

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

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

DATE: September 03, 2019
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

1.00 ADOPTION OF MINUTES

1. 1. Adopt August 19th, 2019 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Anne Berman - Nuisance Dwelling Abatement or Good Neighbour Bylaw
2. Jenny Deters, President and Catherine Thompson, Executive Director, Downtown Courtenay Business Improvement Association (DCBIA) - 5th Street Bridge Rehabilitation Project Options
3. Audrey Craig, President and Tom Blackburn, Director, Filberg Heritage Lodge and Park Association - Informational Presentation about the Lodge, Park and Managing Association

4.00 STAFF REPORTS/PRESENTATIONS

(a) Development Services

- 11 1. Revitalization Tax Exemption for 784 - 7th Street
- 25 2. Revitalization Tax Exemption for 680 - 5th Street
- 39 3. Official Community Plan Project Update

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

8.00 RESOLUTIONS OF COUNCIL

1. In Camera Meeting

That notice is hereby given that a Special In-Camera meeting closed to the public will be held September 3rd, 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;
- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege,
- including communications necessary for that purpose.

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

For First, Second and Third Reading

- 47 1. "Tax Exemption 2020 Bylaw No. 2974, 2019"
(A bylaw to exempt certain lands and improvements from taxation for the year 2020)
- 53 2. "Tax Exemption Churches 2020 Bylaw No. 2975, 2019"
(A bylaw to exempt certain lands and improvements, set apart for public worship, from taxation for the year 2020)
- 57 3. "Tax Exemption 2020-2024 Bylaw No. 2976, 2019"
(A bylaw to exempt certain lands and improvements from taxation for the years 2020 - 2024)

For Third Reading

- 61 1. “Zoning Amendment Bylaw No. 2958, 2019”
 (A bylaw to allow storefront cannabis retailer as permitted use - Unit #101-576
 England Avenue)

For Final Adoption

- 61 1. “Zoning Amendment Bylaw No. 2958, 2019”
 (A bylaw to allow storefront cannabis retailer as permitted use - Unit #101-576
 England Avenue)

13.00 ADJOURNMENT

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay, B.C., on Monday, August 19, 2019 at 4:00 p.m.

Attending:

Mayor: Bob Wells
Councillors: W. Cole-Hamilton
D. Frisch
D. Hillian
M. McCollum
W. Morin

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
T. Kushner, Director of Public Works Services/Assistant CAO
R. O'Grady, Director of Engineering Services
A. Berard, Manager of Financial Planning, Payroll & Business Performance
M. Fitzgerald, Manager of Development Planning
B. Guderjahn, Manager of Purchasing
R. Matthews, Executive Assistant
A. Guillo, Manager of Communications

1.00 ADOPTION OF MINUTES

.01 Moved by Frisch and seconded by Cole-Hamilton that the July
MINUTES 15th, 2019 Regular Council meeting minutes be adopted.
Carried

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

John Bowman, President, North Island College (NIC) Comox Valley campus, presented information related to NIC's 2020 - 2025 Strategic Plan; including priority initiatives, program expansions, campus additions and proposed student housing project for the provision of on-campus lodging. NIC is inviting the community to participate in the planning process and to share their ideas and provide input and suggestions.

The delegation is seeking a letter from the City, in support of their application for grant funding through the Provincial Housing Strategy, to design and build on-campus student housing apartments at their Comox Valley site.

Michael Gilbert, Michael's Off Main Restaurant, presented information to Council related to options for the 5th Street Bridge Rehabilitation Project and asked Council to delay the addition of the cantilevered multi-use pathway and reconsider OPTION 1 identified in the June 24th, 2019 staff report "5th Street Bridge Rehabilitation Project".

The council meeting recessed at 4:52 p.m. for the Public Hearing regarding Bylaw No. 2958. The meeting reconvened at 5:17 p.m.

4.00 STAFF REPORTS/PRESENTATIONS

.01 Inspector Michael Kurvers, Comox Valley RCMP, provided a community policing update to Council.

INSPECTOR MIKE
KURVERS, RCMP -
COMMUNITY
POLICING UPDATE
7580-20

General discussion followed regarding community policing priorities, crime prevention strategies and areas of concern raised by Council, including:

- Piercy Avenue / Cumberland Road shooting incident
- Uniformed Gang Enforcement Team
- Machete attack 4th Street (ongoing investigation)

Inspector Kurvers reminded citizens that they may assist law enforcement with crime prevention and in ongoing investigations by reporting concerns about possible criminal activity or unusual activities to the local detachment office or through Comox Valley Crime Stoppers.

.02 Moved by McCollum and seconded by Hillian that based on the August 19th, 2019 staff report "Coastal Communities Social Procurement Initiative Membership", Council approve OPTION 1:

COASTAL
COMMUNITIES
SOCIAL
PROCUREMENT
INITIATIVE
MEMBERSHIP
1200-00

That staff be directed to join the Coastal Communities Social Procurement Initiative and to confirm City membership and access information for Council and staff use.

Carried

.03 Moved by Frisch and seconded by McCollum that based on the August 19th, 2019 staff report "Zoning Amendment Bylaw No. 2960 - #230-470 Puntledge Road" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2960, 2019; and

ZONING AMENDMENT
BYLAW 2960
(#230 - 470
PUNTLEDGE ROAD)
3360-20-1906

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to the above-referenced Bylaw on September 3rd, 2019 at 5:00 p.m. in City Hall Council Chambers.

Defeated

In Favour: Councillors Frisch, Hillian and McCollum

Opposed: Mayor Wells and Councillors Cole-Hamilton and Morin

.04

DEVELOPMENT
PERMIT WITH
VARIANCES
NO. 1903 (3001
VANIER DRIVE)
3060-20-1903

Moved by Frisch and seconded by McCollum that based on the August 19th, 2019 staff report “Development Variance Permit No. 1903 - 3001 Vanier Drive” Council approve OPTION 1 to issue Development Variance Permit No. 1903.

Carried

6:12 p.m. Councillor Hillian recused himself citing a possible conflict of interest as he sits on the Board of one of the organizations applying for the permissive tax exemptions in 2020.

.05

CONSIDERATION OF
2020 PERMISSIVE
PROPERTY TAX
EXEMPTIONS
1960-20 [2020]

Moved by McCollum and seconded by Frisch that based on the August 19th, 2019 staff report “2020 Permissive Property Tax Exemptions”, Council approve OPTION 1 as follows:

1. That Council consider the list of new applications for permissive tax exemption for 2020 as detailed on Schedule A attached;
2. That Council approve exemptions for new applications as recommended in Schedule A;
3. That Council direct staff to prepare the applicable bylaws for permissive tax exemption in 2020 based on the attached schedules A, B, C, D and E; and
4. That statutory notice of the proposed permissive exemption bylaws pursuant to Section 227 of the Community Charter be published for two consecutive weeks prior to final adoption of the bylaws.

Carried

Councillor Hillian returned to Council Chambers at 6:21 p.m. and took his seat.

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

CLIMATE CHANGE
LETTER OF RESPONSE
FROM TOTAL S.A.
0220-02 / 5280-12

Moved by Frisch and seconded by Cole-Hamilton that the correspondence dated July 12th, 2019 from Mary Begg-Saffar, Corporate Legal Affairs Division, Head of HSE & Social Responsibility, TOTAL S.A., in response to Council’s climate accountability letter of March 20, 2019, be received for information.

Carried

.02

COMOX VALLEY
REGIONAL DISTRICT -
ACTIVE
TRANSPORTATION
MOU - MINISTRY OF
TRANSPORTATION &
INFRASTRUCTURE
0470-20 / 5400-20

Moved by McCollum and seconded by Frisch that the correspondence dated August 7th, 2019 from Arzeena Hamir, Vice-Chair, Comox Valley Regional District Board of Directors, related to the Active Transportation Memorandum of Understanding with the Ministry of Transportation and Infrastructure for consistent planning and development of active transportation infrastructure projects, be received for information.

Carried

.03

LUSH VALLEY FOOD
ACTION SOCIETY-
COUNCIL
REPRESENTATION -
COMOX VALLEY
REGIONAL FOOD
POLICY COUNCIL
0360-20

The correspondence and Terms of Reference dated July 11th, 2019 from Maurita Prato, Executive Director LUSH Valley Food Action Society, requesting Council appoint a member to the Comox Valley Regional Food Policy Council, was received for information.

Moved by Hillian and seconded by Cole Hamilton that Councillor Wendy Morin be appointed as Council representative to the Comox Valley Regional Food Policy Council for a term of two years, for the period of September 2019 to August 2021.

Carried

.04

MUNICIPAL
INSURANCE
ASSOCIATION OF BC
VOTING DELEGATE
AND ALTERNATES
0250-20

Moved by Frisch and seconded by Hillian that Council appoint Mayor Wells Voting Delegate, Councillor Frisch Alternate #1, and Councillor McCollum as Alternate #2 to vote on the City's behalf at the Municipal Insurance Association of BC (MIABC) Annual AGM in September 2019; and,

That staff notify the MIABC of these appointments before the September 9th, 2019 submission deadline.

Carried

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:

- Millard-Piercy Watershed Tour led by Comox Valley Land Trust
- Comox Valley Overdose Working Group - August 6
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Climate Action Playbook Advisory Committee meeting
- BC Municipal Climate Leadership Council meeting
- Climate Caucus Summit 2019
- Climate Caucus teleconference meetings
- Volunteered at 2019 Pride in the Park event hosted by the Comox Valley Pride Society
- Meeting with Downtown Courtenay Business Improvement Association (DCBIA) President, Jenny Deters to discuss the 5th Street Bridge Rehabilitation Project

COUNCILLOR
FRISCH

Councillor Frisch reviewed his attendance at the following events:

- Leadership meeting with Thom Armstrong, President of Co-Op Housing BC
- CVRD Committee of the Whole meeting
- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- Comox Lake Watershed Protection Tour
- Meeting with and responding to constituent inquiries related to the Transportation Master Plan and the 5th Street Rehabilitation Project

COUNCILLOR
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- CVRD Committee of the Whole meeting
- Comox Valley Community Justice Centre meeting
- Pride Flag raising ceremony at Courtenay City Hall
- Meetings with wood stove industry representatives, the Comox Valley Cycling Coalition and 6th Street multi-use bridge advocates
- Working with staff on resident issues related to tree cutting and noise bylaw
- Meeting with Downtown Courtenay Business Improvement Association (DCBIA) President and Coalition to End Homelessness regarding the Day Centre proposal
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Meeting with resident related to rat problems in their neighbourhood
- Teleconference with BC Housing related to local service issues and Day Centre

COUNCILLOR
MCCOLLUM

Councillor McCollum reviewed her attendance at the following events:

- Pride Flag raising ceremony at North Island College
- Comox Valley Chamber of Commerce Round Table discussion with MLA Jordan Sturdy, Critic for Transportation and Infrastructure
- Hawk Glen Park Playground Opening and Ribbon Cutting ceremony
- Millard-Piercy Watershed Tour led by Comox Valley Land Trust
- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- CVRD Committee of the Whole meeting
- Meeting with Downtown Courtenay Business Improvement Association (DCBIA) President, Jenny Deters
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Simms Summer Concert Series - Big Little Lions

COUNCILLOR
MORIN

Councillor Morin reviewed her attendance at the following event:

- CVRD Water Committee meetings
- CVRD Sewage Commission meetings
- CVRD Committee of the Whole meetings
- Comox Valley Sports Centre Commission meeting
- Meeting with constituent regarding the community opioid crisis
- Meeting with constituents regarding support for the proposed 6th Street pedestrian/cycling multi-use bridge
- Meeting with Councillor Cole-Hamilton regarding proposed development of a Drug Strategy initiative
- Meeting with constituents regarding the 5th Street Bridge Rehabilitation project
- Downtown Courtenay 49th Annual Market Day event
- Comox Flying Training Centre's Advanced Aviation Parade as Acting Mayor
- Child Care Action Plan Workshop
- Millard-Piercy Watershed Tour led by Comox Valley Land Trust
- CVRD Board meeting
- Met with constituent regarding the draft Transportation Master Plan, including a walking tour of a proposed pedestrian corridor
- Comox Valley Chamber of Commerce Business Working Group meeting regarding Stage 4 Water Restrictions
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Meeting with consultant regarding Comox Valley Economic Development Society (CVEDS) contract review
- Comox Bike Company 2019 YANA Ride and festivities at Marina Park
- Pride Flag raising ceremony at Courtenay City Hall

Councillor Cole-Hamilton left Council Chambers at 6:43 p.m.

Councillor Cole-Hamilton returned to Council Chambers and took his seat at 6:45 p.m.

MAYOR
WELLS

Mayor Wells reviewed his attendance at the following events:

- 19 Wing Comox Change of Command Ceremony
- CYMC Musical Theatre production RENT
- Pride Flag raising ceremony at Courtenay City Hall
- Kus-kus-sum Bat Tour facilitated by Tim Ennis, BC Community Bat Program
- Hawk Glen Park Playground Opening and Ribbon Cutting ceremony
- July 27 - Aug 11 Haida Gwaii, Terrace, Barkerville, Prince George and Salmon Arm travel
- Vancouver Island Compassion Dogs Calendar fundraiser event
- Teleconference with BC Housing related to local service issues and Day Centre
- Glider Pilot Scholarship Wings and Advanced Aviation Parade
- Comox Bike Company 2019 YANA Ride

8.00 RESOLUTIONS OF COUNCIL

.01

COUNCILLOR HILLIAN
RESOLUTION -
MORRISON CREEK
PROTECTION

Moved by Hillian and seconded by Frisch

Whereas development pressure in riparian areas has increased in the Comox Valley and in the City of Courtenay as natural buffers along streams shrink, putting at risk healthy stream functioning, fish and wildlife; and

Whereas Morrison Creek is home to a Federally listed endangered species (Morrison Creek Lamprey) and is a healthy and productive salmon stream, producing more fish than all other creeks within the City combined, in large part because its riparian zone of wetland and treed buffers remains largely intact; and

Whereas the health and productivity of Morrison Creek will be threatened through encroachment by new or infill development into the "green infrastructure" supporting this exceptionally productive stream; and

Whereas protection of the productivity and biodiversity of this vital salmon producing stream and mitigation of flood risk is consistent with the goals of the OCP and treating stream corridors as "Eco Assets"; and

Whereas the province's Riparian Areas Regulation Act allows reduced buffers to the generally recommended 30-metre standard where based on scientific research and professional observation;

Therefore, be it resolved that the City of Courtenay work towards establishment of a higher standard of protection for Morrison Creek by establishing a consistent 30-metre setback, as in the Arden Local Area Plan, and that staff report to Council on the means and implications of enacting such policy, including in relation to other riparian areas within the City.

Carried

.02

IN CAMERA
MEETING

Moved by Frisch and seconded by Morin that notice is hereby given that a Special In-Camera meeting closed to the public will be held August 19th, 2019 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

- 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

.01 Moved by McCollum and seconded by Hillian that “Zoning
BYLAW NO. 2957, Amendment Bylaw No. 2957, 2019” pass third reading.

Carried
2019,
ZONING AMENDMENT
TO ALLOW
STOREFRONT
CANNABIS AS
PERMITTED USE
(#103 - 2270 CLIFFE
AVENUE)

.02 Moved by Cole-Hamilton and seconded by Frisch that Official
BYLAW NO. 2922, Community Plan Amendment Bylaw No. 2922, 2019” be finally adopted.

Carried
2019, OCP
AMENDMENT
CHANGE THE LAND
USE DESIGNATION
FROM URBAN TO
MULTI RESIDENTIAL
(2048 - 13TH STREET)

.03 Moved by Frisch and seconded by McCollum that “Zoning
BYLAW NO. 2927, Amendment Bylaw No. 2927, 2019” be finally adopted.

Carried
2019, ZONING
AMENDMENT - MULTI
RESIDENTIAL AS
PERMITTED USE
(2048 - 13TH STREET)

.04 Moved by McCollum and seconded by Frisch that “Zoning
BYLAW NO. 2888, Amendment Bylaw No. 2888, 2019” be finally adopted.

Carried
2019,
ZONING AMENDMENT
TO PERMIT A TWO
LOT SUBDIVISION,
(2310 - 20TH STREET)

.05

BYLAW NO. 2957,
2019,
ZONING AMENDMENT
TO ALLOW
STOREFRONT
CANNABIS AS
PERMITTED USE
(#103 - 2270 CLIFFE
AVENUE)

Moved by Frisch and seconded by Hillian that “Zoning
Amendment Bylaw No. 2957, 2019” be finally adopted.

Carried

13.00 ADJOURNMENT

.01

Moved by Hillian and seconded by Cole-Hamilton that the
meeting now adjourn at 7:00 p.m.

Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 3rd day of September, 2019

Mayor



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Revitalization Tax Exemption for 784 – 7th Street

File No.: 1960-20-1903
Date: September 3, 2019

PURPOSE:

The purpose of this report is to consider entering into a revitalization tax exemption agreement pursuant to Bylaw 2937, 2018 for the property at 784 – 7th Street.

CAO RECOMMENDATIONS:

That Council authorize the Mayor and Director of Legislative Services to enter into a Revitalization Tax Exemption Agreement on behalf of the City with 669535 BC Ltd. for the property legally described as Lot 1, Block 9, District Lot 127, Comox District, Plan 472B (784 – 7th Street); and

That Council authorize staff to issue a Tax Exemption Certificate to 669535 BC Ltd. for the properties legally described as Lot 1, Block 9, District Lot 127, Comox District, Plan 472B (784 – 7th Street) for a period of five years from the date of building occupancy.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The applicant has been issued a development permit for the construction of a fourplex apartment development.

Council adopted the Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937 on September 4th, 2018. The subject property falls within the boundaries of Downtown Revitalization Area 2 of the bylaw and is eligible for a 100 percent municipal tax exemption for five years (See Figure 1: Downtown Revitalization Tax Exemption Areas below).

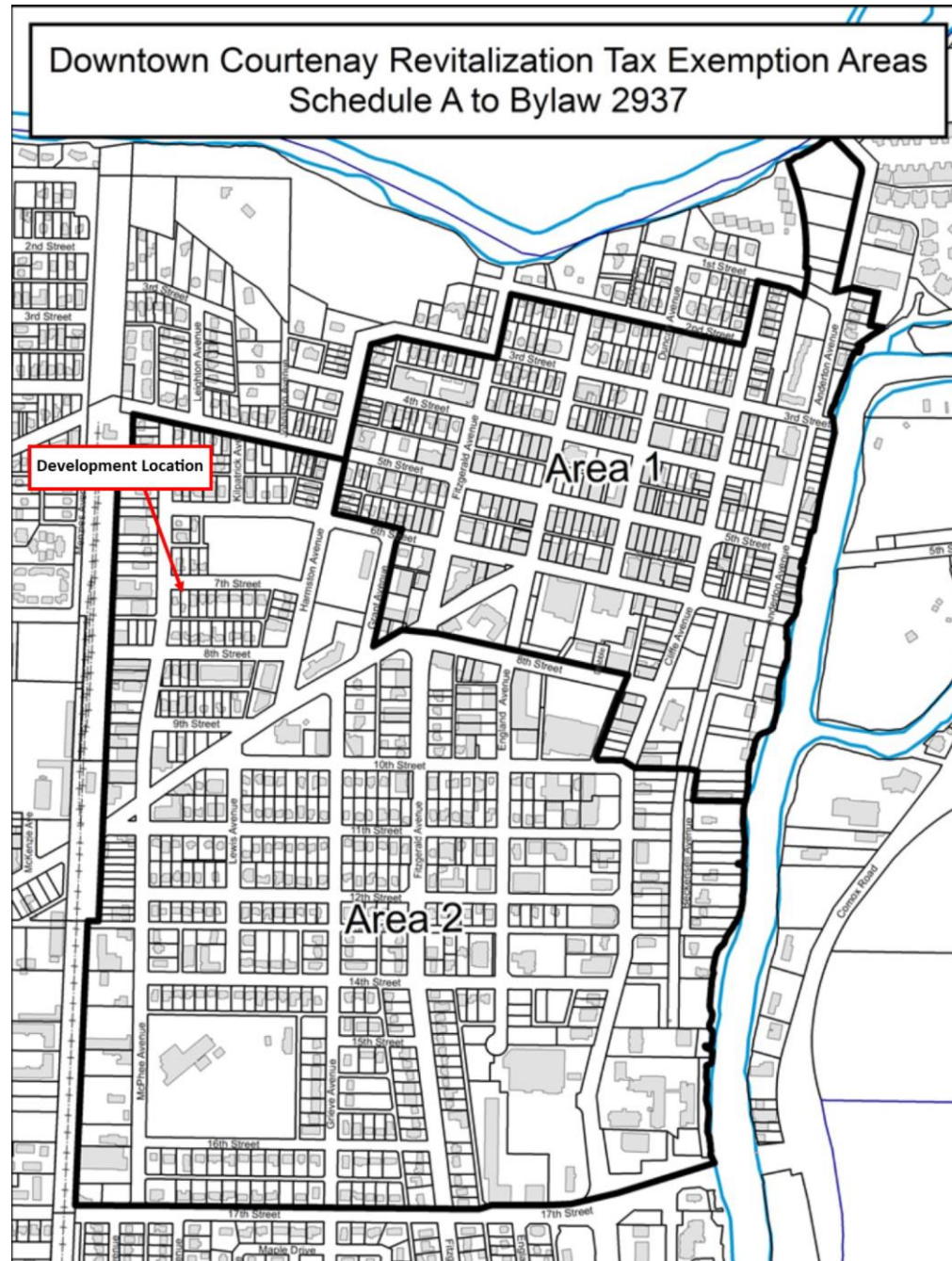


Figure 1: Downtown Revitalization Tax Exemption Areas

DISCUSSION:

The applicant has satisfied the criteria for a tax exemption as outlined in Section 4.1 of the bylaw and pursuant to Section 6 is eligible for a 100 percent exemption of the municipal portion of property tax calculated in relation of the increase in the assessed value of improvements on the properties resulting from the new construction. The exemption is for a period of five years.

FINANCIAL IMPLICATIONS:

Table 1 below summarizes the pre and post development estimate of the municipal portion of property taxes over the next five years. The estimates are based on an assessed value of \$1,000,000 for the new building. The rates are then calculated using the 2019-2023 Financial Plan with the 2024 rate equalling the 2023 rate. The resultant estimate is a total of \$27,185.91 in taxes exempted over the five year term of the agreement. Note: These are estimates only and the final exemption will vary based on post development assessed values of the improvements and on the tax rate approved each year.

Table 1: Estimated Tax Summary

	2020	2021	2022	2023	2024	Total
Pre development municipal taxes on improvements.	294.84	455.30	377.06	253.45	253.45	1,634.09
Post Development estimated municipal tax on improvements.	5,200.00	8,030.00	6,650.00	4,470.00	4,470.00	28,820.00
Amount Exempted from Municipal Taxes	4,905.16	7,574.70	6,272.95	4,216.55	4,216.55	27,185.91

ADMINISTRATIVE IMPLICATIONS:

Staff have spent approximately five hours reviewing the application material and preparing this report and the associated agreement.

ASSET MANAGEMENT IMPLICATIONS:

This form of development meets the Sustainable Service Delivery aims of Council's Asset Management Policy because it is an infill approach rather than sprawl. Consequently, it utilizes existing runs-of-service of our most costly infrastructure networks (water, sewer, rainwater & roads) thereby avoiding the need to construct new capital assets and assume the corresponding new lifecycle costs.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

●▲ Engage with businesses and the public to continue revitalizing our downtown

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

●▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

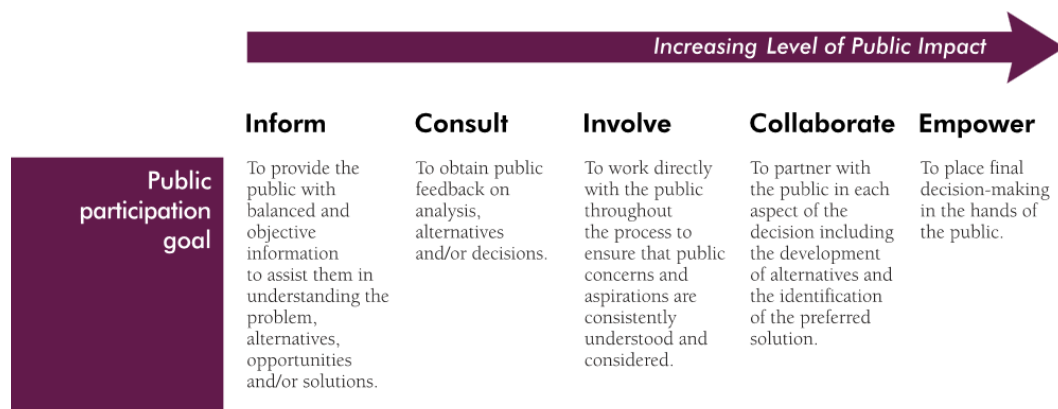
There are no OCP references related to the tax exemption agreement.

REGIONAL GROWTH STRATEGY REFERENCE:

There are no RGS references related to the tax exemption agreement.

CITIZEN/PUBLIC ENGAGEMENT:

Public consultation took place during the development of the Downtown Courtenay Revitalization Tax Exemption Bylaw. No further consultation is required for entering into individual agreements. Accordingly, staff will **inform** the public based on the IAP2 Spectrum of Public Participation.



OPTIONS:

OPTION 1: That Council authorize the Mayor and Director of Legislative Services to enter into a Revitalization Tax Exemption Agreement on behalf of the City with 669535 BC Ltd. for the property legally described as Lot 1, Block 9, District Lot 127, Comox District, Plan 472B (784 – 7th Street); and

That Council authorize staff for issue a Tax Exemption Certificate to 669535 BC Ltd. for the property legally described as Lot 1, Block 9, District Lot 127, Comox District, Plan 472B (784 – 7th Street) for a period of five years from the date of building occupancy.

OPTION 2: That Council defer consideration and request additional information.

Attachment No. 1 – Draft Revitalization Tax Exemption Agreement

Prepared by:

Matthew Fitzgerald, MCIP, RPP
Manager of Development Planning

Reviewed by:

Ian Buck, MCIP, RPP
Director of Development Services

Attachment No 1.

Draft Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the ____ day of **September, 2019** is

BETWEEN:

669535 BC Ltd.
2623 Cathy Crescent
Courtenay, B.C.
V9N 7G2
(the “Owner”)

AND:

THE CITY OF COURTENAY
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7
(the “City”)

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of lands in the City of Courtenay at 784 – 7th Street legally described as Lot 1, Block 9, District Lot 127, Comox District, Plan 472B (the “Parcels”);
- B. Council has established a revitalization tax exemption program and has included within the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937 the designation of areas which include the Parcel as a revitalization area; and
- C. The Owner proposes to construct new improvements on the Parcels as described in Appendix “A” attached to and forming part of this agreement (the “Project”) and has applied to the City to take part in the revitalization tax exemption program in respect of the Project and the City has agreed to accept the Project under the program;

THIS AGREEMENT is evidence that in consideration of the promises exchanged below, the Owner and the City covenant and agree each with the other as follows:

- 1. **The Project** – the Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, as outlined in the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937. Without limiting the generality of the foregoing, the Owner covenants to use its best efforts to ensure that the Project will:

- a) Provide four units of residential housing consisting of a fourplex in the downtown area;
and
 - b) Be completed by the end of the year 2020.
2. **Operation and Maintenance of the Project** – throughout the term of this agreement, the Owner shall operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.
3. **Revitalization Amount** – In this agreement, “**Revitalization Amount**” means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the Parcel resulting from the construction of the Project as described in section 1;
4. **Revitalization Tax Exemption** – subject to fulfilment of the conditions set out in this agreement and in “Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937”, the City shall issue a revitalization tax exemption certificate (the “Tax Exemption Certificate”) to the British Columbia Assessment Authority entitling the Owner to a property tax exemption in respect of the property taxes due (not including local service taxes) in relation to the Revitalization Amount on the Parcel (the “Tax Exemption”) for the calendar year(s) set out in this agreement.
5. **Conditions** – the following conditions shall be fulfilled before the City will issue a Tax Exemption Certificate to the Owner in respect of the Project:
- a) The Owner must obtain a building permit from the City for the Project on or before December 31, 2019;
 - b) The Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict compliance with the development permit, building permit and the plans and specifications attached hereto as Appendix “A”.
 - c) The City must have received from the British Columbia Assessment Authority confirmation of the increase in the assessed value of improvements on the property resulting from the new development.
 - d) The Owner must submit a copy of the Occupancy Permit and Revitalization Tax Exemption Agreement to the City of Courtenay’s Finance Department before the City will issue the Tax Exemption Certificate.
6. **Calculation of Revitalization Tax Exemption** – the amount of the Tax Exemption shall be equal to:

- i. 100% of the Revitalization Amount related to the construction of a 20 residential apartment units.
- 7. **Term of Tax Exemption** – provided the requirements of this agreement, and of the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937, are met the Tax Exemption shall be for the taxation years 2021 to 2025, inclusive.
- 8. **Compliance with Laws** – the Owner shall construct the Project and, at all times during the term of the Tax Exemption or any renewal term, use and occupy the Parcel and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules regulations policies guidelines criteria or the like made under or pursuant to any such laws.
- 9. **Effect of Stratification** – if the Owner stratifies the Parcel under the Strata Property Act, then the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:
 - a) the current and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or
 - b) for the next calendar year and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office after May 1.
- 10. **Cancellation** – the City may in its sole discretion cancel the Tax Exemption Certificate at any time:
 - a) on the written request of the Owner; or
 - b) effective immediately upon delivery of a notice of cancellation to the Owner if at any time any of the conditions in the Tax Exemption Certificate are not met.
 - c) If the Owner is subject to a housing agreement with the City and is not in compliance with the operating agreement.

If such cancellation occurs, the Owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City an amount equal to the value of any Tax Exemption received after the cancellation of the Tax Exemption Certificate.

- 11. **No Refund** – for greater certainty, under no circumstances will the Owner be entitled under the City’s revitalization tax exemption program to any cash credit, any carry forward tax

exemption credit or any refund for any property taxes paid.

12. **Notices** – any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Parcel, or if sent by prepaid registered mail (Express Post) or if transmitted by facsimile to such party:

- a) in the case of a notice to the City, at:

THE CITY OF COURTENAY
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7

Attention: Director of Development Services
Fax: 250-334-4241

- b) in the case of a notice to the Owner, at:

669535 BC Ltd.
2623 Cathy Crescent
Courtenay, B.C.
V9N 7G2

Attention: Bryan Russwurm

Or at such other address as the party to whom such notice or other writing is to be given shall have last notified the party giving the same.

13. **No Assignment** – the Owner shall not assign its interest in this agreement except to a subsequent owner in fee simple of the Parcel.
14. **Severance** – if any portion of this agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this agreement.
15. **Interpretation** – wherever the singular or masculine is used in this agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
16. **Further Assurances** – the parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this agreement.

17. **Waiver** – waiver by the City of a default by the Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.
18. **Powers Preserved** – this agreement does not:
- a) Affect or limit the discretion, rights or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Parcel;
 - b) Affect or limit any enactment relating to the use or subdivision of the Parcel; or
 - c) Relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Parcel and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges, application fees, user fees or other rates, levies or charges payable under any bylaw of the City.
19. **Reference** – every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.
20. **Enurement** – this agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.
21. Any construction of a new improvement or alteration of an existing improvement as of this bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration
22. The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the Revitalization Amount on the Property between:
- a) the calendar year before the construction or alteration began, as outlined under Section 1 of this agreement; and
 - b) the calendar year in which the construction or alteration, as outlined under Section 1 of this agreement, is completed.
23. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

Executed by the CITY OF COURTENAY by

Its authorized signatories:

Bob Wells, Mayor

John Ward, Director of Legislative and Corporate Services

Executed by 669535 BC Ltd. by its

Authorized signatories:

Name: Bryan Russwurm

Appendix “A”: Plans and Specifications

APPENDIX “A” – Plans and Specifications







THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Revitalization Tax Exemption for 680 – 5th Street

File No.: 1960-20-1902
Date: September 3, 2019

PURPOSE:

The purpose of this report is to consider entering into a revitalization tax exemption agreement pursuant to Bylaw 2937, 2018 for the property at 680 - 5th Street.

CAO RECOMMENDATIONS:

That Council authorize the Mayor and Director of Legislative Services to enter into a Revitalization Tax Exemption Agreement on behalf of the City with Thandi Homes Ltd. for the property legally described as Lot A, Section 61, District Lot 127, Comox District, Plan EPP 91044 (680 – 5th Street); and

That Council authorize staff to issue a Tax Exemption Certificate to Thandi Homes Ltd. for the properties legally described as Lot A, Section 61, District Lot 127, Comox District, Plan EPP 91044 (680 – 5th Street) for a period of five years from the date of building occupancy.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The applicant has been issued a development permit for the construction of a 20 unit apartment development. The development is comprised of five buildings, each with four apartment units. The property currently contains one, dilapidated house to be demolished as part of the development.

Council adopted the Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937 on September 4th, 2018. The subject property falls within the boundaries of Downtown Revitalization Area 2 of the bylaw and is eligible for a 100 percent municipal tax exemption for five years (See Figure 1: Downtown Revitalization Tax Exemption Areas below).

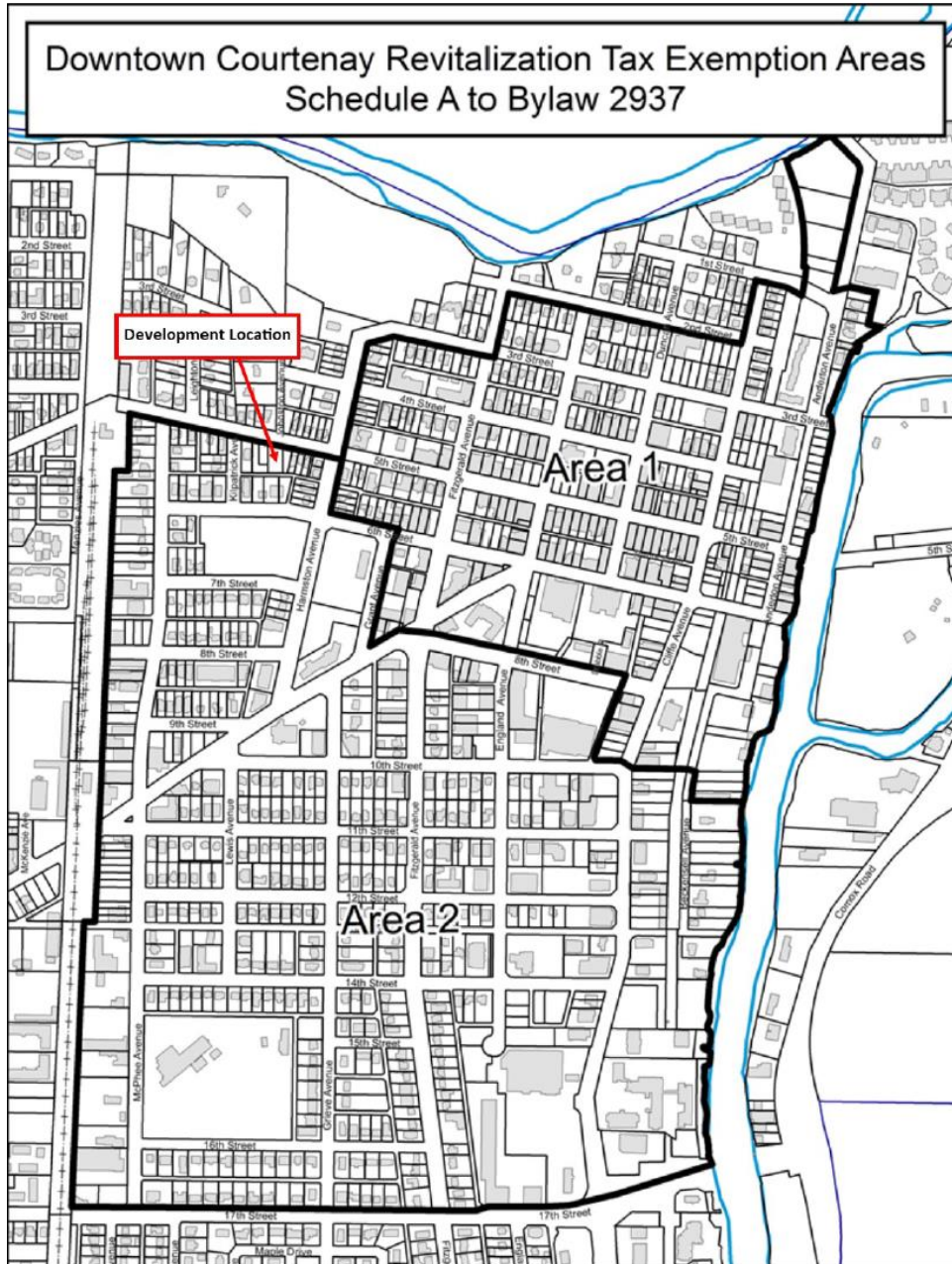


Figure 1: Downtown Revitalization Tax Exemption Areas

DISCUSSION:

The applicant has satisfied the criteria for a tax exemption as outlined in Section 4.1 of the bylaw and pursuant to Section 6 is eligible for a 100 percent exemption of the municipal portion of property tax calculated in relation of the increase in the assessed value of improvements on the properties resulting from the new construction. The exemption is for a period of five years.

FINANCIAL IMPLICATIONS:

Table 1 below summarizes the pre and post development estimate of the municipal portion of property taxes over the next five years. The estimates are based on an assessed value of each building of \$700,000 or a total value of \$3,500,000 for the five buildings. The rates are then calculated using the 2019-2023 Financial Plan with the 2024 rate equalling the 2023 rate. The resultant estimate is a total of \$98,325.19 in taxes exempted over the five year term of the agreement. Note: These are estimates only and the final exemption will vary based on post development assessed values of the improvements and on the tax rate approved each year.

Table 1: Estimated Tax Summary

	2020	2021	2022	2023	2024	Total
Pre development municipal taxes on improvements.	459.16	709.05	587.20	394.70	394.70	2,544.81
Post Development estimated municipal tax on improvements.	18,200.00	28,105.00	23,275.00	15,645.00	15,645.00	100,870.00
Amount Exempted from Municipal Taxes	17,740.84	27,395.95	22,687.81	15,250.30	15,250.30	98,325.19

ADMINISTRATIVE IMPLICATIONS:

Staff have spent approximately five hours reviewing the application material and preparing this report and the associated agreement.

ASSET MANAGEMENT IMPLICATIONS:

This form of development meets the Sustainable Service Delivery aims of Council's Asset Management Policy because it is an infill approach rather than sprawl. Consequently, it utilizes existing runs-of-service of our most costly infrastructure networks (water, sewer, rainwater & roads) thereby avoiding the need to construct new capital assets and assume the corresponding new lifecycle costs.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

- ▲ Engage with businesses and the public to continue revitalizing our downtown
- ▲■ Identify and support opportunities for lower cost housing and advocate for senior government support
- ▲ Encourage and support housing diversity

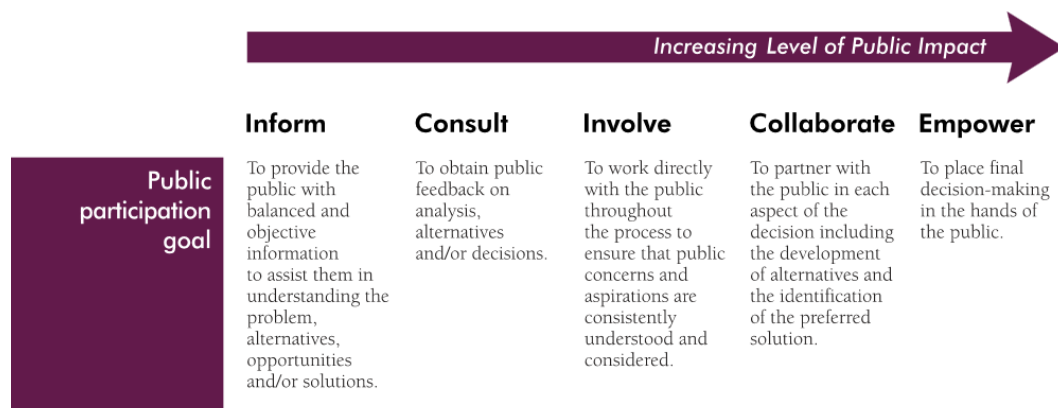
OFFICIAL COMMUNITY PLAN REFERENCE:

There are no OCP references related to the tax exemption agreement.

REGIONAL GROWTH STRATEGY REFERENCE:

There are no RGS references related to the tax exemption agreement.

CITIZEN/PUBLIC ENGAGEMENT: Public consultation took place during the development of the Downtown Courtenay Revitalization Tax Exemption Bylaw. No further consultation is required for entering into individual agreement. Accordingly, staff will **inform** the public based on the IAP2 Spectrum of Public Participation.



OPTIONS:

OPTION 1: That Council authorize the Mayor and Director of Legislative Services to enter into a Revitalization Tax Exemption Agreement on behalf of the City with Thandi Homes Ltd. for the property legally described as Lot A, Section 61, District Lot 127, Comox District, Plan EPP 91044 (680 – 5th Street); and

That Council authorize staff for issue a Tax Exemption Certificate to Thandi Homes Ltd. for the property legally described as Lot A, Section 61, District Lot 127, Comox District, Plan EPP 91044 (680 – 5th Street) for a period of five years from the date of building occupancy.

OPTION 2: That Council defer consideration and request additional information.

Attachment No. 1 – Draft Revitalization Tax Exemption Agreement

Prepared by:

Matthew Fitzgerald, MCIP, RPP
 Manager of Development Planning

Ian Buck, MCIP, RPP
 Director of Development Services

Attachment No 1.

Draft Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the ____ day of **September, 2019** is

BETWEEN:

Thandi Homes Ltd.
519 East 9th Street
North Vancouver, B.C.
V7L 2B6
(the “Owner”)

AND:

THE CITY OF COURTENAY
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7
(the “City”)

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of lands in the City of Courtenay at 680 – 5th Street legally described as Lot A, Section 61, District Lot 127, Comox District, Plan EPP 91044 (the “Parcels”);
- B. Council has established a revitalization tax exemption program and has included within the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937 the designation of areas which include the Parcel as a revitalization area; and
- C. The Owner proposes to construct new improvements on the Parcels as described in Appendix “A” attached to and forming part of this agreement (the “Project”) and has applied to the City to take part in the revitalization tax exemption program in respect of the Project and the City has agreed to accept the Project under the program;

THIS AGREEMENT is evidence that in consideration of the promises exchanged below, the Owner and the City covenant and agree each with the other as follows:

- 1. **The Project** – the Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, as outlined in the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937. Without limiting the generality of the foregoing, the Owner covenants to use its best efforts to ensure that the Project will:

- a) Provide 20 units of residential housing consisting of five - fourplex buildings in the downtown area; and
 - b) Be completed by the end of the year 2020.
- 2. **Operation and Maintenance of the Project** – throughout the term of this agreement, the Owner shall operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.
- 3. **Revitalization Amount** – In this agreement, “**Revitalization Amount**” means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the Parcel resulting from the construction of the Project as described in section 1;
- 4. **Revitalization Tax Exemption** – subject to fulfilment of the conditions set out in this agreement and in “Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937”, the City shall issue a revitalization tax exemption certificate (the “Tax Exemption Certificate”) to the British Columbia Assessment Authority entitling the Owner to a property tax exemption in respect of the property taxes due (not including local service taxes) in relation to the Revitalization Amount on the Parcel (the “Tax Exemption”) for the calendar year(s) set out in this agreement.
- 5. **Conditions** – the following conditions shall be fulfilled before the City will issue a Tax Exemption Certificate to the Owner in respect of the Project:
 - a) The Owner must obtain a building permit from the City for the Project on or before December 31, 2019;
 - b) The Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict compliance with the development permit, building permit and the plans and specifications attached hereto as Appendix “A”.
 - c) The City must have received from the British Columbia Assessment Authority confirmation of the increase in the assessed value of improvements on the property resulting from the new development.
 - d) The Owner must submit a copy of the Occupancy Permit and Revitalization Tax Exemption Agreement to the City of Courtenay’s Finance Department before the City will issue the Tax Exemption Certificate.
- 6. **Calculation of Revitalization Tax Exemption** – the amount of the Tax Exemption shall be equal to:

- i. 100% of the Revitalization Amount related to the construction of a 20 residential apartment units.
- 7. **Term of Tax Exemption** – provided the requirements of this agreement, and of the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937, are met the Tax Exemption shall be for the taxation years 2021 to 2025, inclusive.
- 8. **Compliance with Laws** – the Owner shall construct the Project and, at all times during the term of the Tax Exemption or any renewal term, use and occupy the Parcel and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules regulations policies guidelines criteria or the like made under or pursuant to any such laws.
- 9. **Effect of Stratification** – if the Owner stratifies the Parcel under the Strata Property Act, then the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:
 - a) the current and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or
 - b) for the next calendar year and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office after May 1.
- 10. **Cancellation** – the City may in its sole discretion cancel the Tax Exemption Certificate at any time:
 - a) on the written request of the Owner; or
 - b) effective immediately upon delivery of a notice of cancellation to the Owner if at any time any of the conditions in the Tax Exemption Certificate are not met.
 - c) If the Owner is subject to a housing agreement with the City and is not in compliance with the operating agreement.

If such cancellation occurs, the Owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City an amount equal to the value of any Tax Exemption received after the cancellation of the Tax Exemption Certificate.

- 11. **No Refund** – for greater certainty, under no circumstances will the Owner be entitled under the City’s revitalization tax exemption program to any cash credit, any carry forward tax

exemption credit or any refund for any property taxes paid.

12. **Notices** – any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Parcel, or if sent by prepaid registered mail (Express Post) or if transmitted by facsimile to such party:

- a) in the case of a notice to the City, at:

THE CITY OF COURTENAY
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7

Attention: Director of Development Services
Fax: 250-334-4241

- b) in the case of a notice to the Owner, at:

Thandi Homes Ltd.
519 East 9th Street
North Vancouver, B.C.
V7L 2B6

Attention: Amrik Thandi

Or at such other address as the party to whom such notice or other writing is to be given shall have last notified the party giving the same.

13. **No Assignment** – the Owner shall not assign its interest in this agreement except to a subsequent owner in fee simple of the Parcel.
14. **Severance** – if any portion of this agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this agreement.
15. **Interpretation** – wherever the singular or masculine is used in this agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
16. **Further Assurances** – the parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this agreement.

17. **Waiver** – waiver by the City of a default by the Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.
18. **Powers Preserved** – this agreement does not:
- a) Affect or limit the discretion, rights or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Parcel;
 - b) Affect or limit any enactment relating to the use or subdivision of the Parcel; or
 - c) Relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Parcel and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges, application fees, user fees or other rates, levies or charges payable under any bylaw of the City.
19. **Reference** – every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.
20. **Enurement** – this agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.
21. Any construction of a new improvement or alteration of an existing improvement as of this bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration
22. The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the Revitalization Amount on the Property between:
- a) the calendar year before the construction or alteration began, as outlined under Section 1 of this agreement; and
 - b) the calendar year in which the construction or alteration, as outlined under Section 1 of this agreement, is completed.
23. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

Executed by the CITY OF COURTENAY by

Its authorized signatories:

Bob Wells, Mayor

John Ward, Director of Legislative and Corporate Services

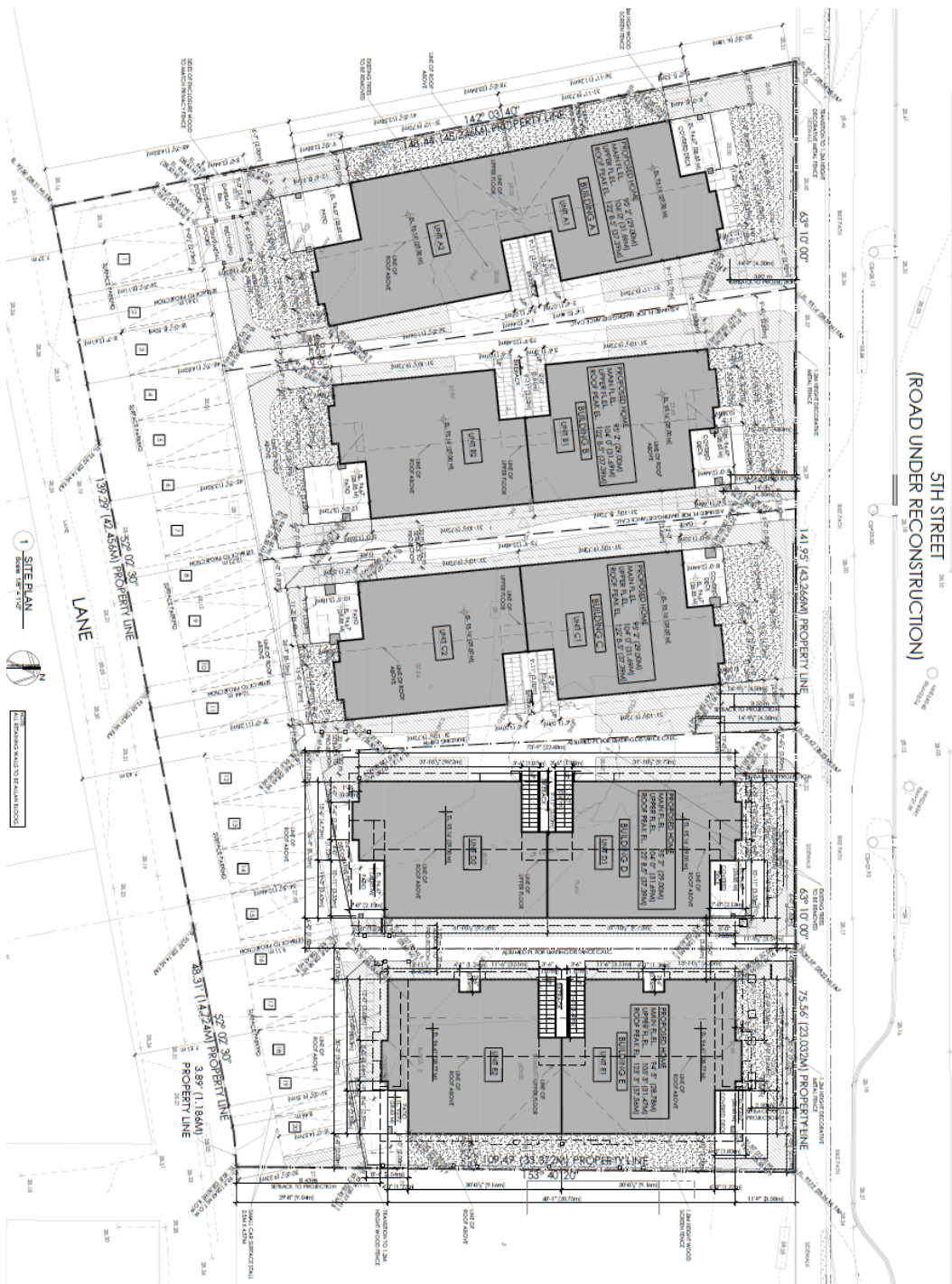
Executed by Thandi Homes Ltd. by its

Authorized signatories:

Name: Amrik Thandi

Appendix “A”: Plans and Specifications

APPENDIX “A” – Plans and Specifications

[illegible]





THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Official Community Plan Project Update

File No.: 6480-01
Date: September 3, 2019

PURPOSE:

The purpose of this report is to provide Council with a brief update on the Official Community Plan (OCP) project and to consider the terms of reference for an OCP advisory committee.

CAO RECOMMENDATION:

THAT based on the September 3, 2019 staff report "Official Community Plan Project Update", Council approve OPTION 1 and create an Official Community Plan Advisory Committee based on the Terms of Reference in Attachment No. 1 of this report and direct staff to begin the recruitment process.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The City issued a Request for Proposal (RFP) in July to seek qualified consultant(s) to work with the community and staff to develop a "climate-friendly" OCP, in addition to an Affordable Housing Strategy, Infill Development Strategy and Integrated Climate Action Plan. Four proposals were reviewed and after careful evaluation, a team led by DIALOG and Sustainability Solutions Group (SSG) was selected. The project was officially awarded to the consultant in early August. Core City staff members met with the consulting team on August 22nd to review the project plan and familiarize the consultants with the City.

DISCUSSION:

The Consultant Team

DIALOG is a multi-disciplinary firm comprised of planners, urban designers, architects, landscape architects, engineers, sustainability consultants, and engagement specialists. While the firm has offices across Canada, the project manager is based in Vancouver and they have some staff living in the Comox Valley.

SSG is also based in Vancouver and is a consultancy focused on state-of-the-art climate action and change adaptation community planning, focused on creating actionable climate resiliency and sustainability pathways that deliver various benefits related to community health, prosperity, and wellbeing. The consulting team also includes Colliers International, WATT Consulting Group, and Licker Geospatial Consulting to conduct specialized tasks.

Work Plan

The project work plan is broken into five key phases. The general outline and timeframe is:

Phase 1 (August – December, 2019)

- Initiation
- Work planning
- Background research and review

Phase 2 (January – June 2020)

- Technical analysis
- Planning model development

Phase 3 (May-June 2020)

- Detailed Community Consultation

Phase 4 (July – December 2020)

- Policy draft and review
- Community consultation

Phase 5 (December – February 2021)

- Plan delivery
- Council presentation and Bylaw adoption

More detailed information will be provided with respect to public engagement opportunities as the schedule unfolds, however, the bulk of community consultation is scheduled to occur in the spring of 2020. Where possible staff will explore ways to coordinate engagement with other strategic planning processes being undertaken in concert through the City's Engineering Strategy Group. It is also intended that public engagement will occur at the neighbourhood level in addition to the typical City wide open house format. Staff and the consulting team also intend to engage with Council throughout the project with the first opportunity tentatively scheduled for the November Committee of the Whole after initial background data and business as usual climate impact modeling is completed.

OCP Advisory Committee

To assist in the review and provide a broad lens on policy emerging from the process, staff are recommending the formation of an OCP Advisory Committee consisting of stakeholders with technical expertise in various topic areas. The terms of reference for this committee are attached. If Council endorses the terms of reference staff will begin the process of reaching out to the various stakeholders and advertising for members. Staff will review the applicants and return to Council with recommendations for formal appointment of members by Council.

FINANCING IMPLICATIONS:

The total value of the contract is \$345,754 (not including taxes). This work includes developing a new Official Community Plan in addition to a Climate Action Strategy, Affordable Housing Strategy and Infill Strategy. The project has been budgeted as \$150,000 in 2019 and \$200,000 in 2020. Staff are also exploring grant opportunities to offset some of the cost.

ADMINISTRATIVE IMPLICATIONS:

Under the direction of the Director of Development Services, the manager and the policy planner of the City's Community and Sustainability Planning division will lead the project. Staff members from different department will provide expertise and participate in public consultation processes. Additional administrative staff resources will be required for the OCP Advisory Committee.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications at this point.

2019 - 2022 STRATEGIC PRIORITIES REFERENCE:

Strategic Priorities 2019 - 2022

We support diversity in housing & reasoned land use planning

- Complete an update of the City's OCP and Zoning Bylaws

OFFICIAL COMMUNITY PLAN REFERENCE:

There is no direct reference as this project will develop a new OCP

CITIZEN/PUBLIC ENGAGEMENT:

In addition to engagement through the OCP Advisory Committee there will be many opportunities for public engagement throughout the OCP process. These will include Open Houses and neighbourhood engagement workshops.

OPTIONS:

OPTION 1:

THAT based on the September 3, 2019 staff report "Official Community Plan Project Update", Council approve OPTION 1 and create an Official Community Plan Advisory Committee based on the Terms of Reference in Attachment No. 1 of this report and direct staff to begin the recruitment process. **(Recommended)**.

OPTION 2: Direct staff to proceed with the OCP project without an advisory committee.

OPTION 3: Direct staff to explore alternative forms of an advisory committee.

Prepared by:



Tatsuyuki Setta, MCIP, RPP
Manager of Community and Sustainability
Planning

Reviewed by:



Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

Attachment No. 1 - OCP Advisory Committee Draft Terms of Reference

Attachment No. 1 - OCP Advisory Committee Draft Terms of Reference

CITY OF COURTENAY
OFFICIAL COMMUNITY PLAN ADVISORY COMMITTEE
TERMS OF REFERENCE

1.0 INTRODUCTION

Advisory committees are established pursuant to the ***Community Charter*** (S.141-145) to assist Council by providing for public input on municipal matters. These committees are advisory in nature and function within the parameters set out in their Terms of Reference. The City of Courtenay Official Community Plan Advisory Committee shall be a Select Committee of Council. Meetings are open to the public.

2.0 PURPOSE OF THE OFFICIAL COMMUNITY PLAN ADVISORY COMMITTEE

The purpose of the "Official Community Plan Advisory Committee" (OCP-AC) is to provide Council with meaningful, integrated, technical input on a range of community issues related to the creation of the City of Courtenay climate friendly Official Community Plan (OCP). It shall provide technical guidance at key Project milestones on long-term planning principles, policy development and ideas for partnership and acceleration of implementation strategies that support the ultimate goal of reducing community greenhouse gas emissions and adapting to climate change.

Specifically the OCP-AC is intended to:

- 2.1 On matters referred to it, review and provide general guidance on background information, draft materials, draft vision statement, and draft plan sections;
- 2.2 Participate in the specified consultation activities as a way to provide guidance into the OCP review process;
- 2.3 Assist in identifying and connecting the City with key stakeholder groups through personal and/or professional contact networks as requested;
- 2.4 Assist in informing the community about the OCP review process and encourage participation by diverse members of the community;
- 2.5 Act in a strictly advisory role. Council may consider the advice and recommendations of the OCP-AC, but is in no way bound by such recommendations;
- 2.6 Report to and communicate to Council through regular update reports prepared by Staff on the Committee's behalf.

3.0 MEMBERSHIP, COMPOSITION AND QUALIFICATION

- 3.1 The OCP-AC shall be comprised of a maximum of (12) members of local subject experts and/or advocates appointed by Council;
- 3.2 OCP-AC members shall reside, be employed, and/or own or have interest in property within the City of Courtenay;
- 3.3 The OCP-AC shall be comprised of individuals who represent the following topic areas:
 - o Environmental Stewardship Organizations
 - o Development Industry
 - o Business Community
 - o Economic Development
 - o Health and Social Services
 - o Arts and Culture
 - o Youth and/or young adult representation
- 3.4 The Mayor is a member of the OCP-AC and is entitled to vote at all Committee meetings;
- 3.5 Interested parties shall apply for membership to the OCP-AC by means of a letter to the Director of Development Services outlining what topic area, or organization if applicable, they represent, and their interest and qualifications in participating in the Committee with specific reference to advancing climate friendly planning solutions;
- 3.6 The OCP-AC membership is open to individuals who are members of existing committees of Council provided that not more than two (2) members from any specific committee are appointed;
- 3.7 The Director of Development Services (in consultation with the Manager of Community and Sustainability Planning and the Policy Planner) will review membership applications of interested members and will make recommendations of appointment to Council.

4.0 RECRUITMENT

Council will recruit individuals to serve on the OCP-AC by:

- 4.1 Contacting the desired organizations (S.3.3) to assign a representative;
- 4.2 If topic area representatives are not assigned by the above means, Council will use other methods of recruitment such as word of mouth and letters to other various community groups, organizations and individuals, or advertising in the local newspaper and placement of notice on the City's website.

5.0 APPOINTMENT AND TERM

- 5.1 Members shall be appointed for a term specified at the time of appointment, but not to exceed the term of Council or first reading of the Official Community Plan Bylaw. This is approximated to be 16 months;
- 5.2 Council may rescind an appointment at any time and members may resign at any time by providing written notice to the OCP-AC Chair with copy to the Director of Development Services;
- 5.3 Appointments to fill interim vacancies shall be for the remainder of the term only and shall be filled according to the criteria described in Section 3 (Membership, Composition and Qualifications).

6.0 REMUNERATION AND EXPENSES

- 6.1 Members of the OCP-AC shall serve without remuneration, except for preapproved expenses that arise directly out of the performance of their duties and that shall be reimbursed in accordance with applicable City bylaws and policies.

7.0 PROCEDURES AND CONDUCT

- 7.1 The OCP-AC is appointed by, and reports to, Council. Council reserves the right to recommend amendments to the structure of the Committee as required at any time including the appointment of new members or the termination of the Committee;
- 7.2 OCP-AC members have a responsibility to make recommendations based on the best interests of the community-at-large. In providing its advice and opinion to Council, the Committee shall have due regard for applicable statutes, bylaws and policies of the City;
- 7.3 Members shall conduct themselves in accordance with Robert's Rules of Order which shall govern the conduct of meetings, Council Procedure Bylaw No. 2730; and the *Community Charter*;
- 7.4 Members must declare any conflicts of interest, including property interests, and must excuse themselves from recommendations or deliberations related to said interests;
- 7.5 Members shall not speak on behalf of the Committee or represent themselves as having any authority beyond that delegated by Council;
- 7.6 The OCP-AC is not authorized to call public meetings, commit funds, enter into contracts or represent the City;
- 7.7 A quorum shall consist of a majority of all its members;
- 7.8 A respectful and cooperative decorum will be maintained at all times between Committee members, Staff and Consultants;
- 7.9 Agendas will be made available to Committee members and the public at least 24 hours prior to a meeting. Minutes of all meetings shall be kept and made available to the public on the City's website and in the municipal office during normal business hours.

8.0 CHAIRPERSON

- 8.1 The Chair and Deputy Chair are to be chosen annually by the OCP-AC members at the committee's inaugural meeting;
- 8.2 The Chair shall be a voting member of the Committee;
- 8.3 The Chair shall preside at all meetings of the Committee, maintain order and ensure that the rules of the Committee are followed;
- 8.4 The Deputy Chair shall serve in the Chair's absence. An Alternate Chair will be selected by the members of the Committee in the event of an absence of both the Chair and Deputy Chair.

9.0 MEETING ATTENDANCE

- 9.1 Any member who fails to attend two (2) consecutive meetings, except for reasons of illness, shall cease to be a member of the Official Community Plan Advisory Committee and the appointment shall be terminated;

10.0 MEETING FREQUENCY

- 10.1 The OCP-AC shall meet as required in the Council Chambers located at the City of Courtenay City Hall, 820 Cliffe Avenue, on a specified day, at a specified time when matters are referred by the Director of Development Services or their authorized designate;
- 10.2 Meetings will occur on an as needed basis in support of key Project milestones, to be scheduled by the Director of Development Services or their authorized designate. It is anticipated that approximately 6 meetings will be required within the approximate 16 month Project timeline;

11.0 COMMITTEE RECOMMENDATIONS

- 11.1 Recommendations and minutes of the OCP-AC will be presented by the Chair at a regular Council meeting or Committee of the Whole meeting as deemed appropriate by the Director of Development Services or upon further direction by Council;
- 11.2 Recommendations of the OCP-AC shall be in writing and generally contain the information as set out below for each item dealt with by the Committee:
 - i. the date, time and place of the meeting;
 - ii. the members of the Committee present;
 - iii. other persons present for the duration of the meeting;
 - iv. the item(s) dealt with by the Committee;

- v. recommendation(s) of the Committee stating one of the following:
 - o item to be recommended for approval with reasons stated;
 - o item recommended subject to various conditions with conditions stated;
 - o item to be denied with reasons stated.
- vi. the mover and seconder of each motion as recorded.

12.0 STAFF SUPPORT AND OTHER RESOURCES

- 12.1 The City will provide Staff to prepare and distribute meeting agendas and minutes, distribution of materials for review and assist in facilitating discussions;
- 12.2 At the direction of the Director of Development Services or their authorized designate, professional and technical advice may be provided by the appropriate department representative, the Consultant contracted to undertake the project or professional expert to explain or clarify the legislative and technical contexts which affects the review and the implications of recommendations proposed by the OCP-AC;
- 12.3 Additional support and resources may be provided at the discretion of Council.

13.0 PUBLIC

- 13.1 All meetings will be open to the public and Council for observation only. Members of the public who wish to provide comment or input to the OCP-AC may do so by making a submission in writing or by attending scheduled public open houses or workshop events.

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

- 1) Tax Exemption 2020 Bylaw No. 2974, 2019
- 2) Tax Exemption Churches 2020 Bylaw No. 2975, 2019
- 3) Tax Exemption 2020-2024 Bylaw No. 2976, 2019

REASON FOR BYLAW

To consider three readings of the above permissive tax exemption bylaws for the 2020 taxation year.

STATUTORY AUTHORITY FOR BYLAW

Section 224 of the *Community Charter*

OTHER APPROVALS REQUIRED

STAFF COMMENTS AND/OR REPORTS

Bylaws are prepared in accordance with the August 19, 2019 Council approved list of recipients and prescribed exemption levels.

Final adoption required by October 31, 2019 to take effect for the 2020 taxation year

OTHER PROCEDURES REQUIRED

Statutory Advertising required will be completed for two weeks prior to the expected final adoption of the bylaw on October 7, 2019

September 3, 2019

A. Berard
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2974

A bylaw to exempt certain lands and improvements from taxation for the year 2020

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

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

1. This bylaw may be cited for all purposes as "**Tax Exemption 2020 Bylaw No. 2974, 2019**".
2. The following properties are hereby exempt from taxation for land and improvements to the extent indicated for the year 2020:

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
49.000	LOT 41, SECTION 61, CD, PLAN 311	280 – 4 TH STREET	EUREKA SUPPORT SOCIETY	100%
112.002	PARCEL A OF LOT 124&125 DD, PLAN 80170N, SECTION 61, CD, EXCEPT PLAN 472BL OF L PID 004-863-682	243-4 TH STREET	BOYS AND GIRLS CLUBS OF CENTRAL VANCOUVER ISLAND (LEASED FROM CITY OF COURTENAY)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
122.000 1650.000	LOT 1, PLAN 40587 PARCEL A, DD59610N OF LOT B, SECTION 16, PL 5618	367 CLIFFE AVENUE 101 ISLAND HIGHWAY	ROYAL CANADIAN LEGION	100%
169.000	PARCEL B (BEING A CONSOLIDATION OF LOTS 14, 17, 18, 21, 22 SEE CA6169477) SECTION 61, CD, PLAN VIP1517	237 – 3 RD STREET	COMOX VALLEY CHILD DEVELOPMENT ASSOCIATION	100%
170.002	LOT A, SECTION 61, PLAN 54105 PID 017-752-141	280 2 ND STREET	COMOX VALLEY TRANSITION SOCIETY (LEASED FROM FOUR PAWS INVESTMENTS LTD.)	100%
348.000	LOT 15, SECTION 61, CD, PLAN 4906	543 – 6 TH STREET	ALANO CLUB OF COURTENAY	100%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
400.000	LOT A, SECTION 61, CD, PLAN 18979	A1-310 8 TH STREET	CITY OF COURTENAY (LEASED FROM WEST ISLAND CAPITAL CORP)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
513.000	LOT A, DL 127, CD, PLAN 7719	755 HARMSTON AVENUE	OLD CHURCH THEATRE SOCIETY	100%
750.020	LOT 1, DL 127, CD, PLAN VIP62285	641 MENZIES AVENUE	COMOX VALLEY RECOVERY CENTRE SOCIETY (LEASED FROM CITY OF COURTENAY)	100%
1037.000	LOTS 1 AND 2, SECTION 41, CD, PLAN 3930	1415 CLIFFE AVENUE	COMOX VALLEY FAMILY SERVICES ASSOCIATION	100%
1494.000 1494.010 1494.050	LOT A, SECTION 6 AND 8, CD, PLAN 35008 LOT 1 AND 2, SECTION 6 AND 8, CD, PLAN 2849, EXCEPT PLAN 35008	2450 BACK ROAD 2470 BACK ROAD	GLACIER VIEW LODGE SOCIETY	100%
1566.000	LOT 1, PLAN 27169 SECTION 16, LD 15 PID 002-568-098	810 BRAIDWOOD ROAD	M'AKOLA HOUSING SOCIETY	100%
1577.018	LOT 4, SECTION 16, PLAN VIS2269, PID 017-693-071	#4 - 204 ISLAND HWY N	COMOX VALLEY PREGNANCY CARE CENTRE	100%
1960.300	LOT A PLAN 15464	SANDPIPER DRIVE	THE NATURE TRUST OF BRITISH COLUMBIA	100%
2016.007	LOT 7, PLAN 27200 PID 002-577-321	1571 BURGESS ROAD	STEPPING STONES RECOVERY HOUSE FOR WOMEN (LEASE)	100%
2023.014	LOT 1, SECTION 79, CD PLAN 8249, EXCEPT PLAN 8464, & EXC PCL A DD 666650 & EXC	656 ARDEN ROAD	THE NATURE TRUST OF BRITISH COLUMBIA	100%
2200.044	LOT 3, DL 138, CD, PLAN 20288	2564 CUMBERLAND ROAD	COURTENAY & DISTRICT HISTORICAL SOCIETY IN TRUST	100%
3200.072	LOT A, SECTION 18, CD, PLAN 12735	4835 HEADQUARTERS RD	COMOX VALLEY CURLING CLUB	100%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
757.000	LOT A, BLOCK 2, PLAN 1951	1051 – 8 TH STREET	COMOX VALLEY KIWANIS VILLAGE SOCIETY	75%
757.001	LOT A, BLOCK 2, PLAN 1951 EXCEPT PLAN 4288 & 4941	1061 – 8 TH STREET		
758.000	LOT A&B, PLAN 16907	635 PIDCOCK AVE		
1286.045	LOT 8, BLOCK 3, PLAN 16252	534 – 19 TH STREET	L'ARCHE COMOX VALLEY	75%
34.000	LOT 2, SECTION 61, CD, PLAN 20159 PID 003-698-254	231 6 TH STREET	COURTENAY ELKS' LODGE #60 OF THE BENEVOLENT AND PROTECTIVE ORDER OF THE ELKS' OF CANADA	40%
131.002	LOT A, SECTION 61, PLAN EPP61970, PID 029-906-431	356 3 RD STREET	COMOX VALLEY TRANSITION SOCIETY	40%
166.000	LOT 8 PLAN 2834 PID 003-451-941	267 3 RD STREET	COMOX VALLEY CHILD DEVELOPMENT ASSOCIATION	40%
409.000	LOT A, SECTION 61, PLAN 1674, PID 001-159-526	625 ENGLAND AVENUE	COMOX VALLEY TRANSITION SOCIETY (LEASED FROM SECRET VENTURE HOLDINGS LTD)	40%
459.000	LOT B, PLAN 20211 PID 003-519-376	956 GRIEVE AVENUE	UPPER ISLAND WOMEN OF NATIVE ANCESTRY	40%
750.100	LOT 1, PLAN VIP 62247	994 – 8 TH ST	JOHN HOWARD SOCIETY OF NORTH ISLAND	40%
1038.000	LOT A, SECTION 41, PLAN VIP 60527, PID 023-021-128	1455 CLIFFE AVENUE	JOHN HOWARD SOCIETY OF NORTH ISLAND (LEASED FROM LUCK'S DENTAL LABORATORY LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1113.000	LOT 19, SECTION 41, DL 15, PLAN 9230, PID 005-583-314	1465 GRIEVE AVENUE	L'ARCHE COMOX VALLEY	40%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
1171.005	LOT C, PLAN 13660, SECTION 41, LD 15 PID 004-619-048	1625 MCPHEE AVENUE	WACHIA Y FRIENDSHIP CENTRE SOCIETY	40% OF THE ASSESSMENT – <i>EXCLUDING</i> 26% OF FACILITY USED FOR REVENUE GENERATING BUSINESS (WACHIA Y STUDIO AND MULTIMEDIA) AND DAYCARE
1171.006	LOT 5, PLAN 13075, SECTION 41, LD 15 EXCEPT PLAN VIP68431 PID 004-711-823	1679 MCPHEE AVENUE		
1224.080	STRATA LOT 26, PLAN VIS2232, SECTION 68, LD 15 PID 017-586-801	#17, 375 21 ST STREET	DAWN TO DAWN ACTION ON HOMELESSNESS SOCIETY	40%
1288.060	STRATA LOT 30, PLAN VIS932, DL 104, LD 15 PID 000-806-471	#311, 1015 CUMBERLAND ROAD	DAWN TO DAWN ACTION ON HOMELESSNESS SOCIETY	40%
1700.332	STRATA LOT 2, SECTION 67, LD 15, PLAN VIS3934 PID 023-378-158	#10-12 2683 MORAY AVENUE	THE CANADIAN RED CROSS SOCIETY (LEASED FROM 670431 BC LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1960.004	LOT B, SECTION 67, CD, PLAN 33851 PID 000-262-170	#9, 468 29 TH STREET	THE GOVERNING COUNCIL OF THE SALVATION ARMY IN CANADA (LEASED FROM NOORT DEVELOPMENT LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1960.006	LOT C, SECTION 67, CD, PLAN 33851 PID 000-217-158	2966 KILPATRICK AVE	AARON HOUSE MINISTRIES (LEASED FROM NOORT DEVELOPMENT LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
2016.006	LOT 6, PLAN 27200 PID 002-344-408	1535 BURGESS ROAD	STEPPING STONES RECOVERY HOUSE FOR WOMEN (LEASE)	40%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
2024.009	LOT 2 PLAN VIP53672 PID 017-650-097	1755 13 TH STREET	HABITAT FOR HUMANITY VANCOUVER ISLAND NORTH SOCIETY	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE USED FOR ADMINISTRATION OFFICES
2091.136	LOT 4, DL 230, CD, PLAN VIP57822 PID 018-564-381	2398 ROSEWALL CRESCENT	SALTWATER EDUCATION SOCIETY (LEASED FROM SPACIAL HOLDINGS INC)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
3200.032	LOT A, SECTION 18, CD, PLAN VIP 75369 PID 025-673-017	4729 HEADQUARTERS RD	YOUTH FOR CHRIST COMOX VALLEY	40% OF THE ASSESSMENT – <i>EXCLUDING</i> CARETAKER RESIDENTIAL SPACE

Read a first time this day of September, 2019

Read a second time this day of September, 2019

Read a third time this day of September, 2019

Published in two editions of the Comox Valley Record on the 3rd day of September, 2019 and the 10th day of September, 2019

Finally passed and adopted this day of October, 2019

Mayor

Corporate Officer

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

- 1) Tax Exemption 2020 Bylaw No. 2974, 2019
- 2) Tax Exemption Churches 2020 Bylaw No. 2975, 2019
- 3) Tax Exemption 2020-2024 Bylaw No. 2976, 2019

REASON FOR BYLAW

To consider three readings of the above permissive tax exemption bylaws for the 2020 taxation year.

STATUTORY AUTHORITY FOR BYLAW

Section 224 of the *Community Charter*

OTHER APPROVALS REQUIRED

STAFF COMMENTS AND/OR REPORTS

Bylaws are prepared in accordance with the August 19, 2019 Council approved list of recipients and prescribed exemption levels.

Final adoption required by October 31, 2019 to take effect for the 2020 taxation year

OTHER PROCEDURES REQUIRED

Statutory Advertising required will be completed for two weeks prior to the expected final adoption of the bylaw on October 7, 2019

September 3, 2019

A. Berard
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2975

A bylaw to exempt certain lands and improvements, set apart for public worship, from taxation for the year 2020

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

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

1. This bylaw may be cited for all purposes as "**Tax Exemption Churches 2020 Bylaw No. 2975, 2019**".
2. Pursuant to Section 224(2)(a)(f)(g) of the *Community Charter*, the following properties on which a church hall or facility is situated, the land on which such a hall stands, the remaining area of land surrounding the building set apart for public worship, and the remaining area of land surrounding the exempted building, exempted hall, or both, are hereby exempted from taxation for land and improvements to the extent indicated for the year 2020 *except for that portion of the property used for residential or commercial purposes*:

	FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER	PERCENTAGE EXEMPTION
1.	143.000	LOT AM 11, SECTION 61, CD, PLAN 33854N	467 – 4 TH STREET	GRACE BAPTIST CHURCH OF THE COMOX VALLEY	100%
2.	313.100	LOT 1, SECTION 62, CD, PLAN VIP 74608	591 – 5 TH STREET	ANGLICAN SYNOD DIOCESE OF B.C.	100%
3.	341.000	AMENDED LOT 1, PLAN 55886N, SECTION 61 CD, PLAN 4906	566 – 5 TH STREET	ELIM GOSPEL CHAPEL TRUSTEES	100%
4.	342.000	LOTS 3 & 4, BLOCK 6, CD, PLAN 472B	576 – 5 TH STREET	ELIM GOSPEL CHAPEL TRUSTEES	50.63% OF THE ASSESSED VALUE OF LAND ONLY
5.	346.000	LOTS 10,11,12, AND 13, SECTION 61, CD, PLAN 4906	505 – 6 TH STREET	ST. GEORGES CHURCH	100%
6.	568.000	LOT A (DD EL132291), DL 127, PLAN 1464 EXCEPT PLAN VIP67475	765 MCPHEE AVENUE	CENTRAL EVANGELICAL FREE CHURCH	100%

7.	618.220	LOT 1, DL 118, CD, PLAN VIP 73074	2201 ROBERT LANG DRIVE	RIVER HEIGHTS CHURCH SOCIETY	100%
	FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER	PERCENTAGE EXEMPTION
8.	1074.050	LOT A, PLAN 54316P, SECTION 41, CD, PLAN 7449	1580 FITZGERALD AVENUE 1590 FITZGERALD AVENUE	GOVERNING COUNCIL SALVATION ARMY CANADA WEST	100%
9.	1166.000	LOT A, PLAN 121193EF, SECTION 41, CD, FORMERLY LOTS 32 & 33, CD, PLAN 10725	771 – 17 TH STREET	TRUSTEES LUTHERAN CHURCH	100%
10.	1211.004	LOT 4, SECTION 68, CD, PLAN 14176	1814 FITZGERALD AVE	VALLEY UNITED PENTACOSTAL CHURCH OF BC	100%
11.	1524.102	LOT B, SECTION 15, CD, PLAN 54793 EXCEPT PLANS 14713, 36414, 51121	1599 TUNNER DRIVE	BISHOP OF VICTORIA, CHRIST THE KING CATHOLIC CHURCH	100%
12.	1594.000	LOT 16, SECTION 16, CD, PLAN 7037 EXCEPT PLAN 44368	1581 DINGWALL RD	TRUSTEES OF THE KINGDOM HALL OF JEHOVAH WITNESS	100%
13.	1691.030	LOT 1, SECTION 17, CD, PLAN VIP 79479	4660 HEADQUARTERS ROAD	SEVENTH DAY ADVENTIST CHURCH	100%
14.	1691.044	LOT 2, SECTION 17, CD, PLAN VIP 61425	4634 ISLAND HWY	ANGLICAN SYNOD DIOCESE OF BC	100%
15.	1691.046	LOT 3, SECTION 17, CD, PLAN VIP 61425	1514 DINGWALL ROAD	ANGLICAN SYNOD DIOCESE OF BC	100%
16.	2005.000	LOT 12, DL 96 & 230, CD, PLAN 1406	1901 – 20 TH STREET	LDS CHURCH	100% EXCEPT THE PART ASSESSED FOR SCHOOL USE
17.	2017.034	LOT 1, DL 96, CD, PLAN VIP 59504	1640 BURGESS RD	FOURSQUARE GOSPEL CHURCH OF CANADA	100%

18.	2200.088	LOT A, PLAN 27596	2963 LAKE TRAIL ROAD	COURTENAY BAPTIST CHURCH	100%
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Read a first time this day of September, 2019

Read a second time this day of September, 2019

Read a third time this day of September, 2019

Published in two editions of the Comox Valley Record on the 3rd day of September, 2019 and the 10th day of September, 2019

Finally passed and adopted this day of October, 2019

Mayor

Corporate Officer

CITY OF COURTENAY
BYLAW REFERENCE FORM

BYLAW TITLE

- 1) Tax Exemption 2020 Bylaw No. 2974, 2019
- 2) Tax Exemption Churches 2020 Bylaw No. 2975, 2019
- 3) Tax Exemption 2020-2024 Bylaw No. 2976, 2019

REASON FOR BYLAW

To consider three readings of the above permissive tax exemption bylaws for the 2020 taxation year.

STATUTORY AUTHORITY FOR BYLAW

Section 224 of the *Community Charter*

OTHER APPROVALS REQUIRED

STAFF COMMENTS AND/OR REPORTS

Bylaws are prepared in accordance with the August 19, 2019 Council approved list of recipients and prescribed exemption levels.

Final adoption required by October 31, 2019 to take effect for the 2020 taxation year

OTHER PROCEDURES REQUIRED

Statutory Advertising required will be completed for two weeks prior to the expected final adoption of the bylaw on October 7, 2019

September 3, 2019

A. Berard
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2976

A bylaw to exempt certain lands and improvements from taxation for the years 2020 - 2024

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

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

1. This bylaw may be cited for all purposes as "**Tax Exemption 2020-2024 Bylaw No. 2976, 2019**".
2. The following properties are hereby exempt from taxation for land and improvements to the extent indicated for the years 2020 to 2024:

	FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER	USE OF PROPERTY	PERCENTAGE EXEMPTION
1.	29.002	LOT B, SECTION 61, CD, PLAN EPP15696	580 DUNCAN AVENUE	CITY OF COURTENAY	COMOX VALLEY CENTRE FOR THE ARTS	100%
2.	63.000	LOTS 1 & 2, SECTION 61, CD, PLAN 3189 LOTS 55, 58, 59, 60, 61, 62, SECTION 61, CD, PLAN 311	442 CLIFFE AVENUE	CITY OF COURTENAY	SID WILLIAMS THEATRE	100%
3.	113.000	LOTS 128, 129, 132, SECTION 61, CD, PLAN 472A EXCEPT THE NORTH WESTERLY 10 FT THEREOF	207 – 4 TH STREET	CITY OF COURTENAY	COURTENAY & DISTRICT MUSEUM	100%
4.	261.006	LOT 1, DL 118, SECTION 61, CD, PLAN VIP88574	3 RD STREET – “MCPHEE MEADOWS”	CITY OF COURTENAY/ THE NATURE TRUST OF BC	ECOLOGICAL DONATION PRESERVATION OF HABITAT	100%
5.	1200.000	LOT 1, SECTION 68, CD, PLAN 15512	2040 CLIFFE AVENUE	CITY OF COURTENAY	COURTENAY MARINA	100%
6.	1941.000	LOT 1, SECTION 66, CD, PLAN 14942 & LOT A, PLAN 14521 EXCEPT THE BED OF THE COURTENAY RIVER	100 – 20 TH STREET	CITY OF COURTENAY	COURTENAY AIRPARK	100%

3. The "2015-2019 Tax Exemption Bylaw No. 2801, 2014" is hereby repealed in its entirety.

Read a first time this day of September, 2019

Read a second time this day of September, 2019

Read a third time this day of September, 2019

Published in two editions of the Comox Valley Record on the 3rd day of September, 2019 and the 10th day of September, 2019

Finally passed and adopted this day of October, 2019

Mayor

Corporate Officer

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2958

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. 2958, 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 That Part of Lot 92, Section 61, Comox District, Plan 311 Lying to the South East of the South Easterly Boundary of Plan 1621-R (Unit #101-576 England Avenue).”

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

Read a first time this 2nd day of July, 2019

Read a second time this 2nd day of July, 2019

Published in two editions of the Comox Valley Record on the 13th day of August, 2019 and the 15th day of August, 2019

Considered at a Public Hearing this 19th day of August, 2019

Read a third time this _____ day of _____, 2019

Finally passed and adopted this day of , 2019

Mayor

Corporate Officer

