

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

AMENDED

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

DATE: May 21, 2019
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

1.00 ADOPTION OF MINUTES

- 1 1. Adopt May 6th, 2019 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

- 7 1. May Partridge, Comox Valley Unitarian Fellowship (CVUF)
(Request for a Declaration of Climate Emergency)

4.00 STAFF REPORTS/PRESENTATIONS

(a) Development Services

- 11 1. Development Variance Permit - 4100 Fraser Road
- 23 2. Zoning Amendment Bylaw No. 2961 - 379 - 4th Street
- 55 3. OCP Amendment Bylaw No. 2922 and Zoning Amendment Bylaw No. 2927 -
2048 13th Street
- 71 4. Appointment of a Member to the Heritage Advisory Commission
- 77 5. Zoning Amendment Bylaw No. 2962 to Allow for a Secondary Suite at 2100
Arden Road

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 93 1. Village of Cumberland - Courtenay Casino Gaming Revenue Share Letter
- 95 2. Trespass and Homeless Encampments Along Piercy Creek
- 97 3. DCBIA - Event Street Closure Support from the City of Courtenay - Market
Day and Summer Street Market Events

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

99 1. Briefing Note - 5th St Bridge Rehabilitation Project

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

1. Councillor Cole-Hamilton - Climate Crisis Declaration

Whereas the impacts of climate change in the form of extreme weather events such as wildfires, floods, droughts, extreme precipitation, coastal erosion and storms are occurring at an accelerated rate and with growing frequency, creating major financial, social and environmental costs which are largely being borne by local governments and the residents they serve;

Whereas municipal governments are responsible for building, upgrading, repairing and maintaining roughly two thirds of all government infrastructure in Canada, and receive only \$.08 of every tax dollar collected in Canada; and

Whereas although all residents of our community will be impacted by climate change, some citizens may be more vulnerable to extreme climate events depending on the proximity of their homes to wildfire, erosion or flood zones; and

Whereas there is an urgent need for action but a lack of resources and coordination to support local governments in their ability to adapt to and mitigate the ongoing effects of climate change with respect to emergency preparedness measures and infrastructure upgrades, repairs and maintenance; and

Whereas many British Columbia municipalities and regional districts have formally recognized the climate crisis or have declared an emergency in order to emphasize the need for resources and support from senior levels of government;

Therefore, be it resolved:

- a) that the City of Courtenay formally recognize the climate crisis and request the provincial and federal governments to allocate resources to equip a local government response;
- b) that the City of Courtenay's response to the climate crisis be considered as part council's upcoming strategic planning session in the fall of 2019 with discussion to include: participation in regional climate action and emergency program initiatives as well as identifying and securing the necessary resources to implement climate action initiatives;
- c) that prior to council's 2019 strategic planning session, City staff work with staff of other regional local governments to identify tangible actions the City can take to address this crisis and that any City-related resource requirements be included for consideration in the 2020 budget and Five Year Financial Plan; and
- d) that climate change mitigation and adaptation be considered at all stages of development of the City's new Official Community Plan.

2. Councillor Frisch - Bike to Work Week

Whereas May 27th to June 2nd, 2019 is BC Bike to Work Week, and

Whereas the Comox Valley is one of the most active communities in BC,

Therefore be it resolved that City of Courtenay Council, staff, and the community rise to the challenge and compete for the most kilometres travelled by bike during “Bike to Work Week”.

3. Mayor Wells - National Tent City Strategy

Whereas Tent Cities are on the rise across the country; and

Whereas the root causes of Tent Cities tend to be lack of affordable housing as well as mental health and addictions issues which are outside the mandate and control of municipalities;

Therefore be it resolved that the Federation of Canadian Municipalities (FCM) lobby the Federal government to create a National Tent City Strategy.

4. In Camera Meeting

That notice is hereby given that a Special In-Camera meeting closed to the public will be held May 21st, 2019 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (c) labour relations or other employee relations.

9.00 UNFINISHED BUSINESS

103 1. Memorial Program - Staff Report and Public Feedback

Staff Note: At the April 1st, 2019 regular Council meeting, Council passed the following resolution:

That Council postpone consideration of the April 1st, 2019 staff report “Memorial Program”, until the May 6th or 21st, 2019 regular Council meeting in order to provide the public an opportunity to forward thoughts related to the memorial program to staff and Council for consideration.

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

For First and Second Reading

- 113 1. “Zoning Amendment Bylaw No. 2961, 2019”
(A bylaw to add storefront cannabis retailer as permitted use - 379 - 4th Street)
- Staff Note: If required should Council proceed with Option 2 of staff report
“Zoning Amendment Bylaw No. 2961 - 379 - 4th Street”*
- 115 2. “Zoning Amendment Bylaw No. 2927, 2019”
(A bylaw to add multi residential dwellings as permitted use - 2048 - 13th Street)
- 117 3. “Official Community Plan Amendment Bylaw No. 2922, 2019”
(A bylaw to change the land use designation from urban residential to multi residential and amend the City of Courtenay OCP Land Use map - 2048 - 13th Street)
- 121 4. “Zoning Amendment Bylaw No. 2962, 2019”
(A bylaw to rezone property to allow for a secondary suite - 2100 Arden Road)

13.00 ADJOURNMENT

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay, B.C., on Monday, May 6, 2019 at 4:00 p.m.

Attending:

Acting Mayor: D. Frisch

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

Staff:

**D. Allen, CAO
J. Ward, Director of Legislative & Corporate Services/Deputy CAO
W. Sorichta, Manager of Legislative & Corporate Administrative Services
I. Buck, Director of Development Services
J. Nelson, Director of Financial Services
M. Fitzgerald, Planning Supervisor
A. Guillo, Communications Manager
R. Wyka, Manager of Finance**

1.00 ADOPTION OF MINUTES

.01

MINUTES

Moved by Cole-Hamilton and seconded by Morin that the April 15th, 2019 Regular Council meeting minutes be adopted as amended.

Carried

Moved by Cole-Hamilton and seconded by Morin that the April 29th, 2019 Special Council meeting minutes be adopted.

Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

.01

**2018 AUDITED
FINANCIAL
STATEMENTS AND
PRESENTATION BY
CORY VANDERHORST,
MNP
1870-02 (2018)**

Cory Vanderhost, MNP, presented information to Council related to MNP's independent audit of the City's 2018 financial statements, the presentation was received for information.

Moved by Cole-Hamilton and seconded by Hillian that based on the May 6th, 2019 staff report "2018 Audited Financial Statements", Council approve OPTION 1 which approves the Audited Financial Statements for the year ended December 31, 2018.

Carried

.02

SUMMER MEETING
SCHEDULE-2019
0570-01

Moved by Hillian and seconded by Morin that based on the May 6th, 2019 staff report “Summer Meeting Schedule-2019”, Council approve OPTION 1 and cancel the following scheduled meetings: July 29th, 2019 Committee of the Whole meeting; and August 26th, 2019 Committee of the Whole meeting; and

That the June 3rd, 2019 Regular Council meeting be rescheduled to June 10th, 2019.

Carried

.03

DEVELOPMENT
VARIANCE PERMIT
NO. 1808 - 2940
COMOX LOGGING
ROAD
3090-20-1808

Moved by Hillian and seconded by Cole-Hamilton that based on the May 6th, 2019 staff report “Development Variance Permit No. 1808 - 2940 Comox Logging Road”, Council approve OPTION 1 and proceed with issuing Development Variance Permit No. 1808.

Carried

.04

DEVELOPMENT
VARIANCE PERMIT
NO. 1809 - 2300
RYAN ROAD
3060-20-1809

Moved by Hillian and seconded by Morin that Council delay consideration of the May 6th, 2019 staff report “Development Variance Permit No. 1809 - 2300 Ryan Road” for a period of time to permit staff the opportunity to consult with the Ministry of Transportation and Infrastructure regarding specifics of this particular section of Ryan Road and whether a freestanding electronic message board sign presents any increased traffic risk.

Carried

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

COUNCILLOR
COLE-HAMILTON

Councillor Cole-Hamilton reviewed his attendance at the following events:

- Courtenay Volunteer Fire Department Council orientation and facilities tour
- Provincial Government funding announcement \$1 million for the Kus-Kus-Sum project
- Heritage Advisory Commission meeting
- Courtenay Recreation and Cultural Services facilities tour
- Comox Valley Overdose Working Group meeting
- Downtown Courtenay Business Improvement Association meeting
- Courtenay Urban Forest Strategy open house
- Youth Environmental Action group Climate Strike demonstration march

R9/2019 - May 6, 2019

- Comox Valley Farmers Market 27th Anniversary Celebration and seasonal opening of the outdoor market
- Meeting with concerned citizens, staff, RCMP and Comox Valley Coalition to End Homelessness to discuss homeless campsites
- Alzheimer's Walk for Memories fundraising event sponsored by IG Wealth Management

COUNCILLOR
FRISCH

Councillor Frisch reviewed his attendance at the following events:

- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- CVRD Committee of the Whole meeting
- Provincial Government funding announcement \$1 million for the Kus-Kus-Sum project
- Cooperative Housing Federation of BC meeting
- Courtenay Volunteer Fire Department Council orientation and facilities tour
- CVRD Integrated Regional Transportation Select Committee meeting
- CVRD Board meeting
- Meeting with concerned citizens, staff, RCMP and Comox Valley Coalition to End Homelessness to discuss homeless campsites
- Development Industry Working Group meeting
- Watershed walking tour of Perseverance Creek area lead by Meaghan Cursons

COUNCILLOR
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- CVRD Sewage Commission meeting;
- CVRD Committee of the Whole meeting
- Tour of Salvation Army Shelter and meeting related to neighbourhood issues
- Comox Valley Community Justice Centre meeting
- Meeting with representative of the Comox Valley Conservation Strategy
- Courtenay Volunteer Fire Department Council orientation and facilities tour
- Provincial Government funding announcement \$1 million for the Kus-Kus-Sum project
- Rental housing research workshop
- Courtenay Recreation and Cultural Services facilities tour
- CVRD Board meeting
- Meeting with concerned citizens, staff, RCMP and Comox Valley Coalition to End Homelessness to discuss homeless campsites
- Watershed walking tour of Perseverance Creek area lead by Meaghan Cursons

COUNCILLOR
MORIN

Councillor Morin reviewed her attendance at the following events:

- CVRD Sewage Commission meeting
- CVRD Water Committee meeting
- CVRD Committee of the Whole meeting
- Courtenay Volunteer Fire Department orientation and facilities tour

R9/2019 - May 6, 2019

- Provincial Government funding announcement \$1 million for the Kus-Kus-Sum project
- CVRD Board meeting
- Courtenay Recreation and Cultural Services facilities tour
- CVRD Board meeting
- Watershed walking tour of Perseverance Creek area lead by Meaghan Cursons

8.00 RESOLUTIONS OF COUNCIL

.01

COUNCILLOR FRISCH
CITY OF COURTENAY
GARBAGE AND
RECYCLING
SCHEDULE

Moved by Morin and seconded by Hillian that

WHEREAS Courtenay Council has committed to support social, economic, and environmental sustainability solutions, and

WHEREAS the use of a landfill for all our household waste has proven to be unsustainable, and

WHEREAS offering more opportunity to recycle will encourage more recycling,

THEREFORE BE IT RESOLVED that staff provides Council with a report on options and implications of changing the City of Courtenay's garbage pickup to a biweekly schedule and the recycling pickup to a weekly schedule.

Carried

.02

COUNCILLOR FRISCH-
COOPERATIVE
HOUSING

Moved by Cole-Hamilton and seconded by Morin that

WHEREAS Courtenay Council has identified affordable housing as a key strategic priority, and

THEREFORE BE IT RESOLVED that, staff invite the president of the Cooperative Housing Federation of BC, Thom Armstrong, to meet with staff and Council to discuss the Cooperative Housing Model this June.

Carried

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

R9/2019 - May 6, 2019

.01

BYLAW NO. 2950,
2019
ZONING AMENDMENT
- STORE FRONT
CANNABIS RETAILER
AS PERMITTED USE,
(605 AND 625 CLIFFE
AVENUE)

Moved by Hillian and seconded by Cole-Hamilton that “Zoning
Amendment Bylaw No. 2950, 2019” pass third reading.

Carried

.02

BYLAW NO. 2953,
2019 (ALLOW FOR A
SECONDARY
RESIDENCE AT 2991
CHAPMAN ROAD)

Moved by Cole-Hamilton and seconded by Morin that “Zoning
Amendment Bylaw No. 2953, 2019” pass third reading.

Carried

.03

BYLAW NO. 2950,
2019
ZONING AMENDMENT
- STORE FRONT
CANNABIS RETAILER
AS PERMITTED USE,
(605 AND 625 CLIFFE
AVENUE)

Moved by Hillian and seconded by Cole-Hamilton that “Zoning
Amendment Bylaw No. 2950, 2019” be finally adopted.

Carried

.04

BYLAW NO. 2953,
2019 (ALLOW FOR A
SECONDARY
RESIDENCE AT 2991
CHAPMAN ROAD)

Moved by Cole-Hamilton and seconded by Hillian that “Zoning
Amendment Bylaw No. 2953, 2019” be finally adopted.

Carried

.05

BYLAW NO. 2967,
2019,
2019 - 2023
CONSOLIDATED
FINANCIAL PLAN

Moved by Hillian and seconded by Cole-Hamilton that “2019 -
2023 Consolidated Financial Plan Bylaw No. 2967, 2019” be finally
adopted.

Carried

.06

BYLAW NO. 2968,
2019

TAX RATES (TO
ESTABLISH PROPERTY
VALUE TAXATION
RATES FOR 2019)

Moved by Cole-Hamilton and seconded by Morin that “Tax Rates
Bylaw No. 2968, 2019” be finally adopted.
Carried

13.00 ADJOURNMENT

.01

Moved by Cole-Hamilton and seconded by Hillian that the
meeting now adjourn at 5:47 p.m.
Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 21st day of May, 2019

Mayor



The Comox Valley Unitarian Fellowship

Board of Directors

250 Beach Drive

Comox, BC, V9M 2P9

Phone: 250-890-9262

cvufpresident@gmail.com

www.cvuf.ca

April 26th, 2019

The Mayor and Councillors, City of Courtenay (meet May 6, 2019)

The Mayor and Councillors, Village of Cumberland (May 13, 2019)

The Chair and Directors, CVRD (meet May 14, 2019)

The Mayor and Councillors, Town of Comox (meet May 15, 2019)

Dear Mayors, Directors and Councils,

Request for a Declaration of Climate Emergency

We would like to begin by recognizing that BC municipalities, including the CVRD and its municipalities, have been leaders in addressing climate change through the Climate Action Charter, and by pursuing carbon reduction in municipal buildings, infrastructure, services and through land use planning. Adapting to the impacts of climate change has also been part of their planning, policies and actions.

It is now clear to many in the Comox Valley, including members of our Unitarian Fellowship, that the Valley's climate has begun to change quite markedly. Within the past five years, we have seen deepening summer drought as well as increasingly violent winter storms.

While we have not yet suffered fire on the scale of the BC interior, we have had to deal with smoke-filled summers, requiring extra care for the aging, those with asthma, and the very young.

1/4

Although we did not have to deal with wind damage and power outages this winter on the scale which other communities did to our immediate south, we have had to cope with trees and buildings damaged by wind and an accompanying loss of power. Flooding on the Puntledge River has also threatened buildings close to where the river opens into the estuary. Recently, Natural Resource Canada released a report "Canada's Changing Climate." One of the key findings was that Canada is warming at twice the global rate. The consequences of such rapid change are unfolding around us and it will be only a matter of time before either a major forest fire or hugely destructive storm hits this area. As we all watch the glacier shrinking yearly, we know that our recurring water shortages will only get worse. Will we be ready?

To be prepared for such catastrophes, as well as to mitigate the conditions giving rise to them, we ask you to formally declare a State of Climate Emergency. Please see:

www.theclimatemobilization.org/climate-emergency-declarations

This declaration will enable the necessary planning and measures required to meet the kinds of potential disasters which may occur and to move proactively to prevent them.

As the CVRD and its member municipalities move forward with such a Declaration, at least three primary measures should be called for:

1. An initial approach to plan how our communities can meet extreme climate events such as storm, fire, and flood; this approach should include projects to mitigate or remediate conditions leading to climate disaster,
2. The establishment of a standing committee on the Climate Emergency composed of:
 - Local government staff
 - Elected officials

- Emergency management personnel
- Local citizens including youth

This group would consider and recommend actions to prepare for emergencies and to mitigate our community's contribution to climate change.

3. A commitment that staff will keep the community continually informed on its progress in meeting the climate emergency.

A formal recognition of the climate emergency will demonstrate good leadership by our elected representatives and unite the community as we face the challenges ahead. The Comox Valley Unitarian Board will stand strongly together with you and encourage our members and friends to do the same.

Yours truly,
The CVUF Board of Directors

The following members or friends have requested to be signatories to this letter

The Reverend Meg Roberts
Dan Leahy, Chair CVUF Board of Directors
Debby Howard, Secretary CVUF Board of Directors
George Penfold, Treasurer CVUF Board of Directors
Arlene Bell, CVUF Board of Directors
Liz Goodger, CVUF Board of Directors
Steve Faraher-Amidon, CVUF Justice Liaison
May Partridge, (The lead author of this letter)

Heather Kennedy-MacNeill
Mike Bell
Juliana Leahy
Keith Wallace
Robyn Rushford
Murray Kennedy-MacNeill
Celia Laval
Dan Vie
Katarzyna Stepień
Nina Haave
Marvin Haave
Donna Ziner
Beverly Campbell
Darrell Erhart
Dianne Mylrea
Rachel R. McBryan
Martin McBryan
Christy Faraher-Amidon
Helen Boyd
Shirley Buchan
Heather Nicol
Keith Nicol
Janet Etzkorn
Liz Aldridge
Caroline Shannon
Jane Fox



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Development Variance Permit for 4100 Fraser Road

File No.: 3090-20-1902
Date: May 21, 2019

PURPOSE:

The purpose of this report is for Council to consider the issuance of a Development Variance Permit to reduce the minimum lot frontage requirements on five residential lots. The proposal involves the subdivision and subsequent development of 26 residential lots for the property located at 4100 Fraser Road.

CAO RECOMMENDATIONS:

THAT based on the May 21st, 2019 Staff report, "Development Variance Permit No. 1902 – 4100 Fraser Road", Council approve OPTION 1 and issue Development Variance Permit No. 1902.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is a previously cleared site in South Courtenay and is legally described as Lot 6, District Lot 153, Comox District, Plan 1887. The property is 6.23 acres in size and is located at the southeast corner of the intersection of Fraser and Lockwell Roads. The property was rezoned to the Comprehensive Development Twenty-One Zone (CD-21) to facilitate a 26 lot subdivision in March 2019.

The applicant has applied for a Development Variance Permit (DVP) to reduce the minimum frontage requirements on five of the 26 residential lots in the proposed subdivision based on the requirements of the Comprehensive Development Twenty-One Zone (CD-21).



*Figure No. 1: Subject property outlined in Red
Adjacent Development: The Ridge outlined in Blue*

Lot frontage means the length of the front lot line abutting the street. The zoning bylaw mandates a minimum lot frontage length for nearly all zones when new lots are subdivided. This minimum distance varies zone by zone. When applied to cul-de-sac lots, as in this case, lot frontage in most single family zones is measured at the front yard setback (7.5m from the lot line). When the CD-21 zone was created for the “Ridge” development in 2011 this provision was not included and variances have been considered on a case by case basis. Similar variances have been granted for each phases 2 and 3 of the “Ridge” development with the most recent approval in January 2019.

The proposed subdivision plan is included in the Draft DVP included in **Attachment No. 1**.

DISCUSSION:

Official Community Plan and South Courtenay Local Area Plan

Staff has received concurrent form and character development permit application for this property (file no. 3060-20-1807). This application is being processed separately by staff and will be reviewed by the Director of Development Services for approval. This proposal has been assessed by staff as consistent with the development permit guidelines.

This application to vary the minimum frontage requirements on the five lots requires City Council approval.

Zoning Compliance

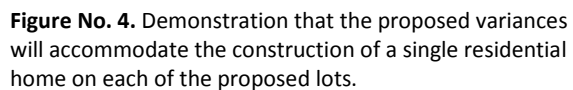
The proposed subdivision plan is consistent with the CD-21 regulations including minimum lot size, lot depth and lot frontage with the exception of the frontages on the five lots noted below.

Lot Number	Frontage Requirement	Proposal
12	16.0 metres	14.21 metres
13	16.0 metres	12.11 metres
14	16.0 metres	11.08 metres
15	16.0 metres	13.23 metres
16	16.0 metres	11.99 metres

Table No. 1 Summary of Zoning Requirements and Requested Variances

The five lots being varied are located at the bulb end of a cul-de-sac. When measured at the property line the frontages are less than required in the zoning bylaw, however when measured at the front building setback, the frontages meet the 16.0 metre frontage requirement.

The applicant has demonstrated that the proposed variance will result in lots with a size and shape that can accommodate the construction of single-family residences as seen in **Figure No. 4**.

**FINANCIAL IMPLICATIONS:**

Development Cost Charges (DCCs) will be collected at the time of subdivision at the rate set out in the DCC Bylaw.

Amenity contributions towards the Affordable Housing Reserve Funds and the Parks, Recreation, Cultural and Seniors Facilities Reserve Fund were secured through the rezoning process through a covenant that was registered on the land title. Amenity contributions will be collected for each lot at the time of building permit. Based on the proposed subdivision plan, total amenity contributions will vary from \$3,000 to \$4,000 per lot divided equally into the two reserve funds.

ADMINISTRATIVE IMPLICATIONS:

Processing development variance permits is a statutory component of the work plan. Staff has spent approximately 15 hours processing this application to date. Should the proposed development variance permit be approved, an additional two hours of staff time will be required to register the permit and close the file. Additional staff time will be required to process subsequent subdivision and building permit applications including inspections.

ASSET MANAGEMENT IMPLICATIONS:

There are no immediate asset management implications related to the proposed development. The developer is responsible for the design and installation of all required infrastructure. However, once the infrastructure is installed, including parks, trails, roads, sidewalks, street trees, street lighting, stormwater, water and sewer systems, the City will assume ownership and maintenance of the infrastructure. Staff works closely with the applicant through both the subdivision and building phases to ensure that the infrastructure is design and installation meets City requirements.

2019 - 2022 STRATEGIC PRIORITIES REFERENCE:

●▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

The subject property is designated as Mater Planned Residential and is consistent with the residential policies in the OCP:

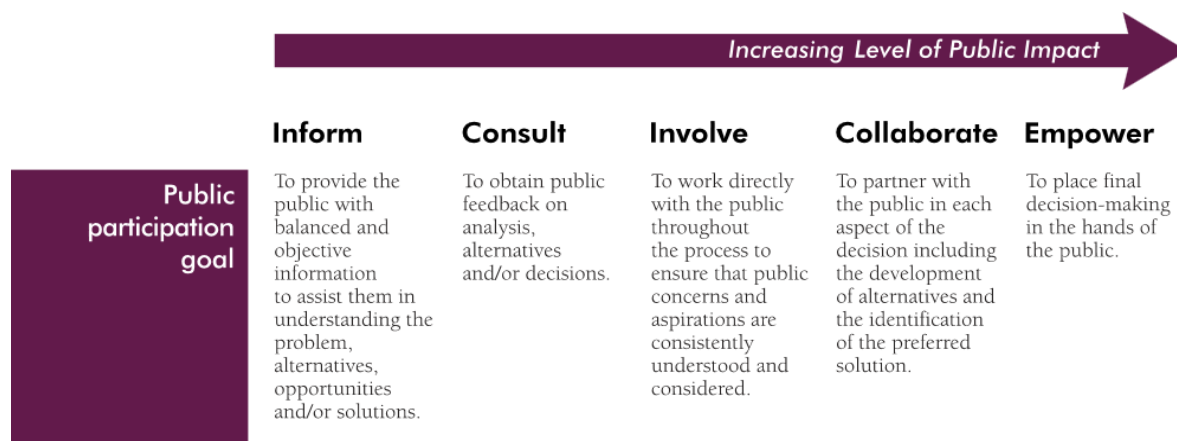
- 1) Balance land uses to create a vibrant and diverse neighbourhood and community. *This development is primarily residential, but it is within a few kilometers of an existing commercial corridor. Future land use in this area of the City is expected to be more diverse as the South Courtenay Local Area Plan designates land located directly across Comox Logging Road from the stormwater pond as mixed use.*
- 2) Create neighbourhoods that offer a variety of transportation choices. *The development will extend the street network, trail, and greenway system constructed within Phase 3A of the adjacent development known as "The Ridge".*

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is located within the core settlement area outlined in the Comox Valley Regional Growth Strategy. The Regional Growth Strategy states that at least 90 percent of growth in the Comox Valley should be directed to Core Settlement Areas.

CITIZEN/PUBLIC ENGAGEMENT:

As per Council's direction, under the IAP2 Spectrum of Public Participation the level of public input that has been undertaken is "**Consult**".



The applicant mailed out a public information meeting package on April 30, 2019 to adjacent property owners and occupiers. To date, neither the applicant nor City staff has received public comments resulting from the mail out for this application. The materials contained in the public information package are referenced in **Attachment No. 2**.

In accordance with *the Local Government Act*, the City has notified property owners and occupants within 30 metres of the subject property of the requested variances and provided the opportunity to submit written feedback. To date, staff has not received any responses.

OPTIONS:

OPTION 1: (Recommended) THAT based on the May 21st, 2019 Staff report, "Development Variance Permit No. 1902 – 4100 Fraser Road", Council approve OPTION 1 and issue Development Variance Permit No. 1902.

OPTION 2: Defer consideration of Development Variance Permit No. 1902 pending receipt of further information.

OPTION 3: Not approve Development Variance Permit No. 1902 and direct the applicant to reconfigure the subdivision to meet the frontage requirements in *Zoning Bylaw No, 2500, 2007*.

Prepared by:

Dana Beatson, MCIP, RPP
Planner II

Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

Attachment No.1: Draft Development Variance Permit No. 1902

- Proposed Subdivision (Schedule No. 1)*
- Plan Illustrating Reduced Lot Frontages on the Proposed Lots, Building Envelopes and Parking (Schedule No. 1)*

Attachment No. 2: Public Information Meeting Package

THE CORPORATION OF THE CITY OF COURTENAY

ATTACHMENT NO. 1
Draft Development
Variance Permit

Permit No. 3090-20-1902

DEVELOPMENT VARIANCE PERMIT

To issue a Development Variance Permit

To: Name: Justco Holdings Ltd., Inc. No. BC0770126
Address: PO BOX 363, Stn. Main
Port Coquitlam, BC V3C 4K6

Property to which permit refers:

Legal: Lot 6, District Lot 153, Comox District, Plan 1887
Civic: 4100 Fraser Road

Conditions of Permit:

Permit issued to for the property legally described Lot 6, District Lot 153, Comox District, Plan 1887, allowing for future subdivision creating 26 residential lots with the following variances to the *City Of Courtenay Zoning Bylaw No. 2500, 2007*:

Section 8.48.4 – Minimum Lot Frontage

1. Reduce the minimum lot frontage for proposed lot 12 from 16.0 m to 14.21 m;
2. Reduce the minimum lot frontage for proposed lot 13 from 16.0 m to 12.11 m;
3. Reduce the minimum lot frontage for proposed lot 14 from 16.0 m to 11.08 m;
4. Reduce the minimum lot frontage for proposed lot 15 from 16.0 m to 13.23 m; and
5. Reduce the minimum lot frontage for proposed lot 16 from 16.0 m to 11.99 m.

Development Variance Permit No. 1902 is subject to the following conditions:

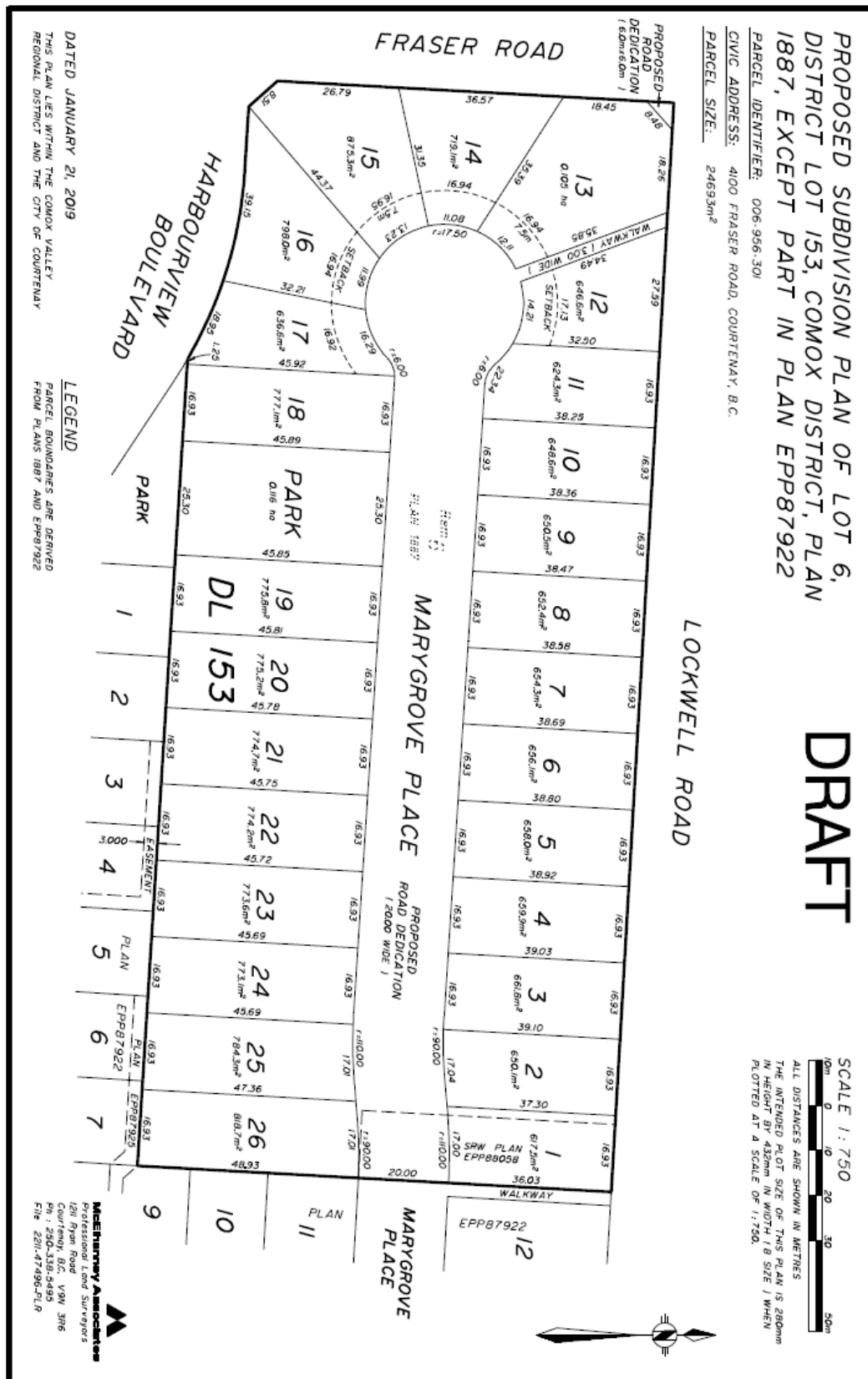
- That the development shall conform to the plan as shown in Schedule No. 1; and
- That a formal amendment application is required if the plans change or additional variances are identified after the permit is issued.

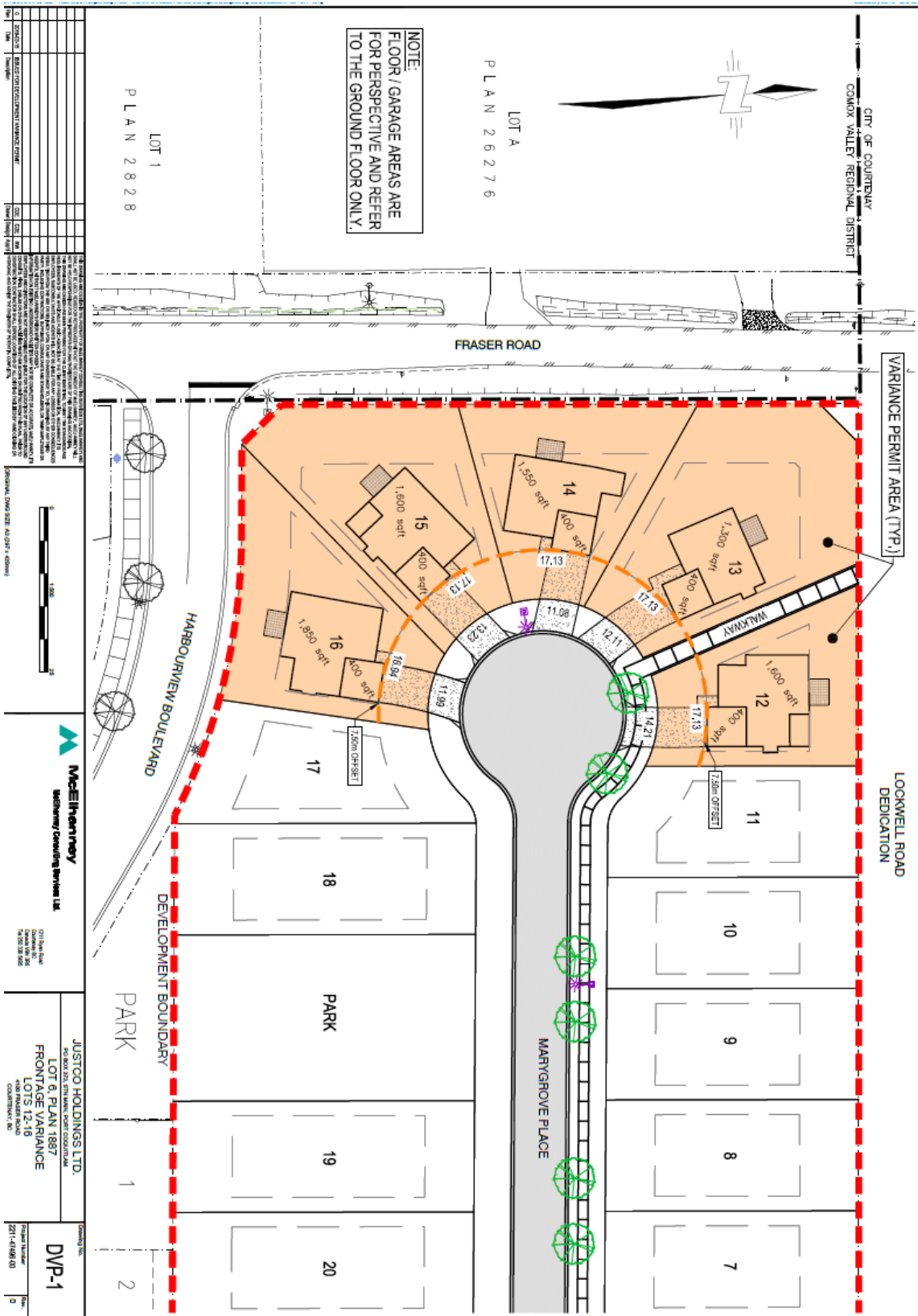
Time Schedule of Development and Lapse of Permit

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

Date

Director of Legislative Services





Schedule No. 1

ATTACHMENT NO. 2
Public Information Meeting
Package 1/3



April 30, 2019

Our File: 2211-47496-00

To Local Property Owner

**LOT 6, DISTRICT LOT 153, COMOX DISTRICT, PLAN 1887
PROPOSED SINGLE FAMILY DEVELOPMENT OF 4100 FRASER ROAD
DEVELOPMENT VARIANCE PERMIT APPLICATION**

An application has been made to the City of Courtenay for a Development Variance Permit for 4100 Fraser Road.

The proposed variance is to allow for, in the case of a lot fronting the bulb of a cul-de-sac, the measurement of the Lot Frontage to be measured at the front yard setback line as opposed to the front lot line. As stipulated by Bylaw 2500, this practice is allowed for within, but not limited to, the following similar zones: R-1, R-1B, and R-1D. Additionally, variance permits have been granted for similar situations within phases 2 and 3B within The Ridge development which too is zoned CD-21. See attached MCSL MSCL dwg. 2211-47496, sketch DVP-1, Rev. 0, and proposed site plan for more details.

As your property is within 30m of the proposed development we are writing to inform you of this application. Please do not hesitate to contact our office with any questions you may have (email courtenay@mcelhanney.com).

Yours truly,

McELHANNEY LTD.

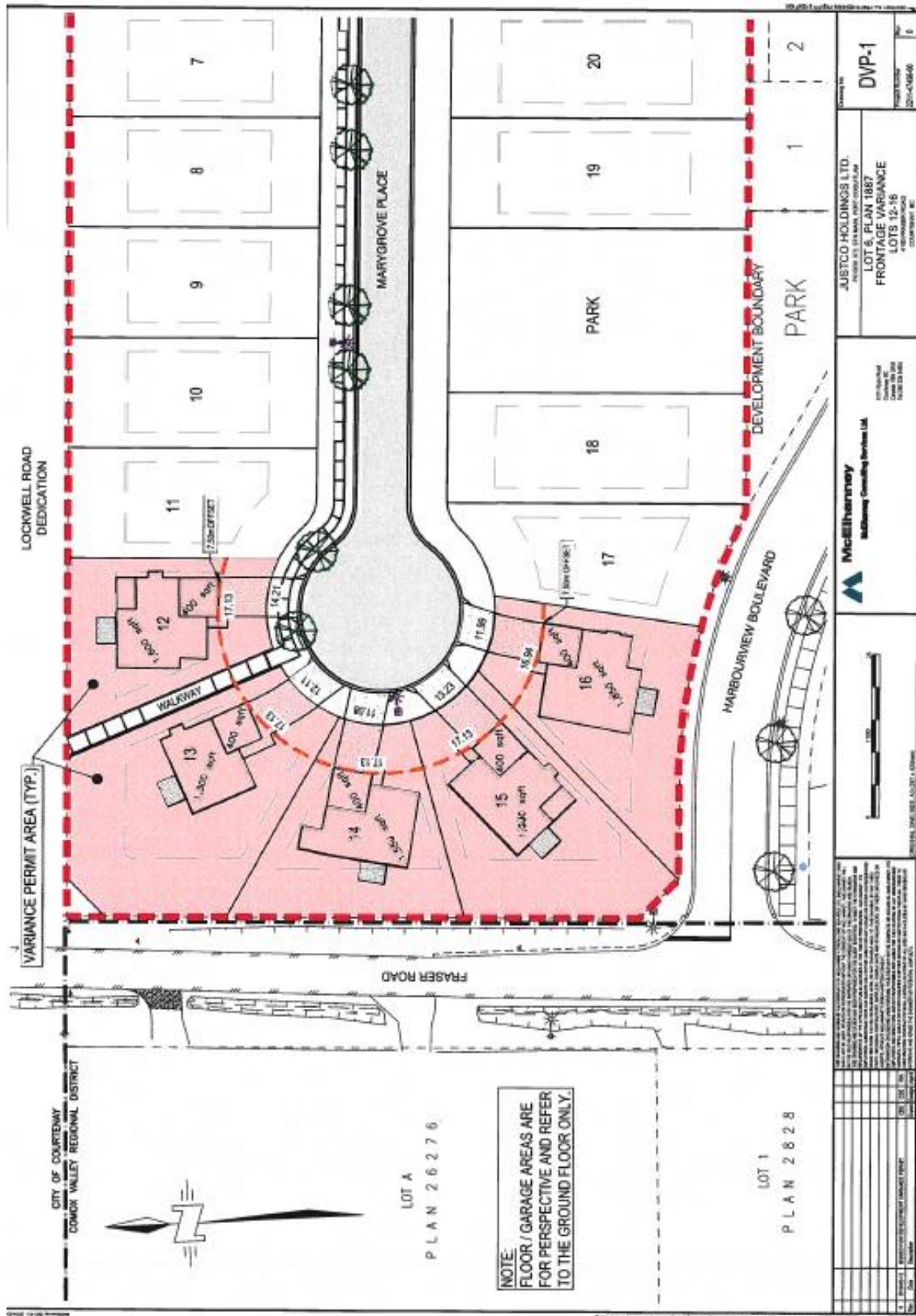


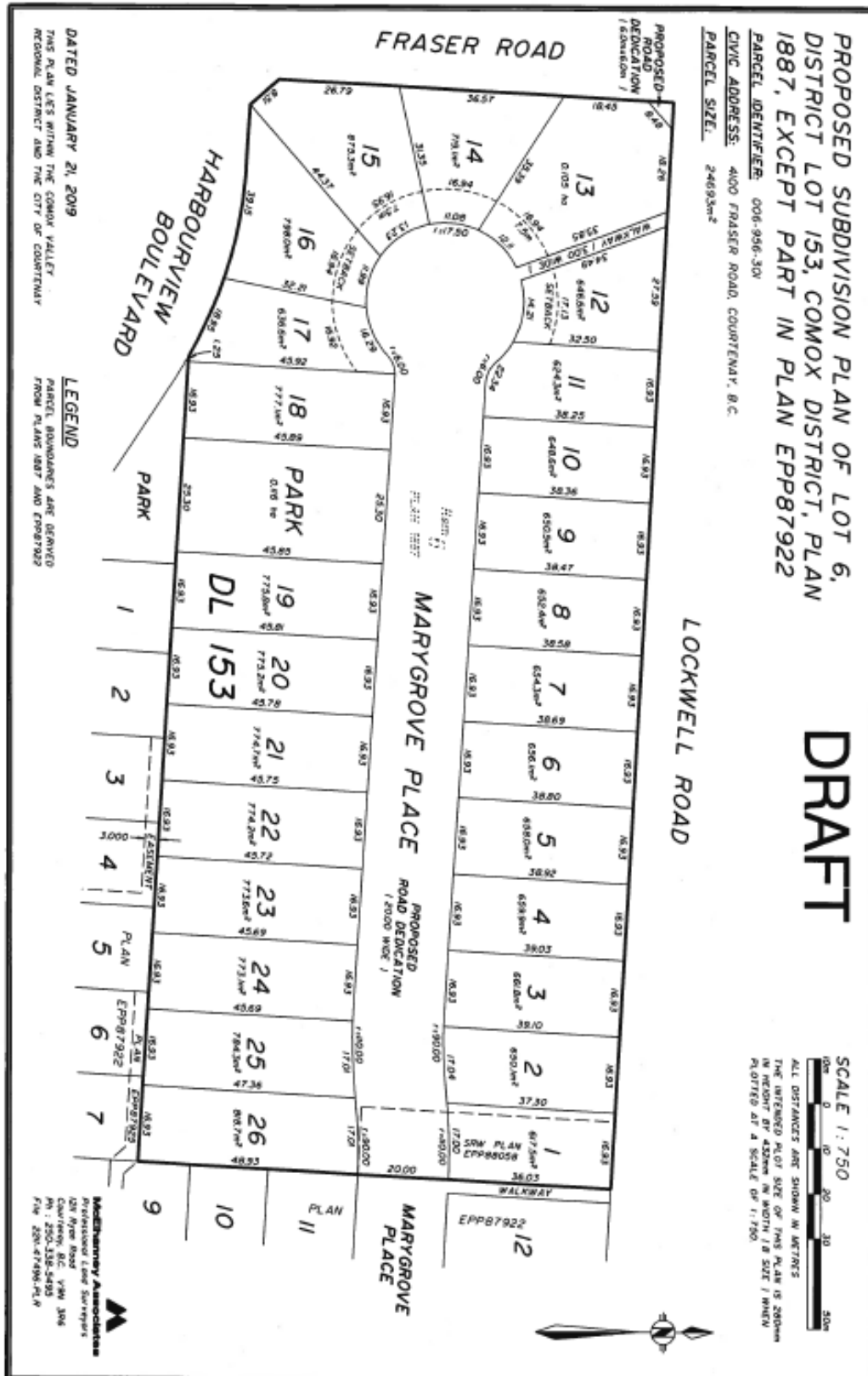
Chris Ewing ASCT.
Engineering Technologist



Randy Watson, P.Eng.
Project Manager

Enclosures







THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Zoning Amendment Bylaw No. 2961 – 379 - 4th Street

File No.: 3360-20-1821

Date: May 21, 2019

PURPOSE:

The purpose of this report is for Council to consider a Zoning Amendment application to rezone the property legally described as Lot A, Section 61, Comox District, Plan VIP65144. The proposed amendment is to allow a storefront cannabis retailer in an existing commercial building in the C-1 zone.

CAO RECOMMENDATIONS:

THAT based on the May 21st, 2019 staff report “Zoning Amendment Bylaw No. 2961 – 379 - 4th Street” Council approve OPTION 1 and not proceed with Zoning Amendment Bylaw No. 2961, 2019.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The property is located on 4th Street between England Avenue and Duncan Avenue. It is zoned Commercial One (C-1) and within the Downtown Courtenay Business Improvement Area (DCBIA) boundary. The Official Community Plan (OCP) land designation is commercial. The applicant has applied to the City to rezone the property to allow a storefront cannabis retailer at the above-referenced location. According to the applicant, they began to operate a cannabis resource and information centre in 2018 with an intention of establishing a cannabis retail store. The applicant applied for a business licence to establish a non-medical cannabis dispensary at this location in 2017, but the licence application to the City was denied by staff as it was prior to the legalization of non-medical cannabis. The applicant appealed to Council to reconsider this decision and Council upheld the decision of staff.

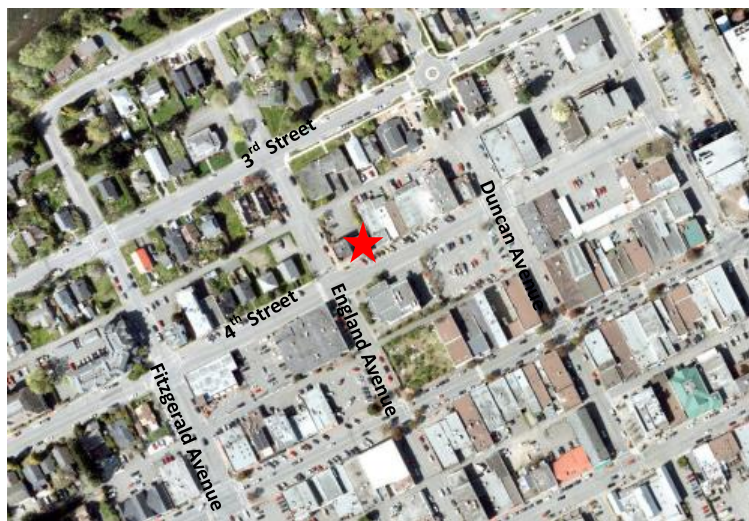


Figure 1. Location Map

The BC provincial legislation provides local governments with the authority to regulate certain criteria in terms of land use management with respect to non-medical cannabis retailers. Similar to the previous non-medical cannabis retail rezoning applications, this application is to be evaluated based on the City's Storefront Cannabis Retailers policy as well as rules and regulations that apply to general zoning amendments.

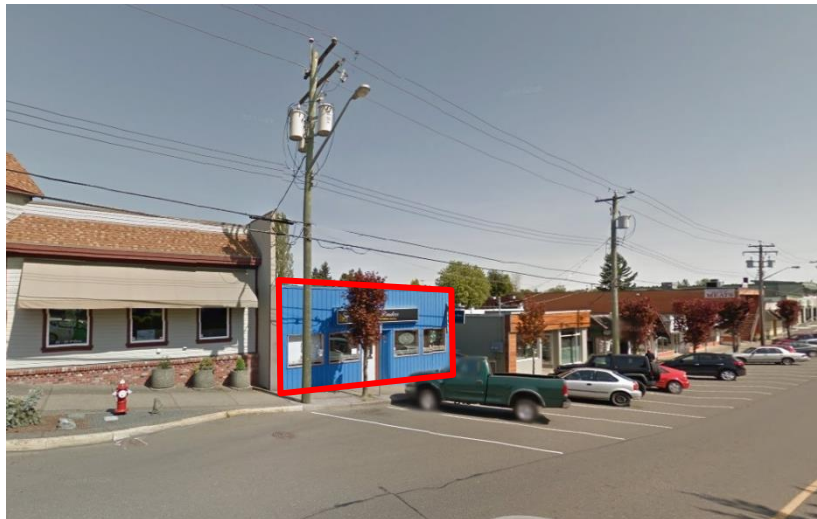


Figure 2. Store frontage (source: Google Street view)

This is the fifth storefront cannabis rezoning application made to the City, following one at the Driftwood Mall and the proposed government store at the Washington Park Shopping Mall, one on 5th Street, and one at the Courtenay Mall in downtown. To date all four applications have been approved with little to no public opposition.

The Planning department is currently processing rezoning applications for storefront cannabis retailers within the City on a first come first served basis. The final approval of licensing non-medical cannabis retail sales is subject to the Liquor and Cannabis Regulation Branch (LCRB) decision. Local government support is required for the LCRB's final decision. Similar to consideration of zoning amendments the LCRB requires consideration of the views of residents/business in the area and the general impact on the community.

DISCUSSION:

Overview of the Proposal

The floor area of the store is approximately 1,403ft² (approximately 130 m²). The retail portion is on the main floor, while storage space is located on the basement level. The applicant is proposing some interior renovations to meet provincial requirements, but the plan does not indicate that there will be an increase in total floor area. The proposed plans are attached to the report (**Attachment No. 3**). The applicant intends to undertake some works to the exterior of the building if a licence is granted but details are not yet determined. A development permit and sign permit may be required.

The store would be open to the public between 9 a.m. and 11 p.m. daily. The store will be managed by 4 full-time staff including the general manager and one part-time employee. The applicant is required to comply with all the operational requirements regulated by the provincial licensing regulations.

Official Community Plan and Zoning Review

There are no direct references in the Official Community Plan (OCP) with respect to storefront cannabis retailer. The City's Storefront Cannabis Retailers Policy states that storefront cannabis retailers will only be considered in an established retail location where the current zoning permits retail sales. Consistent with the policy, the proposed location is in downtown (C-1 zone) where retail sales are permitted. Provision of parking is not required in the C-1 zone.

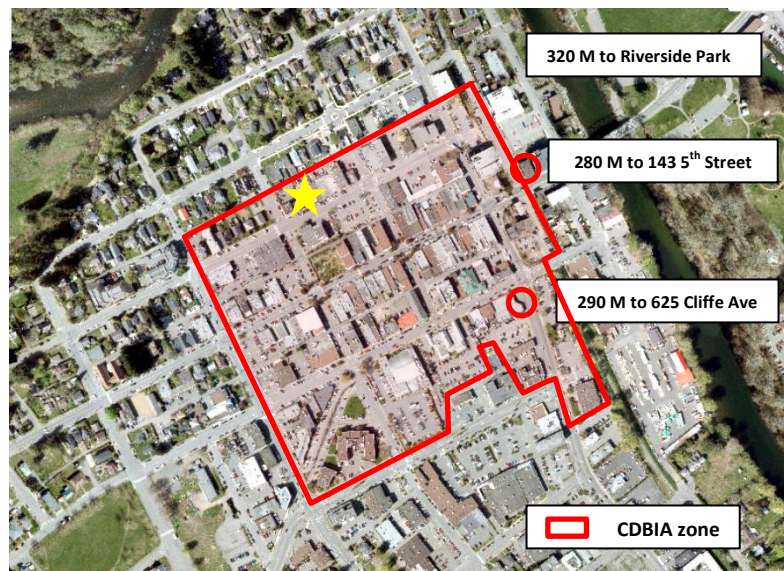
Policy Compliance

The table below compares the policy to the proposed location. The proposal generally meets the policy statements except for the distance to another storefront cannabis retailer.

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-1, where retail sales is permitted
Distance	<ol style="list-style-type: none"> A storefront cannabis retailer should be: <ol style="list-style-type: none"> At least 300 meters from public or independent elementary, middle or secondary school. 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 At least 300 meters from a City owned playground facility including the spray park and skateboard parks 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"> Outside of the 300-meter buffer from any public or independent schools <u>Within</u> the 400-meter buffer from two (2) other cannabis retailers Outside the 300-meter buffer from City-owned playground facilities.
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 9 a.m. and 11 p.m. daily Mon. through Fri.
Parking	Satisfactory to the off-street parking requirements outlined in Division 7 of Zoning Bylaw 2500, 2007	Provision of parking not required for commercial uses in C-1 zone
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"> Overall the 5th rezoning application for storefront cannabis retailer made to the City Four (4) applications have been approved at the time of this report is written.

Evaluation

The proposed location is within 400 meters from other two cannabis retailer locations (one at 143-5th Street and another at 625 Cliffe Avenue). The public survey result on retail cannabis suggests that there is no clear preference in terms of distance between cannabis retails (30% support the 400 meters distance, while 31% support shorter distance and another 30% support longer distance). The distance limitation was established,



because there may be unexpected consequences when cannabis retails are clustered within close distance. Additionally, a survey and subsequent resolution of the Downtown Courtenay Business Improvement Association supports 3 locations within the downtown area. As discussed during development of the policy and previous reports the policy is not intended to fetter the discretion of Council but to provide a guide for staff and the public. As such, the policy does not limit Council from considering variances to the separation distances based on circumstances related to a specific application, if Council finds the proposal is reasonable.

Of importance, unlike the previous four applications, this is the first proposal that has received negative feedback from immediate neighbours/business owners. While there was positive feedback from the applicant's neighbourhood public information meeting and a petition in support provided by the applicant, these comments are mostly from people outside the immediate area. The City has received letters from adjacent property/business owners concerned that the proposed rezoning would have a negative impact on their business and create an undesirable environment based on the incidents they have witnessed around the subject property since the applicant moved to the area. As long time business owners on 4th Street they indicate concern for the future success of their businesses and in one instance concern for the vulnerable youth receiving counselling services at an adjacent family practice. The letters are attached to the report for information (**Attachment No. 6**).

Pursuant to s. 13 of the *Cannabis Licensing Regulation*, the City must take into account the location of the retail store on nearby residents and the general impact on the community. While the applicant has advised they will hire a security company to monitor neighbourhood issues, **based on the strong opposition of adjacent businesses on 4th Street and the negative impact on the community of possibly loosing these businesses in the downtown area if the application is approved, Staff recommend that the application be denied.**

Should Council wish to proceed to public hearing to further gather public input and the views of nearby residents adopting Option 2 outlined below would be appropriate.

FINANCIAL IMPLICATIONS:

The applicant has paid the standard zoning amendment application fee in the amount of \$3,000. If the zoning amendment and provincial licence is approved, the applicant will be required to obtain building permit, sign permit and an annual business licence. The business licence fee is \$2,500. A development permit may be required depending on the degree of proposed work.

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.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

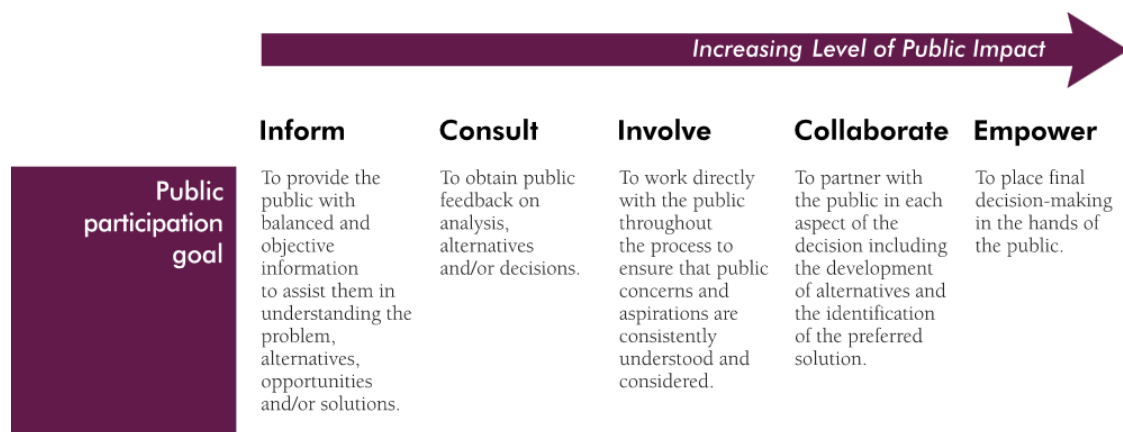
There are no associated references. However, processing development applications is the fundamental corporate and statutory obligations of the City.

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:

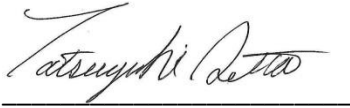


Prior to this application proceeding to Council, the applicant held a public information meeting on January 14th, 2019 at the proposed location from 10 a.m. to 11 a.m. Property owners and occupiers within 100 metres of the subject property were invited to attend the meeting. A summary of the public information meeting is included as **Attachment No.4**. According to the applicant, 7 persons signed-in. Most attendees expressed their support, while one expressed concerns about activities could occur outside the premise. In response to the concerns raised during the meeting, the applicant provided a security and loitering solution proposal (**Attachment No. 5**). To date, staff has received four written submissions with respect to this application. These are from immediate property owners. They have expressed strong concerns regarding the proposal due to undesired behaviour witnessed both at the subject location and adjacent area. Comments are attached in the report as **Attachment No. 6**.

OPTIONS:

- OPTION 1:** THAT based on the May 21st, 2019 staff report 'Zoning Amendment Bylaw No. 2961 – 379 - 4th Street' Council approve Option No. 1 and not proceed with Zoning Amendment Bylaw No. 2961, 2019;
- OPTION 2:** THAT based on the May 21st, 2019 staff report 'Zoning Amendment Bylaw No. 2961 –379- 4th Street' Council approve Option No. 2 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2961, 2019; and
THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Bylaw 2961, 2019 on June 10th, 2019 at 5:00 p.m. in City Hall Council Chambers;
- OPTION 3:** That Council postpone consideration of Bylaw 2961, 2019 with a request for more information; and

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 Summary and Comment*
- Attachment No. 5: Security and Loitering Solution Proposal*
- Attachment No. 6: Public Comments*

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:
-----------------------	--------------

ATTACHMENT No. 2
Applicant's Written Proposal

Leaf Compassion Courtenay (379 4th Street) Rezoning and required PDFs

Chi No 250GROW <charles.william.philp@gmail.com>
To: tsetta@courtenay.ca

Thu, Dec 20, 2018 at 10:29 PM

Please see the summary letter to mayor and council as requested along with attached required PDFs. I will be driving up to Courtenay to submit the rezoning papers and pay the rezoning fees tomorrow morning. I will be in Courtenay just before noon. Thank you - Charles Philp

Dear Mayor and Council,

Leaf Compassion Courtenay is our 5th location to be established. 379 4th Street began operating in 2018 as a cannabis resource and information center. Leaf Compassion Courtenay is setup to be a cannabis retailer storefront operation. The meet and greet, sign up, and application area is located on the left of the store. The sales side of the store is on the right. Any potential patron must possess a valid 19+ government issued photo ID to enter. Furthermore, if a patron is dishonest about the improper use of their product or shares their cannabis with a minor they will be immediately banned. Cannabis is a highly effective health product and should be respected and treated as such.

Once access is granted all of our policies must be followed or a review of the patrons access will be conducted to determine if access should be terminated. Some of our policies include not consuming cannabis in banned public areas and completely restricting exposure of cannabis to minors. Any breach of our policies will require an immediate review and a decision to terminate the patrons access will be made. Any terminations that involve consumption of cannabis with minors or reselling of cannabis will be immediately reported to the local police department.

Leaf Compassion Courtenay is currently not located within two hundred meters of any schools or any other cannabis retailers.

Leaf Compassion across all our locations donate to the SPCA, the Salt Spring Pride Parade, the Port Alberni children's toy drive, the Ronald McDonald House, and the Cook Street Activity Center. We have always given back to the local community and network with the neighbouring businesses to help establish positive relations. Over the past four years we have created many positive and mutually beneficial business relationships. We look forward to establishing ourselves with the city as leaders in the newly emerging cannabis industry.

Leaf Compassion Courtenay 379 4th Street has had a full "Leaf standard" upgrade; with security and aesthetic improvements to the interior and exterior of the building. The interior has a professional finish with new paint and hardwood flooring. An infrared night vision camera system and Thorn security system has also been installed to meet Leaf Compassion's high security requirements. We have fire extinguishers and monitored heat & smoke sensors installed at our 379 4th Street location. Our "Leaf standard" improvements help raise a neighborhood's value and safety.

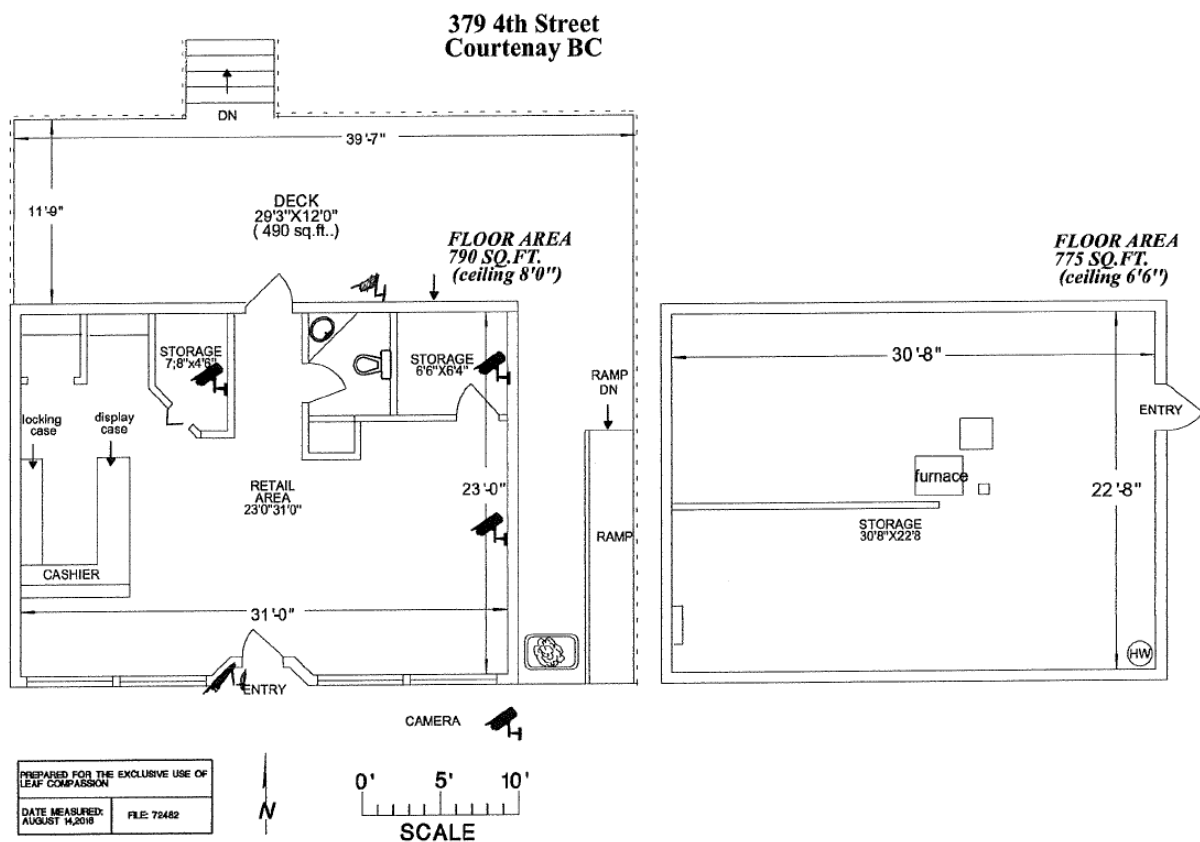
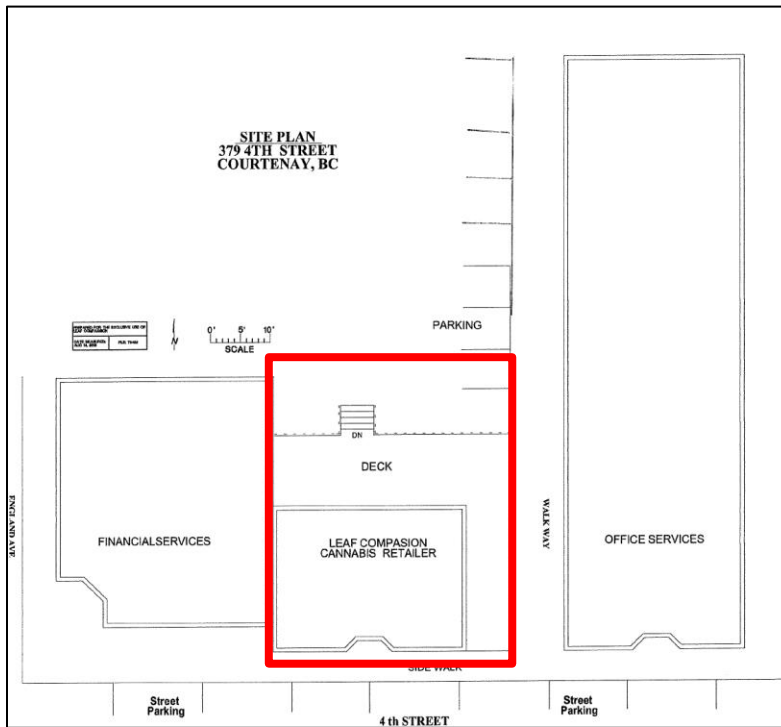
Crime prevention through environmental design was also carefully considered for our Courtenay location. We have added a monitored security system to our storefront and the outside of our building. We also have added a full HIK camera system to 379 4th Street location. Our rear camera has great coverage of the back parking lot and the eight visitors stalls. The upgraded security provides a great deterrent to potential thieves in the back parking lot. The infrared cameras emit a red circle at night also clearly showing their presence.

We hope to serve the Courtenay community with compassion and professionalism. Leaf Compassion is excited to turn over a new "leaf" on cannabis prohibition with Courtenay B.C.

Kyle Cheyne
Founder / Executive Director

Charles Philp
Co-Founder / Director

ATTACHMENT No. 3
Proposed Store Plans



ATTACHMENT No. 4 (1/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING


DATE OF MTG Jan 14 2019

SIGN IN SHEET

FOR

APPLICATION NAME AND ADDRESS

Leaf Compassion Courtenay 379 4th street

NAME	ADDRESS
	4156 GARTHEF RD.
	367 4 th St.
	201-391 4 th St.
	347-4 th St Courtenay BC
	103-576 England Ave
	1901 Larch Road - #50
	2325 Belmont Ave.

ATTACHMENT No. 4 (2/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017 Jan 14 2019

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

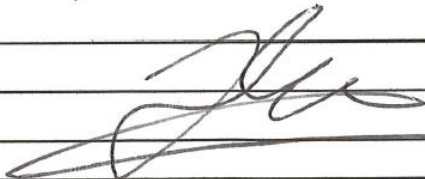
Name: John VANGRON.

Address: 4156 GARTLEY RD.

Leaf Compassion Cannabis Retailer
(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

- THERE NEEDS TO BE EASIER ACCESS FOR PATIENTS & REC
USERS TO ACCESS MARIJUANA. NOT EVERYONE THAT NEEDS
TO ACCESS MARIJUANA FOR MEDICAL PURPOSES HAS THE
ABILITY TO EASY ACCESS. THE LEAF COMPASSION SEEMS
TO BE PROFESSIONAL & LAW ABIDING. THE SURROUNDING PROPERTY
IS KEPT CLEAN & TIDY. THE STORE FRONT SEEMS TO BE
PROFESSIONAL & CLEAN AS WELL.
I HOPE LEAF DISPENSARY GETS THE OPPORTUNITY TO
SHOW THE COMMUNITY THAT THEY CAN BE A PRODUCTIVE
BUSINESS TO HELP PEOPLE IN NEED.



Please return your comments by: Enter date (1 week after mtg)

21 Jan 2019

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

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

ATTACHMENT No. 4 (3/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: Dave Murray

Address: 1901 Larch Road #50

(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

Leaf Compassion provides a safe and comfortable site to access cannabis and cannabis products. Having a Leaf location in the downtown core gives the public direct access to lab grade health products that is desperately needed for those with health problems and lack of transportation.

[Redacted signature]

Please return your comments by: Enter date (1 week after mtg)

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830 Cliffe Avenue
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3. Fax your comment sheet to 250-334-4241

ATTACHMENT No. 4 (4/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: Samantha Partington

Address: 2325 Belmont Ave. V

(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

Leaf Compassion is a professional ~~business~~ business that provides medical and safe access to cannabis.

Their owners and staff are extremely professional and responsible.

They have a high drive to please the community and security is their biggest concern.

I look forward to seeing them succeed in Courtenay!

Please return your comments by: Enter date (1 week after mtg)

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830 Cliffe Avenue
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3. Fax your comment sheet to 250-334-4241

ATTACHMENT No. 4 (5/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: Nathan Manuel

Address: 1900 Greenwood cres

(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

Leaf Compassion is an important business
for access to Cannabis. I am a Medical
User of Cannabis and there is no
access in this town. I feel ~~that~~ that
having a safe place to access Cannabis
is important and And I use Cannabis
daily and hope that this business
can flourish.

Please return your comments by: Enter date (1 week after mtg)

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

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830 Cliffe Avenue
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3. Fax your comment sheet to 250-334-4241

ATTACHMENT No. 4 (6/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: Josh Greenwood

Address: 103-576 England Ave

(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

~~Great~~ Lovely Space, clean, Nice inside and out.

Good To See a Brick and mortar Store For info and Sale.

Cameras every where inside and out, id feel safe ~~using~~ using this Business any Time of day.

~~At~~ Super nice staff, Always give me All The info I need.

100% Amazing

Please return your comments by: Enter date (1 week after mtg)

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

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830 Cliffe Avenue
2. Email your comment sheet to planning@courtenay.ca
3. Fax your comment sheet to 250-334-4241

ATTACHMENT No. 4 (7/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

~~JANUARY 15, 2017~~ Jan 14 2019

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: Guthrie Lefevre

Address: 

Leaf Commission
(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

- Concerns about activity outside the premises
- Object to any open air use of product due to our current business operations next door.
- Any measures to mitigate the above should be mandated by way of bylaw / zoning requirement.
- No concerns of retail element.

Please return your comments by: Enter date (1 week after mtg)

21 Jan 2019

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

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

ATTACHMENT No. 4 (8/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: ANDREW HOYD.

Address: _____

(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

I FEEL THE ABILITY TO PROVIDE A ~~SAFE~~ SAFE DISCREETLY
WILL BENEFIT COURTENAY. IF INVESTMENTS UPGRADE
APPEARANCE AND SECURITY, IT'S LETS DO THIS RIGHT. LEAD
BY EXAMPLE.
ANDREW. L.

Please return your comments by: Enter date (1 week after mtg)

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

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3. Fax your comment sheet to 250-334-4241

ATTACHMENT No. 4 (9/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: _____

Address: _____

(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

Just wanted to put in a word... There are many people I think that could will benefit from the option of using cannabis for their health care. I very strongly support the availability of these products locally + hope to see the City of Courtenay support this.

Thank you!

Please return your comments by: Enter date (1 week after mtg)

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

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

ATTACHMENT No. 4 (10/10)
Public Information Meeting Summary

PUBLIC INFORMATION MEETING

JANUARY 15, 2017

(Enter Application Information and Address of Subject Property)

COMMENT SHEET

Name: [REDACTED]

Address: [REDACTED]

(Insert Applicant Name) has applied to the City of Courtenay for an (INSERT APPLICATION TYPE ie. OCP/Zoning Amendment/Temporary Use Permit/Development Variance Permit). (Insert Project Description). This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

Having a cannabis store in Courtenay
will benefit everyone as well as making
it safer

Please return your comments by: Enter date (1 week after mtg)

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

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

SUPPORT LEAF

#	DATE	NAME	SIGNATURE	CITY
1	24/12/18	KMYFIELD	Thavin Myfield	COURTENAY
2	24/12/18	Joel Morrison	Joel Morrison	Courtenay
3	26/12/18	Vincent Boisvert	Vincent Boisvert	Courtenay
4	26/12/18	Nathan Manuel	Nathan Manuel	Courtenay
5	28/12/18	Hana Cunningham	Hana Cunningham	Courtenay
6	28/12/18	Kaylah Farnham	Kaylah Farnham	Courtenay
7	31/12/18	DAN BROAD	DAN BROAD	COURTENAY
8	31/12/18	CHERIE MANCE	CHERIE MANCE	COURTENAY
9	1/1/19	Billie Heispatu	Billie Heispatu	Courtenay
10	1/1/19	Hailee Jones	Hailee Jones	Courtenay
11	01/03/19	Lianne Jackott	Lianne Jackott	Courtenay
12	01/03/19	MARY MURPHY	MARY MURPHY	Courtenay
13	"	Penny Scott	Penny Scott	Courtenay
14	01/03/19	Devon Davies	Devon Davies	Courtenay
15	01/03/19	Julie Anne	Julie Anne	Courtenay
16	01/03/19	Heidy Heispatu	Heidy Heispatu	Courtenay
17	01/03/19	Arabella Benson	Arabella Benson	Comox
18	01/03/19	Arabella Benson	Arabella Benson	Courtenay
19	01/03/19	AL GUERRETT	AL GUERRETT	COURTENAY
20	01/03/19	Dave K	Dave K	Courtenay
21	01/03/19	Annette K	Annette K	Courtenay
22	3 Jan	Hazel Pennox	Hazel Pennox	Courtenay
23	01/07/19	MATTHEW LAUTHIER (GLASGOW)	MATTHEW LAUTHIER	COURTENAY
24	01/07/19	Daniel Young	Daniel Young	Courtenay
25	01/13/19	Dylan Grimstead	Dylan Grimstead	Sooke
26				

ATTACHMENT No. 5 (1/4)
Security Mock Up

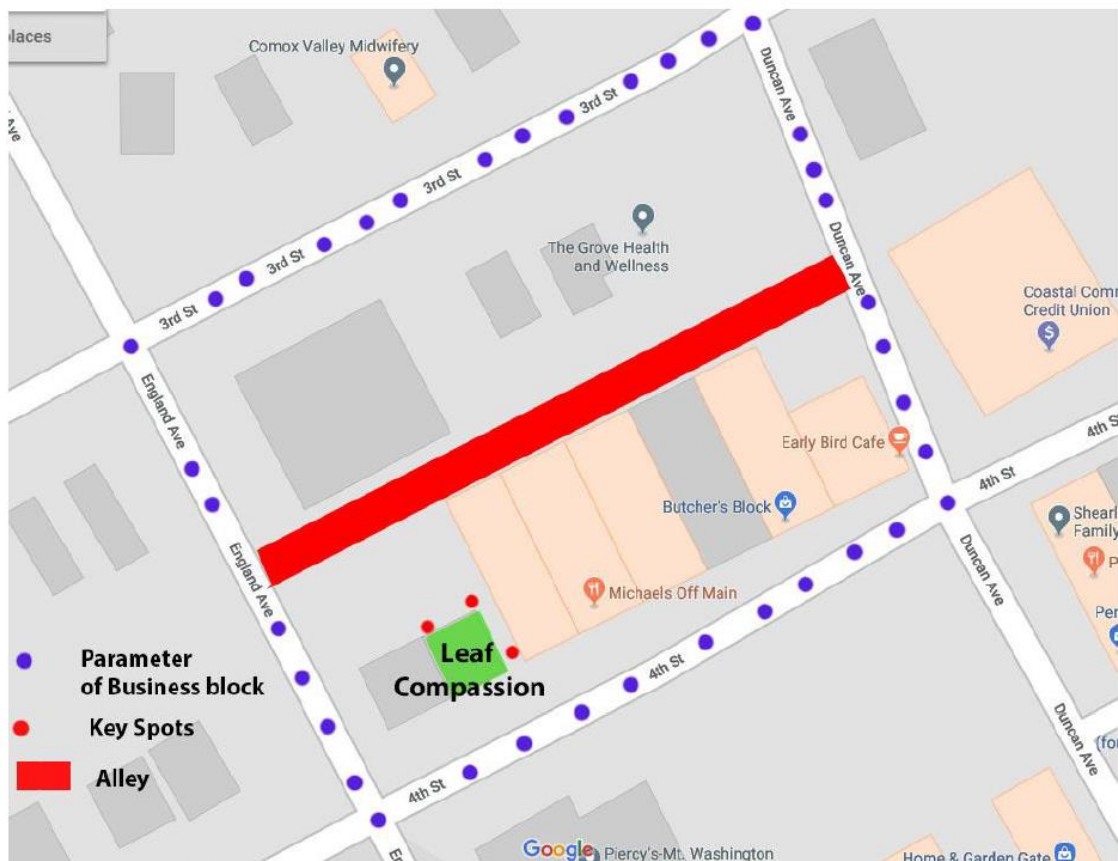
Leaf Compassion

379 4th Street Courtenay, British Columbia

SECURITY MOCK UP



ATTACHMENT No. 5 (2/4)
Security Mock Up



Above is a map of the business block of Leaf Compassion Courtenay, BC.

The alley way between 4th and 3rd street will be important for security to check on their duties. In addition to the alley are red dots. These dots highlight areas that we suggested to keep extra watch and patrols on by staff and security.

The security teams have been prepped on historical security issues of the neighbourhood. This information was gathered at a recent public information session put on by Leaf Compassion.

More photos have been attached to show where skirting will be added to Leaf Compassion building. As well as Photo reference , Alley entrances off both England and Duncan Ave turn offs.

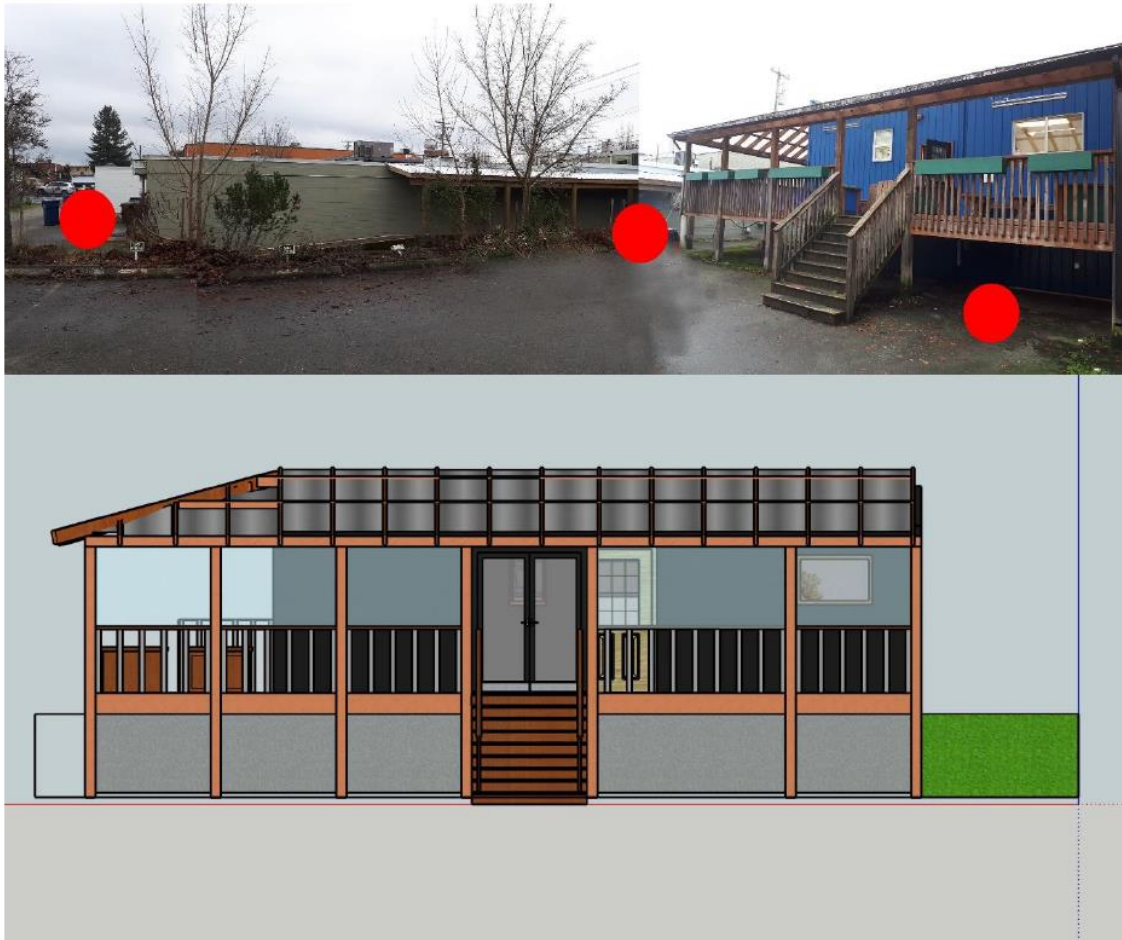


ATTACHMENT No. 5 (3/4)
Security Mock Up

Rear View - Leaf Compassion

Red dots have been placed to identify areas of concern of debris, wildlife and unwanted trespassing. In the rendering attached below, a “skirting” has been added onto the parameter of the Leaf Compassion building to keep out any unwanted debris, animals or people. In addition to a locking door to the deck and enclosed frosted glass windows. The patio will be only accessible via secure doors / gates. The doors to the deck stairs will be Exit only.

Land scaping and installation of new parking signs will be done to clean up the back.



ATTACHMENT No. 5 (4/4) Security Mock Up

Currently there are two separate security companies offering their services with a break down of their duties and costs. They have offered to provide a cost break down for all duties. These requests are currently in process.

The COMMISSIONARES

FOOT PRINTS SECURE PATROL

ATTACHMENT No. 6 (1)
Public Comments

January 13, 2019
Re: Neighbour's cannabis business

RECEIVED
JAN 14 2019
CITY OF COURTENAY

To Whom It May Concern:

First let me say that if people feel like smoking cannabis it is their right to do so, as long as it does not affect other people. For those who suffer with chronic pain and only cannabis will help, I am happy for them that something works to ease their suffering. That being said I do have concerns with a cannabis retail store opening up at 379 4th street Courtenay BC.

The short time the business was open there were issues that came up. We noticed large groups of people (presumably customers) congregating on the street in front of the business and around the store. They were not quiet and at times blocked the side walk. This was also mentioned to us by our customers who sometimes park in the next block due to lack of parking. Our customers felt intimidated.

We object to the visible smoking of cannabis that was witnessed, on numerous occasions by my staff and I, around the back of Leaf Compassion.

In the warmer weather we open our back door. It is unfair that due to the stench of the cannabis we could not keep them open as the odour found its way into our store. Once again our customers were inconvenienced and my staff and I could not escape it. Why should our customers and staff have to endure this sickening smell. I am concerned that I will lose customers and no loss is acceptable. Even if one asks its customers not to smoke, there will be people that won't abide by the rules. They move a little further away from the cannabis store but smoke they still will and the odour will still permeate our store and others around.

Even if the store will have a special smoking room I believe some will not respect being limited to this room.

We also witnessed twice a person in front of Leaf Compassion who came across as very high and were making a nuisance of themselves. Again this

ATTACHMENT No. 6 (1)
Public Comments

is something that would be upsetting to our customers who would be trying to shop at Runge's Deli or any business on 4th st.

Runge's Deli is now in its 50th year of business. We are so pleased to see the noticeable increase of people aware of the businesses on 4th street. They want to come shopping because it now has become diverse, interesting and safe. I cant help but feel that a retail cannabis store in the heart of the downtown core would have a negative impact on the surrounding businesses.

Though I object to a retail cannabis store on 4th Street I could see Leaf Compassion in a warehouse setting and doing an on-line business that is not open to the public.

In closing, I would say that a Cannabis retailer in the downtown core is not a good fit. It would be better suited to a stand-alone location where other stores would not be affected.

*Monika Ferguson
Runge's Imports & Deli*

ATTACHMENT No. 6 (2)
Public Comments



Ron Schmidt

Chairman's Council
ASSANTE 2014 – 2015

January 29, 2019

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

RECEIVED
FEB 05 2019
CITY OF COURTENAY

SCANNED

Assante Capital
Management Ltd.

#201, 391 - 4th Street
Courtenay, BC V9N 1G8

T: (250) 334-8872
F: (250) 338-8534
www.assante.com
rschmidt@assante.com

Re: Rezoning application # 3360-20-1821

We are writing in response to the application for Proposed Rezoning Amendment to allow "Storefront Cannabis Retailer" at the premises of 379 4th Street, Courtenay. Our office is located at #201 – 391 4th Street, directly next to the location of the proposed rezoning, with a shared parking access at the rear of the buildings. We are owners, tenants and landlords of the building, which houses an additional tenant in the downstairs office. The downstairs tenant (who also shares the rear parking access) is a medical professional with a clientele of almost exclusively seniors.

We have great concern with this rezoning proposal, as, in the brief time the store was open last year, we experienced increased foot traffic, loitering, littering and smoking of cannabis outside our building. During that period, numerous concerns were expressed by our clients, who felt a lack of security as they entered and exited our business.

Since the start of the cannabis store's tenancy, we have experienced an increase in garbage left in our back garden and seating area. Currently, there is a beaten-up bike that has been locked to our fence for the past two months.

Further concerns are with the proposed enclosed smoking room at the back of their building, which will increasingly encourage their clientele to loiter in the back – both in their space as well as the seating area outside the medical office (adjacent to the parking area). This is secluded and out of view of the general public, lending itself to loitering and furtive activity.

Our female staff members have expressed concerns about their security, walking to their vehicles after work. We don't feel it is right that they are experiencing this concern or that they may need to be escorted out to their cars at some point. This is not an appropriate environment to have downtown and in our previously-safe business neighbourhood.

ATTACHMENT No. 6 (2)
Public Comments

This is not elitist thinking, it is pragmatic. The clientele of the cannabis store encompasses a diverse demographic, and they have the right to access the products and services allowed by law; however, aspects of its business could encourage behaviours that are detrimental to the surrounding businesses which do not mesh with the cannabis store. We firmly believe this is not an appropriate location for a business of this nature and it has a strong potential to change the face and culture of our neighbourhood and impact us in a negative way. That most definitely includes us, its direct neighbours.

We have been providing financial services at our location since 1995, and we hope to continue to do so. But we have a legitimate fear that increased operations of the cannabis business next door will negatively impact our business and possibly necessitate a move. This will, in turn, devalue our commercial property, as well as that of our business neighbours.


Regards,


Ron Schmidt, Senior Investment Advisor
Tenant and Building Owner


Mark Peill, Financial Advisor
Tenant and Building Owner


Tracy Trotter, Investment Advisor


Suzy Taylor, Administrative Assistant


Alyson Schmidt
Associate



Emma. L. Thompson - 0963448 BC LTD
Office 1, 467, 4th Street, Courtenay, V9N 1G7
UK Trained Clinical Psychotherapist
Verified to practice as Clinical Psychotherapist within Canada
CCPCP #1204 CPCA MRCP #3473 CPA #33598 CACBT
Member of the British Psychological Society

5th March 2019

To whom it may concern,

**RE: THE LEAF CANNABIS DISPENSARY ON 4TH STREET,
COURTENAY.**

I am writing to inform you of my increasing concerns regarding The Leaf cannabis dispensary position, past and current activity, and its future business is reopening on 4th Street in Courtenay. This dispensary is sadly situated next door to my practice.

I have been in private practice at The Hub on 4th Street, as a Child Psychotherapist/Psychologist since February 2016. I am a specialized professional and being based in Courtenay. I am accessible to many children and families that need my care.

I specialize caring for over forty children, their families, and adolescent individuals.

When the dispensary began to trade, without a business license, in 2017 there was a constant stream of customers, who would often decide to smoke the drug outside my office building, around the back of my office block, and in the parking spaces at the front of my office building. The smoke from the cannabis being smoked would also enter into the duct system of my office

ATTACHMENT No. 6 (3) Public Comments

building and infiltrate the building but more specifically my office. This was unpleasant, and that time illegal, for other professionals working in the area but more disturbingly my patients who were attempting to enter my office building to gain care and treatment.

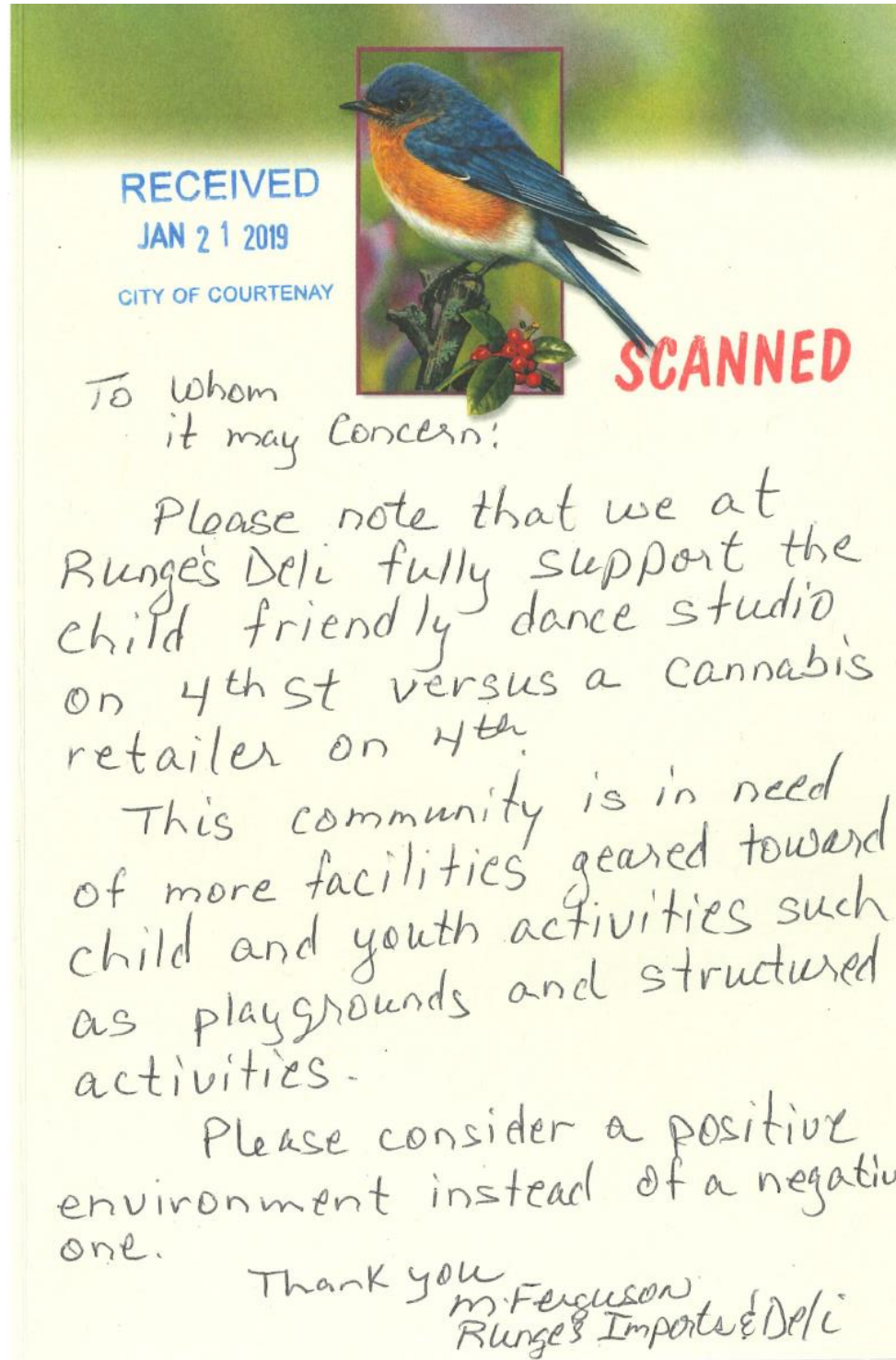
My concerns are that this establishment is that it will be operating within too close proximity to a health office that cares and treats vulnerable young people within the community.

I eagerly await your reply.

Yours faithfully

Emma L Thompson

ATTACHMENT No. 6 (4)
Public Comments





THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20-1803

From: Chief Administrative Officer

Date: May 21, 2019

Subject: OCP Amendment Bylaw No. 2922 and Zoning Amendment Bylaw No. 2927 - 2048 13th Street

PURPOSE:

The purpose of this report is for Council to consider an Official Community Plan and Zoning Bylaw amendment application to change the land use designation and rezone the property legally described as Lot 4, District Lot 96, Comox District, Plan 32210 Except Part in Plan VIP68472 and VIP76687 (2048 - 13th St). The proposed amendments will change the land use designation from Urban Residential to Multi Residential and will include a text amendment to the current Comprehensive Development Six (CD-6) zone to allow an apartment building on this specific property.

CAO RECOMMENDATIONS:

That based on the May 21, 2019 staff report entitled "OCP Amendment Bylaw No. 2922 and Zoning Amendment Bylaw No. 2927 – 2048 13th St." Council approve OPTION 1 and complete the following steps:

1. That Council give First and Second Readings of "OCP Amendment Bylaw No. 2922" to permit development of a two storey apartment building at 2048 – 13th Street.
2. That Council give First and Second Readings of "Zoning Amendment Bylaw No. 2927".
3. That Council direct staff to schedule a Public Hearing for "OCP Amendment Bylaw No. 2922" and "Zoning Amendment Bylaw No. 2927" on June 10, 2019 at 5:00 p.m. in City Hall Council Chambers.
4. That Final Reading of proposed Zoning Amendment Bylaw No. 2927", be withheld until a Section 219 covenant is registered on the subject property mandating the following:
 - a. Stating the amenity contributions required;
 - b. Finalization of the stormwater management strategy and design to the satisfaction of the City and incorporating recommendations made in the January 12, 2018 Environmental Assessment by Current Environmental to redirect stormwater flows into the Piercy Creek headwaters; and,
 - c. Restricting development within the environmentally sensitive features and 30m buffer of those features as identified in the January 12, 2018 Environmental Assessment by Current Environmental.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is located in West Courtenay. The immediate neighbourhood is comprised of single-family homes, wetland, vacant large parcels, and townhomes.



Figure 1: Context

The Official Community Plan (OCP) designates the subject property as “Urban Residential”. This designation does not allow for multi-family development necessitating this amendment to redesignate the parcel to “Multi Residential”. This designation guides new multi-family development throughout the City and emphasizes cohesion with the surrounding neighbourhood.

This parcel is within the Arden Corridor Local Area Plan (LAP). The LAP acts as an extension of the OCP and provides more detailed, area specific, policy direction. The LAP emphasizes and prioritizes the protection of the area’s environmental features of high ecological value. Multi-family development is prioritized near the main transportation/transit routes and a density target of 10 units/ac. (25 units/ ha.) is identified. Clustering of development whereby the overall potential number of dwellings is bunched in a particular area of a development site leaving sensitive areas undisturbed, is highlighted as a technique for the preservation of environmentally sensitive areas.

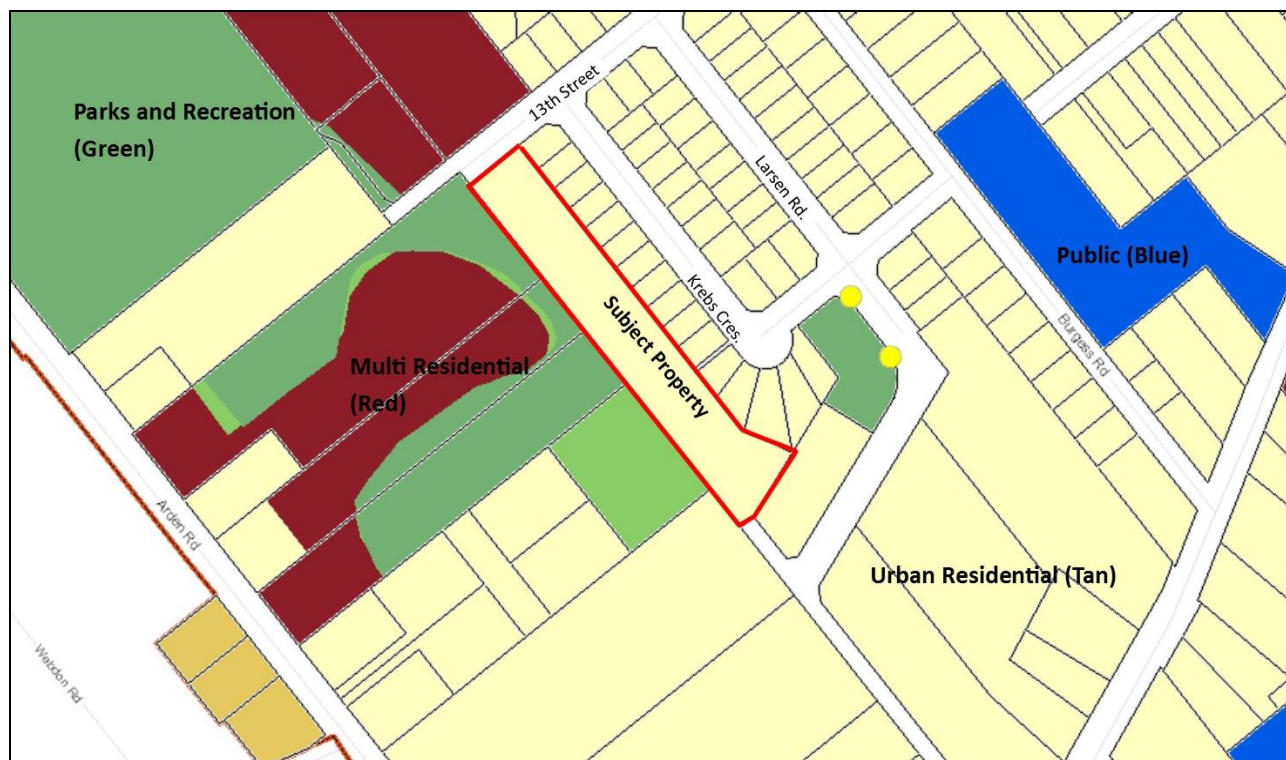


Figure 2: OCP Land Use Designations

The surrounding area is comprised of several different residential zones ranging from multi-family to rural residential. In addition, there are large areas zoned for public use and facilities. The subject property is zoned Comprehensive Development Six (CD-6). The zone allows for single family houses on urban lots. Multi-family units are not permitted necessitating the rezoning application.

The subject property is 9,739m², does not contain any buildings and is forested. The applicant proposes to construct a 12 unit apartment building near the front of the site adjacent to 13th Street. The building is two storeys with surface parking and comprised of four “micro” units and eight, two-bedroom units. Much of the subject property is identified as wetland which forms part of the Piercy Creek/Millard Creek headwaters.

Stormwater management presents a unique issue for this development. Stormwater from an adjacent site is traveling through this site and into the municipal storm sewer system. Both an environmental assessment and site servicing report have been completed in support of this application examining this issue. The proposal would be that stormwater is redirected toward Piercy Creek restoring the natural drainage pattern and adding needed flow to the creek. A condition of the rezoning will be that the design and approval of the stormwater management plan incorporates the recommendation in the Environmental Assessment and restores natural flows to the creek.

DISCUSSION:

Official Community Plan and Zoning Amendment

The proposed development is generally consistent with the surrounding neighbourhood and policy direction, aligned with the LAP, and provides affordable housing options.

The redesignation of the subject parcel from Urban Residential (predominantly single family homes) to Multi-Residential (multi-family buildings) results in a comparable density to the current zoning. The existing zoning allows the subject parcel to be hypothetically divided into about 16 lots based on a minimum lot size of 550m². Rather, the proposal seeks to develop 12 apartment units. The key difference is that the apartment units are clustered on one end of the subject property which thereby preserves the environmental features. As a result, the overall density of the subject property will be about the same as the adjacent lots/single family homes on Krebs Crescent. In terms of building height, the proposed two storey building height matches the height of surrounding single family homes as well as nearby townhomes. Permitted building height is unchanged as a result of this application.

Policy also supports the addition of multi-family development when proximate to schools, parks, walkways, transit and complementary commercial/service uses. In this case, the development is within 1.5km of three schools, has access to several parks and walkway networks, and is within walking distance to the Arden transit route which travels along Lake Trail Rd. to Arden Rd. and then loops into the downtown area on Cliffe Ave. The development is not proximate to any commercial or service uses but there are a wide variety of services in the nearby downtown area and which are accessible through transit.

Secondly, the proposal reflects the LAP's key priority to preserve the Arden Corridor's environmental features. The environmental assessment found that approximately 70 percent of the subject property is unavailable for development due to the environmental features and setbacks from these features. This equates to 6,817m² (70 percent) of the subject parcel as environmental protection areas versus 2,922m² (30 percent) available for potential development. The environmental features and buffer area will be protected from any further development as a result of this approval process.

In terms of affordable housing, the proposal includes four micro-units which are essentially "bachelor" style small apartments. The small area of 29m² (312ft²) should equate to lower rents and appeal to single occupants. This reflects the City's Affordable Housing Policy which encourages new development to provide affordable forms of housing.

Zoning Review

The second component of this application is to amend the CD-6 zone to allow apartments as a permitted use on this lot only. As discussed, this amendment results in a comparable overall density with the current zoning development potential. The CD-6 zone was developed with a maximum overall density of 66 units. Excluding the subject parcel, there are 50 single family house lots in the CD-6 area. As a result, there is 16 units of unused development potential remaining in the overall zone. As proposed this development will utilize 12 of these units.

As detailed above, there is sufficient rationale for the multi-family residential land use on this parcel. The proposal complies with all other zoning stipulations outlined in the CD-6 zone as well as other parameters such as parking standards found elsewhere in the zoning bylaw.

Other Related Regulations

Local Government Act – s.477 (3)

The proposed OCP amendment has been reviewed in relation to the City's Financial Plan and the Regional Waste Management Plan. As a minor amendment relating to a single parcel, Staff have found the bylaw to be complementary to these plans.

Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund

The development is subject to a contribution of \$500 per unit for the Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund. This equates to \$6,000. These fees will be used to for capital project upgrades in existing parks and recreations spaces.

Affordable Housing Policy

The building contains four micro units which should have more affordable rents. Additionally, the applicant will contribute to the affordable housing reserve fund in the amount of \$500 per unit.

Environmental Development Permit

The development is subject to an environmental development permit. A biologist's report and development permit application have been submitted in support of the amendments. The report complies with the development permit guidelines as established in both the OCP and the LAP with final review and approval occurring subsequent to the OCP and rezoning amendments.

Form and Character Development Permit

The development is subject to a form and character development permit. The proposal generally complies with the multi-residential development permit guidelines with final review and approval occurring subsequent to the OCP and rezoning amendments.

Tree Cutting Permit

The applicant will require a tree cutting permit in advance of any tree removal on the property. There will be no removal within the protected environmental areas or buffers.

FINANCIAL IMPLICATIONS:

The development is subject to City and the Regional District Development Cost Charges. Micro-units, should they be less than 29m², are exempt from all DCCs under Section 561(7) of the *Local Government Act*. Amenity contributions discussed above will be secured through a Section 219 Covenant which must be registered prior to final adoption of the zoning bylaw.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff has spent 30 hours processing and reviewing this application. Should the proposed bylaws receive First and Second Readings, staff will spend an additional ten hours in preparation for the public hearing, drafting and registration of a covenant, final reading of the bylaw, and updating the bylaws and maps.

ASSET MANAGEMENT IMPLICATIONS:

The City will inherit approximately 37m of new curb, gutter and asphalt to the centreline of the road if this development proceeds. These will be incorporated to the City's asset registers for ongoing maintenance.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

- ▲■ Identify and support opportunities for lower cost housing and advocate for senior government support
- ▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

Official Community Plan

Residential Goals and Policy:

4.4.2 Goals

1. Optimize the use of existing lands in the City with a long term consideration to expand boundaries and protect adjoining lands from further development to meet the future needs of the City.
2. To encourage multi residential development in the Downtown area of the City, and in areas identified through the Local Area Planning process.

4.4.3 Policies

5 (a) multi residential development shall be limited in scale and size outside the downtown area

5 (c) priorities for multi-residential development will be:

- high - downtown area including along riverfront
- medium - intensification or redevelopment of existing sites
- low - peripheral expansion subject to Local Area Plan

The Arden Corridor Local Area Plan:

Housing Policies:

4. Promote a “clustering” form of development, including of single family housing developments, adjacent to roads to facilitate conservation of sensitive ecosystems, provision of open space and economical infrastructure costs. Support for this clustering form includes support for panhandle lots upon review, notwithstanding the policy regarding panhandle lots within the OCP.

6. Support rental and other special needs housing.

REGIONAL GROWTH STRATEGY REFERENCE:

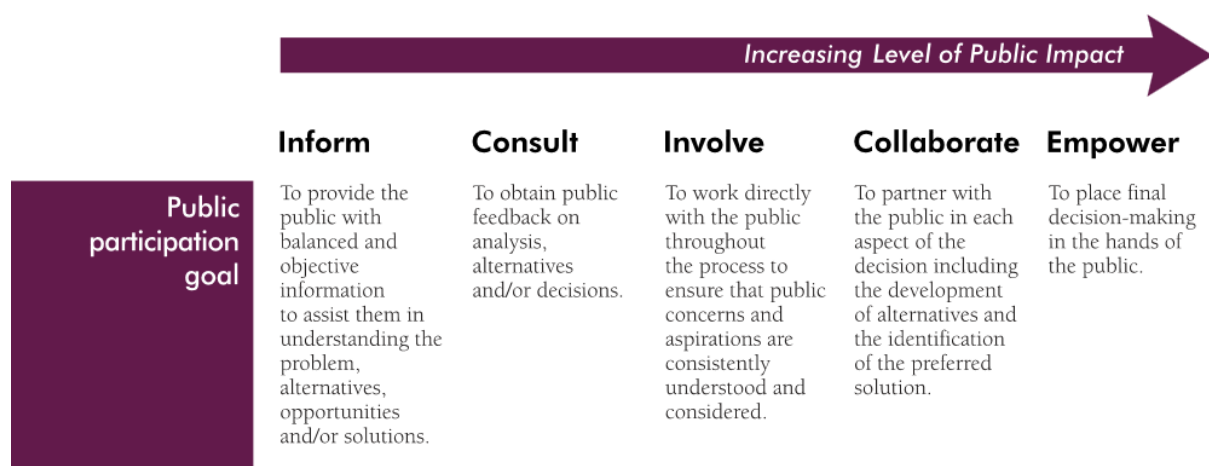
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

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

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

CITIZEN/PUBLIC ENGAGEMENT:

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



Should OCP Amendment Bylaw No. 2922 and Zoning Amendment Bylaw No. 2927 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant held a public information meeting on June 5th, 2018 at Lake Trail School. According to the information provided by the applicant, nine people attended the meeting. All written comment sheets are included with the meeting summary in **Attachment No. 2**.

One written submission was received after the meeting which is included in the attached summary.

Section 475 of the *Local Government Act* requires the City to consider the consultation requirements for adoption, repeal or amendment of an OCP. Given the limited scope of the proposed amendment bylaw staff recommend the public information meeting held by the applicant and the public hearing are sufficient. Should Council desire additional consultation it would be appropriate to add it to the resolution.

OPTIONS:

OPTION 1: (Recommended)

That based on the May 21, 2019 staff report entitled "OCP Amendment Bylaw No. 2922 and Zoning Amendment Bylaw No. 2927 – 2048 13th St." Council approve Option No. 1 and complete the following steps:

1. That Council give First and Second Readings of "OCP Amendment Bylaw No. 2922" to permit development of a two storey apartment building at 2048 – 13th Street.
2. That Council give First and Second Readings of "Zoning Amendment Bylaw No. 2927".
3. That Council direct staff to schedule a Public Hearing for "OCP Amendment Bylaw No. 2922" and "Zoning Amendment Bylaw No. 2927" on June 10, 2019 at 5:00 p.m. in City Hall Council Chambers.
4. That Final Reading of proposed Zoning Amendment Bylaw No. 2927", be withheld until a Section 219 covenant is registered on the subject property mandating the following:
 - a. Stating the amenity contributions required;
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- c. Restricting development within the environmentally sensitive features and 30m buffer of those features as identified in the January 12, 2018 Environmental Assessment by Current Environmental.

OPTION 2: That Council postpone consideration of Bylaws 2922 and 2927 with a request for more information.

OPTION 3: That Council not proceed with Bylaws 2922 and 2927.

Prepared by:



Matthew Fitzgerald, MCIP, RPP
Planning Supervisor

Approved by:



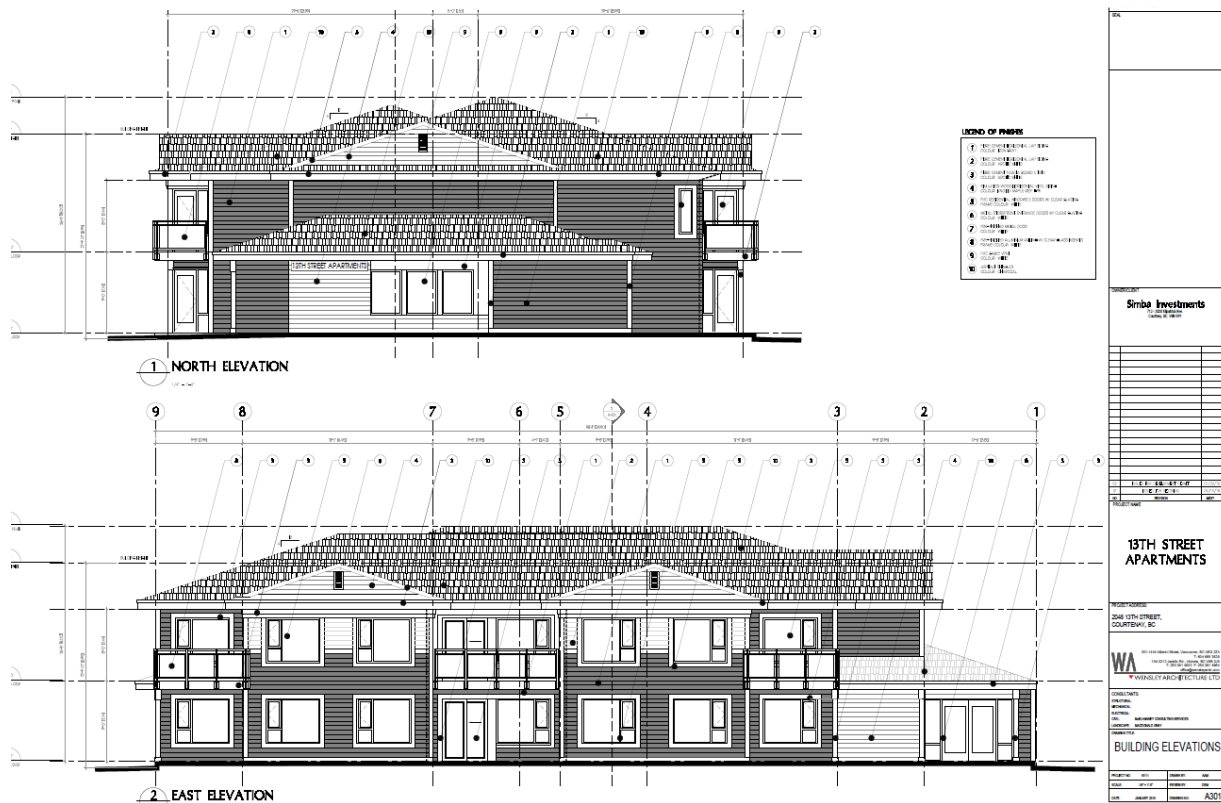
Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

1. *Site Plans and Elevations*
2. *Public Information Meeting Summary Report & Public Correspondence*

Attachment 1: Site Plans and Elevations





Attachment 2: Public Information Meeting Summary Report & Public Correspondence



Location of Public Informational Meeting:

Lake Trail Middle School @ 805 Willemar Ave, Courtenay, BC V9N 3M1

Tuesday- June 5th, 2018 from 4p to 7pm in Library Media Room

See attached Sign in Sheet from June 5th, 2018

Total attendees - 8 attendees signed in and 1 Gentlemen didn't sign in.

Meeting was advertised via sending out invitation letters from a template supplied by the City of Courtenay to the Property owners and others were mailed out to them personally.

Items supplied at meeting:

- ✓ Time, Date, and Location of the public informational meeting was provided to all attendees
- ✓ Address and map of the proposed development site
- ✓ Description of our proposal
- ✓ Approximately 50 Comment sheets placed on a clip board to leave any comments to City.
- ✓ Simba Investments Ltd. Owners business cards were placed out for any attendee to have.
- ✓ Pictures and the stats

People raised concerns about:

- ✓ The dampness of the yards (regarding Larsen Road).
- ✓ There were comments about the wildlife in the forest.
- ✓ There were comments about low income housing.
- ✓ There were comments about having extra traffic on 13th Street.
- ✓ There were also positive comments about the design of the building.
- ✓ There were comments about the fact that the City of Courtenay is in need rental buildings.
- ✓ There were comments of relief that the Forrest was mostly staying the same.

66

PUBLIC INFORMATION MEETING

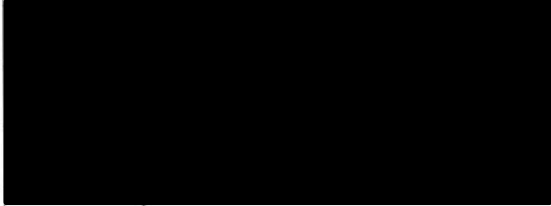
Tuesday, JUNE 5TH, 2018

Sign in Sheet

FOR

Simba Investments Ltd.

LOT 4, PLAN VIP32210 at 2048 13th Street, Courtenay BC V9N 8Y6

Name (Please Print)	ADDRESS
	1437 KREBS
	1517 Krebs Cres.
	1513 Krebs Cres.

Public Information Meeting

Tuesday, June 5th, 2018

CITY OF COURTENAY

PROPOSED OCP & ZONING AMENDMENT

LOT 4, PLAN VIP32210 at 2048 13th Street, Courtenay BC V9N 8Y6

Name:

Email:

Address:

1505 KREBS CRES

Phone:

Simba Investments Ltd. has applied to the City of Courtenay for an Proposed OCP & Zoning Amendment LOT 4, PLAN VIP32210 (2048 13TH STREET). This property is presently designated in the Official Community Plan as Urban Residential. The property is presently zoned as COMPREHENSIVE DEVELOPMENT SIX ZONE (CD-6). An application has been made to change the land use designation to Multi Residential only on the subject property and to rezone the property to allow a 12 unit multi residential development. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any

comments or questions?

WHAT ABOUT THE CREEK
BEHIND 1509, 1505, AND OTHERS, THAT
FISHERIES HAVE DEEMED TO HAVE
FISH FRY IN THE CREEK.
IT ALSO WOULD BE NICE TO HAVE PARCELS
OF GREEN SPACE LEFT IN THE CITY
ALSO THEIR MAY BE EAGLES NESTING HERE

Please return your comments by: Tuesday, June 12th, 2018

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

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

WE WERE TOLD THEIR WOULD BE NO
BUILDING BEHIND OUR RESIDENCE.
WOULD BE NICE TO REMAIN SINGLE FAMILY DWELLING.
IF PASSED

page 1 of 2

Public Information Meeting

Tuesday, June 5th, 2018

CITY OF COURTENAY

PROPOSED OCP & ZONING AMENDMENT

LOT 4, PLAN VIP32210 at 2048 13th Street, Courtenay BC V9N 8Y6

Name: [REDACTED]

Email: [REDACTED]

Address:

1385 Larsen Road

Phone: [REDACTED]

Simba Investments Ltd. has applied to the City of Courtenay for an Proposed OCP & Zoning Amendment LOT 4, PLAN VIP32210 (2048 13TH STREET). This property is presently designated in the Official Community Plan as Urban Residential. The property is presently zoned as COMPREHENSIVE DEVELOPMENT SIX ZONE (CD-6). An application has been made to change the land use designation to Multi Residential only on the subject property and to rezone the property to allow a 12 unit multi residential development. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any

comments or questions? My concerns after attending the information

meeting are first & foremost: What will prevent the owner from
developing the remainder of the subject property? I understand that the
owner owns from 13th street to the end of Krebs Cres. The site plan presen
ted at the meeting & speaking to Mr Vincent only shows about 105,370 sq ft of the
property. It was explained that the remainder would never or cannot be
developed because of the Environmental setback according to various

Please return your comments by: Tuesday, June 12th, 2018

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

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

consultations including Fisheries and Oceans. How can we be
assured that there will be a covenant placed on that entire
remaining area? Can the City of Courtenay make that a condition
of approval that there be an Environmental covenant placed on
the remainder of said property? See over →

page 2 of 24

My other concerns are that removal of trees will make for a drainage problems and also the increase of traffic in this neighbourhood.

Thank you



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 6800-01

From: Director of Development Services

Date: May 21, 2019

Subject: Appointment of a member to the Heritage Advisory Commission

PURPOSE:

The purpose of this report is for Council to consider the appointment of a new member to the Heritage Advisory Commission.

CAO RECOMMENDATIONS:

THAT based on the Staff Report, 'Appointment of a new member to the Heritage Advisory Commission', Council appoint Mr. Glen Greenhill to the Heritage Advisory Commission.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

City council created the Heritage Advisory Commission by adopting Bylaw No. 1918, 1996. The role of the commission is to advise the Council in respect of heritage conservation and to support activities that promote and assist in the heritage conservation of the City.

Section 2 of Bylaw No. 1918 requires that the Commission be composed of a minimum of seven persons, all of whom shall be appointed by resolution of the Council. This request is in response to the resignation of one of the members who served the position since 2015.

DISCUSSION:

The Commission has historically been served by eight to nine active members including the Museum representative. Earlier this year, one of the newest members decided to step down from his position. Mr. Ireson was an enthusiastic member who led several initiatives during his term. Staff and the members of the Commission appreciate his contribution to the community.

Staff approached Mr. Greenhill directly about this position to determine if he was interested. Mr Greenhill had applied for member appointment in 2015 but was not selected at the time, he expressed strong interest in serving in the position.

At their meeting held on April 24, 2019, the Heritage Advisory Commission members reviewed Mr. Greenhill's biography and put forward a motion to recommend Council appointing Mr. Glen Greenhill to the commission. The meeting minutes is attached to the report.

Staff are also publishing an advertisement for additional members to strengthen the overall commission membership.

FINANCIAL IMPLICATIONS:

There will be no direct financial implications to this resolution.

ADMINISTRATIVE IMPLICATIONS:

There are no direct administrative implications to this resolution. The Manager of Planning attends the Commission's monthly meeting providing advice to the procedural matters as well as administrative support.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct administrative implications to this resolution.

STRATEGIC PRIORITIES REFERENCE:

We continually Invest in our key relationships

- Value and recognize the importance of our volunteers

OFFICIAL COMMUNITY PLAN REFERENCE:

Section 4.9.3 (1)

To continue to support the Heritage Advisory Commission which recommends to Council actions to promote heritage recognition and initiatives.

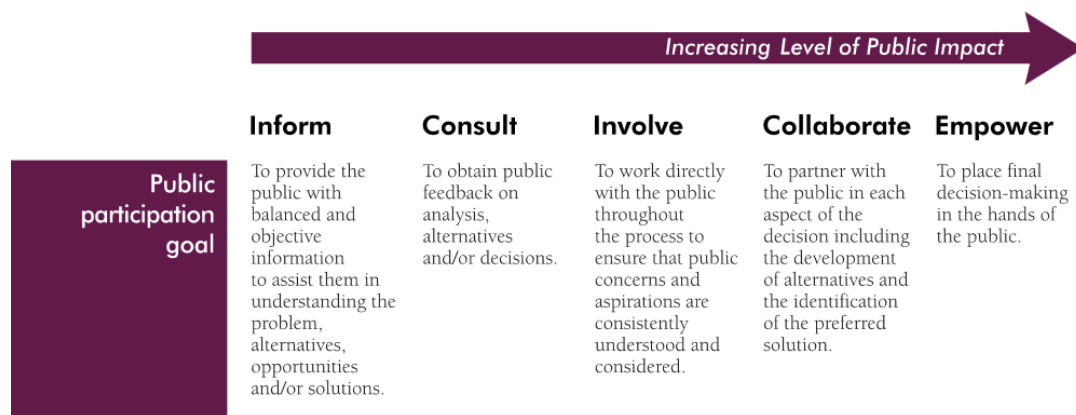
REGIONAL GROWTH STRATEGY REFERENCE:

There is no direct reference regarding this resolution.

CITIZEN/PUBLIC ENGAGEMENT:

Staff would "inform" 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: Approve appointment of Mr. Glen Greenhill as a member to the Heritage Advisory Commission (Recommended)

OPTION 2: Not approve appointment of Mr. Glen Greenhill as a member to the Heritage Advisory Commission.

Prepared by:

Tatsuyuki Setta, RPP, MCIP
 Manager of Planning

Reviewed by:

Ian Buck, MCIP, RPP
 Director of Development Services

Attachments:

1. Attachment No. 1 : Mr. Glen Greenhill's application letter.
2. Attachment No. 2: (Draft) Heritage Advisory Commission Meeting Minutes April 24, 2019

May 15, 2015

Erin Ferguson
Planning Department
City of Courtenay
830 Cliffe Avenue

Dear Ms. Ferguson:

RE: Heritage Commission Appointment:

I am applying to be a member of the City of Courtenay's Heritage Commission as I have a keen interest on heritage preservation and conservation. I believe it is important to maintain our history and continue a legacy that will provide both current and future generations with a sense and understanding of our city's past, specifically with trying to maintain and enhance our local landmarks.

I can offer my experience with investigating and researching, as well, I am proficient with most computer applications. I believe as individuals, we must give back to our community in the form of volunteerism. I have committed to this over many years including the following:

- Auxiliary Constable Comox Valley RCMP (in my 25th year)
- July 1 parade & Remembrance Day ceremonies participation
- Volunteer driver for Salvation Army Youth Group
- First-Aid training for Girl Guide and Boy Scout First-Aid Badge
- Centennial Committee Ad-Hoc member

This year, with my family, we volunteered at the city's 100th anniversary kick-off event serving a pancake breakfast on New Year's Day at the Filberg centre. As well, for many years my wife, children, and I have planted for the Mile of Flowers. I will also be taking a lead role on July 4th for the Symphony and Fireworks celebration.

As a paramedic and supervisor starting in Courtenay 31 years ago, I also understand the importance of confidentiality. As well, the expectation of maintaining such information deemed confidential or sensitive.

For a little history, my Mother's family arrived in the Comox Valley in 1927, with my mother born in 1929. She continues to live in the city of Courtenay and is the last remaining sibling of her family. All six of us children were born and raised here as well. Throughout my lifetime, I have lived in many locations throughout the valley, enjoying the amenities that each had to offer.

It would be a privilege and honor to serve as a member of the Heritage Commission. Thank you for considering my application. I look forward to hearing from you.

Sincerely,

Glen Greenhill

CITY OF COURTENAY HERITAGE ADVISORY COMMISSION MINUTES

Meeting of the City of Courtenay Heritage Advisory Commission meeting held on April 24, 2019 at 10:00 a.m. in the Council Chamber of City Hall.

Present:

L. Burns	R. Dingwall	L. Grant	J. Hagen (Chair)
J. Fortin	W. Cole-Hamilton (Councillor)	T. Setta (staff)	

Absent:

C. Piercy D. Griffiths

1. Introduction and Opening Remarks

2. Addition to Agenda

- 5th Street Development Application
- 2019 Heritage BC Conference in Nanaimo

3. Review and Adoption of Minutes of the February 27 2019 Meeting

Moved by W. Cole-Hamilton seconded by R. Dingwall **Carried**

4. Old Business

OLD CITY CLOCKS

- One proponent, Landmark Clock International, responded to RFP
- Staff met with the prime proponent on April 11th at City Hall discussed project methodologies and revisions of quotes for two clocks.
- Staff is currently evaluating the revised quotes. Staff also suggested that the revised quote came slightly higher than one originally submitted. It could impact on installation cost as it is unknown.
- Members suggested proceeds with the City Hall clock as it has more historical value.
- Council has authorized a budget allocation up to \$25,000, staff and the members are aware that budget is limited and feel that the budget needs to be well spent.
- The HAC will continue to seek restoration opportunities for the Theatre Clock in the future.
- R. Dingwall and L. Grant agreed to participate in evaluation and monitoring of the project.

Motion:

The members of the HAC agree that the Old City Hall clock has more significant historical value, and restoration of the clock would have more positive impact to the community. Therefore, considering the amount of budget allocated, the members of the HAC recommend Council and staff to proceed restoration work project with the Old City Clock only at this time.

Moved by L. Burns seconded by W. Cole-Hamilton

- | | |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PIONEER
GRAVES | • Work in progress |
| 40 HOUSES | • The heritage signage is now ready to be installed.
• Staff to coordinate with Public Work crews and choose the date and send an official invitation to members 3 days prior to the installation date.
• Communication department will coordinate communication with the public. |
| MUSEUM
REPORT | • Nothing further |
| HERITAGE FAIR
PANELS | • Panels are currently on view at the Lewis Centre. |
| IN-KIND HOURS | • A total of 20.5 hours are spent: <ul style="list-style-type: none">– J. Hagen provided 5.25 hours– J. Fortin provided 5.25 hours– L. Burns provided 3.25 hours– L. Grant provided 2.25 hours– R. Dingwall provided 2.25 hours– C. Piercy provided 2.25 hours |
| NEXT
WORKSHOP | • May 8 th at 9.15am at the museum. |

5. New Business

- New Member: The HAC recommend Council appointing Glen Greenhill as a new member starting on May 22, 2019
- T. Setta informed the HAC of a multi-family development application proposed on 5th Street between Kilpatrick and Harmston Street. The HAC members consider it is a good development and are pleased to know the developer has taken its historical value of 5th street into consideration (5th Street is listed on the Heritage Registry due to its historical importance and character).
- 2019 Heritage BC annual conference is held between May 9-11 in Nanaimo. One member of the Commission is sent to the conference each year. T. Setta to coordinate registration process.

6. For Your Information

- The HAC acknowledge that ABC printing and Signs company's effort to produce good quality signs and panels for various HAC events in the past. The Chair will prepare an appreciation letter.

7. **Next meeting** May 24, 2019

8. **Meeting Adjournment** Moved by W. Cole-Hamilton at 11.20 a.m.

Chair



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20-1907

From: Chief Administrative Officer

Date: May 21, 2019

Subject: Zoning Amendment Bylaw No. 2962 to allow for a secondary suite at 2100 Arden Road

PURPOSE:

The purpose of this report is for Council to consider an application to rezone the property located at 2100 Arden Road from Residential One Zone (R-1) to Residential One D Zone (R-1D) to permit a secondary suite.

CAO RECOMMENDATIONS:

THAT based on the May 21st, 2019 Staff report, "Zoning Amendment Bylaw No. 2962 to allow for a secondary suite at 2100 Arden Rd" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2962, 2019; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2962, 2019 on June 10th 2019 at 5:00 p.m. in the City Hall Council Chambers.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is an approximately 677m² residential lot located at 2100 Arden Road and also fronting Morello Place in West Courtenay, legally described as Lot 1 District Lot 230 Comox District Plan VIP63767 (**Figure 1**). The property is currently zoned Residential One (R-1) and developed with a 139m² (1,500ft²) one-storey single family house (**Figure 2**) with a full basement and a two car garage. The suite layout and parking are shown along with photos in **Attachment No. 1**. The surrounding land use is predominantly single family residential, zoned R-1 for the older homes to the south of the



Figure 1: Context map with Subject Property outlined

property, R-1D (allowing suites) for newer homes to the north, and MH-1 (allowing mobile homes) across Morello Place.

The proposed secondary suite would occupy a portion of the basement with no changes to the existing building footprint. Access would be through an existing ground-level entrance to a secondary driveway in the back of the property with space for two cars. The proposed suite is 70m² (749ft²) in size and includes one bedroom, one bathroom, an office, and a kitchen/dining/living room (**Attachment No. 1**), and would have its own patio and grass area.



Figure 2: View of house from Arden Road

DISCUSSION:

The subject property is located within 2km of Driftwood Mall, Tin Town, Arden and Courtenay elementary schools, Lake Trail Middle School, the Aboriginal Education Centre, and numerous parks. These destinations are most easily accessible by car or bicycle but there is a limited service bus stop 450m away.

OCP Review

The proposed application represents infill development within an established neighbourhood designated Urban Residential in the Official Community Plan (OCP). The property is included in the Arden Local Area Plan, which advocates concentration of housing density along Arden Road (9.6.4.4 (3)) and infill development including secondary suites on all lots (9.6.4.4 (5)).

The OCP and the Affordable Housing Policy support infill development within existing Urban Residential areas provided it is in keeping with the character and scale of the surrounding neighbourhood. Infill housing provides more rental housing stock and diversity of housing types, and promotes more efficient use of land that is already serviced.

Affordable Housing Policy

The City's Affordable Housing Policy sets out a number of strategies that support increasing the provision of affordable housing, including secondary suites, within the community. When zoning does not permit secondary suites, Council's practice to-date has been to consider such rezoning applications on a case-by-case basis taking into account land use planning policy, servicing capacity and neighbourhood interests.

Zoning Review

This application meets zoning requirements, including building height, lot coverage, building setbacks and parking for both R-1 and R-1D zones. It also meets all R-1D zoning requirements for secondary suites specifically, summarized in the table below.

Requirements	Proposal
Total not more than 90.0 m ²	70m ² (1 bed, 1 bath, office, kitchen/dining/living room)
Floor Area Less than 40% of the total habitable floor space of the building	25%
Located within a building of residential occupancy containing only one other dwelling unit	Yes
Located within a building which is a single real estate entity	Yes

Three Parking Spaces (2 spaces for the principal dwelling unit and 1 additional space for the secondary suite)	6: 2-car garage, 4 full-sized driveway spaces (2 front, 2 back) + overflow (Attachment No. 1)
----------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------

FINANCIAL IMPLICATIONS:

Application fees in the amount of \$500 have been collected in order to process the rezoning amendment application. Should the proposed Zoning Amendment Bylaw be adopted, Building Permit application fees will apply.

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

ADMINISTRATIVE IMPLICATIONS:

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

ASSET MANAGEMENT IMPLICATIONS:

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

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

▲■ Identify and support opportunities for lower cost housing and advocate for senior government support

●▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed zoning amendment is consistent with the Urban Residential land use designation of the Official Community Plan. It represents infill residential development near existing amenities and services, providing a range of housing choice, while fulfilling OCP Section 4.4.3 4 a) – limited infill will be considered only in keeping with the character and scale of an existing neighbourhood and 4.4.3.4 d) – secondary suites will be considered as part of a principle single family residential building subject to zoning approval.

REGIONAL GROWTH STRATEGY REFERENCE:

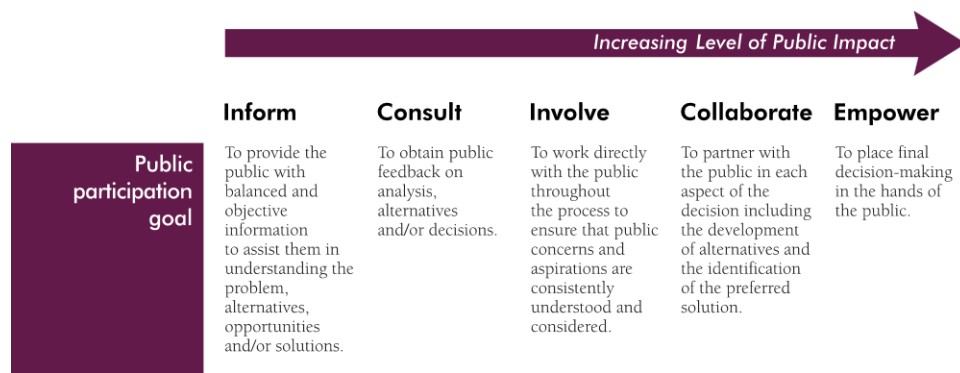
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

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

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

CITIZEN/PUBLIC ENGAGEMENT:

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



Should Zoning Amendment Bylaw No. 2962, 2019 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant held a public information meeting on April 18th, 2019 at the White Spot restaurant at 2299 Cliffe Avenue in Courtenay. According to the information provided by the applicant, nobody came. Two comments were submitted to the City representing two nearby property addresses, both supportive. One mentioned wanting the owners to continue living in the house. Meeting pictures and written comment sheets are included with the meeting summary in **Attachment No. 2**.

OPTIONS:

OPTION 1: (Recommended)

THAT based on the May 21st, 2019 Staff report, "Zoning Amendment Bylaw No. 2962 to allow for a secondary suite at 2100 Arden Rd" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Bylaw No. 2962, 2019; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2962, 2019 on June 10th 2019 at 5:00 p.m. in the City Hall Council Chambers.

OPTION 2: Defer consideration of Bylaw No. 2962 with a request for more information.

OPTION 3: Defeat Bylaw No. 2962.

Prepared by:

Mike Grimsrud,
Planner 1

Reviewed by:

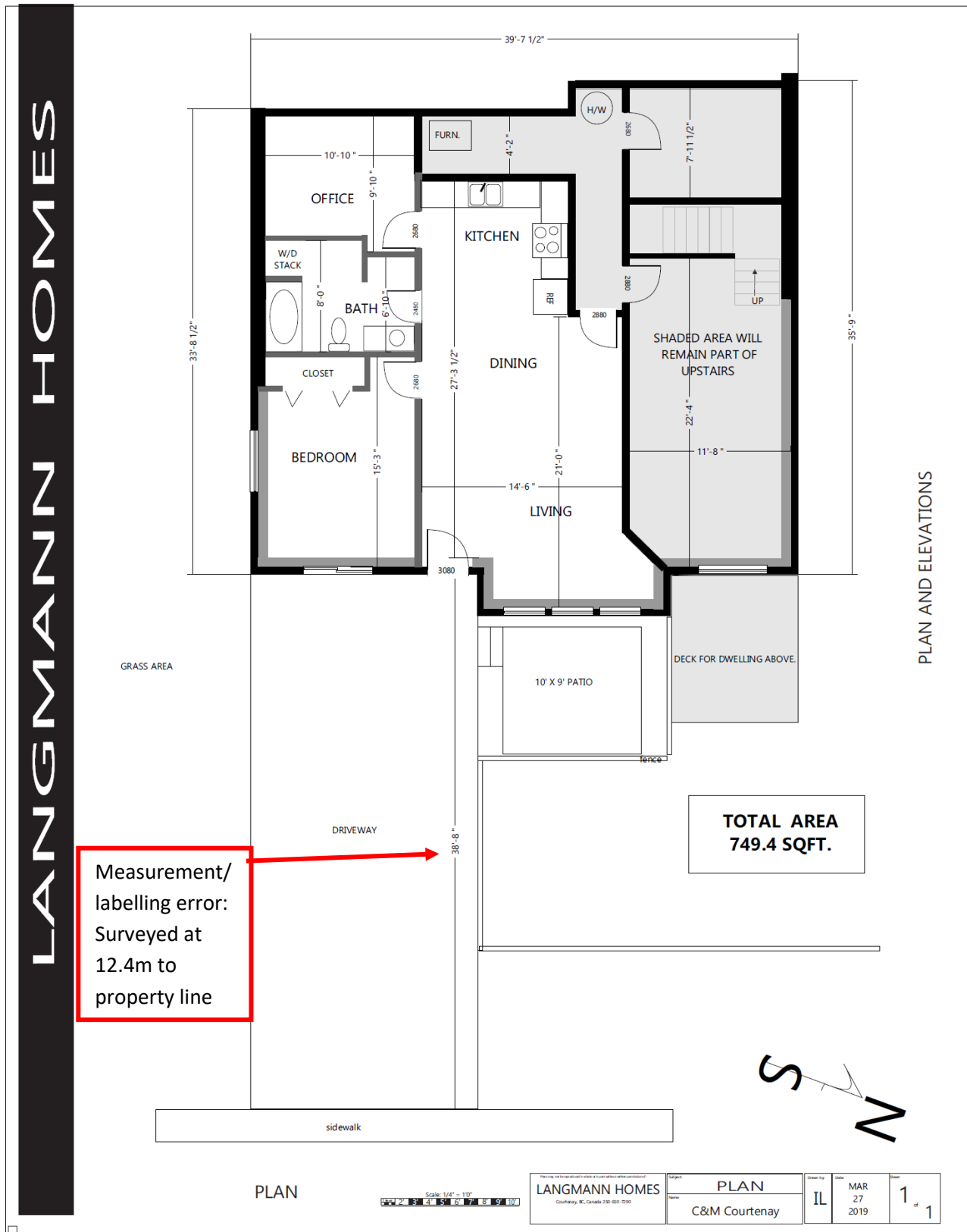
Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

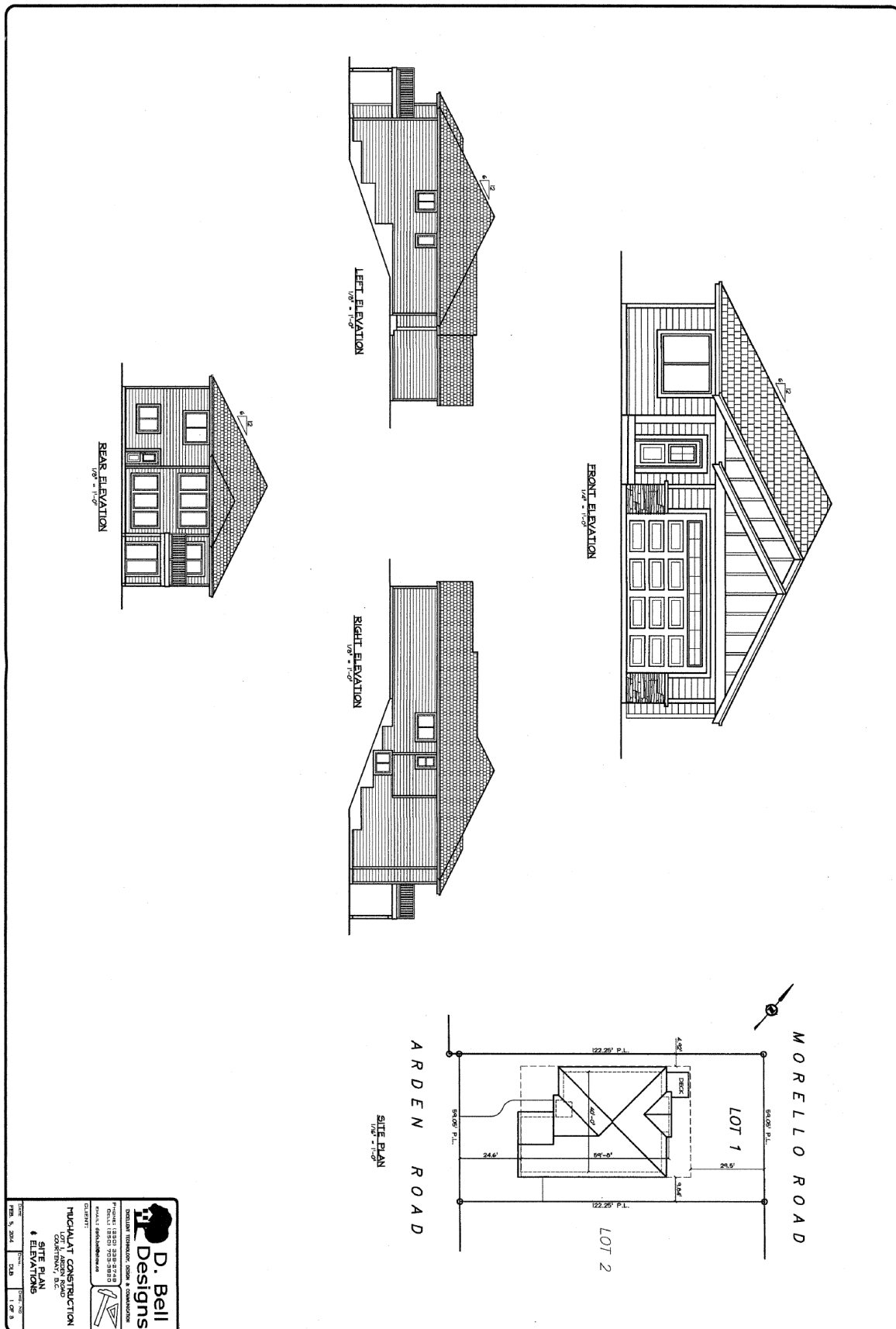
1. *Attachment No. 1: Plans, Pictures and Elevations*
2. *Attachment No. 2: Public Information Meeting Summary and Public Comments*
3. *Attachment No. 3: Rationale*

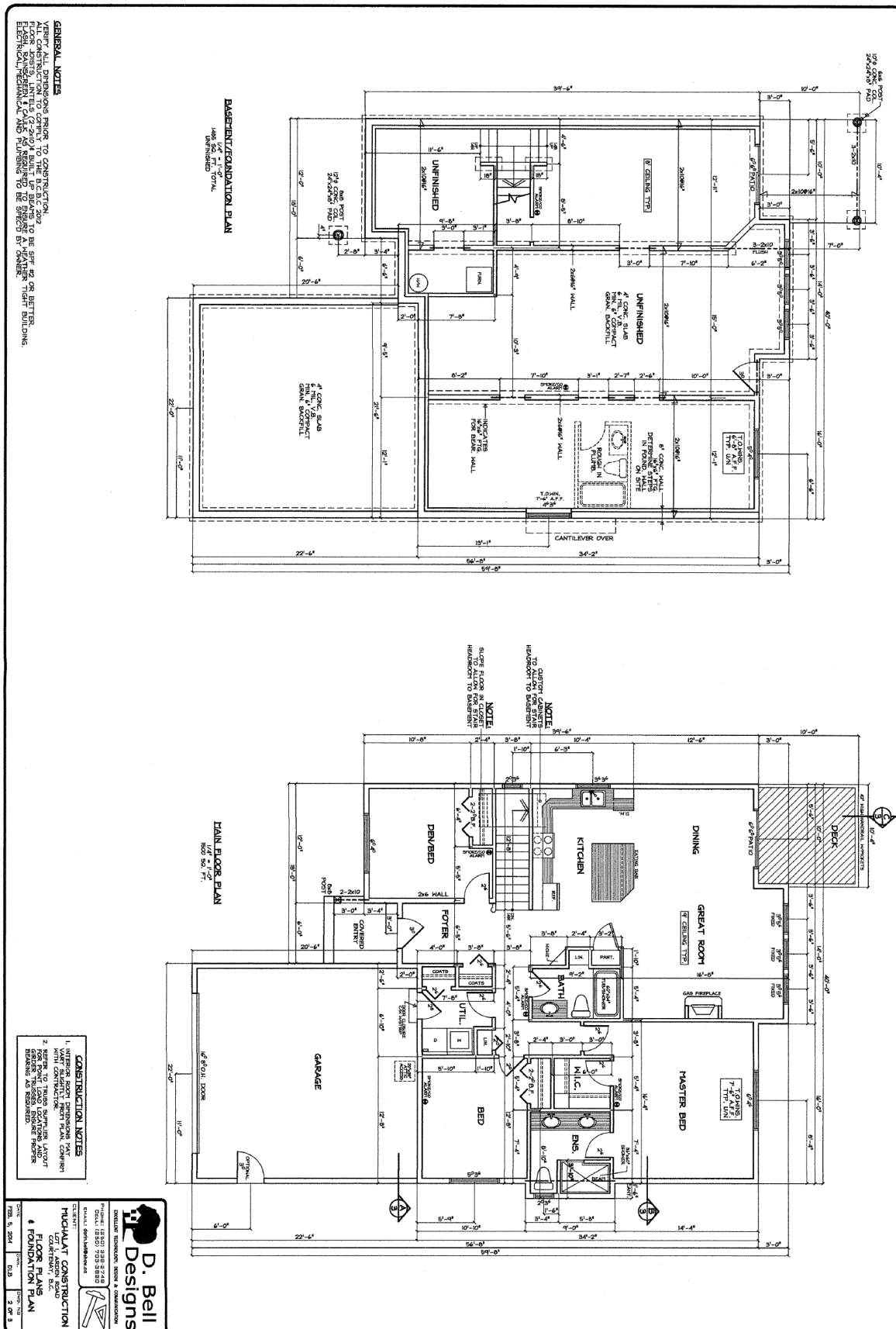
Attachment No. 1: Plans, Pictures and Elevations

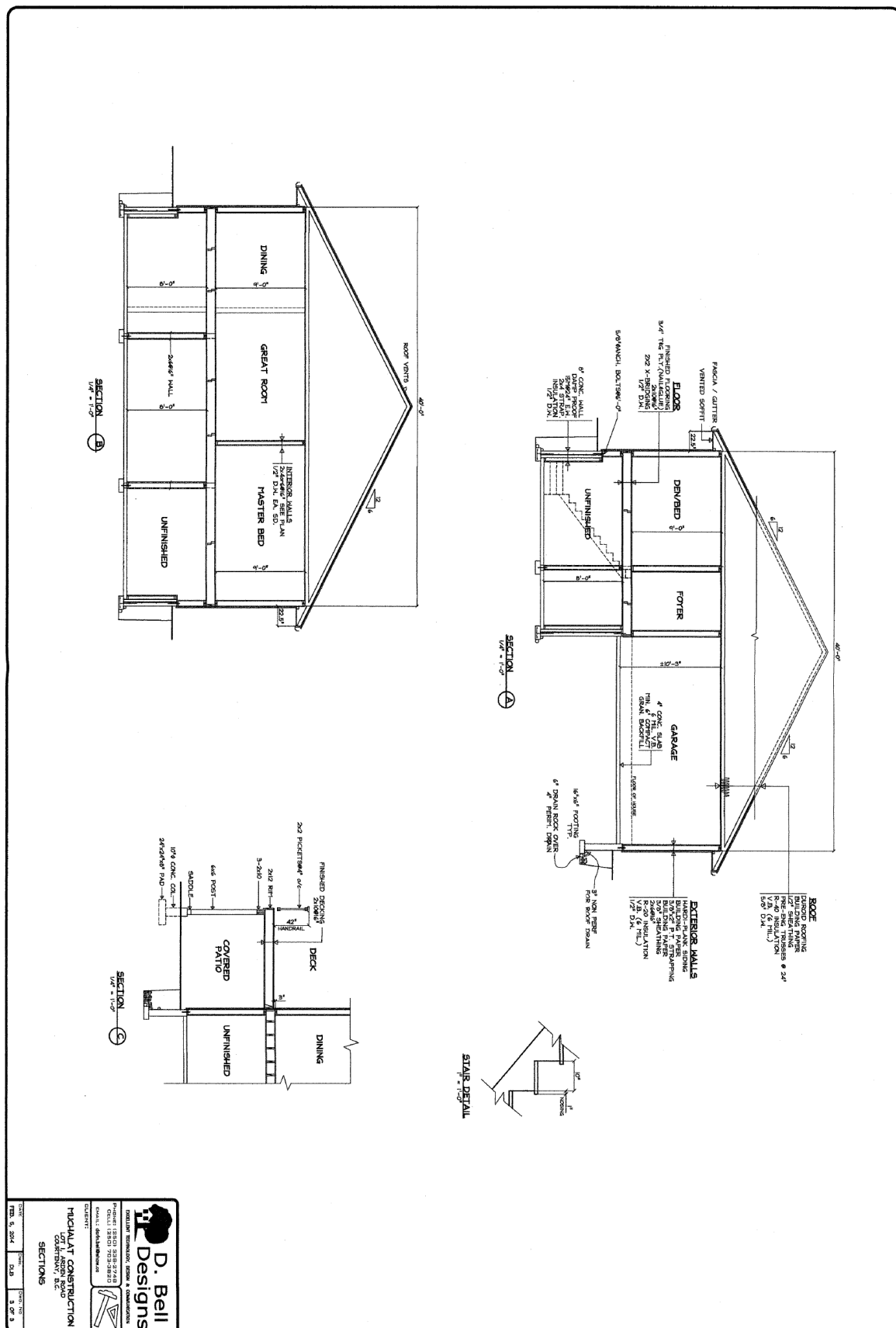












Attachment No. 2: Public Information Meeting Summary and Public Comments

Hello Michael

I hosted the public information meeting on April 18th, from 3pm to 4pm, at WhiteSpot Restaurant meeting room in Courtenay. No one attended.

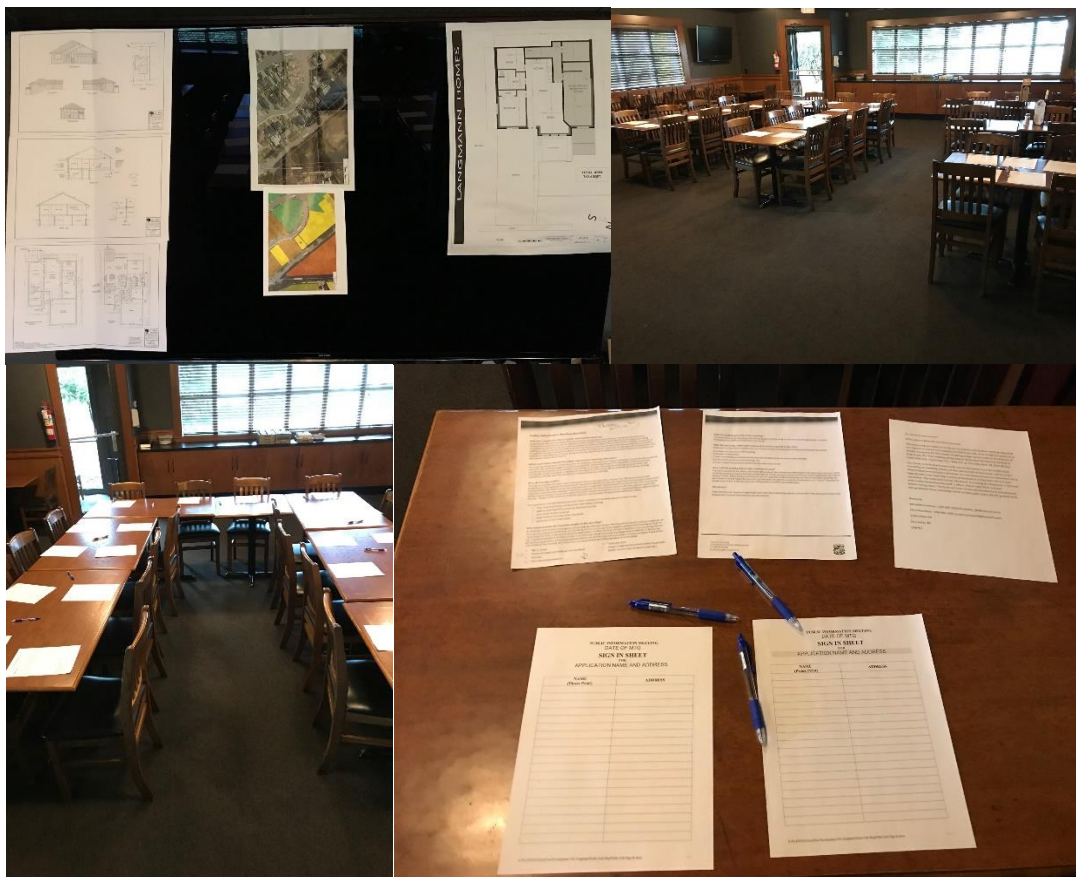
The meeting was advertised by mail notification 11days prior(in which I also included comment sheets in case they could not attend the meeting date and time set).

The information we were prepared to provide at the meeting was the sign-in sheet, comment sheets, property site plans, landscape plans and floor plans of intended suit.

As there were no attendees I have no summation of questions raised or discussion points.

If I have left anything out please don't hesitate to get back to me.

-Michelle Courtney
250-465-1349



To whom it may concern:

Hello, we are Michelle and Chris Courtney

We are writing you today to invite you to a public information meeting regarding our request to rezone our property at 2100 Arden Rd., from single occupancy to a double occupancy for the reason of adding a legal tenant suite at the address of 2100 Arden Rd. This meeting will be held at White Spot Restaurant, located at 2299 Cliffe Ave., Courtenay, B.C., V9N 2L5; on Thursday April 18, 2019 @ 3pm.

Our house is fairly new (4 years old), we are the owners and do reside there. Currently our dwelling remains in the upstairs half of the house, and as of this time our basement remains unfinished. It is our hope to turn our basement into a legal tenant suite, reserving 2 rooms at the bottom of the stairs for our own recreation. The suite itself will be 749.4sq.ft. Consisting of 1 bedroom, 1 full bath with onsite stacked laundry unit, 1 office, and an open floor concept kitchen/living-room. The Suite will have its own private entrance and driveway facing Morello Place, including a 9x10' private patio and a 10x 40' grassed area.

Sincerely,

Michelle Courtney – 250-465-1349 (freefaller_84@hotmail.com)

Chris Courtney – 250-465-1345 (crashcourtney78@hotmail.com)

2100 Arden Rd.

Courtenay, BC

V9N 9J7

PUBLIC INFORMATION MEETING
APRIL 18, 2019

Re: Rezoning Application: 2100 Arden Rd., Courtenay, B.C.

COMMENT SHEET

Name: _____ Email: _____
Address: _____ Phone: _____

Michelle/Chris Courtney has applied to the City of Courtenay for a Rezoning of their property from R1 to R1D for the purpose of creating a legal suite. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

we will not be able to attend the meeting as we are in Vancouver.

we have no objections to this young family rezoning for a suite

They are a very nice family and we wish them the very best

Please return your comments by: April 25, 2019

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

Drop your comment sheet off at the Development Services Department, City of Courtenay
30 Cliffe Avenue

PUBLIC INFORMATION MEETING

APRIL 18, 2019

Re: Rezoning Application: 2100 Arden Rd., Courtenay, B.C.

COMMENT SHEET

Name: [REDACTED]

Email: [REDACTED]

Address: 2503B Steele CK

Phone: [REDACTED]

Michelle/Chris Courtney has applied to the City of Courtenay for a Rezoning of their property from R1 to R1D for the purpose of creating a legal suite. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

No problem if they live in house.
(the owners)

Please return your comments by: April 25, 2019

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

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

Attachment No. 3: Rationale

Attn: City Of Courtenay

To Whom It May Concern

We, Michelle (a local restaurant manager) & Christopher Courtney (a local Electrical Journeyman/Manager), and our 4 yr old son; are writing in regard to requesting a rezoning of our property at 2100 Arden Rd, from R1 to R1D. We think in the current state of housing availability, it would benefit both the city and our personal financial income to create another low-income housing Rental Unit.

Our property (and house) is only 4 years old, and in reviewing our neighborhood zoning map; as a built from new home, on a piece of property that used to be a road (until 4 years ago), where ALL other new construction homes on our street and the road behind us (Morello Place) were zoned as R1D already; were just a little confused as to why specifically our newer property would have been the only one zoned as R1. Never the less, we are happy to go thru the process of making this re-Zoning happen legally of course.

Our property already has double road access. Our front entrance faces Arden Rd, and we do have a 6-car paved driveway, plus 2 car garage, as well as an additional gravel driveway with the potential of parking another 2 vehicles. Our back side of the house faces Morello Place, which has direct road access to our back 6-car driveway. There is definitely sufficient parking for us, guests, and potential tenants which would have their own private driveway and entrance; without taking up curb side parking in the neighborhood

We currently have a 1300sqft home with a slightly smaller basement (approx. 1100sq.ft.), we wish to reserve 2 small rooms at the bottom of our staircase for personal use, and have the remaining 800sq.ft. (currently unfinished) constructed into a fully legal tenant suit, consisting of 1 Bedroom, 1 Den, and open concept (full) kitchen/Livingroom, with laundry on site in the bathroom.

Our home is close to many parks, such as: Capes, Martin, Woodcote, Tarling and Roy Morrison Park; Walking Trails such as Pierce Creek Greenway, Cumberland&20th Trail, Copperfield Trail; Corner Stores, as well as Schools (Arden, Lake Trail, Courtenay Elementary, and Aboriginal Education Center). Not to mention Down Town Courtenay is just a 30 min walk or 5 min drive away.

We hope you will see our request as reasonable. Should you have any other concerns or questions, we would be more than happy to answer as soon as possible.

Thank you very much for your Consideration.

Sincerely,

Michelle & Christopher Courtney

2100 Arden Rd., Courtenay, B.C., V9N 9J7

M © 250-465-1349

C © 250-465-1345

OFFICE OF THE MAYOR



May 6, 2019

File No. 0400-60

By email: jward@courtenay.ca

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

Dear Mayor Wells and Council members,

Throughout BC, the Province shares casino gaming revenue with local governments that host casinos and community gaming centres to assist with providing services necessary to address the impacts of casinos in their communities. In 2016/2017, \$96.8 million was distributed to host local governments.

The City of Courtenay receives quarterly payments from the Province equal to 10 percent of the net gaming revenue of Chances Courtenay Gaming Centre. While we recognize that residents of the City of Courtenay are impacted by the casino, we also believe that this impact is shared by other local governments in the region.

Host local governments may use casino revenue for any purpose within their legal authority, and it is my understanding that the City utilizes gaming revenue, along with traffic fine revenue, towards the cost of policing services. While the use of these funds to help with the cost of policing services could be seen to benefit the region as a whole, the Village and Town of Comox already contribute their share towards policing services in the Comox Valley.

.../2

The Village requests that the Council of the City of Courtenay give serious consideration to a revenue sharing arrangement with other local governments in the region on a per capita basis as is done in other areas of the Province where multiple jurisdictions share the impact of casinos. Thank you for your consideration.

Yours sincerely,



Leslie Baird
Mayor

- c. K'ómoks First Nation
Town of Comox

30 April, 2019

To: RCMP Detachment, Courtenay BC

To: City of Courtenay, David Allen, Mayor and Council

For the past several years there have been numerous homeless camps set up in the riparian zone on private lands along Piercy Creek, causing considerable damage to these sensitive areas. While we are mindful of the difficult situation many homeless people find themselves in, the huge amounts of garbage, including hundreds of needles, left on the properties, the unhealthy sanitary conditions and threats to the creek make it necessary to stop this trespassing from continuing.

The MPWS and supporting groups have undertaken several large cleanups with support from the City of Courtenay. As removing the trespassers is a challenge for landowners, it would be preferable to restrict access from adjoining properties by installing fences and more "PRIVATE PROPERTY NO TRESPASSING" signs.

We request the continued support of the local RCMP in removing the trespassers and patrols as and when necessary. We also request the City to install fencing and signs at access points from City property, namely the road allowances off Piercy Road and Anfield Road.

A meeting of all stakeholders to review the maps, property boundaries, access points and develop an action plan would be welcome.

Sincerely,

The land owners and watershed stewards

Gail Neuls (Fraser Road)



Dean Neuls (Piercy Road)



Kathy Samsom (Piercy Road)



Jan Somp (Piercy Road)

Barry Willis (Piercy Road)

Millard-Piercy Watershed Stream-keepers (MPWS)



(Robin Harrison)



**DOWNTOWN
COURTENAY**

EXPERIENCE MORE

PRESIDENT
Jenny Deters
Design Therapy Inc
250-338-0211

VICE-PRESIDENT
Grant Powers
Bank of Montreal
250-334-3181

TREASURER
Laurel Koorn
MNP
250-338-5464

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Cardero Coffee & Tea
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Allison Bligh
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Deana Simkin
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250-334-8811

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Hot Chocolates and
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250-338-8211

Mackenzie Gartside
Select Mortgage
250-331-0800

Margaret McKenzie
Hitec Brazen Sportswear
250-334-3656

Sandra Viney
Atlas Café
250-338-9838

Steve Stewart
Edible Island Whole Foods
250-334-3116

Tamara Carter
Private Wealth Group
Coastal Community
250-331-1363

Will Cole-Hamilton
Aldinger Law
778-992-0102

EXECUTIVE DIRECTOR
Haeley Dewhirst
250-650-2015
info@downtowncourtenay.com

April 29, 2019

Mayor Wells & Councillors
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mayor Wells and Councillors,
Re: Event Street Closure Support from the City of Courtenay – Market Day and Summer Street Markets

The Downtown Courtenay Business Improvement Association is asking for assistance from the City of Courtenay to help with physically closing the streets for our main summer events. With our limited staff of one position at 20 hours per week, our reliance on un-trained traffic volunteers has been challenging and dangerous.

Throughout the year, the DCBIA hosts and supports many events Downtown Courtenay and most require street closures and they are becoming more and more challenging to manage. We are asking for support for Downtown Courtenay Market Day (a large closure at 7am on Saturday July 20th, 2019) and at the Summer Street Market (a smaller closure but at peak traffic times at 2:00pm every Wednesday starting June 19th to August 28th). In the past both events have been managed by volunteers and have proven to be daunting and unsafe.

We are officially asking the City of Courtenay to provide professional support from Public Works to have trained staff personal to implement these closures.

Thank you so much for considering our request and helping us with our winter event street closures. Please contact Haeley Dewhirst if you have any questions or concerns regarding this request at info@downtowncourtenay.com or by phone at 250 650 2015.

Sincerely,

Jenny Deters, President
Downtown Courtenay Business Improvement Association



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE TO COUNCIL

To: Council
From: Chief Administrative Officer
Subject: 5th Street Bridge Rehabilitation Project

File No.: 5335-20; 5400-02

Date: May 21, 2019

PURPOSE:

The purpose of this briefing note is to provide background information regarding the 5th Street Bridge rehabilitation scope, budget, and cost.

INTRODUCTION:

Built in 1960, the 5th Street Bridge acts as a gateway to downtown Courtenay and requires rehabilitation to maintain the existing level of service for multiple modes of transportation. Over the years, multiple engineering assessments of the bridge have identified the need for structural repairs and re-coating to prevent continued deterioration. This rehabilitation is important to extend the functional service life.

In 2016, the City of Courtenay engaged consultants Hatch Mott Macdonald (HMM) and Urban Systems to complete a scoping study to determine the upgrades required to maintain the 5th Street Bridge for another 20+ years. HMM contracted WSP to conduct a field investigation and prepare an evaluation report for the City. This report was submitted in June 2016 and recommended that the City repair structural deficiencies, refurbish the bridge decking and recoat the bridge steel within the next 5 to 7 years.

In addition to the need to address the structural deficiencies of the 5th Street Bridge, the working draft of the Transportation Master Plan (TMP) identifies a need for additional west-to-east connections across the Courtenay River and identifies the bridge as lacking connectivity capacity. The current bridge has narrow sidewalks on either side and does not provide a safe connection for cyclists, as they are expected to ride in vehicle lanes to cross the bridge. The TMP discusses both the cantilever additions to the 5th Street Bridge and the previously proposed 6th Street Pedestrian Bridge.

FUNDING & COST:

On March 24, 2017, the City agreed to funding terms under the New Building Canada Fund – Small Communities, which contributes \$1.96 million to rehabilitate the bridge in order to mitigate natural corrosion processes and to extend the useful life of the 5th Street Bridge. The original deadline to complete the project has been extended from March 2020 to March 2022.

Based on the terms of the successful grant funding application, the physical works to be completed are

- Removal and replacement of the lead-based bridge coating;
- Steel repairs to the end of the deck beams underneath the bridge (20 each);
- Recoating of all the steel (4,200 m²);
- Removal of the hand rails and hot dip galvanizing the railings and rub rails;
- Removal of existing overlay;
- Deck concrete removal to a partial depth;
- Placement of a new concrete overlay, and;
- Line painting.

Updated design investigation was undertaken by a consultant team in 2018, which confirmed the above scope of work is still valid and the required improvements have not significantly changed. Additional components to the core project scope include cathodic protection and cantilevered pathways. The cathodic protection was selected over a full deck replacement as it provides additional protection to the deck from future corrosion for the life of the bridge and a shorter construction schedule at a reasonable cost difference. The cantilevers are a potential option identified in the TMP to enhance connectivity.

The cantilevers were not included in the original grant application, nor the core budget. These could be added to the bridge in the future, however including them as part of the current project would leverage efficiencies and save approximately \$300k (2019 dollars).

Current construction cost estimates for the proposed works are significantly higher than the project costs requested in the grant funding that has been secured for the project. The new cost estimates are based on discussions with the City's design team and industry contractors who track recently completed projects in Western Canada to inform their estimates. These estimates also compare bridge work undertaken in Campbell River and Duncan in 2018. The original cost estimate was \$2.9M with a cost-sharing of \$1.96M (Province/Federal) and \$0.98M (Courtenay). The new estimate of \$6.3M was received in November 2018 and reconfirmed in March 2019.

COST ESCALATION HISTORY:

Despite numerous cost estimates prepared over the past 20 years which informed the grant application, the cost escalations over the last four years have been significant. Only two detailed estimates have been completed: one in 2018, another in 2008. There was also a conceptual estimate from 1999 with few details. From 2008 to 2015, when the grant was submitted, the anticipated projected costs for the coating replacement and deck repair were not increased. During this time period, cost increases include inflation and additions to the project scope. The largest cost escalations occurred between 2014 and 2018, which have been record years for construction cost escalation on Vancouver Island.

COMPARABLE PROJECTS IN OTHER MUNICIPALITIES:

There were two somewhat comparable projects undertaken on Vancouver Island in 2018 - Campbell River and Duncan.

The Campbell River Bridge project was a seismic retrofit completed by MoTI with a budget of \$2.9M. The project included a seismic retrofit (i.e. replacing deck joints and bearings). The project included fully covering the bridge to complete partial recoating, however only re-coated to 3 metres above the sidewalks in the splash zone. The recoating work did not involve the main structure of the bridge.

In comparison, the 5th Street Bridge Rehabilitation Project will fully remove the current coating and reapply a new protective coating of the entire structure. Courtenay will not be undertaking a seismic retrofit as this was completed in 2012. Both the Campbell River and Courtenay bridge projects will involve structural repairs to the floor beams, with both bridges being completely covered to comply with safe work requirements, and extensive traffic management.

The Cowichan River (Silver) Bridge Coating Project in Duncan has more similarities to the proposed Courtenay 5th Street Bridge project as it involved removing deteriorated coating and corrosion of the entire bridge and applying a new protective coating. Sidewalks were closed, and the bridge was required to be covered. The estimate for coating and repairs was budgeted at \$3.2 million. The Cowichan River Bridge Coating Project cost was \$4.5 million. For comparison, the removal and replacement of the 5th Street Bridge's coating is estimated at \$4.1 million. The total cost for the 5th St Bridge project is projected to be \$6.3M, including the additional structural and decking work.

CURRENT COST ESTIMATE:

Project costs are often compared to project tender costs in other communities, these amounts can vary by up to a third. Total project costs are different from project tender costs as the latter excludes items such as engineering, communications, inspections, contract administration, and contingency. The following table shows a brief summary of the estimated bridge costs in 2019 dollars. Details of the required path and trail connectivity associated with the cantilevered lanes and the 6th St Pedestrian Bridge have not been evaluated in detail, further analysis of these options would be required for more detailed estimates.

Core Components		
1.	Removal and Replacement of Protective Coating	\$4,100,000
2.	Cathodic Protection System	\$1,050,000
3.	Structural Improvements	\$800,000
4.	Traffic Management	\$350,000
		\$6,300,000
Additional Components		
5.	Cantilevers and paths	\$2,000,000
6.	6 th St Bridge and paths	\$4,000,000

Next Steps:

Based on the information provided in this briefing note, and the accompanying Presentation to Council, staff will provide a staff report at the June 10th Council meeting seeking direction on how to proceed. The June 10th Staff Report will provide additional details regarding options available and corresponding costs.

Prepared by:



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



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Memorial Program

File No.: 6200-05
Date: April 1, 2019

PURPOSE:

The purpose of this report is to provide Council options on the future of the dormant memorial bench program.

EXECUTIVE SUMMARY:

The administrative impacts of memorial programs are often underestimated. The lifecycle cost of a regular park bench is approximately half of that of a memorial bench, and the associated subsidy benefits a select group of donors. Staff and the Parks and Recreation Advisory Commission ask Council to consider not reinstating the dormant memorial program.

CAO RECOMMENDATIONS:

That based on the March 25, 2019 staff report "Memorial Program", Council adopt OPTION 1 and direct staff to discontinue the existing memorial program.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer


BACKGROUND:

Across North America municipalities have had donor/memorial bench programs for the last 20 to 30 years. The Courtenay's formal memorial bench program was initiated in 1997 with the first bench donated by Stan and Judy Hagen. At that time it was anticipated that the City would be contributing 40% of the cost. The pricing was as follows:

Park bench - \$480	Park/boulevard tree - \$180
Street bench \$780	Tree in a sidewalk - \$420

These fees were anticipated to be 60% of the total cost of the bench, pad and plaque including purchase, installation, and 10 years of maintenance. From this we can deduce that the total

THE CORPORATION OF THE CITY OF COURTENAY



The City of Courtenay Tree Donation Program and Bench Donation Program

Participant Information	Botanical Information
Name: _____	Tree Species: _____
Address: _____	Size: _____
Postal Code: _____	Other: _____
Telephone: _____	Date of Application: _____
(w) _____	Approval of Inscription: _____
Donation Amount: \$1800.00 + GST	Job Order No. _____
Income tax receipt will be mailed to the above address.	Work Order No. _____
Location of Tree or Bench: _____	Species of Tree or Bench: _____
_____	Tree or Bench Number: _____
_____	Supervisor: _____
_____	Other: _____
_____	Date of Completion: _____

Plaque Inscription for Bench: _____

called in 2017 for inscription

Please limit wording to three lines. Wording must be approved by the City of Courtenay prior to ordering plaque. Bench plaque measures approximately 24" high by 12" long.

Commitment to Maintenance by City
All gifts to the City of Courtenay through the Tree Donation Program and Bench Donation Program are accepted on the basis that they will be maintained for 10 years in their original location or in an area near their original location, after which the disposition of the gift is at the sole discretion of the City of Courtenay.

Limits of Participation
Participation in the Tree Donation Program and Bench Donation Program in no way constitutes ownership of the item, the land upon which it is situated or the surrounding lands. The City of Courtenay retains the right to use lands adjacent to these donated items as it deems appropriate. In addition, the City of Courtenay may choose to not accept a gift through the Tree Donation Program and Bench Donation Program at its discretion.

I have read and agree to the above conditions:

Signature: _____ Date: *Oct 3/01*

anticipated cost of a park bench was \$800 over 10 years. This pricing was low but not unlike programs in other jurisdictions.

Each donor received a tax receipt for their participation in the program and was to sign an agreement identifying that the donation was for a 10 year term. The wording on the agreement is as follows:

“All gifts to the City of Courtenay through the Tree Donation Program and Bench Donation Program are accepted on the basis that they will be maintained for 10 years in their original location or in an area near their original location, after which the disposition of the gift is at the sole discretion of the City of Courtenay.”

The Courtenay memorial program was put on hold in 2008. Many other municipalities took similar action based on the expiration of the first benches, increased demand, and identification that the program was subsidized at a much higher rate than originally anticipated. Since then over 100 people have asked to be put on a waiting list in case the Courtenay memorial program is reinstated.

DISCUSSION:

Memorial programs were initiated with the optimistic but unrealistic view that the community was getting a free bench in exchange for a public memorial. Over the last 30 years it has become clear that the expectations attached to a memorial bench have caused the soft costs to rise far beyond the quoted ‘purchase price’ due to program administration and increasing requests for service. A memorial bench program has an unintended and inevitable higher service level than other similar services due to the personal expectations of donors for maintenance and upkeep of their specific asset. To some, these assets are used in place of a tomb stone and therefore seen as sacred. In contrast, some park users comment that the presence of public memorials add morbidity to public space and don’t add value to the experience for the common users.

Since the program’s inception, more residents are being cremated, thereby placing additional strain on memorial programs. Family members look for a public place to remember loved ones and commonly prefer settings outside of a cemetery with the vast majority of local inquiries requesting the Courtenay Airpark. 30 years ago only 62.3% of deaths in BC resulted in cremation. The BC cremation rate rose to 82% in 2011. However the statistic for Courtenay is 94.6% preferring cremation. (see appendix 1)

If the program were active and advertised, the demand would be expected to far exceed the available spaces. Many municipalities have parks with an excessive number of memorial benches in part to satisfy demand for memorials rather than the need for park benches. In Courtenay, limits were placed on memorial benches at the Air Park recognizing that if demand determined the location, the Air Park would have benches far exceeding actual need.

There is a general expectation by participants that memorials are maintained in perpetuity. The existing benches in Courtenay were installed under 10 year terms with the majority now expired. Since contracts



Daughter condemns \$2,000 extra for mom's memorial park bench in Sooke

KEVIN GRIFFIN Updated: December 10, 2017



may only have been witnessed by the signatory, other family members may not be fully informed of this contract term. In Courtenay there are 325 memorial items, most of which have expired contracts.

Other municipalities have tried to resolve these completed contracts by removing the plaque and making the space available to other participants. There has been substantial backlash in other jurisdictions where poorly executed. Staff recommend that separate consideration is given to the existing memorials and addressed through future policy.

Although memorial programs are very common, Council is asked to consider if a public memorial outside of a cemetery is actually a core service to the citizenship of Courtenay. Effective City services benefit a large number of citizens or serve marginalized populations. If a service does not meet this threshold, it should be a full cost recovery service. In this model, the value of the service is calculated and pricing is established to fully recover the cost of participation. In most municipalities the value of participation is calculated considering the following factors:

Memorial Bench Valuation:

<i>Build/Install Concrete Pad</i>	
Labour	240
Materials	300
Installation of bench	80
Purchase of bench	1250
Plaque engraving	300
<i>Maintenance (10 yrs)</i>	
Pressure washing	400
Graffiti Removal	400
Administration fee	30
Total Value	\$3,000



Although this methodology is common, it fails to acknowledge the cost of the administration of the program itself. This includes bench/plaque replacements, removal of flowers/plantings, advertising, brochures, front desk meetings with the clients, point of sale, financial administration including receipting, record keeping and the ongoing service requests from the client. These costs are estimated at an additional \$500 per bench over a 10 year term.

Bench installation and lifecycle costs:
Memorial program = \$3,500
Regular bench = \$1,870

Note: A key consideration in the calculation of these costs is the expected service levels associated with these 2 scenarios.

If the service was priced at \$3,500 to be full cost recovery, there is \$1,870 in value to the community at large while \$1,630 in additional value to the donor family. Memorial bench programs seldom have staff dedicated to the service. The demands of the program bring office staff from their core responsibilities and field staff from regular maintenance resulting in lowered levels of service for core operations. For example, park and street benches are usually installed in a timing that fits the work plan of a crew. Normally with a memorial program the timing of bench installations is on the basis of customer orders and associated service level expectations. The demand-based nature of this work tends to be less efficient and therefore more costly.

'A shame': Richmond family to lose memorial bench bought in 1990s

Posted By: CBC News on January 22, 2019 on CBC



A family that bought a park bench to honour deceased loved ones in Richmond — before the city changed its fee structure in 2003 — hopes to hold on to the bench, and avoid paying \$3,000 for another ten years.

Typically the true costs are not reflected in the program fees. If the full value of the program were included in the cost of participation in the program, the pricing would appear to be an unfair burden on mourners. Many municipalities are increasing the cost of a memorial programs to reduce the burden on taxpayers that would be unwilling to bear this subsidy.

The price of participation in a memorial bench program varies substantially between municipalities. The Courtenay program was \$1,100 in 2008. If this price doubled to \$2,200 it would be close to the median of other municipal programs, but only 63% of the true costs. (see appendix 2)

Staff estimate that during the first year of reinstatement there could be a demand of over 100 benches and the years there after to level out closer to 30 benches annually. Provision would need to be made to satisfy this demand on staff capacity.

Council is regularly faced with the public desire to memorialize prominent citizens or the victims of tragic circumstances. If this is a priority for Council, a well-resourced program will be needed to provide clarity on memorial options.

A well designed memorial program can address efficiencies, limit available space to reasonable annual quantities and ensure that the memorial placement serves the community needs. However, dedicated staff resources, and clear program parameters are needed.

If reinitiated, a new program would involve the following elements:

Program Component

- A program policy with pricing and appropriate promotion
- Clarity on the contractual term of participation
- Contact with those on waitlist
- A mapped listing of available memorial locations
- Coordinated installation of assets and plaques
- Systems for tracking and maintaining contact with participants
- Renew available bench locations annually

Departments Involved*

RCS, LS, Communications
RCS, LS
RCS
RCS, GIS, PWS
RCS, PWS
RCS
RCS, PWS

*RCS = Recreation and Cultural Service, LS= Legislative Services, PWS= Public Works Services, GIS=Geographic Information Systems

Key to a sustainable program is to establish the program service level through policy. One effective way to accomplish this is to clearly outline the number of memorial locations that will be available annually and when installations will occur.



Alternatives should be developed to satisfy community memorial requests. These alternatives may include:

Gifts program:

Through this program service clubs and individuals may gift cash or products to the City. The donor would be receipted for their donation. Common examples of gifts are, playgrounds, in-kind labour, signage, public art, lighting, trail improvements, facility equipment, room upgrades, etc. A gifts program should always be accompanied with a recognition policy that stipulates that the scale of

recognition is proportional to the size of the gift. All recognition should also have an expiry date specified.

A memorial wall, garden or other centralized opportunities for memorial. It is ideal if these are in a pleasant location and yet not on a main thoroughfare.

Cemetery recognition:

The Courtenay and District Cemetery currently offers various memorial options to clientele. This includes memorial walls, plaques, headstones, etc. The list of product options could be expanded at the cemetery.

Referrals to partners:

The City keeps a list of community partners that offer memorial options. These include cultural partners, adjacent municipalities, private gardens, businesses, institutions, etc.

Since the current memorial program is dormant and outdated, Council is at a crossroads. Staff and the Parks and Recreation Advisory Commission recommend discontinuing the service.

FINANCIAL IMPLICATIONS:

Discontinuing the service will not require an additional budget allocation.

Reinstituting the program will require just over \$100,000 additional budget in various departments. The first 2 years will require more funds than the subsequent years. Year 1 will include program development, communication with participants and waitlist, and mapping of available donations. Year 2 would be the first year of implementation (relieving the pent-up demand). Departmental increases are as follows:

Department	Year 1		Year 2		Ongoing	
	Hours	Budget	Hours	Budget	Hours	Budget
Recreation & Cultural Services (Administration)	1,000	0	500	0	500	0
Public Works Services (Installation & Maintenance)	200	100,000	200	100,000	200	100,000
Legislative Services (Policy, GIS & Communications)	35	2,000	21	1,000	14	0
Total	1,235	102,000	721	101,000	714	100,000

ADMINISTRATIVE IMPLICATIONS:

The administration of the memorial program is coordinated through the Recreation and Cultural Services Department. This includes, point of contact and point of sale with participants, program and policy development. The purchase, installation and maintenance of assets resides with the Public Works Department. The Legislative Services Department oversees policy, GIS and corporate public communication. The implications to staff capacity are noted above.

ASSET MANAGEMENT IMPLICATIONS:

The lifecycle costs of memorial assets are substantially increased based on customer driven service level expectations as noted above. The discontinuation of this program will not negatively impact the available seating or tree planting services offered to the community.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- Support and encourage initiatives to improve efficiencies
- Recognize staff capacity is a finite resource and support staff training and development
- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay
- Focus on asset management for sustainable service delivery

● **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 that are outside Council's jurisdictional authority to act

OFFICIAL COMMUNITY PLAN REFERENCE:

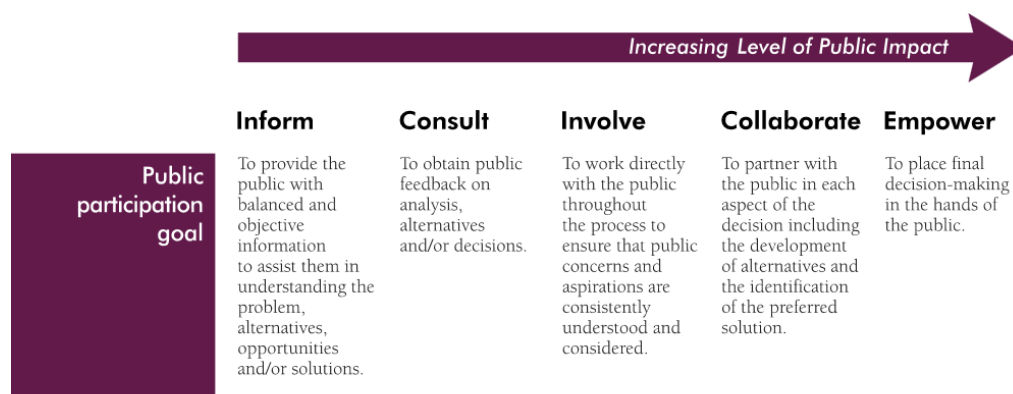
No specific reference

REGIONAL GROWTH STRATEGY REFERENCE:

No specific reference

CITIZEN/PUBLIC ENGAGEMENT:

Staff have **consulted** with the Parks and Recreation Advisory Commission in the development of this report as identified in the *IAP2 Spectrum of Public Participation*.



OPTIONS:

1. Council direct staff to formally discontinue the existing memorial program
2. Council direct staff to formally discontinue the existing memorial program; and
Direct staff to create centralized locations for public memorials
3. Council direct staff to create a new memorial program based on sustainable service levels
4. Council refer this item back to staff for further consideration
5. Council takes no action on this matter at this time.

Prepared by:



Dave Snider *BCSLA*

Director of Recreation and Cultural Services

Attachments:

1. Method of Disposition by Decedent's Local Health Area of Residence
2. Memorial Bench Pricing Comparison

Appendix 1

Vital Statistics Information Box

METHOD OF DISPOSITION BY DECEDENT'S LOCAL HEALTH AREA OF RESIDENCE BRITISH COLUMBIA, 2011						
Local Health Area	Burial		Cremation		Other	Total
	Number	Percent	Number	Percent		
001 Fernie	18	18.9	77	81.1	-	95
002 Cranbrook	23	11.5	175	87.5	2	200
003 Kimberley	5	6.1	77	93.9	-	82
004 Windermere	6	8.1	68	91.9	-	74
005 Creston	40	25.2	119	74.8	-	159
006 Kootenay Lake	1	2.7	36	97.3	-	37
007 Nelson	38	20.7	143	77.7	3	184
009 Castlegar	40	31.0	88	68.2	1	129
010 Arrow Lakes	9	13.8	56	86.2	-	65
011 Trail	23	12.4	160	86.5	2	185
012 Grand Forks	28	25.7	81	74.3	-	109
013 Kettle Valley	1	3.1	31	96.9	-	32
014 Southern Okanagan	40	15.2	224	84.8	-	264
015 Penticton	61	11.8	456	88.2	-	517
016 Keremeos	9	15.3	50	84.7	-	59
017 Princeton	-	0.0	64	100.0	-	64
018 Golden	6	15.0	34	85.0	-	40
019 Revelstoke	10	15.4	55	84.6	-	65
020 Salmon Arm	55	18.0	251	82.0	-	306
021 Armstrong-Spallumcheen	10	13.9	62	86.1	-	72
022 Vernon	93	14.4	550	85.3	2	645
023 Central Okanagan	201	13.1	1,323	86.5	6	1,530
024 Kamloops	95	10.3	811	88.0	16	922
025 100 Mile House	15	11.6	114	88.4	-	129
026 North Thompson	3	10.7	25	89.3	-	28
027 Cariboo-Chilcotin	38	22.5	131	77.5	-	169
028 Quesnel	29	14.1	174	84.9	2	205
029 Lillooet	9	22.5	30	75.0	1	40
030 South Cariboo	11	15.9	58	84.1	-	69
031 Merritt	22	21.2	81	77.9	1	104
032 Hope	15	16.0	79	84.0	-	94
033 Chilliwack	126	18.3	560	81.2	4	690
034 Abbotsford	239	25.2	702	74.1	6	947
035 Langley	127	12.8	856	86.6	6	989
037 Delta	84	11.9	614	87.2	6	704
038 Richmond	216	23.4	692	75.1	14	922
040 New Westminster	72	15.6	387	83.6	4	463
041 Burnaby	325	24.7	958	72.9	31	1,314
042 Maple Ridge	60	9.9	542	89.7	2	604
043 Coquitlam	175	17.4	817	81.1	15	1,007
044 North Vancouver	115	14.4	676	84.4	10	801
045 West Vancouver-Bowen Is.	56	12.7	383	86.7	3	442
046 Sunshine Coast	23	8.2	258	91.8	-	281
047 Powell River	23	11.8	170	87.2	2	195
048 Howe Sound	18	14.4	107	85.6	-	125
049 Bella Coola Valley	9	60.0	6	40.0	-	15
050 Queen Charlotte	17	42.5	23	57.5	-	40
051 Snow Country	1	-	5	83.3	-	6
052 Prince Rupert	32	36.0	56	62.9	1	89
053 Upper Skeena	12	38.7	19	61.3	-	31
054 Smithers	33	26.6	91	73.4	-	124
055 Burns Lake/Eutsuk	20	39.2	30	58.8	1	51
056 Nechako	40	36.7	69	63.3	-	109
057 Prince George	101	17.6	473	82.3	1	575
059 Peace River South	42	19.7	171	80.3	-	213
060 Peace River North	38	25.9	109	74.1	-	147
061 Greater Victoria	251	11.8	1,852	87.4	17	2,120
062 Sooke	34	8.8	350	90.7	2	386
063 Saanich	65	9.4	618	89.6	7	690
064 Gulf Islands	8	5.8	130	94.2	-	138
065 Cowichan	66	13.9	409	85.9	1	476
066 Lake Cowichan	4	8.9	41	91.1	-	45
067 Ladysmith	23	10.5	197	89.5	-	220
068 Nanaimo	91	9.4	869	90.2	3	963
069 Qualicum	25	4.6	515	95.0	2	542
070 Alberni	48	14.0	294	86.0	-	342
071 Courtenay	30	5.2	546	94.6	1	577
072 Campbell River	16	4.8	319	94.9	1	336
075 Mission	41	13.9	253	86.1	-	294
076 Agassiz-Harrison	16	19.5	66	80.5	-	82
077 Summerland	17	11.0	137	89.0	-	154
078 Enderby	14	17.9	64	82.1	-	78
080 Kitimat	27	32.5	56	67.5	-	83
081 Fort Nelson	7	30.4	16	69.6	-	23
083 Central Coast	7	77.8	2	22.2	-	9
084 Vancouver Island West	1	16.7	5	83.3	-	6
085 Vancouver Island North	22	25.9	62	72.9	1	85
087 Stikine	2	50.0	2	50.0	-	4
088 Terrace	38	26.4	106	73.6	-	144
092 Nisga'a	6	60.0	4	40.0	-	10
094 Telegraph Creek	4	100.0	-	0.0	-	4
161 Vancouver - City Centre	126	19.4	519	79.7	6	651
162 Vancouver - Dwntrwn E.Side	140	28.0	357	71.4	3	500
163 Vancouver - North East	243	43.8	295	53.2	17	555
164 Vancouver - Westside	172	24.5	522	74.5	7	701
165 Vancouver - Midtown	135	34.7	240	61.7	14	389
166 Vancouver - South	261	31.8	546	66.4	15	822
201 Surrey	328	17.7	1,513	81.5	16	1,857
202 South Surrey/White Rock	133	14.4	789	85.2	4	926
PROVINCIAL TOTAL	5,362	16.9	26,155	82.3	259	31,776

Note: Total includes residents with unknown LHA.

Appendix 2

Memorial bench pricing comparison:

City	Price	Term	Notes
1. Colwood	1,000	5 years	
2. Metckosin	1,986	10 years	
3. Port Coquitlam	1,500 – 2,500	10 years	
4. Richmond	3,000	10 years	
5. Surrey	2,500 – 3,500	20 years	
6. Vancouver	4,000	10 years	
7. Esquimalt	3,000	20 years	
8. New York City	10,000	30 years	
9. BC Parks	3,000	10 years	
10. Oak Bay	3,000	15 years	may not be active
11. District of Sooke	2,000	10 years	
12. Whistler	3,000	15 years	Tribute program
13. Sidney	3,000	10 years	
14. Saanich	2,920	10 years	

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2961

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. 2961, 2019”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) Amending Section 8.18.1 by adding “notwithstanding any provision of this bylaw, a storefront cannabis retailer is a permitted use on Lot A, Section 61, Comox District, Plan VIP65144 (379 4th Street) 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, Development Technician
Ministry of Transportation and Infrastructure

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2927

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. 2927, 2019”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) Amending Section 8.35.2 by adding:

“(4) notwithstanding any provision of this bylaw, *Multi residential dwellings* are a permitted use on Lot 4, District Lot 96, Comox District, Plan 32210 Except Part in Plan VIP68472 and VIP76687 (2048 - 13th Street).”

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

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2922

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

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

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2922, 2019**”.
2. That “Official Community Plan Bylaw No. 2387, 2005” be hereby amended as follows:
 - (a) by changing the land use designation of Lot 4, District Lot 96, Comox District, Plan 32210 Except Part in Plan VIP68472 and VIP76687 (2048 - 13th St.), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Urban Residential to Multi Residential; and
 - (b) That the map “City of Courtenay OCP Land Use” be amended 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

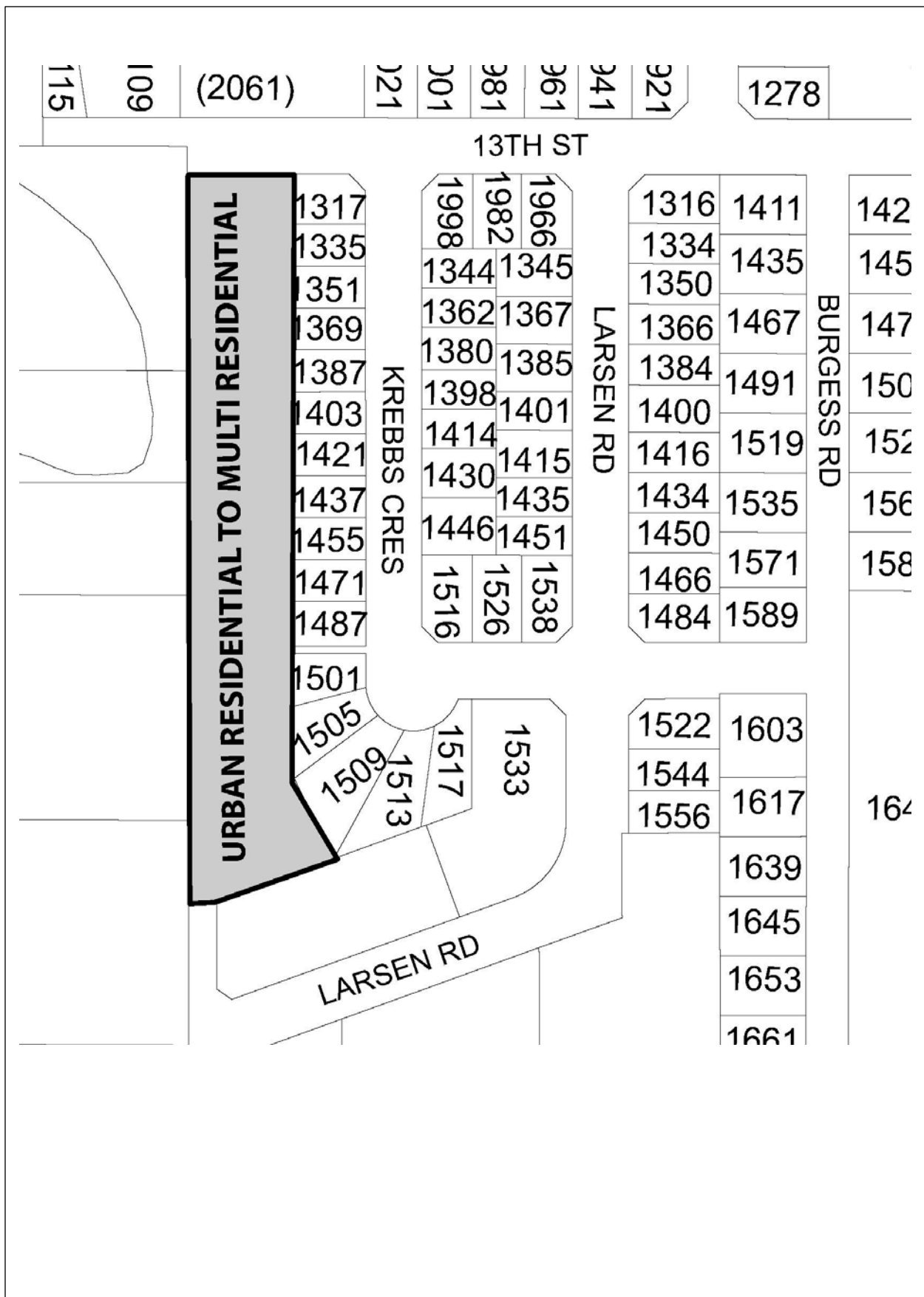
Considered at a Public Hearing this day of , 2019

Read a third time this _____ day of _____, 2019

Finally passed and adopted this day of , 2019

Mayor

Corporate Officer



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2962

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. 2962, 2019**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Lot 1, District Lot 230, Comox District, Plan VIP63767 (2100 Arden Road), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential One Zone (R-1) to Residential One D Zone (R-1D); and
 - (b) That Schedule No. 8, Zoning Map be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this _____ day of _____, 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

