Flood Modelling

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 81 1. Invitation to Elected Officials Forum March 12, 2019

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 83 1. Parks and Recreation Advisory Commission Meeting Minutes December 06, 2018

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

- Councillor Cole-Hamilton
- Councillor Frisch
- Councillor Hillian
- Councillor McCollum
- Councillor Morin
- Councillor Theos
- Mayor Wells

8.00 RESOLUTIONS OF COUNCIL

9.00 UNFINISHED BUSINESS

1. Delegation - Kelly Mathews, Dogwood Group and Andrew Gage, West Coast Environmental Law, WCEL

Climate accountability for the fossil fuel industry's role in carbon outputs causing climate change. Council to consider sending a letter to the top 20 fossil fuel companies to pay their fair share towards the cost of local climate change as a result of their operations and products.

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 85 1. Wounded Warrior Run BC - February 25 to March 03, 2019
- 87 2. Comox Valley Airport Commission's (CVAC) Concurrence of Director Reappointment
- 89 3. Mayors Call for Action on Transportation - Future of Vancouver Island E&N Corridor

12.00 BYLAWS

For First and Second Reading

- 91 1. "Zoning Amendment Bylaw No. 2946, 2019"
(A bylaw to allow storefront cannabis retailer as permitted use - #105 - 789 Ryan Road)

13.00 ADJOURNMENT

NOTE: There is a Public Hearing scheduled for 5:00 p.m. in relation to:

Bylaw No. 2938 - Zoning Amendment to allow the construction of a seniors facility and associated services (925 Braidwood Road)

Bylaw No. 2944 - Text Amendment to *Zoning Bylaw No. 2500, 2007*, to allow a Storefront Cannabis Retailer as a permitted use on the property (#1400 - 2701 Cliffe Avenue)

R3/2019 – February 04, 2019

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 04, 2019 at 4:00 p.m.

Attending:

Mayor: B. Wells

**Councillors: W. Cole-Hamilton
D. Frisch
D. Hillian
M. McCollum
W. Morin
M. Theos**

Staff: D. Allen, CAO

J. Ward, Director of Legislative and Corporate Services/Deputy CAO

W. Sorichta, Manager of Corporate Administrative Services

I. Buck, Director of Development Services

T. Kushner, Director of Public Works Services

J. Nelson, Director of Financial Services

R. O’Grady, Director of Engineering Services

D. Snider, Director of Recreation and Cultural Services

A. Guillo, Manager of Communications

PRESENTATION

9th Annual Mayor’s Cup Hockey Tournament Fundraiser Event for Kidsport

The outcome of the 9th Annual Mayor’s Cup Hockey Tournament between Courtenay and Comox had Courtenay the victor. Comox Mayor Russ Arnott presented the Mayor’s Cup trophy to Council while wearing Mayor Wells’ Don Cherry jersey. As part of the friendly rivalry, the Town of Comox will fly the City of Courtenay flag at Comox Town Hall for the week; the annual event raised \$16,773 for KidSport.

The February 4th Regular Council meeting was called to order.

1.00 ADOPTION OF MINUTES

.01

MINUTES

Moved by Frisch and seconded by Theos that the January 21st, 2019 Regular Council meeting minutes and the January 28th, 2019 Committee of the Whole meeting minutes be adopted.

Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

Judith Conway of H.O.P.E. (Halt Overdose through Prevention and Education) made a presentation to Council about the drug overdose crisis in Canada and the stigma and shame related to drug overdose deaths. Ms. Conway created a memorial display with visual representations of those who have died of overdose in Canada in 2017, and those expected to die of overdose in one week, in order to create an opportunity for dialogue about action, prevention and education. Ms. Conway is requesting Council's permission to erect a memorial display at the Courtenay Airpark in order to bring awareness of the drug overdose crisis in Canada to the residents of the Comox Valley.

Carl Tessmann, Comox Valley Canoe Racing Club, presented information to Council on the evolution of competitive and recreational outrigger canoe paddling and stand-up paddle boarding in the Comox Valley. With the club's expected growth and recruitment, Mr. Tessmann foresees the need to expand their space within 2 - 5 years in order to accommodate their existing canoes, small boats and equipment. The delegation requested Council's consideration to explore options, in partnership, to expand the club's space and secure storage compound at its existing location off 20th Street by the Courtenay Airpark Marina as supported by the City of Courtenay's Official Community Plan.

**The council meeting recessed at 4:43 p.m. to permit delegations to clear Council Chambers
The meeting reconvened at 4:47 p.m.**

4.00 STAFF REPORTS/PRESENTATIONS

.01

DR. CHARMAINE
ENNS, MEDICAL
HEALTH OFFICER, CV
COMMUNITY DRUG
STRATEGY

Dr. Charmaine Enns, Medical Health Officer, made a presentation to Council as a member of the Comox Valley Community Drug Strategy Committee regarding alcohol consumption trends in the Comox Valley and Vancouver Island. The presentation focused on low risk moderate drinking supporting healthy lifestyles and identified the health impacts and social harms related to hazardous drinking.

Dr. Enns expressed how municipal government's involvement in policy and decision making around alcohol can reduce alcohol related harms in their communities and proposed Council consider establishing a municipal alcohol policy and advocating such policy with other local governments.

Dr. Enns welcomed staff and Council to attend *What's the Story About Alcohol: An Evening with Harold R. Johnson*, speaking event March 6th, hosted at North Island College Comox Valley Campus.

Moved by Morin and seconded by McCollum that Council direct staff to investigate the feasibility and details of developing a municipal alcohol policy.

Carried

.02

DEVELOPMENT
VARIANCE PERMIT

Moved by Frisch and seconded by Morin that based on the February 4th, 2019 staff report "Development Variance Permit No. 1807 -

R3/2019 – February 04, 2019

NO. 1807 - 2200
CLIFFE AVENUE
3090-20-1807

2200 Cliffe Avenue” Council approve OPTION 1 and issue Development Variance Permit No. 1807.
Carried

.03

ZONING AMENDMENT
BYLAW NO. 2938 -
925 BRAIDWOOD
ROAD
3360-20-1813

Moved by Frisch and seconded by Theos that based on the February 4th, 2019 staff report “Zoning Amendment Bylaw No. 2938 - 925 Braidwood Road” Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw 2938, 2018, based on the revised drawings submitted by the applicant, on February 19th, 2019 at 5:00 p.m. in City Hall Council Chambers.

Carried

.04

ZONING AMENDMENT
BYLAW 2944 -
UNIT #1400 - 2701
CLIFFE AVENUE
3360-20-1815

Moved by Frisch and seconded by McCollum that based on the February 4th, 2019 staff report “Zoning Amendment Bylaw No. 2944 - #1400 - 2701 Cliffe Avenue” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2944, 2019; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to the above referenced Bylaw on February 19th, 2019 at 5:00 p.m. in City Hall Council Chambers.

Carried

Councillor McCollum left Council Chambers at 6:23 p.m.

Councillor McCollum returned to Council Chambers and took her seat at 6:25 p.m.

.05

COURTENAY
CYCLING NETWORK
PLAN AND BIKEBC
GRANT

Moved by Cole-Hamilton and seconded by Hillian that based on the February 4th, 2019 staff report “Courtenay Cycling Network Plan and BikeBC Grant”, Council approve OPTION 1 and adopt the Cycling Network Plan portion of Courtenay’s Master Transportation Plan and authorize the City to make an application for grant funding for two cycling network projects through the Provincial Government’s BikeBC program.

Carried

Beth Hurford, Urban Systems, presented information to Council on the process, engagement and considerations of the draft Courtenay Cycling Network Plan which will be included in the broader Transportation Master Plan.

The draft Cycling Network plan as presented, encapsulated existing cycling conditions, opportunities for building the network, guiding principles used to develop the plan and included short, medium and long term project considerations.

The draft Courtenay Cycling network plan was received for information.

The council meeting recessed at 6:39 p.m.

The meeting reconvened at 6:51 p.m.

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- .01** Moved by Hillian and seconded by Frisch that the correspondence dated January 16, 2019 from the Comox Valley Regional District inviting staff and Council to participate in the Community to Community Forum workshop February 26, 2019 be received for information.
- CORRESPONDENCE
COMOX VALLEY
REGIONAL DISTRICT
CVRD, INVITATION TO
COMMUNITY TO
COMMUNITY FORUM,
FEBRUARY 26, 2019
- Carried**

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- .01** Moved by Frisch and seconded by Theos that the Heritage Advisory Commission meeting minutes for November 28th, 2018 be received for information.
- HERITAGE ADVISORY
COMMISSION
MEETING MINUTES
0360-20
- Carried**

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

- COUNCILLOR
COLE-HAMILTON
- Councillor Cole-Hamilton reviewed his attendance at the following events:
- CVRD Liquid Waste Management Plan Public Information Session
 - Comox Strathcona Solid Waste Advanced Technologies Select Committee meeting
 - World Community Film Festival - The Community Action Hive
- COUNCILLOR
FRISCH
- Councillor Frisch reviewed his attendance at the following events:
- 'Democracy Corner' at World Community Film Festival and affordable housing discussion that transpired at the event
 - National Ski & Snowboard Day at Mount Washington Alpine Resort
 - CVRD Liquid Waste Management Plan Public Information Session
 - CVRD Sports Commission meeting
 - CVRD Committee of the Whole meeting
 - CVRD Board meeting
 - Rotary Club of Strathcona Sunrise meeting

COUNCILLOR
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- Meeting with K’omoks First Nation & Project Watershed regarding Nature Fund application in support of Kus-Kus-Sum project
- Comox Valley Community Justice Centre Campagnola Lecture in Restorative Justice with RCMP Commissioner Brenda Lucki as featured speaker
- CVRD Sports Commission meeting
- CVRD Committee of the Whole meeting
- CVRD Board meeting
- Meeting with K’omoks First Nation & Project Watershed to brief MLA Leonard regarding the Kus-Kus-Sum project.
- North Island 911 Corporation meeting

COUNCILLOR
MCCOLLUM

Councillor McCollum reviewed her attendance at the following events:

- World Community Film Festival - The Community Action Hive

Councillor McCollum mentioned the affordability study in recent media focussed on cost of purchasing a home vs. income and the issues around affordability

COUNCILLOR
MORIN

Councillor Morin reviewed her attendance at the following events:

- CVRD Sports Commission meeting
- CVRD Committee of the Whole meeting
- CVRD Board meeting
- 'Democracy Corner' at World Community Film Festival

MAYOR
WELLS

Mayor Wells reviewed his attendance at the following events:

- Comox Valley Economic Development Society 2030 workshop
- Mayor’s Breakfast
- Comox Valley Community Justice Centre Campagnola Lecture in Restorative Justice with RCMP Commissioner Brenda Lucki as featured speaker
- Comox Valley Chamber Awards
- CVRD Sports Commission meeting
- CVRD Committee of the Whole meeting
- CVRD Board meeting
- Winterpreneurfest event
- Cumberland Museum’s new “exhibition”
- Tour of Riverside Senior Living complex
- Comox Strathcona Solid Waste Advanced Technologies Select Committee meeting
- World Community Film Festival - The Community Action Hive
- Comox Valley Whiskey Fest

8.00 RESOLUTIONS OF COUNCIL

.01

MAYOR WELLS
ASSOCIATION OF
VANCOUVER ISLAND
AND COASTAL
COMMUNITIES
(AVICC)

Moved by Frisch and seconded by McCollum that

WHEREAS the policing cost for City of Courtenay is one of the most significant expenditures in the City's financial plan;

AND WHEREAS the availability of alcohol under the jurisdiction of the B.C. Liquor & Cannabis Regulation Branch can have significant implications on local policing costs;

AND THAT the Provincial Government be requested to provide a portion of the British Columbia Liquor Tax to communities to be used towards policing costs;

THEREFORE BE IT RESOLVED that Council forward this resolution to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at the 2019 AVICC AGM & Convention.

Carried

.02

IN CAMERA
MEETING

Moved by Hillian and seconded by Frisch that a Special In-Camera meeting closed to the public will be held February 4th, 2019 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1)(g) litigation or potential litigation affecting the municipality; and
- 90 (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

Carried

9.00 UNFINISHED BUSINESS

.01

DELEGATION
REQUEST - HELEN
BOYD AND KATE
MOYNIHAN, CV
NURSES FOR HEALTH
& THE ENVIRONMENT
AND CV NURSES &
NURSE
PRACTITIONERS OF
BC

Moved by Frisch and seconded by Morin that Council direct staff to investigate options and implication of establishing a bylaw to ban single-use plastic bags and plastic straws.

Carried

.02

DELEGATION -
PATRICK MCKENNA,
EXECUTIVE
DIRECTOR, HABITAT
FOR HUMANITY
VANCOUVER ISLAND
NORTH

The delegation request from Patrick McKenna, Habitat for Humanity, was deferred until after the February 25th, 2019 Committee of the Whole meeting when the Courtenay land strategy update is tentatively scheduled to be presented to Council.

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

.01

2019 COMOX VALLEY
WATER COMMITTEE
VOTING STRUCTURE

Moved by Hillian and seconded by Frisch that Council confirm the Comox Valley Water Committee voting allocation from the November 5, 2018 inaugural meeting.

- Mayor Bob Wells 1 vote
- Councillor Doug Hillian 2 votes
- Councillor Wendy Morin 2 votes
- Councillor David Frisch 2 votes

Alternates: Councillor Will Cole-Hamilton, Councillor Melanie McCollum and Councillor Manno Theos

Carried

12.00 BYLAWS

.01

BYLAW NO. 2944,
2019, ZONING
AMENDMENT TO
ALLOW FOR A
STOREFRONT
CANNIBAS RETAILER
AS PERMITTED USE
(#1400 - 2701 CLIFFE
AVENUE)

Moved by Hillian and seconded by Frisch that “Zoning Amendment Bylaw No. 2944, 2019” pass first and second reading.

Carried

.02

BYLAW NO. 2942,
2019 ZONING
AMENDMENT TO
ALLOW FOR A
SECONDARY SUITE
(1435 GRIFFIN
DRIVE)

Moved by McCollum and seconded by Frisch that “Zoning Amendment Bylaw No. 2942, 2019” pass third reading.

Carried

Moved by Theos and seconded by Hillian that staff engage in conversation with the homeowners in order to enter into an owner/occupier housing agreement for the secondary suite proposed at the subject property located at 1435 Griffin Drive.

Defeated

In favour: Councillors Theos and Hillian

Opposed: Councillors Cole-Hamilton, Frisch, McCollum, Morin and Mayor Wells

.03

BYLAW NO. 2942,
2019 ZONING
AMENDMENT TO
ALLOW FOR A
SECONDARY SUITE
(1435 GRIFFIN
DRIVE)

Moved by Hillian and seconded by Frisch that “Zoning Amendment Bylaw No. 2942, 2019” be finally adopted.

Carried with Councillor Theos opposed

.04

BYLAW NO. 2954,
2019
CITY OF COURTENAY
FEES AND CHARGES
AMENDMENT
(SOLID WASTE
COLLECTION FEES)

Moved by Frisch and seconded by Hillian that “City of Courtenay Fees and Charges Amendment Bylaw No. 2954, 2019” be finally adopted.

Carried

13.00 ADJOURNMENT

.01

Moved by Hillian and seconded by Cole-Hamilton that the meeting now adjourn at 7:59 p.m.

Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 19th day of February, 2019

Mayor



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 2380-20 LUSH

From: Chief Administrative Officer

Date: February 19, 2019

Subject: Lush Valley Food Action Society Community Garden Agreement

PURPOSE:

The purpose of the report is to request Council approval of the Community Garden Agreement for the use of municipal property by the Lush Valley Food Action Society (LUSH).

POLICY ANALYSIS:

The *Community Charter*, section 26 and section 24 authorizes the City to enter into a licence for disposition of any real property held or owned by the City for less than market value, subsequent to the publishing of notice of the proposed disposition in accordance with section 94. Council is responsible for approving and authorizing the execution of such licence agreements.

CAO RECOMMENDATIONS:

Based on the February 19, 2019 staff report, "Lush Valley Food Action Society Community Garden Agreement", Council approve Option 1 and approve the attached Community Garden Agreement with Lush Valley Food Action Society for a term of five years with an option to renew for a further term of five years for the municipal owned property, subsequent to the publishing of notice; and

That the Mayor and the Director of Legislative and Corporate Services be authorized to execute the licence agreement on behalf of the City.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

Share the Harvest Community Garden is currently located at 721 Grant Avenue behind the existing trades building. The community garden occupies approximately 19,400 square feet of land and is fully enclosed by a perimeter fence with three access gates (Figure 1).

The project started out as a six month pilot initiative in 2012 and after growth in community involvement and in 2013, Council approved the Community Garden Agreement with Dawn to Dawn Action on Homelessness Society. In 2015, the agreement was assigned to LUSH whose organizational mandate was better suited for this community initiative.

The Share the Harvest Community Garden continues to be a location where members of the public can grow their own food for themselves and for their community. The primary focus of the project is to provide garden access to low income residents and members of the community who may experience food insecurity. It is also a place to facilitate gardening workshops, special events, continue to offer gardening mentorship and strengthen its partnerships with community organizations such as School District 71 Head Start Program, Brain Injury Society, VIHA Mental Health and Substance Abuse Use and the John Howard Society.

LUSH reports that the Share the Harvest Community Garden costs over \$20,000 to operate annually. This total includes coordination, some materials and supplies but relies on donated materials and in-kind labour.

DISCUSSION:

The agreement expired on November 30, 2018 and LUSH has requested Council consider the following:

1. The community garden agreement be renewed for another 3-5 years.
2. A future alternate permanent location for the community garden that is not subject to the uncertainty of the existing location. A long term twenty year agreement be entered into to support a permanent community garden. Although the current location is ideal, from the proponent's perspective, if the current location is not available for a longer term tenure, the following would be the preferred site requirements at an alternate site:
 - ✓ Full sun (south facing)
 - ✓ Relatively flat
 - ✓ City water available on site
 - ✓ A space that doesn't flood in winter (not in the flood zone)
 - ✓ Well drained
 - ✓ Centrally located and accessible by vehicle, pedestrian and bikes.
 - ✓ Size 1/2 an acre
 - ✓ Could have established fruit trees
3. In August 2018, LUSH submitted an application through the 2019 Grant-In-Aid process for a grant in the amount of \$8,000 to support coordination of the community garden. On January 21, 2019 Council approved the original LUSH grant in aid application for \$8,000. A recent review of their fiscal needs for the upcoming garden season, LUSH has requested \$10,000 in total annual ongoing funding support for the operation and management of a sustainable community garden. Historically this program has been subsidized by the other LUSH community program initiatives. The City partnership will allow LUSH to continue to operate and manage a sustainable community garden as substantiated in the attached business case submitted by the LUSH.
4. In-kind support for proper-onsite storage: an 18' by 12' wooden storage shed.

Local governments have 2 main types of building and land occupants; tenants and partners.

Tenants pay a fee for the use of the land or building. They benefit from occupation of the asset and use the land for their benefit. Examples include residential rental tenants, private land owners that have a license to occupy adjacent City lands, and non-profit organizations renting public buildings like the CVEDS, The Chamber of Commerce, and the Boys and Girls Club where the services are outside the City's primary mandates.

Partners occupy lands or buildings to operate services on the City's behalf. These may be services that the City has a partial or whole interest in. Partners are in contract with the City for the use of the facility and receive funds to carry out a portion of all of their work. The associated contract stipulates the deliverables that must be achieved to warrant the management fee, including appropriate recognition of the City as a partner. Examples include the museum, Sid Williams Theatre, CRA/Evergreen Club and the art gallery.

LUSH is proposing that they move from a tenant to a partner, that the City recognize the value of having a community garden in addressing local food security, and that the City grant appropriate financial and in-kind supports. While tenants yield revenues for the City to compensate for the cost of asset ownership, partners are a service delivery method with associated costs that provide value that are often difficult to quantify.

Staff recommend Council consider the following in response to LUSH's requests:

1. Renew the agreement for another five year term. This will allow the Society to continue with the operation and management of the community garden while Staff partner with LUSH to determine an alternative location, if the existing location is deemed unacceptable for a long term tenure. Should the partners determine an alternate better suited location midterm, subject to Council approval, the existing agreement can be amended or terminated and a new licence agreement entered into at that time which may include additional options to renew for further 5 year term for up to 20 years.
2. Staff request Council consider supporting LUSH through an annual operating and management fee effective fiscal 2019 in the total amount of \$10,000 each year during the term of the agreement. The management fee would be released once a year during the term of the five agreement subject to the City receiving an annual management report, a copy of LUSH's financials for the previous year, and LUSH providing confirmation of successful matching funding from third party funding sources. This would remove the need for LUSH to apply for grant-in-aid funding every year which helps streamlines the grant in aid process with fewer redundant applications for staff to review. Since, Council approved \$8,000 through the 2019 grant in aid process, an additional \$2,000 would be required in 2019 and \$10,000 each year for the term of the agreement starting in 2020. Should Council decide not to further fund LUSH during the term of the community garden agreement, the City may terminate the agreement with 30 days' notice.
3. The requested 18' by 12' wooden shed storage shed would require a building permit and site plan confirming setbacks from property lines in accordance with the regulations set out in the City's Building Bylaw No. 2323, 2003 and Zoning Bylaw No. 2500, 2007. It is anticipated the cost for the shed would be a capital cost to the City. Staff recommend Council direct Staff to hold off on proceeding with this request until a permanent community garden location is determined. Often a storage solution is incorporated into a washroom building that also provides hose connections. In the meantime Staff could work with LUSH in determining a short term temporary on site storage solution and add the cost of the initiative to the City's 2019 Operating Budget. LUSH has identified a used storage shipping container as an acceptable solution.

FINANCIAL IMPLICATIONS:

An operating budget of \$1,000 per year will continue to be allocated to this initiative under the Parks Division operating budget for the City's portion of operation and maintenance expenses such as assistance with site clean-up at the end of the growing season. Any proposed improvements that exceed this allocation will be substantiated and included in the budget for Council consideration.

An annual management and operating fee of \$10,000 would be budgeted and funded through gaming funds for the term of the agreement.

A used shipping 20' container (including shipping) is \$4,100 plus taxes and a new container is (including shipping) \$5,100 plus taxes subject to inclusion in the City's 2019 Operating Budget. The cost to rent a used or new shipping storage container would be \$149 per month plus \$700 for each drop off and pick up. After carrying out a break even analysis based on the anticipated length of time the temporary storage will be required, Staff have determined it would be more cost effective to purchase a used shipping container.

Should council approve the agreement, the expense to the City for the statutory public notice in the newspaper would be \$600.

ADMINISTRATIVE IMPLICATIONS:

The agreement will be administered through the Recreation and Cultural Services Department. City Park's division staff will continue to allocate approximately 10 hours on annual operations and maintenance for the community gardens.

ASSET MANAGEMENT IMPLICATIONS:

The existing community garden is not a City service. By establishing a partnering agreement with LUSH, Council will be raising City service levels to include the community garden for the term of the agreement. If Council directs staff to determine a new location for the community garden, a service level review will need to be carried out to determine the required capital and operating expense required to support a new location.

STRATEGIC PRIORITIES REFERENCE:

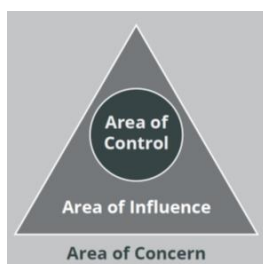
The following section of the City of Courtenay 2016-2018 Strategic Priorities applies:

We proactively plan and invest in our natural and built environment

- Continued support for social, economic and environmental sustainability solutions

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.

OFFICIAL COMMUNITY PLAN REFERENCE:

Vision - Goal 16. COMMUNITY PARTICIPATION

Develop a strong sense of community through social programming and through physical design and planning.

Strategy

- Work with social planning agencies and organizations and environmental groups.

REGIONAL GROWTH STRATEGY REFERENCE:

Goal 6: Food Systems:

Support a high quality of life through the protection and enhancement of community health, safety and well-being. This includes the support for agricultural activities such as urban community gardening.

Goal 7: Public Health and Safety:

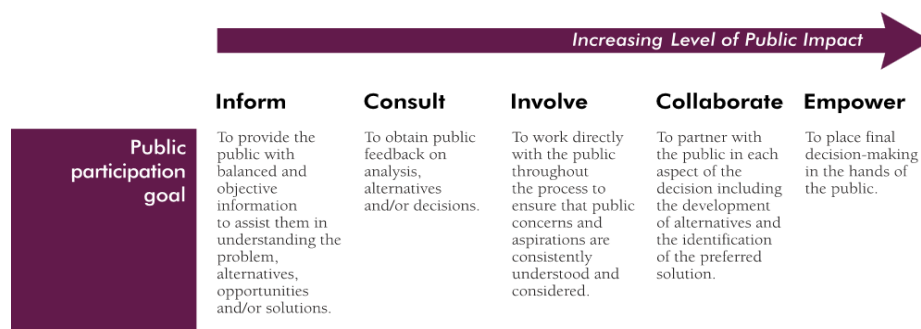
Support a high quality of life through the protection and enhancement of community health, safety and well-being.

This is supported through the City's vision statement which includes being:

- an inclusive, open and caring community
- commitment to continued excellence

CITIZEN/PUBLIC ENGAGEMENT:

Staff did **consult** with Lush Valley Food Action Society as a partnering organization as identified in the *IAP2 Spectrum of Public Participation*.



OPTIONS:

- Option 1: Council approve the attached Community Garden Agreement with Lush Valley Food Action Society for a term of five years with an option to renew for a further term of five years for the municipal owned property, subsequent to the publishing of notice; and
- That the Mayor and the Director of Legislative and Corporate Services be authorized to execute the licence agreement on behalf of the City.
- Option 2: That Council approve the attached Community Garden Agreement with Lush Valley Food Action Society for a term of five years for the municipal owned property and direct staff not to consider an alternate long term location for the community garden nor provide ongoing annual grant funding and LUSH should continue to apply for funding through the annual Grant In Aid process.

Option 3 That Council does not approve the attached Community Garden Agreement and request LUSH to remove all the improvements installed by LUSH.

Prepared by:



Dave Snider RLA
Director of Recreation and Cultural Services

Attachments:

1. *Community Garden Agreement*
2. *Share the Harvest Community Garden – Community Vision and Plan 2018*
3. *Share the Harvest Business Case*

COMMUNITY GARDEN AGREEMENT

THIS AGREEMENT made as of the ____ day of March, 2019

BETWEEN:

THE CORPORATION OF THE CITY OF COURTENAY, a municipal corporation incorporated under the *Community Charter* and having an address of 830 Cliffe Avenue, Courtenay B.C.

(the “City”)

OF THE FIRST PART

AND:

LUSH VALLEY FOOD ACTION SOCIETY, a registered society with an address of P.O BOX 20008, Courtenay, BC V9N 0A7.

(the “Society”)

OF THE SECOND PART

WHEREAS:

- A. The Society has constructed certain improvements on lands owned by the City including raised garden beds and a drip irrigation system as shown on the sketch attached hereto as Schedule “A” (the “Lands”); and
- B. The City has agreed to allow the Society to use the Lands with these improvements (the “Improvements”) on the terms and conditions set out herein.

NOW THEREFORE in consideration of the mutual covenants contained herein and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged by the parties), the parties agrees as follows:

USE OF LANDS AND IMPROVEMENTS

- 1. The City hereby grants the Society rights to use on a non-exclusive basis the Lands and the Improvements so long as they are being used for a community garden and other related activities (including garden demonstrations and educational events and community food and harvest gatherings) and for no other use (without the City’s prior written consent which may be withheld in the City’s sole discretion).
- 2. The Society will maintain the Lands and Improvements to the City’s standards (to be established by mutual agreement between the Society and the City’s Director of Recreation and Cultural Services as summarized in the Share the Harvest Community Garden – Community Vision and Plan), it being understood that the Society will repair any damage, howsoever caused, including (without limitation) by acts of vandalism.
- 3. The Society will obtain the City’s prior written consent before undertaking any further alterations to the Lands and the Improvements.

LICENCE FEE

4. Subject to the terms of this Agreement, and in consideration of the payment of a licence fee in the sum of ONE DOLLAR (\$1.00) each term, the receipt and sufficiency of which is hereby acknowledged, the City hereby grants to the Society a non-exclusive right by way of licence to occupy and to use the Lands in accordance with Section 1 of this Agreement.

TERM, RENEWAL AND TERMINATION

5. The term of this Agreement is for a period of five (5) years commencing on March 1, 2019 and terminating on February 28, 2024.
6. The Society and the City may mutually agree in writing to renew this Agreement for an additional term of Five (5) years on the same terms and conditions contained herein. The Tenant shall exercise this renewal by giving written notice to the City not less than six (6) months prior to expiry of the term.
7. This Agreement may be terminated by the Society or the City upon giving to the other party 30 days notice of its intention to terminate, such notice to be given in writing on the last day of any month.
8. Upon expiration of the term, all improvements on the Lands must be removed by the Society. This requirement may be waived by the City if the Society receives approval from City Council to continue the use of the property in the future.

INDEMNIFICATION OF CITY

9. The Society agrees to indemnify and save the City harmless from and against any loss or damage suffered by the City as a result of an action brought against the City by any person in connection with any activities on the Lands. For certainty, the reference to the City in this and the previous sections refers, where the context so allows, to the City's Councillors, officers, employees, agents, contractors, subcontractors and others for whom it is responsible in law. The indemnities contained in this Agreement will survive the expiration or earlier termination of the Term.

LIABILITY INSURANCE

10. At its expense, the Society must provide and maintain throughout the Term:
 - (a) comprehensive general liability insurance to protect and indemnify itself and the City against claims for bodily injury, death, property damage, property loss, economic loss and other loss or damage occurring upon, in or about the Lands in an amount not less than TWO MILLION (\$2,000,000.00) DOLLARS per accident or occurrence or such greater amount as the City may stipulate from time to time, include the City as additional insured along with a cross liability clause; and
 - (b) property insurance against all risks, in a commercially prudent form, against loss or damage to any personal property located on the lands which insurance must be for replacement cost.

Those insurance policies must be in the standard form carried by the City, and approved through the City Representative. The policies must provide for thirty (30) days advance notice to the City before cancellation and should a policy lapse or be cancelled, the City may, at the cost of the Society, place insurance as provided in this section.

MANAGEMENT AND OPERATING GRANT

11. The City shall grant to the Society an annual management and operating grant by May 1st of each calendar year during the term of this agreement, based on the following schedule:

Year 1: Two thousand (\$2,000) Canadian dollars

Year 2: Ten thousand (\$10,000) Canadian dollars

Year 3: Ten thousand (\$10,000) Canadian dollars

Year 4: Ten thousand (\$10,000) Canadian dollars

Year 5: Ten thousand (\$10,000) Canadian dollars

Notwithstanding the forgoing, the payment of the annual management and operating fee will be subject to:

1. Council's approval of the grant in the City's annual operating budget, and
2. the City's receipt of a copy of an annual report from the Society summarizing how the Society met the objectives outlined in the Share the Harvest Community Garden Plan, a copy of the Society's financial statements for the previous fiscal year and confirmation of the Society's receipt of matching funding from the Society's third party grantors.

CERTIFICATE OF INSURANCE

12. Upon the City's written request from time to time, the Society must furnish the City with a certificate or certificates of insurance as evidence that the insurance required by this Part is in force, including any insurance renewal policy or policies. If the Society fails to secure or maintain insurance as required by this Agreement, then the City will have the right, but not the duty or obligation, to secure and maintain such insurance and the Society must pay the cost thereof to the City on demand.

NO ASSIGNMENT

13. This agreement will not be assigned by the Society without the prior written consent of the City (which consent may be withheld in the City's sole discretion),

ENUREMENT

14. This agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors and permitted assigns.

IN-KIND SUPPORT

15. The City shall provide one time in-kind support towards the purchase and installation of a shipping container subject to Council approval of the expense in the 2019 Annual Operation Budget. The storage contain will be used for the sole purpose of community garden storage. Both parties agree the shipping container shall remain the property of the City upon expiration or early termination of this agreement.

19

SCHEDULE "A"

THE LANDS (as outlined and shaded in blue)



Share the Harvest Community Garden

A Community Vision and Plan

2018



City of Courtenay + LUSH Valley
September 2018

Table of Contents

1. Introduction, Garden History and Context	2
2. Garden Vision.....	4
3. Garden Objectives + Strengths, Weaknesses, Opportunities and Threats (SWOT)	4
4. Garden Layout, On-site Amenities and Design	6
5. Garden Activities and Schedule	10
6. Garden protocol – aka “the Rules”	11
7. Different Roles and Ways to Participate in the Garden	12
8. Fund- and material-raising	13
9. Communication protocols	Error! Bookmark not defined.
Appendix A - Allotment Guidelines	13
Appendix B – Site Map.....	17
Appendix C – Accessibility Guidelines.....	18

1. Introduction, Garden History and Context

The Share the Harvest Community Garden is a grass-roots community-driven initiative that relies on the support and participation of numerous community groups, individuals and the City of Courtenay. The garden is located at 6th Street and Harmston Avenue in downtown Courtenay, on the ‘old Courtenay School’ site. Prior to the garden, the site was largely a vacant lot of tall grasses. The City of Courtenay’s carpentry shop and some RCMP storage are located on the site, but do not use the grass field.

Since its inception in 2012 the garden has seen steady growth and community participation. ***Initiatives that will help to grow the project and ensure its success are included in this plan.*** In addition to this plan, a lease agreement is in place between LUSH Valley¹ and the City of Courtenay which governs the use of the City-owned property as a community garden. The current lease is in effect until December 2018. And we are currently requesting a renewal to the lease based on the garden’s successes.

The purpose of the Share the Harvest Community Garden is to provide a place where anyone can have access to land to grow food for themselves and for their community, where gardening education and mentorship are provided, and where social capital is nurtured and grows.

The intended audiences of this plan are multiple. The plan provides:

- a management agreement with the landowner (the City of Courtenay),

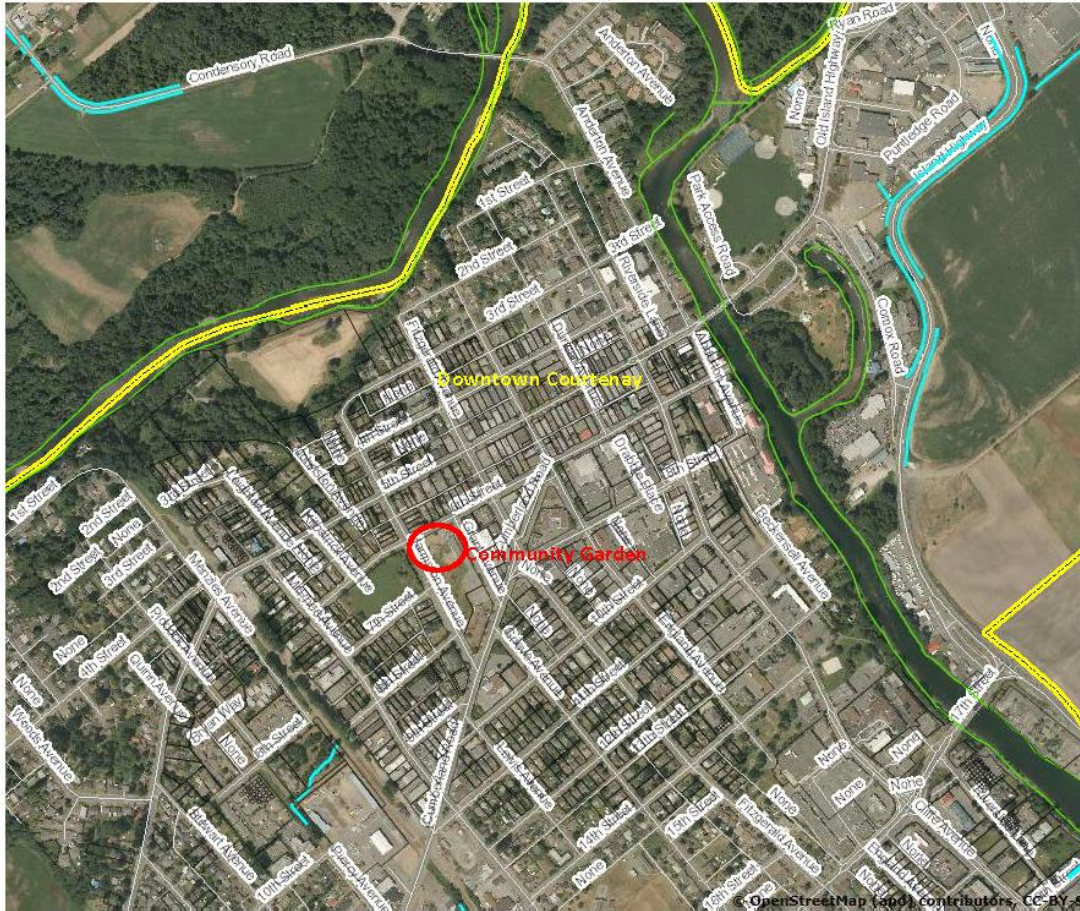
¹ LUSH = Let Us Share the Harvest, a Food Security and Action Society and local Food Security HUB (Island Health Initiative). www.lushvalley.org

SHARE THE HARVEST COMMUNITY GARDEN - COMMUNITY VISION AND PLAN

Version: September 3, 2018

- a communication tool for anyone wanting to learn more about the garden.

In addition to this document which is updated every 3 years with input from the garden community there is an additional LUSH Valley Garden Coordinator's manual which is updated annually with key information and details for coordination and management of the site.



Share the Harvest Community Garden (SHCG) started as an initiative of the Dawn to Dawn: Action on Homelessness Society² with the goal of supplying food for those in need and to bring people together towards a common goal. Originally referred to as the “Dawn to Dawn Community Garden”, the project started as a 6 month pilot initiative in the spring and summer of 2012. Since then the number of garden beds, the activities within the garden, garden infrastructure and community involvement have grown. In 2013 Dawn to Dawn entered a 5 year lease agreement with the City to provide a degree of certainty that allows for longer-range planning and gardening activities throughout all the seasons. In 2014 LUSH Valley and Dawn to Dawn agreed that the garden administration, programs and overall functioning would be well served by LUSH Valley given their mandate and goals. In early 2015 LUSH became the leaseholder for the project.

² www.dawntodawn.org

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

If you would like to learn more about the Share the Harvest Community Garden, including contact information and how you can get involved, visit the project's Facebook page

<https://www.facebook.com/STHCommunityGarden/> and LUSH Valley's website: www.lushvalley.org

2. Garden Vision

The vision of the Share the Harvest Community Garden is a place where anyone can have access to land to grow food for themselves and for their community, where gardening education and mentorship are provided, and where social capital is nurtured and grows.

3. Garden Objectives + Strengths, Weaknesses, Opportunities and Threats (SWOT)

After doing some research, we're convinced that the Share the Harvest Community Garden is a unique expression of capacity building in food security and community-development. Starting with the foundational goals of providing food for the homeless and a place for all backgrounds to interact, the objectives of the Garden remain diverse and pose unique challenges, and opportunities, not present in other Community Gardens.

Objectives for the Garden:

- To continue to be a welcoming place for all backgrounds to participate in the development, care and harvest of the Garden.
- To provide both private garden beds for rent on an annual basis (also known as "allotment style") as well as public or "commons" beds in which many gardeners simultaneously tend the beds for collective benefit.
- To host and provide a place for educational workshops to the general public with an emphasis on practical gardening skills to strengthen food security capacity locally.
- To host and provide a place for social gatherings, particularly those involving the sharing of food.
- To continue to grow the number of partners and participants involved in the garden.
- To serve as a 'pilot' or test community garden, the lessons from which can be applied to the development and support of other community gardens, particularly within the City of Courtenay.
- To have sufficient servicing infrastructures such as shed, fence, communication signage, tools and water in order to get work done.
- To provide appropriate garden mentorship and facilitation to community groups, in particular social service partners, who's clients would benefit from gardening.
- To be a beautiful and safe space in the center of the city where all people are welcome

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

The following table summarizes some of the core **Strengths, Weaknesses, Opportunities and Threats** at the Garden:

Strengths	Weaknesses
<ul style="list-style-type: none"> - Supportive City Council - Support from the City's Municipal Works in terms of supplies and some labour for infrastructure and maintenance. - LUSH Valley brings additional funding for coordination and supplies through grants and in-kind support. - In-kind support from numerous local businesses include: Anderton nursery (for plants), Island Enterprises (for soil), CV Seed Savers and Growers for seeds and small equipment. This is valued at \$10,000 or more a year - Volunteer labour is valued at \$5,000 a year - LUSH Valley keeps a high standard of maintenance and coordination which is consistent over the growing season. - Neighbourhood support - Many community groups and partners participating (including: Headstart, Brain Injury Society, VIHA Mental Health and Substance Use, John Howard Society) - General community support - Many schools and summer camps come for educational tours - Has now concluded its 6th year, which has provided many lessons for informing future planning - Current Garden Coordinator is also a Social Worker - Dianne MacLean, Metis Elder and her rich expertise in ethno-botany, community health, community empowerment and wide network of people willing to help - Free City water available - Fencing and Signage, including an information kiosk has been created 	<ul style="list-style-type: none"> - Not having a long term lease in place that would help LUSH have more confidence in investing in the garden. - Difficulty raising consistent funding to support ongoing high level of coordination and maintenance - City support has been inconsistent and at times contradictory making it difficult to plan, especially on a limited budget. - No Shed, difficulty storing tools over the winter - A second water connection would be helpful - Although this is not currently a key issue, uncomfortable activities taking place in the past and periodically (overnight camping, storing personal effects, consuming alcohol and drugs, fighting, showering)
Opportunities	Threats
<ul style="list-style-type: none"> - Providing further facilitated horticulture therapy sessions for social service partners and clients. - Creating a social enterprise where greens and 	<ul style="list-style-type: none"> - Redevelopment (if it's private or has a traditionally implemented institutional function such as RCMP building) - People using the Garden for unacceptable

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

<p>veggies are sold to downtown eateries</p> <ul style="list-style-type: none">- City support seems to be growing- To become a demonstration location for innovative practices in low-tech sustainability-oriented gardening, rainwater harvesting, composting, and recycling/repurposing of materials.- Food security and Community Gardens are becoming more prominent in granting agencies.	<p>behaviour, possibly damaging the Garden's reputation, causing its closure or harming individuals.</p>
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4. Garden Layout, On-site Amenities and Design

The garden layout has grown quite 'organically' or informally over the years for a number of reasons:

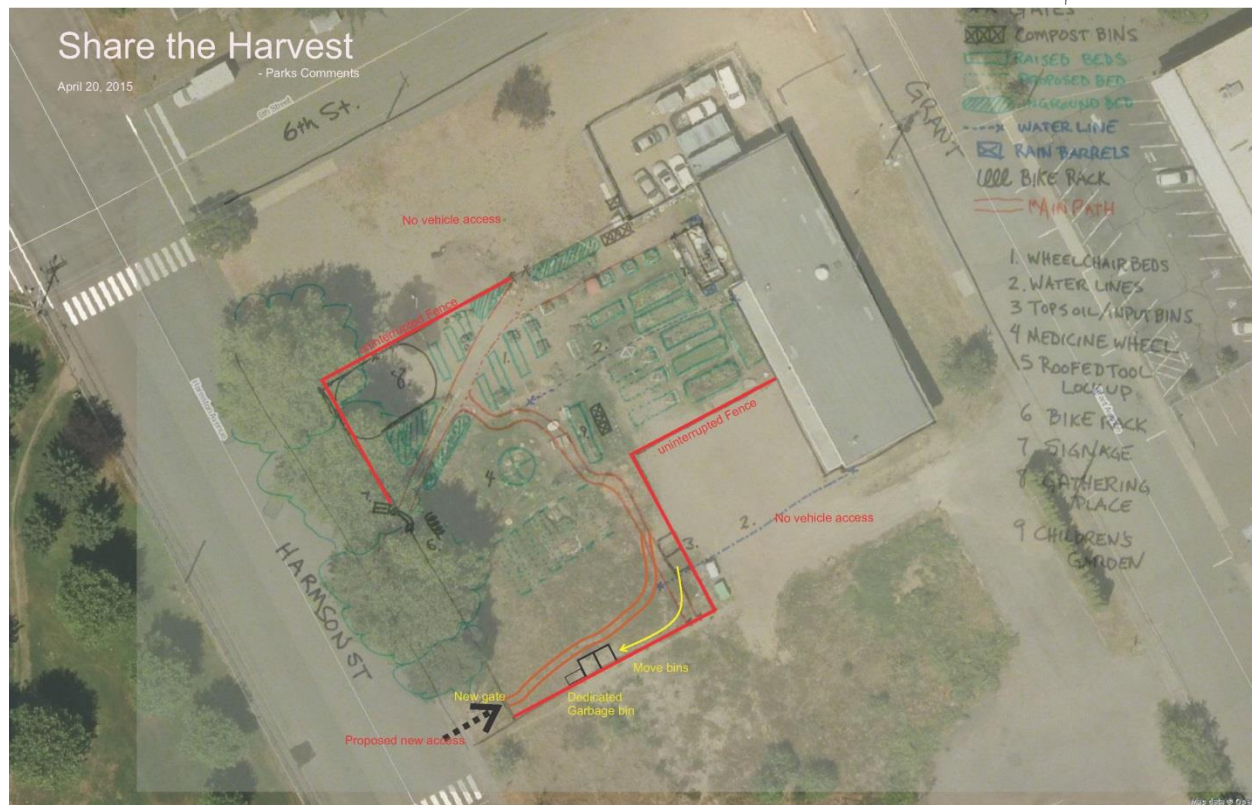
- founding philosophy of barrier-free access to land for gardening,
- most of the materials used on site have been donated,
- acceptance of experimental and low cost methods of organic gardening, and
- the garden's incremental evolution over time.

In the last 3 years we have added approximately 10 beds to the site. These beds are more consistent in their rectangular shape, construction and size. This plan from 2015 was a vision for the space. We have actually created all of the beds and infrastructure that was proposed and now also have full fencing, signage, 10 more beds and an information kiosk. A larger version of the map is also available in the appendix.

The leased area for garden purposes is approximately 1900 square metres in size, has good solar orientation and highly compacted soils from being a former junior high school site. Soil amendments have been imported to build up soil beds.

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

version: September 3, 2018



Services and Infrastructure:

The following section lists the current condition, improvements required and opportunities to be explored for each of the services and infrastructures on site. The difference between *improvements required* and *opportunities to be explored* is that of necessity. Improvements required are deemed to be critical to ensuring the success of the Garden for the 2015 growing season.

A. Water

Current condition: City water from the Carpentry Shop building. This water is provided free of charge to the Garden from the City of Courtenay. One faucet is available at the northwestern corner of the building or northeastern corner of the garden. The faucet has proven to have good pressure and has been the sole source of water to the garden, with multiple hoses splitting from the faucet. A range of hose and sprinkler heads are available for general use.

Improvements required: Additional hoses are required to water multiple beds simultaneously, and by multiple people at the same time. A second faucet is available on the southern end of the Carpentry building. In order for this faucet to be convenient to the Garden, and not in the way of Trades staff activities, the connection between the faucet and garden must be installed underground via a shallow

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

trench (to be covered) and must have a faucet bib installed within the Garden boundaries. The City requires that a professional plumber be retained to oversee the work.

Opportunities to be explored: Rainwater harvesting off of roof leaders (shed or possibly even the City of Courtenay carpentry shop).

B. Garden beds and Paths:

Current condition: There are approximately 40 beds that are mostly 4X12 feet and 7 of which are accessible using the City of Vancouver’s accessible gardening guidelines (see Appendix). A handful of the older beds are of varying construction types, sizes and shapes. Newly constructed beds must be constructed from wood and be approved by LUSH Valley to confirm materials and depths.

Most of the older paths are grass or dirt and are mowed regularly by a volunteer although newer gravel paths are being installed this year and are 4 feet wide. Wood chips have been added to many pathways so that constant mowing isn’t required.

Improvements required: Most of the garden beds have now been constructed and will need to be monitored for on-going maintenance. Paths will also need to be upgraded in the older part of the garden.

C. Soil and Composting

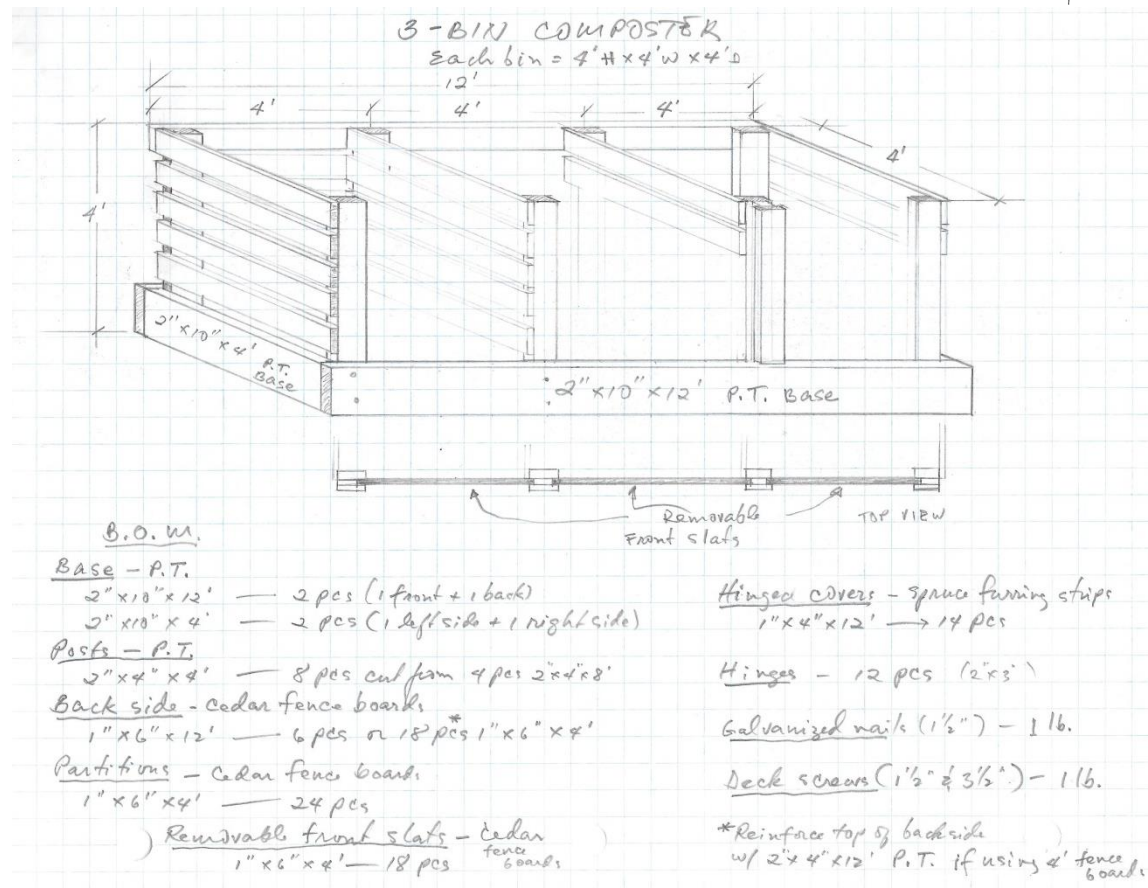
Current condition: Given that the site was formerly home to the Courtenay Junior High, the soil is not as productive and nutritious as native healthy soils. Soil and soil amendments, are required for most of the site and to date have been donated. It is estimated that over the last 6 years 70 yards of soil and compost have been deposited at the Garden. Additional mulching and hugelkulture beds have been added with increases soil diversity and organic matter which increases the soils ability to hold moisture and provide necessary nutrients to plants.

A composting facilities are centrally located on the site as shown on the site map. The compost bins are three-bin systems constructed of wood. There is also a larger soil depositing bay and bin on the south-west corner of the lot with access off of Harmston Ave.

Composting workshops and education are offered a few times a year for public education.

SHARE THE HARVEST COMMUNITY GARDEN - COMMUNITY VISION AND PLAN

Version: September 3, 2018



Improvements required: Soil and finish compost are estimated to be an on-going requirement for the next few years.

Opportunities to be explored:

D. Storage:

Current condition: A locked chain-link compound is the current only secure storage option on the site. It is approximately 20 square metres in size, is uncovered and is used to store the more valuable garden materials such as: shovels, smaller hand tools, wheelbarrows, chairs, seeds etc.

Over the years a range of miscellaneous materials have been stockpiled around the compound including used planting pots of all sizes and a range of construction materials such as lumber, garden poles and stakes. Ensuring that this area remains tidy, secure and safe is an on-going goal. Tools are currently kept in the locked up cage over winter, without protection from the elements the tools are often damaged over the winter.

Improvements required: A new secure and weatherproof storage area for tools is required. A shipping container would be the most practical as it is very secure. A secure shed would suffice. We would also

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

like a location where people can sit out of the elements, a greenhouse for seed starting as well as a small office space.

Opportunities to be explored: A small greenhouse for seed starting including sales.

E. Signage and Communication Boards:

Current condition: With the help of the City of Courtenay Public Works, a new information kiosk has been installed this year just outside of the garden. It is a great addition so visitors can learn more about the garden and any upcoming events or workshops, or communicate with the Coordinator. A new garden sign was also installed in 2017.

Other signs in the garden include homemade signs for individual garden beds (claimed territory, raspberry lane, etc).

Opportunities to be explored: Gardeners have expressed interest in creating a garden mural, to increase the beauty and community feel of the garden.

F. Fencing and Gates:

Current condition: A perimeter fence has been fully installed with 3 gates in various locations for access to the garden.

G. Parking, including bike parking:

Current condition: No vehicle parking is permitted anywhere on the leased area or outside of the leased area by any of the garden users. All garden users are to park on the adjacent streets. Delivery vehicles may enter the site from Harmston Avenue but all such vehicles should be on site only long enough to fulfill their task.

It has been noted that one of the objectives of the garden is to be accessible to a range of mobility abilities and therefore parking should be made more accessible for such users.

There is no bike parking on site although there are a number of garden users who bike. People generally lock their bikes to the RCMP compound.

Improvements required: A bike rack. Location to be outside the garden fence near the gate on Harmston Ave.

Opportunities to be explored: Consider the use of the large gravel area beside the garden for parking so that the street around the garden doesn't become congested.

5. Garden Activities and Schedule

A number of activities have taken place in the Garden, most of them quite regularly. Upcoming educational workshops can be viewed on the [LUSH Valley Website Events Calendar](#), the [STH facebook](#)

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

and [LUSH Valley Facebook](#) Pages. The following activities are examples of what has occurred over the past years.

- Regular Sunday work parties + schedule of seasonal mile-stones
- Monthly gardener meetings
- Educational programs
- Impromptu use of the Garden for learning and play

6. Garden protocol – aka “the Rules”

Ensuring enjoyable gardening experience for all of the garden community is the primary goal of these rules and responsibilities. For this reason, observe the rules of the garden, and be a good neighbor.

1. The garden should be a safe place for the community, neighbours, children, and other gardeners. Do not bring anything that will compromise the safety of the garden.
2. Prohibited activities in the garden include consuming alcohol or marijuana, camping.
3. Please be considerate of others if smoking tobacco and dispose of cigarette butts safely.
4. Please avoid using foul language if others are in the garden or area including neighbouring properties.
5. Please check the bulletin board for information concerning the garden - problems, classes, information, notices. Feel free to post information you have and leave messages for other gardeners there.
6. Respect other people's plots by not picking from unless invited to. Ensure children in your care follow the rules as well.
7. If you are unable to care for your plot for a time because of illness or vacation, ask a fellow gardener or the coordinator for help with weeding and harvesting.
8. Keep tall plants such as corn or sunflowers at the center of your plot so they do not shade your neighbors plants.
9. If you use the garden's tools, please return them to the storage area when done. Contact LUSH Valley to obtain the combination lock code for the tool area.
10. Dogs in the garden must be on leash and picked up after.
11. Do not drive into or park in the garden area. Limited parking is available for drop off of materials. Please always park on the street.
12. Do not access the site via Grant ave. Will provide a map.
13. Aim to conserve water use
14. Dispose of compost and trash in the appropriate bins.
15. No pesticides are allowed – please use organic gardening methods
16. No invasive species are permitted to be planted

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

17. Diseased and infected plants must be removed from garden and disposed of properly.
18. When in doubt about any of the above or if you have any other questions ask the Garden Coordinator or LUSH Valley. 250 331 0152 LUSH main office.

7. Different Roles and Ways to Participate in the Garden

The following section describes how the different groups of people work with each other and the larger framework of participants recognizing that a founding goal remains for the Garden to be accessible to everyone:

A. LUSH (Let Us Share the Harvest) Valley Food Action Society

Lease holder and primary contact to the City. All administrative items and ultimate authority rests with LUSH Valley who consults with the City of Courtenay on any changes to uses within the leased area.

LUSH Valley Food Action Society hires a Share the Harvest Garden Coordinator (GC) each year to Coordinate the garden. The length of the position and number of hours may vary based on available funding. The GC works with stakeholders to manage the garden; coordinates and secures cooperation of participants and project partners and maintains continuity. Other responsibilities include:

- Garden planning, organizing, general maintenance and event planning,
- Experience working with gardens, farms or in the agricultural or horticultural sector, and be up to date on sustainable gardening methods.
- Must be excellent at Problem solving and multi-tasking are an important component of this position.
- Experience working with marginalized people or a background in social work is an asset.
- Responsible for the general maintenance of the Lush Valley Demonstration and Commons
- Gardens including planning, planting, weeding, watering, composting, harvesting
- Responsible for general grounds keeping of the community garden including landscaping and lawn mowing
- Oversee onsite safety
- Coordinate volunteer activities in the garden
- Be a friendly point person for gardeners and community members. Answer on-site questions and concerns
- Work with the Program Manager to coordinate, plan and implement GardenFest (a full day of gardening workshops and activities at the garden in June or July)
- Work with Executive Director and Program Manager on upcoming garden improvement projects (ie: building garden beds etc)
- Plan regular work-parties, potlucks and workshops for gardeners and members of LUSH Valley and the community
- Communicate with gardeners and community members through the Share the Harvest Community Garden Facebook page

B. Allotment holders

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

Garden plots are assigned on a first come first serve basis with members from the previous year having the priority opportunity to renew for the upcoming year. A wait-list currently exists for garden plots. Payment of dues must be done at the beginning of the gardening year (spring). All allotment holders shall sign and abide by the Allotment Guidelines document (Plot Holders Agreement)(Appendix).

C. Volunteers

Volunteers are the lifeblood of any community garden initiative and are encouraged and welcomed. To get involved, contact LUSH Valley.

D. Casual visitors, workshop participants, facilitated tours

Visitors are encouraged to stroll the garden at their leisure and to get involved in the many activities scheduled throughout the year. A community information kiosk is at the entrance of the garden and keeps the wider community informed.

8. Fund- and in-kind materials

- Each year LUSH Valley raises funds to support the coordination and maintenance of the garden. \$15, 000- \$20, 000 is required annually to support a high level of coordination and maintenance. This money is raised each year through grants and donations.
- An additional in-kind value of \$10, 000 is raised through the donation of materials, volunteer time and City of Courtenay support
- City of Courtenay provides use of the land, and water and some support for infrastructure through Public Works. (schedule to be provided in appendix. On-line tool is key as well as communication board)

Appendix A – Plotholders Agreement

Welcome to Share the Harvest Community Garden

Our Story:

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

The Share the Harvest Community Garden facilitated by LUSH Valley Food Action Society, is a space where people can grow their own food, build community, learn from one another and share in the harvest.

The garden was originally established by Dawn to Dawn: Action on Homeless Society as a healing space built by the community, for the community, where those of our city's most marginalized people have a place to go to access fresh food and to interact with other members of the community. Garden coordination has been handed to LUSH Valley Food Action Society and a part time coordinator oversees garden maintenance, events, communications, etc. Garden plots are open to anyone free of cost.

We are excited to welcome you to the garden! This garden is maintained by the community. As a gardener here it is your responsibility to contribute to the maintenance and integrity of our space. You are required to contribute at least 1 hour of volunteer time each month. It is your responsibility to weed, irrigate and harvest your plot. The maintenance of common areas in the garden is the responsibility of all gardeners.

1. Gardeners shall be courteous to and considerate of all people who use this space. We have people from all walks of life enjoying the garden.
2. Clean up after yourself, place plant debris and garden waste in the designated areas. If you see trash or debris in the common areas of the garden please pick them up and place them in the appropriate area.
3. No pesticides and herbicides, we practice organic gardening here.
4. Do not harvest from individual plots without the plot owner's permission.
5. No alcohol or drugs on the property
6. If your garden plot is left unattended for two weeks you will be contacted and asked to attend to your plot. Please let the coordinator know if you will be away, or require help. If your plot is not being upkept it will be offered to the next person on the waitlist. If this is the case it will be well communicated by the garden coordinator.
7. Plots cannot be transferred to other people. Only the coordinator has the right to reassign a plot. If you are unable to attend your garden Lush staff should be informed immediately.
8. We live in a climate with frequent water restrictions during the summer months. Please use water sparingly. Rain barrels and other water saving techniques are encouraged.
9. Make sure water is turned off before you leave the garden.
10. Please ensure your garden plot is cleaned up by October 20th. If you are interested in winter gardening, contact the coordinator before this date.

Sign Here:

Date:

Facilities:

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

This garden has a mix of both private and communal plots. Any community members are allowed to harvest from the communal plots. The garden coordinator and volunteers maintain these shared plots.

We have a locked, uncovered chain-link tool area located at the back of the garden for tool storage. The gate for the tool storage remains locked at all times unless gardening. Do not leave any personal valuables in this area as they may be stolen. Tool area and wooden box dry storage codes are PEONY. Additional storage area code is 5874.

Onsite, we have access to city water from two water outlets with hoses long enough to reach all plots. Adjacent to the tool area, underneath the chalk message board is the master water shut-off. This needs to be turned on before any of the other water outlets will work, and should be turned off when you leave the garden.

We do our best to have garden soil and compost onsite at all times for gardener use, but as we receive these amendments by donation they are not always available. The coordinator will let gardeners know if other items become available, such as cover crop seed, straw bales, etc.

Everyone is Welcome:

Community members from many different backgrounds spend time here gardening or just enjoying their surroundings and connecting with others. The garden is a place where marginalized people can feel comfortable and are treated with respect and dignity.

We do emphasize that around 20-30% of personal plots may be harvested and eaten by someone who is hungry and in immediate need.

If at any time you feel uncomfortable or witness illegal activity, please call the RCMP non-emergency line (250) 338-1321.

Events:

We host a variety of events and workshops at the garden to unite and educate gardeners and community members who are passionate about growing good food. We also host monthly potlucks and social gatherings where all members of the community can connect, share ideas and insights with one another. Share the Harvest has also recently partnered with LUSH Valley's Fruit Tree Program to provide seasonal 'pop-up' fruit stands where we provide fresh, local fruit at low to no cost to those in need.

Contact Us:

Email: communitygarden@lushvalley.org

Ph: 250-331-0152 Find us on [Facebook](#) at the



SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

Share the Harvest Community Garden page!

LUSH Valley Food Action Society

PO Box 20008

Courtenay, BC V9N 0A7

Appendix B – Site Map



Appendix C – Accessibility Guidelines

Background and Details

Accessible Community Garden Guidelines 2011

Prepared by the Joint Subcommittee on Accessible Community Gardens
City of Vancouver Persons with Disabilities Advisory Committee and Seniors Advisory Committee

PLOTS: At least 5% of plots should be accessible raised beds; 10-20% is ideal

Reasons:

Approximately 12% of people have a disability. However, people with disabilities have a significantly greater need for community garden plots because they have the lowest incomes in Canada, have extremely low home ownership, and are unlikely to have their own gardening space.

Seniors constitute a significant part of the population and may have difficulty bending to use in-ground garden plots.

Many persons who do not consider themselves disabled have knee, back or hip injuries or chronic health conditions which limit their ability to bend or reach an in-ground plot.

Dimensions of accessible raised bed plots

Width: 3-4' wide, if bed can be reached from both sides; 3½' wide is ideal
1½-2' wide, if bed can only be reached from one side; 1¾' wide is ideal

Reasons:

Most books recommend a maximum of 2' for one-sided-beds & 4' for two sided beds, but many people (especially women) have a shorter arm reach. To accommodate everyone, ideal width is 3½' for beds reachable on two sides and 1¾' for beds reachable on only one side.

Please note: If a person has to work in a raised bed from a wheelchair, the wheels of the chair reduce the maximum arm reach (the wheels are between the bed & the person.)

Height: 2 – 3' high

Reasons:

Comfortable height of a person's arm varies significantly, so it may be wise to build some beds at different heights.

Some people may prefer to sit on or transfer to a stool when gardening. Bed height should be in the lower range to accommodate this option.

Some people may need to stand to garden, rather than sit. Bed height should be in the higher range to accommodate this option.

It is easier for a person to reach slightly down into a bed, than to reach up.

If a person is in a wheelchair, two factors affect arm height:

- height of the wheelchair from ground to seat (average: 19"; range: 12"-20")
- height of the person's body from seat to arm (average: 19";)

Recommendation: Build beds at different heights, between 2-3', to accommodate different needs.

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

Dimensions of accessible raised bed plots, continued

Surface: Minimum 4' wide accessible surface surrounding accessible raised beds

- Surface around raised beds should be accessible (wheel-able), and not a hazard for persons with canes, walkers, limited mobility etc. Acceptable surfaces include compacted crushed granite fines, compacted crushed limestone, other compacted crushed materials, concrete, pavement, bricks, pavers etc.
- Accessible surface should be at least 4' around all sides of each bed; 5' is ideal. This enables a person using a wheelchair to manoeuvre and work from all sides of the accessible raised bed, and to turn

Corners: Brightly marked or painted so that people with low vision or blindness can find plots

Length: Length of raised bed does not affect accessibility, but longer beds are harder to build properly and maintain.

Shape: Any shape is accessible if the maximum width at any point is 4', and if indentations are at least 4' wide

- Any shape is accessible as long as the maximum reach across one side of the bed is no more than 2' (1½' is ideal), if indentations are at least 4' wide, and a 4-5' accessible surface surrounds every side
- Rectangular beds
 - simple to construct
 - less gardening space than E, S, T, U or W shaped beds.
 - Ideal dimensions for rectangular bed: 3½' wide; 10-12' long
- Beds shaped like a "E" "S" "T", "U", or "W"
 - more difficult to construct
 - provide more gardening space, more efficient use of space
 - An E or W-shaped bed has two indentations – if the indentations are at least 4' wide, the bed is accessible and an efficient use of space
 - An S-shaped bed, has the same gardening space as an E-shaped bed, and is interesting & attractive
 - U or horseshoe-shaped beds are accessible, attractive, and an efficient use of space
- Tabletop beds:
 - Tabletop beds are like a tabletop on a pedestal -- there's a shallow gardening bed on the top (6-10" deep), supported by a base that does not come out to the sides, & an accessible surface under the table
 - This design enables a person in a wheelchair to put their legs under the table, allowing the person to place their body closer to the edge of the gardening bed – this allows improved reach/agility
 - Tabletop beds are in use at Pearson Centre & Pandora Garden. Designs are on the City Farmer website.

PATHS: Accessible surface, at least one access path 5'+ wide or 4'+ wide with 5' turning circle; other paths 3' wide minimum

Accessible Path Surfaces:

- Accessible path surfaces must be smooth, level, wheel-able, with tactile guide markers
- Concrete & asphalt: most ideal surfaces
 - Safe, easy to travel on for people who use wheelchairs; people who use walkers; people who use canes; people who have limited mobility; & for people who walk but have risks of falling
 - Expensive options
 - Many feel are unattractive in a garden
 - Tactile guide markers may be imbedded along the centre of paved paths for persons who are blind or with low vision.
- Compacted crushed granite fines, compacted crushed limestone or other compacted crushed materials
 - Less ideal to walk or wheel on than concrete
 - Less expensive and simpler to install than concrete; more natural appearance
 - Must be compacted to be accessible
 - Do not need guide markers as the surface is different from surrounding area
- Bricks, pavers etc
 - Attractive & accessible if maintained properly
 - Safety may become an issue if bricks are not maintained; uneven cracks can pose safety hazard
 - Do not need guide markers as the surface is different from surrounding area

Background & Details, Accessible Community Gardens Guidelines Page 2/5

SHARE THE HARVEST COMMUNITY GARDEN – COMMUNITY VISION AND PLAN

Version: September 3, 2018

PATHS CONTINUED

Non-Accessible Path Surfaces

- Bark mulch
 - Not an accessible surface. Persons using manual wheelchairs cannot travel on bark mulch; bark mulch is a falling/tripping hazard for seniors, people using canes, walkers etc.
- Grass
 - Not an accessible surface. Slippery and a hazard when wet. Bumpy & uneven if not closely mowed.
- Dirt
 - Not an accessible surface. Slippery and a hazard when wet.
- Gravel
 - Not an accessible surface. Uneven & unstable – not wheel-able; tripping hazard for ambulatory people.

Path width

- At least one access path: 5'+ wide of 4'+ wide with 5' turning circle; 5'+ is ideal
- All other paths minimum 3' wide

Reasons:

Five foot width is the minimum width for a person in a wheelchair to turn around (wheelchairs vary in width, but scooters and larger power chairs are wide and sometimes long). 3' width is the minimum width for a person in a wheelchair to pass.

Tactile Guide Markers imbedded in solid concrete or asphalt paths

If path surface is solid concrete or asphalt, tactile guide marker may be imbedded along the centre of the path for persons who are blind or with low vision.

Curbs

Optional: this helps ensure paths do not erode; important that curbs don't create a barrier.

WATER ACCESS: Taps 2' high minimum; placed at or very near accessible raised beds; placed within 20' of each plot

- Water taps need to be high enough for a person in a wheelchair or a person who has trouble bending to reach. This means water taps must be at least 2' high, with a maximum height of 4'
- Many people with disabilities and seniors have difficulty carrying a hose and/or turning a tap. Many people who do not have a disability have difficulty carrying heavy or long hoses.
 - Taps should therefore be located frequently throughout the garden – one tap within 20' of each plot
 - This enables every gardener to carry only one 25' hose to water a plot
 - Taps should also be attached to, or very close to, raised beds
 - This enables seniors and people with disabilities who require an accessible raised bed to not carry a hose
 - Drip watering systems installed on accessible raised beds, with easy turn on/off switches, provide accessible water access for seniors or people with disabilities in an affordable manner
- Taps should be brightly coloured or painted to ensure persons with limited vision or blindness can find them

SEATING: Appropriate seating should be provided in the garden for seniors and others who need to sit

Accessibility for Everyone

The details mentioned above sometimes focus on people who are blind or who use wheelchairs, because specific technical accommodation is needed.

However, most of these accommodations also meet the needs of people with other disabilities and seniors.

A few examples:

- Surfaces that are bumpy and uneven are not accessible for people using wheelchairs, but they are also difficult and a safety and tripping hazard for people who use walkers or canes; seniors; people with visual impairments; people with balance or mobility impairments etc.
- Raised beds make gardening possible for people with back problems, for people who have problems bending, etc. Many seniors find in-ground gardening difficult/impossible; raised beds solve this problem.
- Water access: many seniors have difficulty bending to a low tap and/or carrying a hose; the recommended adaptations for people with wheelchairs also solve these problems for persons who are frail and/or seniors.

Background and Underlying Problem

People with disabilities have a higher need for, and are uniquely dependent on, public garden space to grow their own food, and enjoy green space.

This is because many disabled people are poor and may have chronic health conditions, which make a fresh diet important. But fresh produce is often too expensive to afford, and home gardening isn't a viable option because homeownership is severely limited for people with disabilities (due to low income and limited accessible housing).

Unfortunately, most community gardens in Vancouver exclude seniors and people with disabilities simply because they are not properly designed and have barriers. Paths between plots are too narrow for wheelchairs to pass, garden plots are in the ground or too low for persons to reach, raised beds are too low or too wide to reach, water taps are too low, path surfaces are too bumpy or sloped, toolsheds cannot be entered etc. Seniors face similar issues bending to the ground, to taps, carrying heavy hoses, etc

Solutions:

- **New community gardens must be accessible:**
Establish a "building code" for community gardens that ensures that new community gardens are built in a way that is accessible for seniors and persons with disabilities
 - New gardens should submit accessible garden plans for approval before building the new garden (in the same way that a builder has to submit building plans which must meet safety and building code accessibility standards in order to be approved)
- Accessible pathways and accessible water systems/taps should be provided by the City as part of the infrastructure it provides to newly built community gardens

Reasons

Accessible Pathways

- Accessible pathways are an integral and crucial part of accessibility in community gardens, and all other aspects of accessibility are nullified if the paths are not accessible
- Installing accessible pathways is beyond the technical capacity of community gardeners
- City staff have the relevant expertise to install accessible pathways properly
- Cost should be less than \$500 for each new community garden

Accessible Water service

- Accessible water service is an integral and crucial part of accessibility in community gardens
- The City already installs water service in new community gardens on City land
- The work and cost for the City to ensure that the water system is accessible at the outset is minimal
- The work to modify an existing water system to make it accessible later on is considerable

Background & Details, Accessible Community Gardens Guidelines Page 4/5

References and Sources for these Guidelines

References

- Adil, Janeen R: Accessible Gardening for People with Physical Disabilities: A Guide to Methods, Tools and Plants; Woodbine House, 1994.
- Please, Peter: Able to Garden: A Practical Guide for Disabled and Elderly Gardeners; Horticultural Therapy, 1990.
- Walden, Fred: A Garden for You: A Practical Guide to Tools, Equipment and Design for Older People And People with Disabilities; Disabled Living Foundation, 1997.
- Woy, Joann: Accessible Gardening: Tips & Techniques for Seniors & the Disabled; Stackpole Books, 1997.
- Yeomans, Kathleen: The Able Gardener: Overcoming Barriers of Age & Physical Limitations; Storey Communications, 1992.

Consultations with:

- Bredner, Gerry: GB Bobcat, Contractor who built Terra Nova Community Garden
- Carter, Tom: Manager of Field Operations, UBC Farm
- Kylo, Rick, Park Board Operations Supervisor, Area North, Vancouver
- Pottinger, Guy: Manager of Maintenance, Stanley Park, Vancouver
- Simpson, Patrick: Universal Design Consultant; Executive Director, SAFER Homes Society
- Canadian Horticulture Therapy Association
- Community consultations with disability organizations including DIGA (Disabled Independent Gardeners Association), BC Coalition of Persons with Disabilities, BC Paraplegic Association, Pearson Hospital, GF Strong, etc; seniors organizations including COABC, Community Garden Network Project, 411 Seniors, etc; community groups including Village Vancouver, Friends of the UBC Farm, Strathcona Community Centre, Evergreen, etc; community gardens including Cottonwood Community Garden, Strathcona Community Garden, Pandora Community Garden, Farmers on 57th, etc.

*These guidelines have been prepared by the Joint Subcommittee on Accessible Community Gardens,
City of Vancouver Persons with Disabilities Advisory Committee and Seniors Advisory Committee, 2009/2010*

2019 Business Case for STH Community Garden as a Partner to the City of Courtenay

Since taking on a leadership role with LUSH Valley, I come to the position with over 15 years of experience running and designing food systems and food security programming. I have worked in multiple educational/community gardens and through trial and error and working with 4 different organizations and multiple municipal councils, I have seen what works and what doesn't.

The single most important element to making sure that a community garden is well kept, welcoming and seen as something to be 'proud of' is through having a consistent coordinator that has both the 'people skills' and the 'garden skills' to properly manage the property and build relationships with gardeners, and the public.

At the Share the Harvest garden, we are not just offering allotment plots and access to growing food, but providing the community and mentorship to support the building of skills, the management of healthy relationships and the knowledge of growing food in a ecological way.

LUSH Valley is committed to creating a welcoming and beautiful, urban space that provides access to the garden to anyone that wants to visit, and provides growing space and mentorship to those that might not otherwise have access to the growing space or skills. This means we have gardeners and participation from people from many different walks of life integrating and building community together.

We see the Share the Harvest Community Garden as THE City of Courtney's only true community garden, in the heart of the downtown Courtenay (As far as we know in the 2018 season 90% of garden use is through City of Courtenay residents).

But you may ask: "Why does the City of Courtenay need a community garden?" The community garden provides a lot of value to the City of Courtenay residents- through a partnership with LUSH Valley the City of Courtenay could support the garden as a well-being service to all residents- having several social, financial, well-being and ecological benefits, showing a strong returns on a relatively small investment.

The cost of running the garden well and efficiently each year will be \$20, 000. LUSH Valley has asked the City of Courtenay for \$10, 000 towards coordination of the garden each year, and will work hard to match these funds and double the City's financial investment. We have also built a number of relationships with local business's and volunteers which will bring an additional value of approximately \$15, 000 in-kind to the garden each year. So with the City's 10K investment the financial return will be \$35, 000 (or more) each year.

Basic break-down of costs (this may fluctuate slightly year to year based on additional projects or infrastructure needs) and will be reviewed after 5 years:

In general staffing costs: \$16, 000 (Coordinator, ED (supervisor), additional educational facilitators).

Materials and overhead costs (admin): \$4000

In-kind value of materials and labour: \$15, 000 (or more)

The benefits to the City of Courtenay of the Share the Harvest Community Garden:

It is important to note that in general, most municipalities across BC have one or more community gardens, particularly in urban locations- in fact it is becoming the norm. The benefits in general of community gardens have been well documented:

“They provide opportunities for both recreational gardening and food production, in underutilized spaces. Community gardens are also great for the environment. Food grown locally reduces green house gases produced by long distance transportation of food. Gardens also contribute to biodiversity of species and help to support populations of pollinators. Finally, community gardens bring people together and may reduce crime rates in the neighbourhood by increasing visibility and engaging citizens in positive initiatives”

Community gardens contribute to a healthy lifestyle by:

- providing fresh, safe, affordable herbs, fruits and vegetables
- helping to relieve stress and increase sense of wellness
- getting people active, which improves overall physical health
- providing social opportunities that build a sense of community and belonging
- giving people an opportunity to learn and share knowledge on gardening, nature, and cooking” (Community Garden Council of Waterloo Region).

As well as the general benefits of community gardens there are some specific benefits to the City of Courtenay, and include the following:

- Beautification and utilization an urban space at the heart of downtown Courtenay
- Facilitation of therapeutic gardening sessions for people in programs where they are learning to develop skills to help cope with mental health and/or addictions (Partnership with John Howard and VIHA Mental Health and Substance Use)
- Space is used for tours and educational opportunities for school, daycares, summer camps and college students. (2018 provided tours to 50 children, as well as providing a garden bed for the ‘Head Start’ program).
- We are continuing to build a community of people who care deeply about the garden, and work together to ensure that the space stays maintained and safe. (We had 130 people garden, take a workshop and /or volunteer in 2018- we also created 8 new garden beds).
- Additional fresh food is grown and donated to partners providing meals to those who otherwise wouldn’t have access. (Food in 2018 went to Mental Health and Substance Use, CV Transition Society and the CV Food Bank).
- First Nations and Metis gardeners are represented through our medicine wheel and workshops on traditional foods and medicines. (We had two traditional medicine and food workshops facilitated by a Metis elder in 2018 and have more planned for 2019).
- People with disabilities have access to growing food in an area designed for this purpose. (We created 3 new accessibility beds in 2018 and have plans to improve the space for those with accessibility issues in 2019).
- These types of preventative health and wellness programs have been shown to save money in the long term on emergency services and health related costs.

Previous years have seen the garden operating on a shoestring, the coordinator has had very low pay and inconsistent hours (which doesn’t attract top talent or build strong relationships). The reason for this was financial – a garden is not a one time project but rather a living system that needs to be continually cared for- which can be a hard sell to funders outside of the community. This is our garden in our community, and the return on

investment had been proven in other communities as well as this one. With the City of Courtenay providing some base funding for the garden, it will ensure long-term stability of these community benefits and will make it easier to leverage additional funding and support. Thanks for considering this partnership!



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Zoning Amendment Bylaw No. 2946 - #105-789 Ryan Road

File No.: 3360-20-1816
Date: February 19, 2019

PURPOSE:

The purpose of this report is for Council to consider a Zoning Amendment application to rezone the property legally described as Lot 2, Section 14, Comox District, Plan VIP53727. The proposed amendment is to allow a storefront cannabis retailer in one of the commercial units in Washington Park Shopping Centre.

CAO RECOMMENDATIONS:

THAT based on the February 19th, 2019 staff report 'Zoning Amendment Bylaw No. 2946 – #105-789 Ryan Road' Council approve Option No. 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2946, 2019;

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to the above-referenced Bylaws on March 4th, 2019 at 5:00 p.m. in City Hall Council Chambers; and

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The proposed location is along Ryan Road in one of the commercial retail units (#105) within the Washington Park Shopping Centre. The property is legally described as Lot 2, Section 14, Comox District, Plan VIP53727.

The property is zoned Commercial One A (C-1A). The Official Community Plan (OCP) land designation is commercial shopping centre. The applicant, the Liquor Distribution Branch (LDB), has applied for the City to rezone the property to allow a storefront cannabis retailer at unit 105, which is presently vacant (**Figure 1**).



Figure 1. Location Map

Location Map; Figure 2. Proposed store frontage).

The LDB is a government branch responsible for the beverage alcohol and non-medical cannabis industries in the province. Governed by the *BC Liquor Distribution Act*, the LDB has the sole right to purchase beverage alcohol and cannabis both within and from outside the province in accordance with the federal legislation.

While Canadians are lawfully allowed to cultivate, purchase, possess and consume limited quantities of cannabis by the *Cannabis Act*, each province is

responsibility to establish their own licence approval process. The BC provincial legislation provides local governments with the authority to regulate certain criteria in terms of land use management. Unlike private retail stores, the LDB is not required to obtain a licence from the Liquor and Cannabis Regulation Branch (LCRB) pursuant to *Cannabis Distribution Act*. However, the LDB is still expected to work with local governments to meet specific requirements established in each local government jurisdiction. If the zoning application is approved, the LDB will immediately apply for a building permit, business licence as well as sign permit.

To date, the City has received a total of nine (9) rezoning applications for storefront cannabis retailer within the City. The Planning department is processing the applications on a first come first served basis. The subject application is the second rezoning application made to the City. All applications are evaluated according to the City's Storefront Cannabis Retailers policy as well as rules and regulations that apply to general zoning amendments.

DISCUSSION:

Overview of the Proposal

The applicant is currently holding a secured lease from the owner of the property at unit 105-789 Ryan Road in the Washington Park Shopping Centre. The floor area of the store is 2,317 ft² (approximately 215 m²). The store would be open to the public from 10:00 a.m. to 10:00 p.m. daily seven days per week. This aligns with the provincial regulation.

Although the exact number is not specified, the proposal



Figure 2. Proposed store frontage (source: Google Street view)

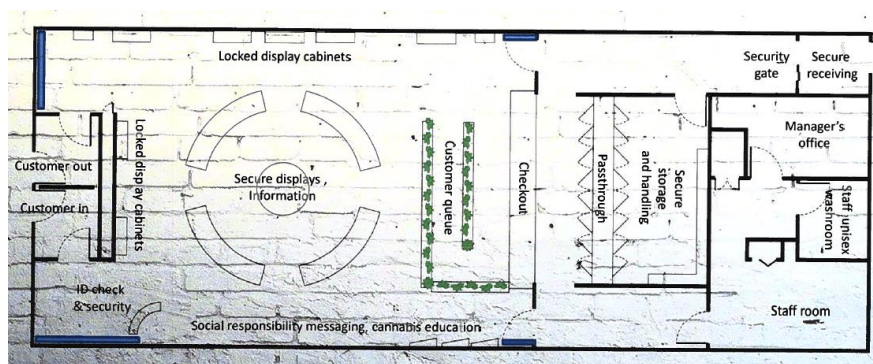


Figure 3. Floor Plan Concept

indicates that there will be six (6) to twelve (12) employees working at the store. The proposed store will have a store manager, assistant store manager, and cannabis consultants. Like other storefront cannabis retailers, the same regulations will apply in terms of business operations (e.g. individuals without ID or minors will not be permitted in the store even with parent or guardian). Reference plans are also attached in this report.

Official Community Plan and Zoning Review

There are no direct references in the Official Community Plan (OCP) with respect to storefront cannabis retailer. As far as land use is concerned, when the Storefront Cannabis Retailers Policy was adopted, the premise was that the storefront cannabis retailers will only be considered in an established retail location where the current zoning permits retail sales. Since the subject property is designated as shopping centre and zoned for commercial, the proposed location is consistent with the policy.

Policy Compliance

The table below compares the policy to the proposed location.

Policy Statements	Policy	Proposal
General Location	Only be permitted in an established retail location where the current zoning permits retail sales	The property is zoned C-1A, where retail sales is permitted
Distance	<ol style="list-style-type: none"> 1. A storefront cannabis retailer should be: <ol style="list-style-type: none"> a) At least 300 meters from public or independent elementary, middle or secondary school. b) At least 400 meters (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active on that lot c) At least 300 meters from a City owned playground facility including the spray park and skateboard parks 2. This policy does not limit Council from considering variances to the separation distances noted above based on circumstances related to a specific application. 	<ol style="list-style-type: none"> a) Outside of the 300-meter buffer from any public or independent schools b) Outside of the 400-meter buffer from another cannabis retailer c) Outside of the 300-meter buffer from any parks or playgrounds.
Restricted at temporary events	Cannabis sales are not permitted at special events, public markets or farmers markets.	At a permanent location and scheduled to be open between 10 a.m. and 10 p.m. daily 7 days per week
Parking	Satisfactory to the off-street parking requirements outlined in Division 7 of Zoning Bylaw 2500, 2007	Parking stalls provided to the Shopping Centre meets the requirement
One store is permitted per lot	Only one storefront cannabis retailer will be allowed per lot.	No other applications are made at this location
The Maximum Number of Retailers Permitted in the City	Five (5) private retailers and one (1) Government operated store in the City	<ul style="list-style-type: none"> • The only government operated store proposed • Overall the 2nd rezoning application for storefront cannabis retailer made to the City • One (1) related rezoning application is being considered as of February 19th, 2019 • An application has recently been made to the City at close proximity to this location (within 400m)

Evaluation

The proposal meets all the requirements established in the policy. Staff have not received any objections during the standard referral. A member of the public provided comments to the City stating that potential increase of traffic in the parking lot and around the nearby intersection is concern. Staff recognize the inefficiency of the access from/to Ryan road, however, staff is of the opinion that the proposed rezoning would not require immediate improvements in terms of traffic control in the vicinity. Base on the result of the application review, **staff believe the proposed store is consistent with the intent of the policy and recommends the bylaw proceed to public hearing.**

For future reference, the City is currently processing a rezoning application for another storefront cannabis retailer proposed to be located within 400 meters from the subject location.

The owner of the property has confirmed that there are no additional regulations beyond city's public nuisance bylaw. If there are customers smoking or loitering outside the store, the employees are instructed contact mall security or mall management and request that they deal with the loiterers or panhandlers or simply ask them to leave the property. If the problem persists, staff are instructed to contact police and/or store's Corporate Loss Prevention investigator.

FINANCIAL IMPLICATIONS:

The applicant has paid the standard zoning amendment application fee in the amount of \$3,000. The applicant will be required to obtain a building permit, sign permit and an annual business licence. The business licence fee is \$2,500.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff have spent 20 hours processing and reviewing this application. Should the proposed bylaws receive First and Second Readings, staff will spend an additional 5 hours in preparation for the public hearing, final reading of the bylaw, and updating the bylaws and maps.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications related to the processing of this rezoning 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.

We focus on organizational and governance excellence

- We support meeting the fundamental corporate and statutory obligations



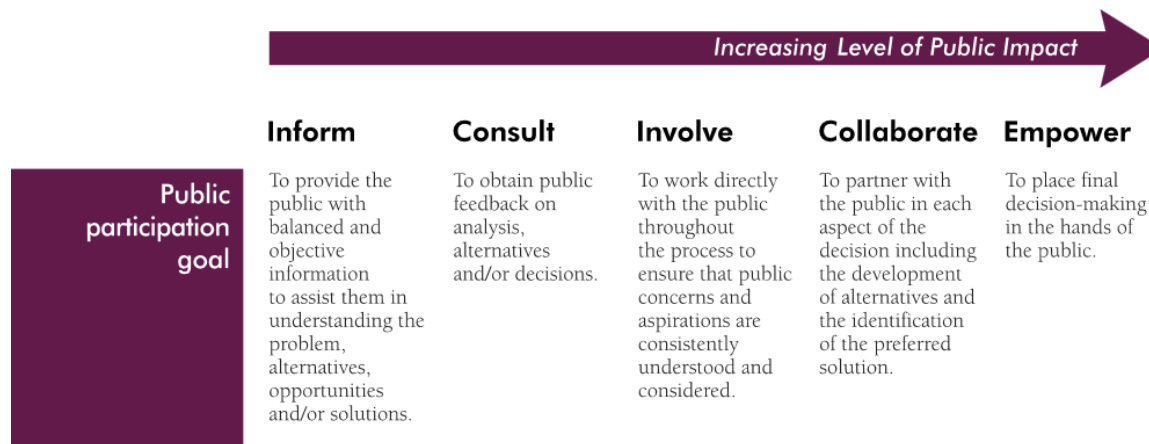
- **Area of Control**
The policy, works and programming matters that fall within Council’s jurisdictional authority to act.
- ▲ **Area of Influence**
Matters that fall within shared or agreed jurisdiction between Council and another government or party.
- **Area of Concern**
Matters of interest outside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

OFFICIAL COMMUNITY PLAN REFERENCE:

There is no direct reference in the Official Community Plan to storefront cannabis retailers. The use is however, consistent with the commercial shopping centre land use designation of the subject property.

CITIZEN/PUBLIC ENGAGEMENT:

Staff will consult the public based on the IAP2 Spectrum of Public Participation:



Should Zoning Amendment Bylaw No. 2946, 2019 receive First and Second Readings, a statutory public hearing will be held to obtain public opinion in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant held a public information meeting on January 9th, 2019 at the Florence Filberg Centre from 6 p.m. to 8 p.m. Property owners and occupiers within 100 metres of the subject property were invited to attend the meeting. A summary of the public information meeting and public comments have been included as **Attachment No.4**. According to the applicant, one person signed-in. The person asked a few questions around federal regulation, but nothing specific to the proposal. Separate from the public information meeting, staff has received an email message from a member of the public. The comment is attached as **Attachment No. 5**.

OPTIONS:

OPTION 1: THAT based on the February 19th, 2019 staff report 'Zoning Amendment Bylaw No. 2946 – 105-789 Ryan Road' Council approve Option No. 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2946, 2019; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Bylaw 2946, 2019 on March 4th, 2019 at 5:00 p.m. in City Hall Council Chambers;

OPTION 2: That Council postpone consideration of Bylaw 2946, 2019 with a request for more information; and

OPTION 3: That Council not proceed with Bylaw 2946, 2019

Prepared by:



Tatsuyuki Setta, MCIP, RPP
Manager of Planning

Reviewed by:



Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

Attachment No. 1: Storefront Cannabis Retailers Policy

Attachment No. 2: Applicant's Written Proposal

Attachment No. 3: Proposed Store Plans

Attachment No. 4: Public Information Meeting Summary

Attachment No. 5: Public Comment

ATTACHMENT No. 1 (1/2)
Storefront Cannabis Retailer Policy

City of Courtenay Policy		Page 1 of 2
Section 13 - Planning and Development	Policy #	
Subject: Storefront Cannabis Retailers	Revision # 1	

The purpose of this policy is to outline the criteria that may be considered by City Council as part of a rezoning application or temporary use permit application to allow for retail cannabis sales at a particular location. This policy is intended to guide applicants and City staff as part of the application process but it is not intended to fetter Council's discretion when dealing with individual applications, each of which will be evaluated on its own merits.

This policy was established in response to the legalization of cannabis by the federal government and the potential unregulated proliferation of storefront cannabis retailers. It is intended to address potentially adverse community impacts of storefront cannabis retailers, including inappropriate exposure of minors to cannabis and the undesirable concentration of storefront cannabis retailers.

B. DEFINITIONS

Applicant means an applicant for a rezoning that would allow for a storefront cannabis retailer at a particular location.

Storefront Cannabis Retailer means a premises where cannabis is sold or otherwise provided to a person who attends at the premises.

C. POLICY STATEMENTS

Rezoning Considerations

1. Storefront cannabis retailers will only be considered in an established retail location where the current zoning permits retail sales.
2. A storefront cannabis retailer should be:
 - a. at least 300 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school.

AUTHORIZATION:	DATE:
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ATTACHMENT No. 1 (2/2)
Storefront Cannabis Retailer Policy

City of Courtenay Policy

Page 2 of 2

Section 13 - Planning and Development	Policy #
Subject: Storefront Cannabis Retailers	Revision # 1

- b. at least 400 m (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active on that lot.
 - c. at least 300m from a City owned playground facility including the spray park and skateboard parks.
3. Cannabis sales are not permitted at special events, public markets or farmers markets.
4. This Policy does not limit Council from considering variances to the separation distances noted in (2) based on circumstances related to a specific application.
5. The off-street parking requirements applicable to retail stores as outlined in Division 7 of Zoning Bylaw 2500, 2007 and amendments thereto will apply to storefront cannabis retailers.
6. Only one storefront cannabis retailer will be allowed per lot.
7. The maximum number of storefront cannabis retailers in the City is five (5) private retailers and one (1) Government run store.

Application Process

The applicant must undertake all of the standard processes required for a rezoning application pursuant to Development Application Procedures Bylaw No. 2790, 2014 and amendments thereto.

AUTHORIZATION:	DATE:
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ATTACHMENT No. 2 (1/3)
Applicant's Written Proposal



**LIQUOR
DISTRIBUTION
BRANCH**

Office of the General Manager
and Chief Executive Officer

October 25, 2018

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

Dear Mayor and Councillors:

Re: Cannabis Retail Store Rezoning Application

Please accept our rezoning application to locate a **government operated cannabis retail store** Washington Park Shopping Centre, located at **789 Ryan Road**. The Liquor Distribution Branch ("LDB") has received support from the landlord of this property to proceed with this application ("Authorization" form/letter attached).

About the LDB

The LDB is one of two branches of government responsible for the beverage alcohol and non-medical cannabis (cannabis) industries in B.C. Through the *Liquor Distribution and Cannabis Distribution Acts*, the LDB is mandated with the purchase and distribution of beverage alcohol and cannabis for the Province. As well, the LDB operates a number of public liquor stores (197 in total), and, in February 2018, the Province announced that LDB will also operate public cannabis retail stores, as well as an e-commerce platform to offer public on-line sales of cannabis.

Revenue generated through the LDB's wholesale and retail operations is directed to the Provincial Government and contributes to supporting vital public services such as health care and education. For the 2017/2018 fiscal year, the LDB contributed \$1.12 billion to fund government services. Revenue generated through LDB's newly implemented cannabis operations (both wholesale and retail) will also be directed back to the Province to support important public services.

Location of Proposed Cannabis Retail Store

The Washington Park Shopping Centre retail complex was selected by the LDB for a proposed cannabis retail store for a number of reasons, including that the site is:

- Located in Courtenay's premier commercial areas;
- Located in a zone that permits retail sales;
- Located at least 300m away from a public or independent elementary, middle or secondary school, 400m from another cannabis retail stores, and at least 300m from a City owned playground facility including the spray park and skateboard parks;
- Easily accessible to customers; and
- Not expected to adversely impact traffic in the surrounding area, given its location near a premier intersection and in an already established retail complex.

ATTACHMENT No. 2 (2/3)
Applicant's Written Proposal

Building and Site

The following considerations were taken into account when evaluating the appropriateness of the site and building for a cannabis retail store:

- The intended use of the site is consistent with the "retail" nature of the immediate area.
- The size of the proposed cannabis retail store is 2,317 square feet, which is in the midrange of other retail stores existing on the subject site and in the surrounding area.
- The site provides for ample parking and efficient traffic flow.

The storefront will be bright, clean, welcoming and professional, with the intent of creating a safe and favourable alternative to purchasing cannabis from the illicit market. Storefronts will have frosted windows to align with Health Canada's requirements that cannabis not be visible to minors.

Community Impact

The LDB works closely with the Liquor and Cannabis Regulation Branch (LCRB) and the Ministry of Public Safety and Solicitor General to encourage the safe and responsible use of alcohol and cannabis in BC. The LDB is also committed to working in partnership with local governments to follow all municipal zoning processes and meet all bylaw requirements, as well as local law enforcement agencies to maintain public safety and to mitigate, and respond to, any negative impact on the community.

Social Responsibility is part of the LDB's Mission Statement and one of the four pillars we have identified that supports our success. Our efforts are focused on three themes: encouraging and promoting responsible use of alcohol and cannabis, reducing the impact our business has on the environment, and giving back to the communities we serve. We meet these objectives by:

- Delivering products that meet strict product safety and quality requirements - all cannabis products will be purchased through the LDB wholesale channel; product will be lab tested and will only be purchased from producers that have been licensed by Health Canada.
- Ensuring accountability of our key business partners (e.g. Licensed Cannabis Producers).
- Promoting the safe and responsible use of beverage alcohol and cannabis through social responsibility campaigns aimed at keeping alcohol and cannabis out of the hands of youth*, preventing driving under the influence, and informing the public about associated health risks.
- Actively discouraging customers from engaging in high-risk behaviour like drinking or consuming cannabis and driving, consuming alcohol or cannabis during pregnancy and participating in sporting activities while under the influence of alcohol or cannabis;
- Increasing awareness of the dangers associated with over-consumption or risky behaviour through various in-store campaigns with strategically placed messaging;
- Raising money through in-store fundraising campaigns for dry grad celebrations, red cross disaster relief, kids in need, and local community charities (through the Provincial Governments Employee Workplace charitable giving campaign); and
- Incorporating environmental sustainability into all facets of our business with a goal of reducing our environmental footprint and being a leader in sustainable retailing.

****Keeping cannabis out of the hands of minors will be a top priority for the LDB. Unlike liquor stores, minors will not be permitted to enter cannabis retail stores, even if they are accompanied by a parent or guardian. When entering the store, there will be an ID check at the entrance. Individuals***

ATTACHMENT No. 2 (3/3)
Applicant's Written Proposal

without ID or minors (even those accompanying someone of legal age) will not be permitted in the store. As well, all staff will be required to complete a provincial training program.

Additionally, customer, employee and community safety is paramount. All BC Cannabis Stores will have:

- Intruder and fire monitoring systems;
- Interior and exterior camera surveillance;
- Locked and tempered glass display cases for cannabis accessories;
- A secure storage room where product will be kept that will require access cards to enter;
- Durable and reliable commercial-grade doors and locks;
- Security shutters; and
- Smash-resistant windows.

And lastly, defective product will be transported to an off-premise location to be destroyed. Stores will not incinerate or dispose of cannabis products on premise. Waste and recycling will be located at the rear of the store.

All stores will employ unionized staff – stores in large municipalities will have approximately 12-20 employees and stores in smaller municipalities will have approximately 6-12 employees.

Further details regarding BC Cannabis Stores and the LDB's social responsibility efforts are included in the attached slide deck. If you require additional materials or have any questions we would be very happy to provide it. We thank you in advance for your consideration of our application.

Sincerely,



R. Blain Lawson
General Manager and Chief Executive Officer
BC Liquor Distribution Branch

Attachments:

1. BC Cannabis Stores – PowerPoint
2. Completed Cannabis Retail Store Application

ATTACHMENT No. 3 (1/15)
Proposed Store Plans



Provincial cannabis store's standard store frontage design

ATTACHMENT No. 3 (2/15)
Proposed Store Plans



ATTACHMENT No. 3 (3/15)
Proposed Store Plans



Professional.

Experienced.

Responsible.

With nearly 100 years of
experience retailing liquor
products, we know what it
means to be a good neighbour.

ATTACHMENT No. 3 (4/15)
Proposed Store Plans

Purpose

To make high-quality cannabis products and education available to all customers – from the discerning to the new – through a responsible retail channel that provides expert and friendly service.

SOCIAL RESPONSIBILITY

Every decision is made with a lens that prioritizes public health and safety.

SERVICE

We know our customers intimately and we are highly knowledgeable about the products we sell.

PEOPLE

We are intensely curious, deeply passionate about this space, and nimble, digital thinkers.

INTEGRITY

We always do the right thing and live our values every day, in every role, in every situation.

RESPECT

We work together as a cohesive team and recognize the unique talents of each individual.

CONTINUOUS IMPROVEMENT

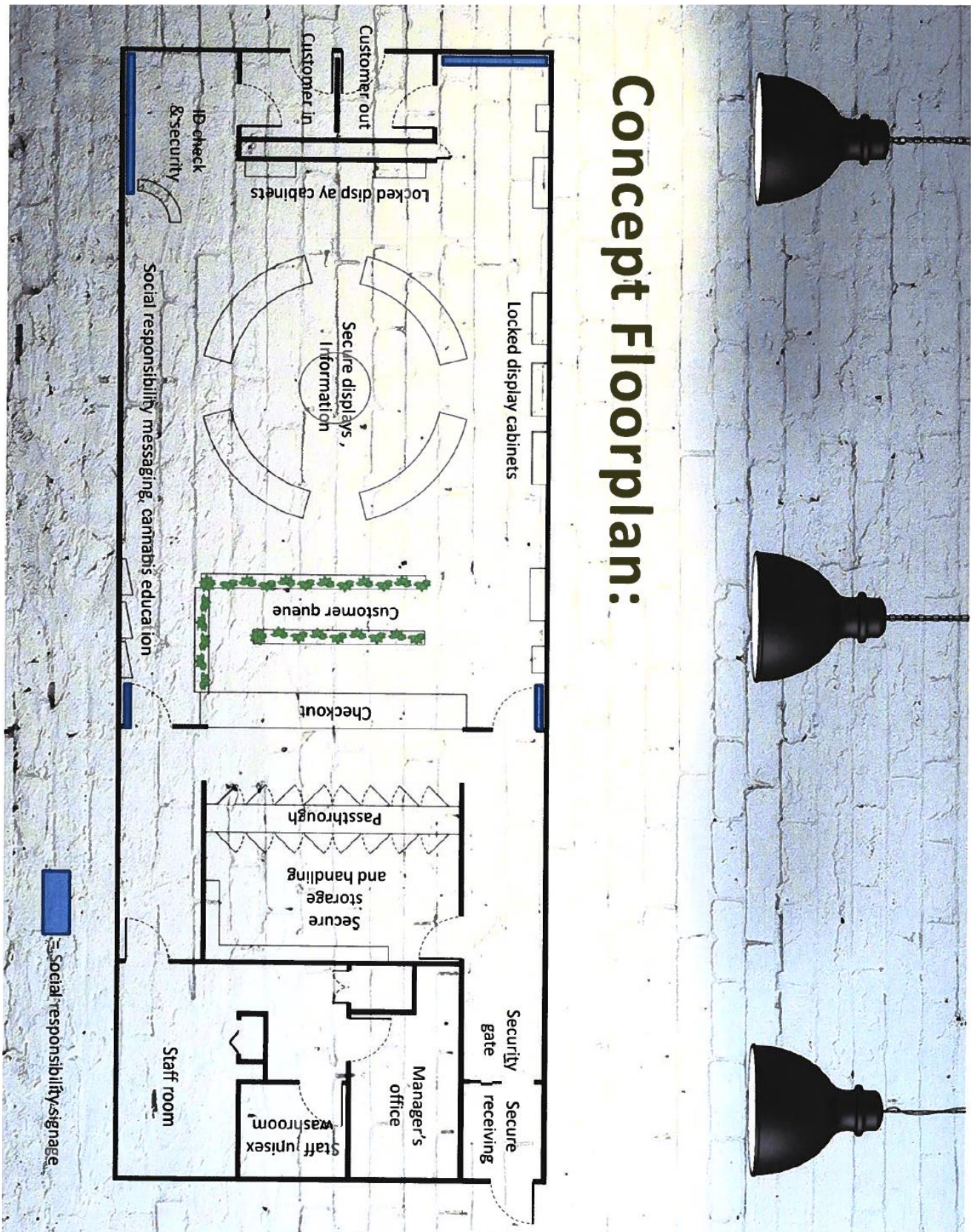
We are agile and quick; we take initiative to fill gaps and propose solutions.

ATTACHMENT No. 3 (5/15)
Proposed Store Plans

Storefront



ATTACHMENT No. 3 (6/15)
Proposed Store Plans



ATTACHMENT No. 3 (7/15)
Proposed Store Plans

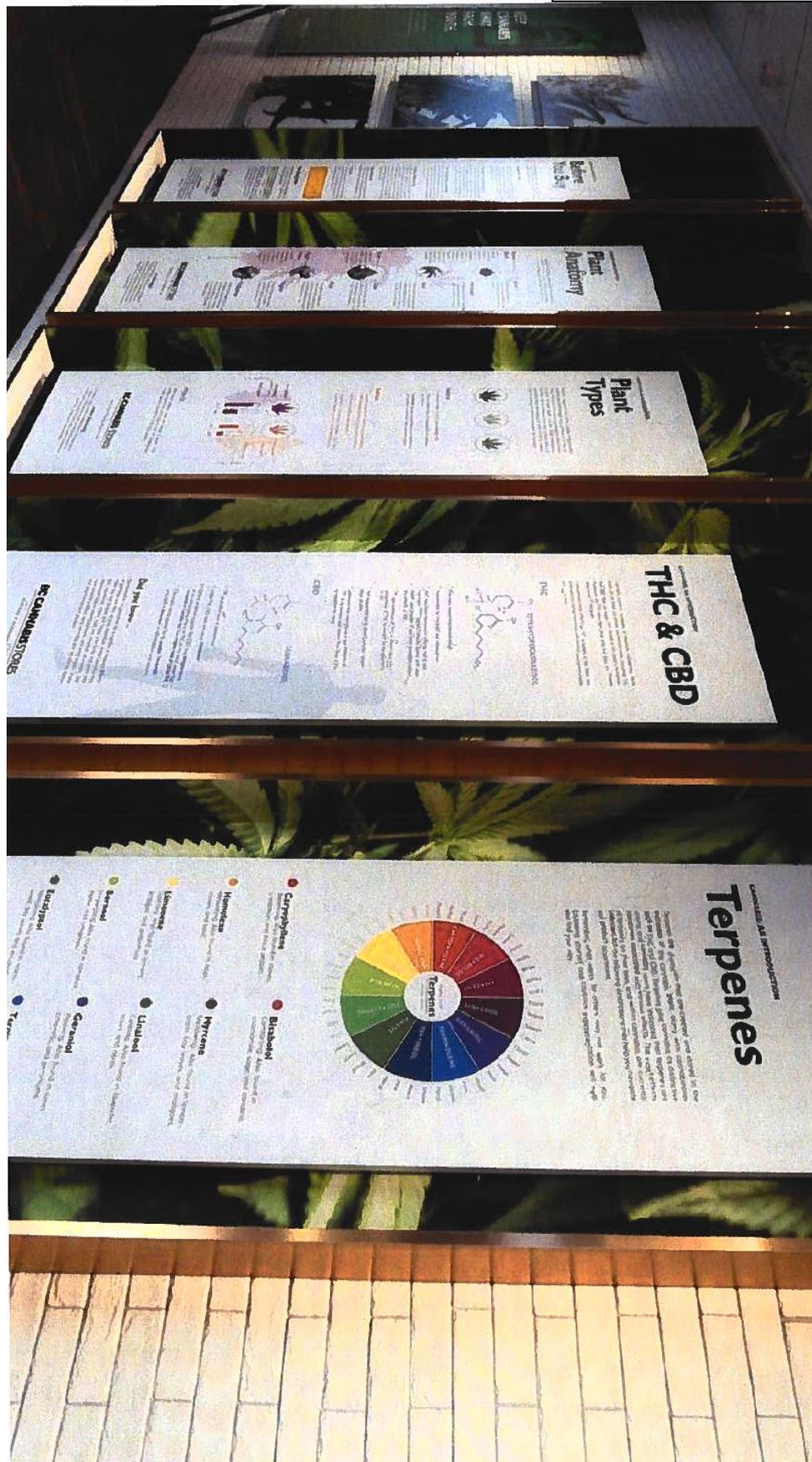
Store interior



ATTACHMENT No. 3 (8/15)
Proposed Store Plans



ATTACHMENT No. 3 (9/15)
Proposed Store Plans



ATTACHMENT No. 3 (10/15)
Proposed Store Plans

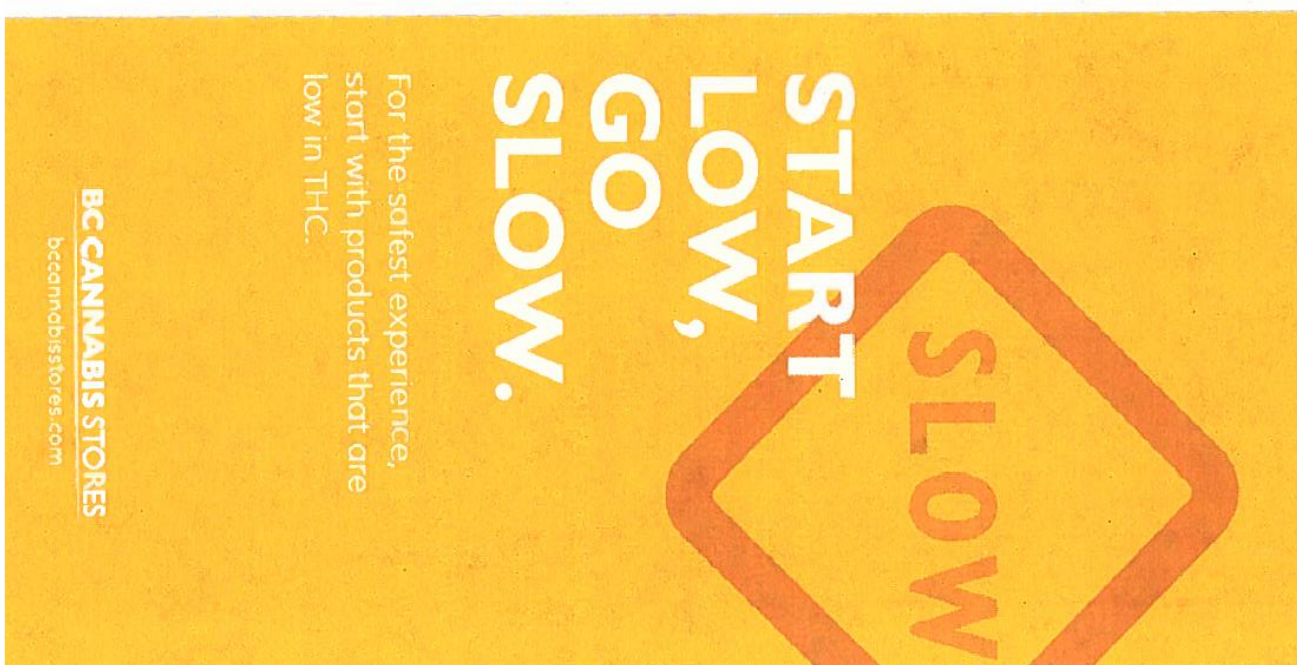
Store operations

- Store entranceways will have a counter for a two ID-check policy to prevents minors from entering the store.
- Store staff and in-store material will create a safe and informed customer experience.
- Digital signage and take-away brochures help educate customers of potential risks associated with cannabis use, supporting our mission of social responsibility (SR).
- Products are kept behind the checkout in an employee-only area of the store, out of sight from minors passing by the front of the store.

ATTACHMENT No. 3 (11/15)
Proposed Store Plans

Proven track record of public service and accountability that will carry over to cannabis

- Our strict “ID Under 30” policy in BC Liquor Stores is a strong contributing factor to our successful compliance record. For cannabis, for proof of age, all customers will be required to show two pieces of ID.
- Responsible consumption awareness programs in stores and in our communities like **Dry Grad** and **Get Home Safe** protect young people and their community.
- Our at-the-till charitable collections and employee contributions raise nearly \$1 million for local communities annually.
- We thrive as an environmental leader through responsible waste management.



ATTACHMENT No. 3 (12/15)
Proposed Store Plans

A reputable place to work.

We take pride in being named one of BC's
Top Employers time and time again.

- Mandatory criminal background checks are performed on all employees.
- Comprehensive product knowledge and customer service training are integral to the cannabis consultant onboarding experience.
- As with liquor, we will mandate a Serving It Right equivalent certification for all cannabis consultants.
- Each store will have a Store Manager, Assistant Store Manager, and Cannabis Consultants.



ATTACHMENT No. 3 (13/15)
Proposed Store Plans



Safety and security

Customer, employee and community safety is paramount.

- Intruder and fire monitoring systems
- Interior and exterior camera surveillance
- Accessories will be locked in tempered glass display cases.
- A secure storage room that will require access cards to enter.
- Durable and reliable commercial-grade doors and locks.
- Smash-resistant windows.
- Product will not incinerated or disposed on-premise.

ATTACHMENT No. 3 (14/15)
Proposed Store Plans

**We are committed to working with local
governments and local law enforcement agencies**

ATTACHMENT No. 3 (15/15)
Proposed Store Plans





**LIQUOR
DISTRIBUTION
BRANCH**

Summary Report – Courtenay Public Information Meeting

Re: Application for BC Cannabis Store at 789 Ryan Road

The BC Liquor Distribution Branch (LDB) held a Public Information Meeting on January 9th, 2019 from 6:00 pm to 8:00 pm at the Florence Filberg Centre located at 411 Anderton Avenue.

A notification (copy attached) of the Public Information Meeting was sent by mail on December 19th to neighbouring property owners and tenants (list provided by Courtenay City staff). A comment sheet was included with the notification for respondents to provide written feedback if they were unable to attend the meeting.

At the meeting, information regarding the LDB, BC Cannabis Stores, our operations, social responsibility measures, and photos and renderings of our retail store layouts were displayed. Representatives from the LDB were on site to answer any questions from attendees.

There was one attendee to the Public Information Meeting as per attached Sign-In Sheet. The attendee discussed his opinion of the federal packaging rules for cannabis and did not have any questions specific to the proposed rezoning. A comment sheet was provided to the attendee as well.

If you have any questions about the Public Information Meeting, please contact Levona Lowe at 604-252-3000 x3845 or by email at Levona.Lowe@bclldb.com.



Where ideas work.

BC Cannabis Stores Public Information Hearing
Courtenay, B.C. – January 9, 2019

[illegible]

ATTACHMENT No.5
Public Comment

From: [REDACTED]
Sent: November-23-18 8:51 AM
To: PlanningAlias
Subject: BC Liquor/Cannabis store on Ryan Rd

Good morning

While walking this morning I read the sign about the rezoning application for a BC Liquor/Cannabis store on Ryan Rd at the Superstore mall. In theory I support a BC Liquor/Cannabis store in this area, I think the location is a poor choice. Traffic in and out of that intersection is already chaos, you take your life in your own hands using the crosswalks. No one checks right when pulling on to Ryan, no one checks for pedestrians turning right off Ryan into the mall, everyone turning left off Ryan goes into the wrong lane and they don't look for people in the sidewalk either. More traffic in and out of that location is a very bad idea. Perhaps situating the building in one of the empty lots and making the access closer to the credit union and bank parking area would be a better idea.

Thank you



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Grant Application - UBCM Flood Modelling

File No.: 5335-20
Date: February 19, 2019

PURPOSE:

The purpose of this report is to request Council approval to apply for grant funding through the Union of BC Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning funding stream.

CAO RECOMMENDATIONS:

That based on the February 19, 2019 staff report "Grant Application - UBCM Flood Modelling", Council approve OPTION 1 and authorize the application for grant funding through the Union of BC Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning funding stream.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The CEPF is a suite of funding programs intended to enhance the resiliency of local governments and their residents in response to emergencies. Funding is provided by the Province of BC and is administered by UBCM. The intent of this funding stream is to ensure municipalities have an accurate knowledge of the flood hazards they face and to develop effective strategies to mitigate and prepare for those risks.

Applicants must demonstrate the need to develop a flood risk assessment, a flood map and/or a flood mitigation plan. Eligible projects must be either new in scope, or a subsequent phase of an existing non-structural flood mitigation project, and must be completed within one year from the date of grant approval by a qualified professional. In order to be eligible for funding, a Council resolution indicating support for the application and associated activities is required.

The Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning funding stream can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$150,000.

DISCUSSION:

The City of Courtenay has experienced flooding in the Lewis Park area with increasing frequency. Recent flood events in November 2009, January 2010 and December of 2014 have damaged private and public property, interrupted traffic and interfered with emergency services during the flooding periods. The intensity and frequency of flooding has been far greater than the current provincial modelling standards is expected to worsen based on climate change projections.

Flood risk at this location is influenced by a number of factors which can happen simultaneously. These include:

- high tides / storm surges
- high water flows as a result of precipitation
- discharges from BC Hydro

The City of Courtenay has previously undertaken modelling and study work related to flooding in the downtown core, and is continuing to build upon this with a number of ongoing initiatives. Current City initiatives related to flooding include the Municipal Natural Assets Initiative (MNAI) which focuses on understanding the current and possible future roles of natural assets and ecosystem functions in the Courtenay River corridor in mitigating flood risks in the downtown core, and the Dike Replacement Strategy which will examine the capacity and long-term viability of the existing protective assets on the river system. This grant funding would contribute towards the next phase of modelling and technical study related to these two initiatives. The exact scope of work to be completed is being finalized as the grant application is being developed prior to the February 22, 2019 submission deadline, however the total project cost will be under \$150,000.

FINANCIAL IMPLICATIONS:

The UBCM grant program can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$150,000. The City would be responsible for any funds needed to complete the works above the grant funding. This initiative was previously included in the workplan for 2019 and 2020.

ADMINISTRATIVE IMPLICATIONS:

Grant applications are included in the Corporate Work Plan for 2019.

ASSET MANAGEMENT IMPLICATIONS:

Courtenay practices advanced asset management principles and is recognised as a leader in the field. Within this context, the City of Courtenay wants to ensure that any flood risk or mitigation plans take a systems approach and applies natural asset principles wherever practical. The City strives to ensure future stormwater related services and initiatives are delivered in a socially, economically and environmentally responsible manner that does not compromise the ability of future generations to meet their own needs.

STRATEGIC PRIORITIES REFERENCE:

We proactively plan and invest in our natural and built environment

- Continued focus on asset management for sustainable service delivery
- Focus on infrastructure renewal rather than upgrades
- Continued support for social, economic and environmental sustainability solutions



- **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:

The continued work on Courtenay's downtown flooding is aligned with the goals and objectives contained within the Official Community Plan, specifically:

4.10.2 Goals (Environment)

5. To protect residents and property from hazards which may be associated with such environmental conditions as steep slopes (greater than 30%), floodplains, unstable soils and fire hazard lands (urban/wildland interface).

REGIONAL GROWTH STRATEGY REFERENCE:

The continued work on Courtenay's downtown flooding is aligned with the following goals from the Regional Growth Strategy:

Goal 5 – Infrastructure:

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

Goal 7 – Public Health and Safety:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

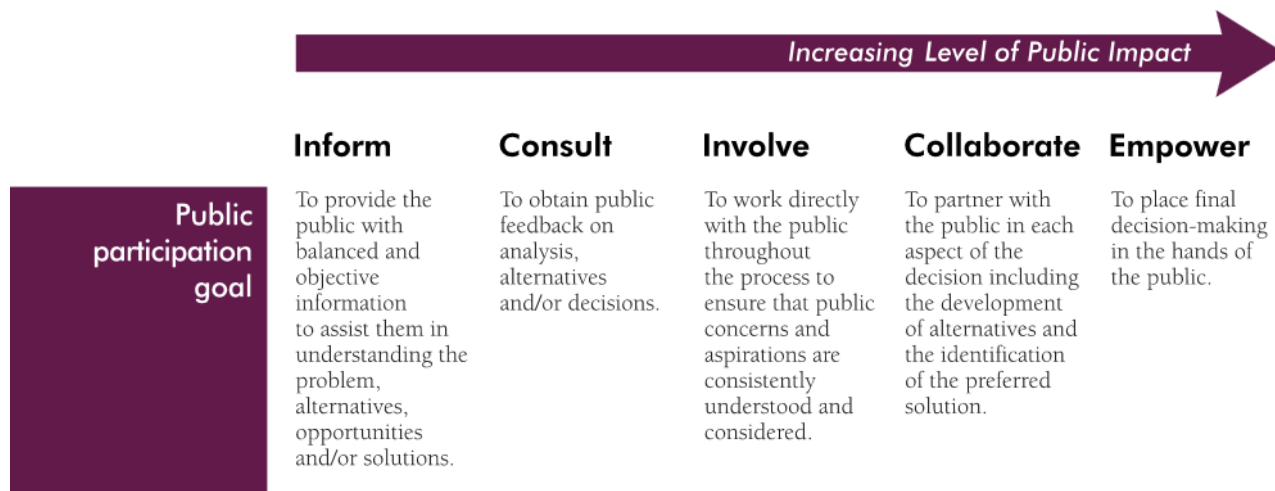
Goal 8 – Climate Change:

Minimize regional greenhouse gas emissions and plan for adaptation.

CITIZEN/PUBLIC ENGAGEMENT:

Staff would **inform** the public and key stakeholder groups 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 based on the February 19, 2019 staff report "Grant Application – UBCM Flood Modelling" Council approve Option 1 and authorize the application for grant funding through the Union of BC Municipalities Community Emergency Preparedness Fund Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning funding stream.

Option 2: THAT council not support proceeding with the application to the UBCM grant at this time.

Prepared by:

Ryan O'Grady, P.Ag., P.Eng.
Director of Engineering Services

Lisa Butler, P.Eng.
Manager of Engineering Strategy

Angela Spence, P.Ag.
Engineering Technologist

Office of the Chair

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 0540.20 /COW

February 13, 2019

Sent via email only: dallen@courtenay.ca

Mayor and Council
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mayor and Council:

Re: Invitation to Elected Officials Forum March 12, 2019

As Chair of the Comox Valley Regional District's Committee of the Whole (CoW), I would like to invite the City of Courtenay Council and senior staff to attend an Elected Officials' Forum on Tuesday, March 12, 2019. The forum will focus on the topic of public engagement for elected officials, including presentations and discussion regarding best practices for public participation and potential risks to consider when communicating.

The session will commence immediately following the regular CoW meeting scheduled for 4:00 pm. As the regular CoW meeting is expected to last approximately one hour, the forum is scheduled to commence at approximately 5:00 pm with dinner being provided for all attendees. A brief outline of the presentation topics is provided below:

- **Municipal Insurance Association of B.C.**

Have you ever wondered whether you might be saying too much when speaking to members of the public? MIABC staff will outline the top three ways in which elected officials can get themselves into hot water for their communications, illustrate the consequences by sharing stories of real claims, and provide some risk management tips to reduce liability exposure.

- **Katie Hamilton, Tavola Strategy Group**

As a leading practitioner of public engagement, Katie Hamilton will provide an introduction to the public participation (IAP2) spectrum; what it means to elected officials, what consultation means in decision-making processes and provide relevant examples of effective public participation to assist understanding the process.

As an Elected Officials' Forum, no decisions are to be made during this session. The goal of bringing all Comox Valley Elected Officials together is to collectively hear from technical experts and to share perspectives. The meeting is expected to conclude at approximately 8:30 pm with time available afterwards for informal discussion and networking.

As public engagement and participation are at the core of local government, I look forward to your attendance and participation at this important forum. Please RSVP to Jake Martens, Manager of Legislative Services, at jmartens@comoxvalleyrd.ca to confirm the attendance of your Council and senior staff and any dietary considerations. RSVPs are requested prior to **March 1, 2019**.

Sincerely,



Bob Wells
Chair

cc: David Allen , Chief Administrative Officer, City of Courtenay
John Ward, Director of Legislative Services, City of Courtenay
Russell Dyson, Chief Administrative Officer

Minutes of a Parks & Recreation Advisory Commission Meeting

Held at Bisque Restaurant, 625 Cliffe Avenue - Thursday, December 6, 2018 at 6:00 p.m.

Attending: Sébastien Braconnier
Iris Churchill
Mary Crowley
Tom Demeo
Allan Douglas
Bill Green
Carolyn Janes
Michael Lynch

Dave Snider (Ex Officio)

Regrets: Manno Theos (Council Representative)

Call to Order

Dinner meeting was called to order at 6:00 p.m.

Adoption of Previous Meeting Minutes

MINUTES	Motion: Moved by Michael Lynch that the minutes of the November 1 st meeting be adopted as read, seconded by Tom Demeo & Iris Churchill. CARRIED
MASTER PLAN PROCESS UPDATE	Will be released in the new year in draft form, for public feedback.
2019 PROPOSED MEETING SCHEDULE	Meeting dates were given and locations to meet in future were proposed for booking at: The LINC, Bill Moore Park Fieldhouse, Valley View Park Clubhouse and Tarling Park, which would be a tour.
FEES AND CHARGES STUDY 2019	Will consider fees in other municipal facilities as well as market rate for rentals. Will then propose uniform discounts for private and community bookings.
LEWIS PARK FENCE, STAIRS AND TREES	Dave gave an update on the new tennis fence, stairs and Puntledge River and tree planting.
NON PAYING PATRONS	Dave informed Commission about teens propping the wellness centre door open to come in on mass in the evening when staff are not on duty. Commission recommends that staff consider a teen free night or toonie night at the Wellness Centre. Will also consider expanded staff hours for safety, service and monitoring.

BENCH PROGRAM

Discussion on the dormant memorial bench and tree program and implications of moving forward with a new program. Commission supports an initiative to not reactivate the Memorial Program.

Next Meeting

Thursday, January 3rd, 2019 at the Tsolum Building, Lewis Park (adjacent to Diamond #1)

Adjournment

The meeting was adjourned at 8:00 p.m.

Wounded Warrior Run BC
15 – 1500 Glentana Rd
Victoria, BC V9A 7A1



26 January 2019

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

RE: Wounded Warrior Run BC – February 25th – March 3rd, 2019

Dear Mayor Wells & Council,

Wounded Warriors Canada is on a mission to honour Canada's ill and injured Canadian Armed Forces, Veterans, First Responders and their families. To accomplish this mission, Wounded Warriors Canada provides innovative, life changing programs that enable the organization to carry out the guiding ethos: Honour the Fallen, Help the Living.

Wounded Warriors Canada was born in 2006 after a suicide bomber travelling on a bicycle near Kandahar City killed four Canadians and injured a number of others. The wounded soldiers were transported to Germany for outstanding medical care, however it became very apparent in the months following this incident that our troops needed a little more of Canada to assist in their recovery. The original intent of the charity was to help members wounded on operations improve their general morale and welfare. As the charity has evolved, the scope of the mission has increased and become our nation's leading, wholly independent, Veteran's and First Responder's charity focussing on mental health.

Our innovative and wide-ranging programming is changing the lives of ill and injured Veterans, First Responders and their families. Right here in BC and specifically on Vancouver Island, Wounded Warriors Canada offers the COPE Program (Couples Overcoming PTSD Everyday) at Bear Mountain, the Trauma Resiliency Program in Sooke and the PTSD Service Dog Program via Vancouver Island Compassion Dogs in Qualicum Beach.

In 2014, sadly there was a rash of suicides in Canada by Veterans suffering from PTSD and Operational Stress Injuries. This sparked two of our serving members to take action. They decided to gather a small group of athletes and run the length of Vancouver Island from Port Hardy to Victoria in only seven days to raise awareness and money to give to Wounded Warriors Canada. In 2019, we will be embarking on the 6th annual Wounded Warrior Run BC. This event has become the largest fund raiser for Wounded Warriors Canada on Vancouver Island and we are expanding our goal to \$100,000 this year. We need your help in reaching this goal. Please consider a minimum \$1,000 donation.

Our team will be starting on February 25th, 2019 in Port Hardy and running more than 600kms until we reach the final destination at the Legislature on March 3rd, 2019. As we make our way down the island we stop at various Legions and community halls to raise awareness to the support Wounded

Warriors Canada offers. We provide a source of hope as we reach out and talk about the wounds that are not visible. Our final destination to end the run is the Legislative grounds. We arrive in Courtenay on Thursday, February 28th, 2019. We would be very honoured to arrange a place that we could meet you en route to our final destination on this day in Comox. We would like to have the opportunity to introduce you to our team and thank you for the support your community has provided.

Thank you for the support your communities have already shown to the Wounded Warrior Run BC and for considering a donation this year. Please direct any questions to the undersigned.

Sincerely,



Jacqueline Zweng

Director

Wounded Warrior Run BC

250-661-4333

jacqueline@woundedwarriors.ca



Where journeys begin.

31 January, 2019

Distribution List

Dear Mayors, Chair, Councils and Board,

In accordance with the Comox Valley Airport Commission's (CVAC) by-law 3.2, the Board Secretary is to contact you to advise that the term of Director Andy Frost is up for reappointment and is due to expire on July 31stth, 2019.

As part of CVAC's appointment process, Mr. Frost has informed us of his willingness to continue to serve the Commission for a subsequent term. Mr. Frost serves as a nominee to the Airport Commission for Local Government and as such CVAC is seeking input from all Local Governments on this reappointment.

Mr. Frost brings a high standard of leadership and management skills to the CVAC Board. His experience as a Senior Executive following a 32 year career with IBM allows him to offer broad management and revenue generation experience to the Board, in addition to his detailed understanding of information technology.

Aside from his dedicated participation in Board work, Mr. Frost is an active participant in the Governance Committee and chairs the Audit Committee.

May I request that you signal your concurrence to this reappointment no later than March 31st, 2019. In the mean time, if you have any questions about this request or our nomination process as a whole, please contact me at storesdahl@shaw.ca

Yours truly,

Susan Toresdahl
CVAC Secretary

Distribution List:

Mayor Leslie Baird and Councilors, Village of Cumberland
Mayor Russ Arnott and Councilors, Town of Comox
Mayor Bob Wells and Councilors, City of Courtenay
Chair Bob Wells and Board Members, Comox Valley Regional District



February 7, 2019

File No: 0400-20

The Honourable John Horgan
Premier of British Columbia
P.O. Box 9041, Stn. Prov. Govt.
Victoria, BC V8V 1X4

Email: premier@gov.bc.ca

Dear Premier Horgan:

RE: Future of Vancouver Island E&N Corridor

On behalf of Duncan City Council, I am writing this letter out of concern for the direction the Province is taking following the Stakeholders E&N Roundtable meeting on December 10, 2018.

At that meeting, you asked for our views relative to the future of the E&N Corridor and we believe there was overwhelming agreement on the following:

- a) The reinstatement of rail to the entire island is a critical infrastructure project that will provide long term economic, social, and environmental benefit of the residents of Vancouver Island.
- b) A commitment is required from the Province to move forward with reinstatement of rail service on the entire corridor including Victoria to Courtenay and Nanaimo to Port Alberni.
- c) It is understood the project can be completed in phases and the first phase should concentrate on the urgent needs of the Capital Regional District with work continuing until rail service is reinstated on the entire corridor.
- d) The project must move forward quickly to avoid delays emanating from the Federal election.
- e) The Province needs to work collaboratively with the Island Corridor Foundation and other agencies to bring this project to completion.

Leaving the meeting, you advised us you would need some time to discuss the findings of the meeting with the Minister to develop a plan to move forward. We were very pleased when Minister Trevena advised the Island Corridor Foundation that the voices of the Stakeholders were heard and the Province was prepared to move forward.

We are now in receipt of the same letter you and Minister Trevena received from the Co-Chairs of the Island Corridor Foundation in regards to their initial meeting with the Ministry. We were very discouraged to learn that the plan, as presented by the Ministry, is to undertake another expensive study with timelines well beyond anything that could be considered timely. Perhaps more alarming is to learn the Ministry is not convinced rail is even required. This calls into question the purpose of the Stakeholder meeting and the intent of the Province in bringing together the Stakeholders in the first place. What is being proposed is not consistent with what was discussed at the meeting. We are also aware a call between the Minister and Chair of the Island Corridor Foundation failed to result in any changes in the plan the Province is moving forward with.

We were also very surprised by the Minister's comments in a news story this week that the Province is committed to working with members from Indigenous communities up and down the corridor to ensure all governing partners are part of any future decisions surrounding the corridor. This is an interesting statement when you consider that the Island Corridor Foundation is constituted with 14 First Nations, and that fully half of the board positions are held by First Nations. By virtue of their participation at the board level, First Nations are engaged in decisions about the corridor. The Island Corridor Foundation, probably more than anyone, understands the concerns of our First Nations partners and they have consistently demonstrated their commitment to working with First Nations.

We respectfully request you review the issues raised within the Island Corridor Foundation letter with the Minister, and that you provide the direction necessary to put this process on a path that more closely reflects the desired outcomes discussed at the Stakeholders meeting.

Sincerely,



Mayor Michelle Staples
City of Duncan

cc: Duncan City Council
Sonia Furstenu, MLA
Larry Stevenson, Executive Director, Island Corridor Foundation

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2946

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. 2946, 2019”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) Amending Section 8.18.11 by adding “notwithstanding any provision of this bylaw, a storefront cannabis retailer is a permitted use on Lot 2, Section 14, Comox District, Plan VIP53727 (#105-789 Ryan Road)” and renumbering accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this _____ day of _____, 2019

Read a second time this _____ day of _____, 2019

Considered at a Public Hearing this day of , 2019

Read a third time this _____ day of _____, 2019

Finally passed and adopted this day of , 2019

Mayor

Corporate Officer

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

Brendan Kelly, Senior District Development Technician
Ministry of Transportation and Infrastructure
Vancouver Island District

