

**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: December 02, 2019
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

1.00 ADOPTION OF MINUTES

- 1 1. Adopt November 18th, 2019 Regular Council meeting minutes
- 7 2. Adopt November 25th, 2019 Committee of the Whole meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

- 11 1. John & Jennifer Hedican - Government Support - Fentanyl/Opioid Overdose Crisis
- 2. Doug Cox, Artistic Director & Executive Producer and Sue Wood, Marketing & Media Manager - Vancouver Island MusicFest - Cultural and Economic Stimulus for the Community & Support of this Event

4.00 STAFF REPORTS/PRESENTATIONS

(a) Recreation and Cultural Services

- 13 1. Comox Valley Project Watershed Society Grant Implications

(b) CAO and Legislative Services

- 21 2. Nuisance Abatement and Cost Recovery Bylaw

(c) Development Services

- 27 3. Development Variance Permit No. 1904 - 4646 Headquarters Road
- 51 4. Permanent Change to Liquor Licence Application (Cornerstone) - 208A 5th Street

(c) **Financial Services**

- 55 5. Meeting Schedule - 2020-2024 Financial Plan Discussions and 2020 Property Tax Rates

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 59 1. Comox Bay Care Society - Request for Financial Support - 2020 Care-a-Van Operations

- 61 2. Kumugwe Cultural Society - Request for Letter of Support - Red Dress Legacy

6.00

INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 63 1. Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) - Inaugural meeting minutes - October 25, 2019

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 - Global Covenant of Mayors Canada Showcase Cities In-Person Meeting

Staff Note: Per City of Courtenay Allowance and Expense Reimbursement Policy No. 1650.00.02; "attendance by a Council member to any proposed Corporate Business activity requires the prior authorization of Council unless otherwise stated in this policy."

Participant attendance at the Global Covenant of Mayors Canada Showcase Cities In-Person meeting must be confirmed by December 4th, 2019.

Suggested motion: that Council support Councillor Cole-Hamilton's attendance at the *Global Covenant of Mayors Canada Showcase Cities In-Person Meeting and Panel Discussion* January 8 - 10, 2020, hosted in Montreal, Quebec; and,

That the balance of Councillor Cole-Hamilton's travel expenses, not covered by the *Global Covenant of Mayors Canada* as identified in their letter dated November 12, 2019 be funded from the regular Council travel expense budget.

2. In Camera Meeting

That notice is hereby given that a Special In-Camera meeting closed to the public will be held December 2nd, 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

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

For First, Second and Third Reading

- 67 1. “Nuisance Abatement and Cost Recovery Bylaw No. 2987, 2019”
(A bylaw to regulate, prohibit, and impose requirements in relation to the abatement of nuisances, and to provide for recovery of the costs of nuisance abatement where undertaken by the City)

For Third Reading

- 75 1. “Official Community Plan Amendment Bylaw No. 2963, 2019”
(A bylaw to change the land use designation from Commercial to Multi Residential - 2600 Mission Road)
- 77 2. “Zoning Amendment Bylaw No. 2964, 2019”
(A bylaw to rezone from Multi Use Four Zone (MU-4) to Residential Four A Zone (R-4A) and Schedule No. 8, Zoning Map be amended accordingly - 2600 Mission Road)
- 79 3. “Zoning Amendment Bylaw No. 2971, 2019”
(A bylaw to rezone from Country Residential One Zone (CR-1) to Rural Residential Five Zone (RR-5) and that a *secondary suite* or *secondary residence* or *carriage house* as permitted use)

For Final Adoption

- 79 1. “Zoning Amendment Bylaw No. 2971, 2019”
(A bylaw to rezone from Country Residential One Zone (CR-1) to Rural Residential Five Zone (RR-5) and that a *secondary suite* or *secondary residence* or *carriage house* as permitted use)
- 83 2. “Asset Management Bylaw No. 2981, 2019”
(A bylaw to provide for an asset management program aimed at sustainable service delivery)

13.00 ADJOURNMENT

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, November 18, 2019 at 4:02 p.m.

Attending:

Mayor: B. Wells
Councillors: W. Cole-Hamilton
D. Frisch
D. Hillian
M. McCollum
W. Morin arrived at 4:09 p.m.
M. Theos via Teleconference

Staff:

D. Allen, CAO
W. Sorichta, Manager of Legislative & Corporate Administrative Services
I. Buck, Director of Development Services
T. Kushner, Director of Public Works Services/Assistant CAO
J. Nelson, Director of Financial Services
D. Snider, Director of Recreation and Cultural Services
A. Guillo, Manager of Communications
R. Matthews, Executive Assistant

1.00 ADOPTION OF MINUTES

.01 Moved by Cole-Hamilton and seconded by McCollum that the
MINUTES November 4th, 2019 Regular Council meeting minutes be adopted.
Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

.01 Moved by Frisch and seconded by Cole-Hamilton that based on
ASSET the November 18th, 2019 staff report, “Asset Management Bylaw No.
MANAGEMENT 2981, 2019 for Adoption” Council approve OPTION 1 and proceed to
BYLAW NO. 2981, First, Second and Third Readings of the attached Asset Management
2019 Bylaw No. 2981, 2019; and
1670-01 /
3900-20-2981 That Council direct staff to bring Asset Management Bylaw No, 2981,
2019 back to Council for Final Adoption prior to its consideration of the
2020-2024 Five-Year Financial Plan.
Carried

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Cole-Hamilton and seconded by Frisch that the correspondence dated October 23rd, 2019 from the Climate Caucus addressed to Prime Minister Trudeau related to Climate Change policy be received for information.
CORRESPONDENCE -
CLIMATE CAUCUS -
LETTER TO PRIME
MINISTER TRUDEAU
RE: CLIMATE CHANGE
POLICY
0470-20

Carried

Moved by Hillian and seconded by McCollum that based on the October 23rd, 2019 letter from the Climate Caucus that the City of Courtenay endorse the climate change policy letter to Prime Minister Trudeau; and,

that the City send an accompanying letter acknowledging the City's support to develop and implement climate policy to the federal government.

Carried

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Hillian and seconded by Frisch that the November 18th, 2019 Briefing Note, "Outcomes of Strategic Priorities 2019 - 2022 Check-in October 15 & 16, 2019" be received for information.
OUTCOMES OF
STRATEGIC
PRIORITIES
2019-2020 CHECK-IN
OCTOBER 15 & 16,
2019
0620-20

Carried

.02 Moved by McCollum and seconded by Cole-Hamilton that the Parks and Recreation Advisory Commission meeting minutes for September 12th, 2019 be received for information.
PARKS AND
RECREATION
ADVISORY
COMMISSION
MEETING MINUTES
0360-20

Carried

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

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

- CVRD Committee of the Whole
- CVRD Board meeting
- Comox Valley Water Committee meeting
- Comox Valley Sewage Commission meeting
- 2019 Climate Leadership Institute conference
- Comox Valley Drug Strategy Committee meeting

R21/2019 - November 18, 2019

- Comox Strathcona Waste Management Board meeting
- City of Courtenay Finance Select Committee meeting #2
- Climate Caucus Coordinating Committee conference call

COUNCILLOR
FRISCH

Councillor Frisch reviewed his attendance at the following events:

- CVRD Board meeting
- Comox Valley Water Committee meeting
- Comox Valley Sewage Commission meeting
- Co-operative Housing Citizen Leaders meeting
- North Island College Regional Community Forum and 5 year strategic planning consultation
- Comox Valley Social Planning Workshop
- City of Courtenay Finance Select Committee meeting #2
- Comox Strathcona Regional Hospital District Board meeting
- Coastal Ferry Vision Forum
- Comox Strathcona Waste Management Board meeting
- Comox Valley Social Planning workshop
- Glacier View Lodge/Vancouver Island University graduate level planning program consultation
- Financial & Estate Planning Group meet and greet and Proclamation “*Financial and Estate Planning Week*”
- Announcement by Premier John Horgan and Ground Breaking Ceremony for the new Ocean Front Village long-term care and hospice facility, 2900 Cliffe Avenue
- Courtenay Remembrance Day Ceremony

COUNCILLOR
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- Comox Valley Water Committee meeting
- CVRD Committee of the Whole meeting
- Two separate meetings related to pending developments; one with an Arden Road resident and one with a potential developer
- Comox Strathcona Regional Hospital District Board meeting
- Announcement by Premier John Horgan and Ground Breaking Ceremony for the new Ocean Front Village long-term care and hospice facility, 2900 Cliffe Avenue
- Comox Valley Social Planning Society Workshop
- Meeting with Premier Horgan to tour the Kus-kus-sum site
- Courtenay Remembrance Day Ceremony
- Meeting with residents re: Lerwick Road development concerns
- Comox Strathcona Waste Management Board meeting
- City of Courtenay Finance Select Committee meeting #2
- Lake Trail Community Education Society AGM
- Celebration of Life for former City Councillor, Ian Potts

COUNCILLOR
MCCOLLUM

Councillor McCollum reviewed her attendance at the following events:

- Two meetings with Comox Valley Coalition to End Homelessness
- Comox Valley Economic Development Society meeting
- Comox Strathcona Regional Hospital District Board meeting
- Announcement by Premier John Horgan and Provincial government Ground Breaking Ceremony for the new Ocean Front Village long-term care and hospice facility, 2900 Cliffe Avenue
- Meeting with Jenny Deters, President, Downtown Courtenay Business Improvement Association
- City of Courtenay Finance Select Committee meeting #2

COUNCILLOR
MORIN

Councillor Morin reviewed her attendance at the following events:

- Meeting with Deana Simkin, Vice President, and Lara Greasley, Marketing & Communications Manager, Comox Valley Economic Development Society
- Comox Valley Sewage Commission meeting
- Comox Valley Water Committee meeting
- CVRD Committee of the Whole meeting
- CVRD Board meeting
- Comox Strathcona Regional Hospital District Board meeting
- Comox Valley Social Planning workshop
- Comox Valley Regional Food Policy Council meeting
- Comox Strathcona Waste Management Board meeting
- Lake Trail Community Education Society Dinner & AGM

MAYOR
WELLS

Mayor Wells reviewed his attendance at the following events:

- Comox Valley Regional District Board inaugural meeting; Councillor Jess Ketler elected Chair and Arzeena Hamir, Vice Chair, of the Board
- North Island College Regional Community Forum and 5 year strategic planning consultation
- Announcement by Premier John Horgan and Ground Breaking Ceremony for the new Ocean Front Village long-term care and hospice facility, 2900 Cliffe Avenue
- Tour of Kus-kus-sum site and lunch with Premier John Horgan
- Courtenay Remembrance Day Ceremony, Royal Canadian Legion breakfast and tour of Comox Valley Royal Canadian Legion branches
- Downtown Courtenay Business Improvement Association event hosted at the Union Street Grill
- Glacier View Lodge/Vancouver Island University graduate level planning program consultation
- Leaders Lunch hosted at the CFB Comox
- Island Coastal Economic Trust - North Island meeting

The council meeting recessed at 4:56 p.m. for the Public Hearing regarding Bylaw No's 2963 & 2971.

The meeting reconvened at 6:04 p.m.

8.00 RESOLUTIONS OF COUNCIL

.01
IN CAMERA MEETING

Moved by Hillian and seconded by McCollum that notice is hereby given that a Special In-Camera meeting closed to the public will be held November 18th, 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.

Carried

9.00 UNFINISHED BUSINESS

.01
VERBAL UPDATE -
CHILDCARE
PLANNING
SUBCOMMITTEE OF
THE EARLY YEARS
COLLABORATIVE
AND PROVINCIAL
COMMUNITY CHILD
CARE SPACE
CREATION GRANT
PROGRAM
0410-20

Dave Snider, Director of Recreation and Cultural Services, provided a verbal update regarding the November 22, 2019 provincial Community Child Care Space Creation Grant Program intake deadline to assist local governments in creating new, licensed child care spaces within local government facilities. The Childcare Planning Subcommittee of the Early Years Collaborative established to develop a child care plan in partnership with the Comox Valley Regional District (CVRD), the City of Courtenay, Town of Comox and School District No. 71 are preparing a report that will identify existing child care spaces, gaps in service and make recommendations with action plans tailored to each jurisdiction to create additional child care spaces.

The committee report, anticipated later this month, will be presented to the CVRD Board and each respective Council for consideration; the November 22, 2019 grant deadline identified in the province's letter is for applicants who have already completed this process, and have space, license and capital plans in-hand.

There is an additional grant intake for the Provincial Community Child Care Space Creation Program anticipated next year. The City will continue looking for capital grant opportunities for this initiative, in collaboration with their partners through the Childcare Planning Subcommittee.

Moved by Hillian and seconded by Frisch that the report regarding the update on the Childcare Planning Subcommittee's child care initiative to create additional child care spaces in the Comox Valley and the provincial Community Child Care Space Creation grant funding program be received for information.

Carried

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

.01
ASSET MANAGEMENT
BYLAW 2981, 2019
TO PROVIDE FOR AN
ASSET MANAGEMENT
PROGRAM AIMED AT
SUSTAINABLE
SERVICE DELIVERY

Moved by Frisch and seconded by Hillian that “Asset Management Bylaw No. 2981, 2019” pass first, second and third readings.

Carried

13.00 ADJOURNMENT

.01

Moved by Hillian and seconded by Cole-Hamilton that the meeting now adjourn at 6:11 p.m.

Carried

CERTIFIED CORRECT

Director of Legislative and Corporate Services

Adopted this 2nd day of December, 2019

Mayor

Minutes of a Committee of the Whole meeting held Monday, November 25, 2019 at 4:00 p.m. in the City Hall Council Chambers.

Attending:

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

Staff:

D. Allen, CAO
J. Ward, Director of Legislative and Corporate Services/Deputy CAO
W. Sorichta, Manager of Legislative & Corporate Administrative Services
T. Kushner, Director of Public Works Services/Assistant CAO
I. Buck, Director of Development Services
J. Nelson, Director of Financial Services
D. Snider, Director of Recreation and Cultural Services
N. Gothard, Policy Planner
R. Matthews, Executive Assistant
A. Guillo, Manager of Communications

VARY AGENDA

.01 Moved by Hillian and seconded by Theos that Council vary the
VARY AGENDA November 25th, 2019 Committee of the Whole agenda and move item
SECTION 2.00 2.00 *Internal Reports and Correspondence for Information* ahead on the
INTERNAL REPORTS agenda to be addressed before item 1.00 *Staff Reports/Presentations*.
& CORRESPONDENCE **Carried**

2.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Frisch and seconded by McCollum that the November
CITY AND 25th, 2019 Briefing Note “City and Downtown Business Improvement
DOWNTOWN Association (BIA) wayfinding proposal” and presentation, be received
COURTENAY for information.
BUSINESS **Carried**
IMPROVEMENT
ASSOCIATION (BIA)
WAYFINDING
PROPOSAL
6950-04

.02
FINANCE SELECT
COMMITTEE INTERIM
REPORT
NO. 1 - 2019-11-21
(COUNCIL SELECT
COMMITTEE ON
ALTERNATIVE ASSET
MANAGEMENT
FUNDING SOURCES
AND LEVELS OF
SERVICE OPTIONS)
0360-20

Moved by Frisch and seconded by Cole-Hamilton that the November 21st, 2019 Briefing Note “Finance Select Committee Interim Report No. 1 - 2019-11-21” be received for information.

Carried

New motion:

Moved by Hillian and seconded by McCollum that Council support the recommendation made by the Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) in the November 21st, 2019 briefing note “Finance Select Committee Interim Report No. 1 - 2019-11-21” and amend the timeline identified in *Section 6 Reporting*, of the committee’s Terms of Reference to read:

*“...the Committee will submit its findings and recommendations in a written report to Council no later than **January 31st, 2020.**”*

Carried

1.00 STAFF REPORTS/PRESENTATIONS

.01
GRANT-IN-AID AND
OTHER FORMS OF
FINANCIAL SUPPORT
POLICY 1850.00.04
REVISION
1850-01

Moved by Frisch and seconded by Hillian that based on the November 25th, 2019 staff report, “Grant-in-Aid and Other Forms of Financial Support Policy 1850.00.04 Revision”, Council support OPTION 1 to approve the Provision of Grant-in-Aid and Other Forms of Financial Support policy 1850.00.04 as presented; and

That staff be directed to update the City website and advertise for the 2020 Grant-in-aid applications as soon as possible; and,

That staff be directed to pursue the “Flow-Through Funds” opportunity with the Comox Valley Community Foundation for the 2021 grant year.

Carried

.02
RECREATION FEES
AND CHARGES
REVIEW
CONSULTANT
WORKSHOP -
BRIAN JOHNSON,
PERC
7900-01

Brian Johnson, PERC, presented information to Council following a review of the City of Courtenay recreation fees and charges with funding model options to ensure a practical, transparent, consistent and fair approach to setting fees for recreation facilities, programs and services. The report discussed strategies to develop policies and processes that align fees and subsidy levels with the amount of benefit the community and individuals receive.

Moved by Cole-Hamilton and seconded by Frisch that the City of Courtenay Recreation Fees and Charges Review presentation and hand-out materials be received for information.

Carried

Councillor Cole-Hamilton left Council Chambers at 5:30 p.m.

Councillor Cole-Hamilton returned to Council Chambers and took his seat at 5:32 p.m.

.03
CULTURAL SERVICES
REPORT AND
CONSULTANT
PRESENTATION -
PATRICIA
HUNTSMAN,
PATRICIA HUNTSMAN
CULTURE +
COMMUNICATION
7800-01

Patricia Huntsman, Patricia Huntsman Culture + Communication, presented information to Council related to the City of Courtenay Cultural Services Report, highlighting key strategies, considerations and next steps for cultural service delivery within our community and support the development of an inter-municipal cultural working group and cultural planning process.

The City of Courtenay Cultural Services Report presentation was received for information.

Councillor McCollum left Council Chambers at 6:04 p.m.
Councillor McCollum returned to Council Chambers and took her seat at 6:06 p.m.

Councillor Frisch left Council Chambers at 6:07 p.m.
Councillor Frisch returned to Council Chambers and took his seat at 6:09 p.m.

Moved by Hillian and seconded by McCollum that based on the November 25th, 2019 staff report “Cultural Service Report”, Council adopt OPTION 1 and direct staff to consider the strategies and recommendations contained in the report as part of the annual budget and Five Year Financial Plan process.

Carried

3.00 RESOLUTIONS OF COUNCIL

.01
FINANCE SELECT
COMMITTEE TERMS
OF REFERENCE
0360-20

Addressed under item **2.2 *Internal Reports and Correspondence for Information*** of the November 25th, 2019 Committee of the Whole agenda.

4.00 ADJOURNMENT

.01

Moved by Hillian and seconded by Frisch that the meeting now adjourn at 6:12 p.m.

Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 2nd day of December, 2019

Mayor

Ryan William Hedican



Ryan spent the last 8 months of his life at the rehab facility “Last Door”. The Last Door gave Ryan the help and support he needed to get his life back. Our family will always be grateful to the Last Door for giving us our son and brother back.



Our hearts are broken at the loss of Ryan.

Ryan was born in Port Hardy on October 3rd 1990 and passed away in Vancouver on April 24th 2017 at the age of 26 after a long hard battle with the disease of addiction due to a fentanyl poisoning.

Ryan grew up in Courtenay and loved snowboarding, wakeboarding, playing hockey, baseball, tennis, golf and chess. He spent many summer and winter holidays surrounded by family where he made us all laugh with his quick wit and playful tricks. As an older sibling and cousin, Ryan was incredibly supportive and encouraging as he taught everyone how to wakeboard, wake surf, and waterski. He also was quick to help others whether it was with learning a wrist shot, solving a math problem, or fixing a computer issue. Ryan was incredibly bright. From a young age, he loved building with his grandpa and continued to find creative ways to problem solve and build things throughout his life. Ryan graduated from Mark Isfeld and received his business diploma at North Island College. He had completed his second year of electrical schooling and was working towards his third year hours on a project in Vancouver when he passed.

Not only did Ryan bring his family joy with his humor and playful attitude, he also brightened the lives of his friends. Ryan made many good friends throughout his years playing rep sports, throughout high school, and during his time at the Last Door. While he had many good times during his adolescence and young adulthood, Ryan also fought addiction for many years. Ryan actively battled addiction and wanted to be free of its power over his life. He tried many avenues to try to overcome the addiction and was most recently successful at the Last Door. At the Last Door Ryan was able to share his good humor, intelligence, quick wit, and love for others. He was able to participate in activities that brought him joy again and made a positive impact on others at the Last Door. He had so many plans of how he was going to live going forward in his recovery. Ryan's life was much more than his addiction. As a family we learned that addiction is not a choice, but a disease and that we need to treat it as such.

He is a beloved son, brother, grandson, cousin, nephew and friend. Ryan will always be remembered for his wit, loving humor, incredible intellect and contagious laugh. He is survived by his parents John and Jennifer, siblings Megan and Kyle, grandmothers Phyllis Hedican and Beryl Moore, and many other family and friends. Ryan is preceded in death by his grandfathers Larry Hedican and Roy Moore.

Ryan William Hedican





THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 0400-20

From: Chief Administrative Officer

Date: December 2, 2019

Subject: Comox Valley Project Watershed Society Grant Implications

PURPOSE:

The purpose of the report is for Council to consider the implications of providing a grant to the Comox Valley Project Watershed Society to cover the cost associated with holding a fundraising event at a City facility.

CAO RECOMMENDATIONS:

That based on the December 2nd, 2019 staff report, "Comox Valley Project Watershed Society Grant Implications," Council approve OPTION 1 and grant the society \$387.71 as a financial contribution towards the event.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

At the October 7, 2019 Council Meeting, a letter was received for information from the Comox Valley Project Watershed Society. The CVPWS letter requested that the rental fees for the Native Son's Hall be waived on May 2, 2020 the Painting by the Numbers event to raise funds for the Kus-kus-sum project. In return, CVPWS would recognize the City as a sponsor and be recognized in all publications regarding the event.

The past approach to a waived fee request is for Council to consider a grant contribution proportionally equal to the value of the facility rental fee. This allows organization to be relieved of the facility rental expense but places the responsibility on the proponent to book the facility and fulfil all of the typical rental obligations. The grant would not cover any additional janitorial charges that may be levied if additional clean-up is required over and above what is agreed upon at the time of rental. The cost of any losses or damaged caused as a result of the rentals is also separately billed.

After City staff reviewed the cost and administrative implications, the following direction was provided by Council:

Moved by Frisch and seconded by McCollum that Council direct staff to investigate the cost and implications of providing a grant to Project Watershed Society for the value of the facility rental fees for their May 2nd, 2020 fundraising event "Paintings by the Numbers" hosted at Native Son's Hall; and,

That staff provide funding source options for the grant monies allocated to the facility rental for Project Watershed Society's May 2nd, 2020 fundraising event.

Carried

DISCUSSION:

In the November 25th presentation to Council, RC Strategies introduced the Benefits Based Approach to setting recovery rates to uses and users. The proposed event has direct benefit to the community and is an appropriate event for a facility use grant.

The CVPWS is fundraising for the purpose of raising funds towards the purchase of the former Field Sawmill site. The Kus-kus-sum site will ultimately benefit taxpayers through the addition of parkland available to the public and may provide mitigation of flooding that will come from the restored site's ability to absorb floodwaters.

FINANCIAL IMPLICATIONS:

Pending Council approval, the total financial contribution will be \$387.71 based on the Native Sons Hall Facility Rental Fee for the Grand Hall established through the Recreation Facility Rental User Fees and Charges Bylaw 2947, 2018.

The society will still rent the facility and provide insurance and other risk based documentation as required.

Council could utilize Gaming Funds under the category of Council Initiatives should a decision be made to contribute to this fundraiser. Alternatively, the funding can be through tax revenue and the grant can be expensed to the RCS Department in 2020 which has an annual budget of \$1,000 for such initiatives.

ADMINISTRATIVE IMPLICATIONS:

8 hours of staff time were used to review the implications of this initiative. This includes staff time to review the request, review the minutes from the October 7, 2019 meeting and the review of the key strategies affirmed by Council at the City of Courtenay Recreation Fees and Charges Review Council Workshop Presentation November 25, 2019, discussion with the consultant of the recommended approach to address this request based on the feedback established at the Council Meeting and preparation of this Council staff report.

ASSET MANAGEMENT IMPLICATIONS:

Through the Recreation Fees and Charges Review, the City will providing levels of services based on a review of the costs of providing services.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- Responsibly provide services at levels which the people we serve are willing to pay

We proactively plan and invest in our natural and built environment

- Focus on asset management for sustainable service delivery
- ▲ Support social, economic and environmental sustainability solutions

We continually invest in our key relationships

- Consider effective ways to engage with and partner for the health and safety of the community

- **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:

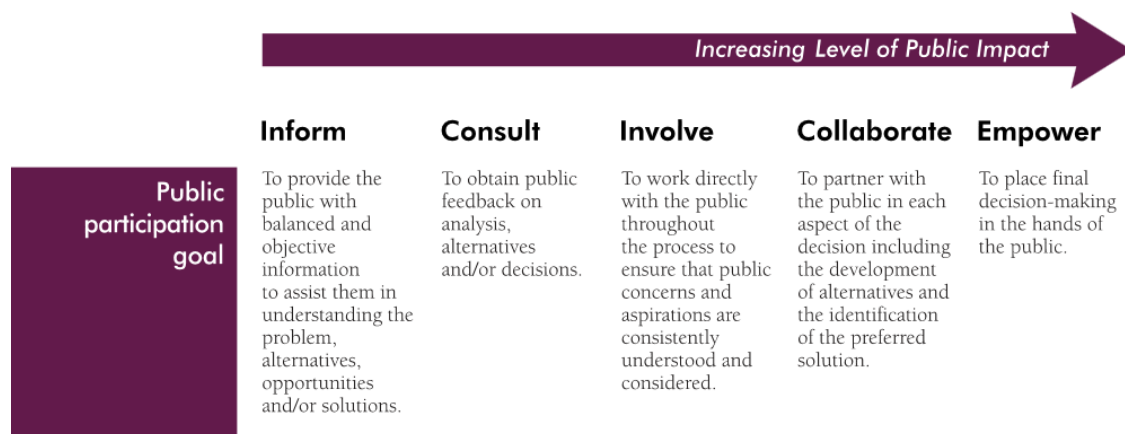
Not applicable

REGIONAL GROWTH STRATEGY REFERENCE:

Not applicable

CITIZEN/PUBLIC ENGAGEMENT:

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



OPTIONS:

Option 1:

Council grant the society \$387.71 as a financial contribution towards the event.

Option 2:

That Council not approve the Comox Valley Project Watershed Society's request for any financial contributions.

Prepared by:

A handwritten signature in black ink, appearing to read 'D Snider', with a horizontal line underneath the name.

Dave Snider BCSLA
Director of Recreation and Cultural Services

Attachments:

1. CVPWS Letter to City RE: request to waive fees for the Native Sons Hall.
2. Painting by the Numbers brochure



September 9, 2019

Dear Mayor and Council,

Comox Valley Project Watershed Society is requesting that the rental fees for the Native Son's Hall be waived on May 2, 2020 for an event to raise funds for Kus-kus-sum. The event, Paintings, By the Numbers, will take place on the afternoon of the 2nd from 2 pm to 5 pm. We will need the hall rented for the entire day as we will start setting up from 9am onwards and will finish tearing down around 7:00pm. The City of Courtenay is a partner in the Kus-kus-sum project and your assistance in this manner will help us reach our shared goals of purchasing and restoring this land in the heart of our community.

Our fundraising goal for this event is to raise \$25,000 to help make our last payment to Intefor for the Kus-kus-sum property at the end of June. Our community is coming together to make this event a success. Ken Kirkby and Nana Cook, nationally renowned painters, have donated 50 paintings worth over \$100,000 as well as their tried and true event plan. They have run this event successfully in the past. A local photographer donated his time to capture all 50 images for publications related to this event. Odlum Brown is sponsoring the event along with various local food and beverage vendors and more will come on board as we get nearer to the event.

Unfortunately, our \$1 million application to the Federal Government has been denied. Now more than ever we are in a position where we need to make every dollar count to make up those funds. This will be the last big push to raise the funds we need to purchase the Kus-kus-sum property by June 30, 2020.

We would greatly appreciate support from the City of Courtenay in the form of waived fees for the hall rental. In recognition of your support the City of Courtenay will be mentioned in our event media release as a sponsor, the City crest will go on all publications regarding the event and the City will be thanked at the event.

Thank you for considering this request, we hope to hear from you shortly.

Bill Heidrick
Vice-Chair
Comox Valley Project Watershed Society



Paintings, By Numbers



An exclusive event of drawing for Paintings
Supporting Art and Environment
— On the Afternoon of May 2, 2020 —



A captivating evening that appeals to greed and uses it for good

Sponsored by Odlum Brown
Art Donated by Ken Kirkby & Nana Cook

MORE INFO

projectwatershed.ca/paintingsbythenumbers

250-703-2871 | support@kuskussum.ca | projectwatershed.ca



Paintings, By Numbers

Sponsored by Odium Brown

Goal: To raise funds and awareness for the purchase and restoration of Kus-kus-sum through the engaging and powerful medium of art and the promise of getting a great deal.

Synopsis: Ken Kirkby and Nana Cook have donated 43 of their paintings and seven from their collection for a semi-formal gala event. Each painting is worth between \$1,500 and \$4,000. 50 ART DRAW tickets at \$500 each will be presold for the event (ART DRAW ticket holders may bring 1 guest). Tickets to attend the event as an onlooker will be \$15. Each ticket will have a number, the numbers will be put into a hat and drawn at random. Once a number is drawn the corresponding ticket holder has a few minutes to choose a piece from the selection that remains. Ticket holders may form alliances, trade with others, negotiate deals etc...

Easy Street Duo will provide live upbeat music. Delicious locally made hors d'oeuvres and wine will be available to enjoy this afternoon of art ardor.

Artworks by: Ken Kirkby, Nana Cook, Amanda Jones, Christian Morrisseau.

Tickets: and additional information will be available at www.projectwatershed.ca/paintingsbythenumbers



STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Nuisance Abatement and Cost Recovery Bylaw

File No.: 3900-01
Date: December 2, 2019

PURPOSE:

The purpose of this report is for Council to consider a nuisance abatement and cost recovery bylaw.

CAO RECOMMENDATIONS:

That based on the December 2nd, 2019 staff report “Nuisance Abatement and Cost Recovery Bylaw”, Council approve OPTION 1 and proceed to first, second, and third reading of “Nuisance Abatement and Cost Recovery Bylaw No. 2987, 2019”.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Over the past several months, Council has heard from some residents expressing concerns regarding repeated undesirable behaviours of persons residing at specific properties in the City. These behaviours include drug activity, disturbances, noise, etc.

City staff deal with a number of public nuisance complaints each week; although the City’s current *Prevention of Public Nuisance’s Bylaw No. 2804, 2014* allows staff to provide a satisfactory level of service to our citizens to mitigate issues within the scope of this bylaw, it does not make provision for enforcement or cost recovery of repeated undesirable behaviours that cannot be resolved through existing regulation or the enforcement process outlined in the *City’s Bylaw Enforcement Policy 4000.00.01*. With the approval of Council, *City Policy 4000.00.01* permits elevated enforcement action through injunctive or other legal proceedings; however, court proceedings can be a costly and lengthy process and further negatively impacts neighbourhood residents affected by nuisance activities anxious for timely resolution.

Since 2018 bylaw services staff has received multiple complaints related to three distinct properties within the City of Courtenay, all of which have been rental/tenant properties. Bylaw enforcement and administrative staff has spent a minimum of 5 hours per week (equivalent to approximately a 0.2 FTE) investigating these complaints; collecting, documenting and assessing evidence to establish the violation and in an effort to seek compliance. This process includes taking statements from complainants, witnesses, respondents and property owners, and require regular site visits and follow-up. These three distinct properties demonstrate a pattern of nuisance behaviour with multiple files requiring repeated calls for service, each incident lasting several months per event.

In addition, the RCMP have attended these properties on numerous occasions; however, the behaviours have continued.

Although the behaviours described typically fall under the jurisdiction of the RCMP, the City has been asked to assist through the enactment of a nuisance bylaw in an attempt to make the property owners accountable financially. The RCMP has also expressed the need for such a bylaw.

On September 3, 2019 Council received a delegation from concerned citizens urging Council to adopt a new nuisance bylaw to deal with chronic problem properties, which are affecting the quality of life in neighbourhoods.

At its regular meeting held September 16th, 2019 Council passed the following resolution:

“That Council direct staff to provide a report to Council with options and implications for implementing a nuisance abatement and cost recovery bylaw similar to the City of Prince George.”

DISCUSSION:

The proposed bylaw is based on the bylaw adopted by the City of Prince George early in 2018. There are several bylaws throughout the province with similar provisions, with varying degrees of complexity. The Prince George bylaw is one of the most straightforward and most aligned with current legislation.

In speaking with the City of Prince George, they have not yet had the opportunity to take action under the full potential of the new bylaw; however they have seen success with compliance. They did however recommend that City bylaw enforcement staff have significant input into the potential enforcement of the bylaw. In this regard, staff are suggesting that a procedure be developed as soon as possible in conjunction with front line bylaw enforcement staff.

Under current City bylaws, “nuisance” properties are typically dealt with under the City’s “Prevention of Public Nuisances Bylaw No. 2804, 2014”. This bylaw includes provisions generally for property issues such as unsightly premises, noise, weeds, trees, etc. With some exceptions, this bylaw is enforced through voluntary compliance, and if necessary the Municipal Ticket Information system (MTI). MTI tickets cannot be collected through the municipal property tax system. If disputed, the matter must be resolved through the courts.

Some jurisdictions have joined the municipal bylaw notice enforcement/adjudication system, which avoids the court system. This may be something for Council to consider in the future.

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/bylaws/bylaw-enforcement/bylaw-notices>

Council also currently has another legislative tool to deal with declared nuisances. Under Division 12 of the *Community Charter*, remedial actions may be imposed by Council for “declared nuisances” including buildings or any structure, openings in the ground, drains, ditches, etc.

In the past, Council has used the remedial action provisions successfully in several instances. These include completing the demolition and site remediation of a fire damaged commercial building, at the expense of the property owner. The cost of this remediation was substantial.

In one instance, through the remedial action process Council was able to compel the owner of an unsightly partially completed home to finish the exterior of the home. Had the owner not completed the construction, Council would have been able to complete the work with all costs borne by the property owner.

At the time, according to the City’s solicitor this was the first time this section of the *Charter* was used for this type of situation.

One of the keys to the remedial action system is the common law requirement for procedural fairness, including proper notice, and reconsideration by Council. This is the reason that the proposed bylaw includes the provision for Council reconsideration and an opportunity for the violator to be heard (sec. 3.2 (b)).

The proposed bylaw goes a step further, and includes regulation for various behaviours considered to be a nuisance. This has typically not been an area within the jurisdiction of municipalities, and has rested primarily with the RCMP. The bylaw also allows for the recovery of costs for abatement through the property tax system.

FINANCIAL IMPLICATIONS:

The financial implications depend on the course of action approved by Council. More detail is provided in the Administrative Implications section below.

ADMINISTRATIVE IMPLICATIONS:

The administrative implications depend on the course of action approved by Council. To date, staff have spent approximately 10 hours on research and report/bylaw preparation for this specific bylaw.

Resource requirements for enforcement of the proposed bylaw are unknown. Currently the City employs one full time bylaw enforcement officer, as well as a part time Animal Control Officer (contract) and part time Traffic Control Officer (contract). In addition to bylaw enforcement time, considerable time may be required to coordinate the Council reports/orders and the opportunity for violators to be heard. Council should be aware that this bylaw creates an increased level of service and the need for additional resources and bylaw staff.

Therefore, should Council proceed with the adoption of the proposed bylaw, staff will prepare a procedure outlining the expected implications for enforcement with the bylaw (i.e. frequency/number of complaints, staff capacity and associated costs).

ASSET MANAGEMENT IMPLICATIONS:

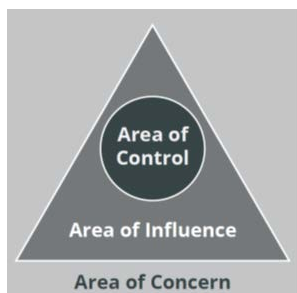
There are no asset management implications at this time.

STRATEGIC PRIORITIES REFERENCE:

This issue was identified as a priority in the Council Priorities workshop held in October 2019 under Legislative and Corporate Services. Staff committed to providing a report and bylaw in December 2019.

We focus on organizational and governance excellence

- 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
- ▲ Value community safety and support our protective services



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

OFFICIAL COMMUNITY PLAN REFERENCE:

Not referenced.

REGIONAL GROWTH STRATEGY REFERENCE:

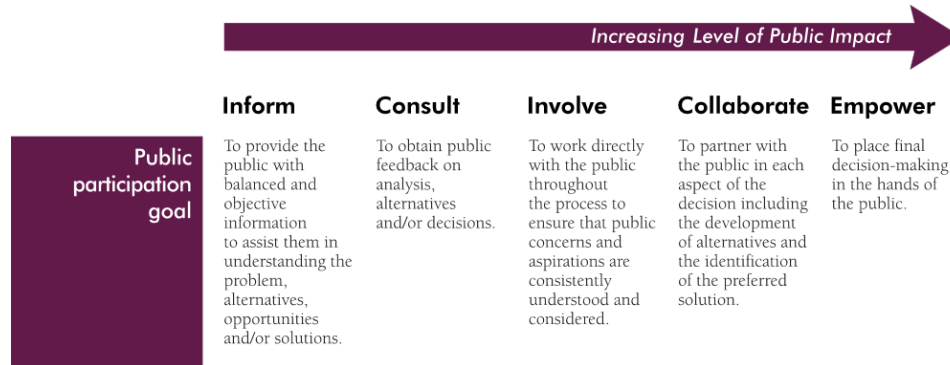
Not referenced.

CITIZEN/PUBLIC ENGAGEMENT:

Unlike land use or business regulation bylaws, bylaws such as the one being considered in this staff report are not subject to a legislated consultation or public notification process. Council can choose any level of consultation, or choose to simply proceed with the bylaw adoption.

Staff suggest that the City “**Consult**” based on the direction of Council the public based on the IAP2 Spectrum of Public Participation:

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



OPTIONS:

- OPTION 1: That Council approve OPTION 1 and proceed to first, second, and third reading of “Nuisance Abatement and Cost Recovery Bylaw No. 2987, 2019” (Recommended).
- OPTION 2: That Council not proceed with “Nuisance Abatement and Cost Recovery Bylaw No. 2987, 2019”.
- OPTION 3: That Council refer “Nuisance Abatement and Cost Recovery Bylaw No. 2987, 2019” to the Committee of the Whole for further discussion and a Request for Clarity.

Prepared by:

John Ward, CMC
Director of Legislative and Corporate Services
Deputy Chief Administrative Officer



STAFF REPORT

To: Council

File No.: 3090-20-1904

From: Chief Administrative Officer

Date: December 2, 2019

Subject: Development Variance Permit No. 1904 – 4646 Headquarters Road

PURPOSE:

The purpose of this report is for Council to consider a Development Variance Permit to vary a provision of the City's Subdivision and Development Servicing Bylaw, to allow additional retaining wall height, as well as the Zoning Bylaw to allow a safety fence atop the wall. The applicant wishes to replace and reconfigure an existing retaining wall at 4646 Headquarters Road (Casa Loma Seniors Village), legally described as Lot 1, Section 17, Comox District, Plan VIP81094.

CAO RECOMMENDATIONS:

That based on the December 2nd, 2019 staff report "Development Variance Permit No. 1904 – 4646 Headquarters Road", Council approve OPTION 1 and proceed with issuing Development Variance Permit No. 1904.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is an approximately 1.49 hectare (3.68 acre) panhandle residential lot fronting onto Headquarters Road, behind which is an undeveloped lot that slopes steeply up to Island Highway (**Figure 1**).

Between Casa Loma Seniors Village and the back property line are a service corridor and greenspace area and terraced two-tier Allan Block retaining structure. The upper existing wall's southeastern end encroaches into the neighbouring property (**Figure 2**).

The existing retaining structure is failing, with the upper tier noticeably leaning downslope, posing a hazard to residents and requiring replacement (**Attachment 2**).



Figure 1: Location Map.

Subdivision and Development Servicing Bylaw No. 2919, 2018, Section 5.22 requires:

Retaining walls shall be a maximum of 2.4 m in height. Where larger retaining walls heights are required, they must be constructed as a stepped wall. The step must have a minimum width of 1.8 metres or 75% of the height of the highest adjacent wall.

Additionally, Zoning Bylaw No. 2500, 2007, Section 6.8.1 requires:

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

The applicant wishes to construct a textured Lock Block single-tier, non-terraced wall reaching 4.0m maximum, 1.6m taller than permitted. Atop all but the shortest sections would be topped with a safety fence (**Attachment 1**), which would be non-conforming due to fence height being measured from the average distance to ground level within 1.0m on either side of the fence. The variances would allow the new wall to be built without encroaching into either the neighbouring property nor into the pathway area behind the building.

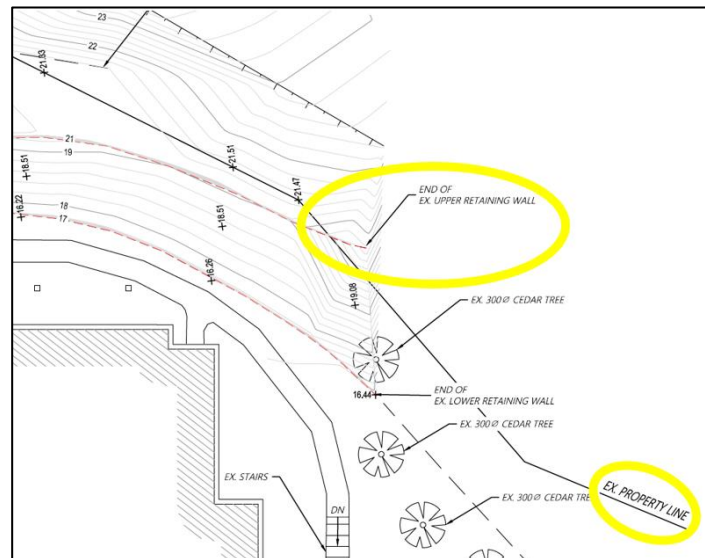


Figure 2: Existing Retaining Wall Encroachment Detail.

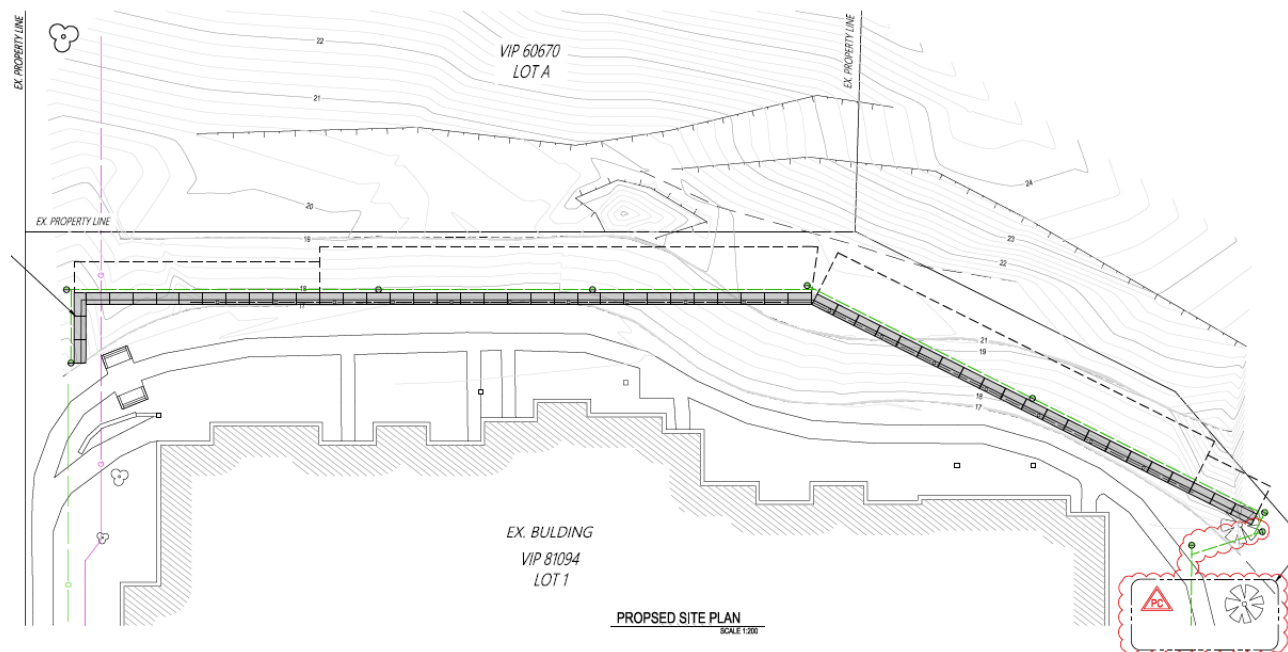


Figure 3: Proposed Development Site Plan.

DISCUSSION:

Bylaws

The proposed development would require variances summarized in Table 1:

Table 1: Proposed Variances

Bylaw	Requirement	Proposed	Difference
Subdivision and Development Servicing Bylaw No. 2919, 2018, Section 5.22	Maximum 2.4m height without stepping	Maximum 4.0m height without stepping	1.6m
Zoning Bylaw No. 2500, 2007, Section 6.8.1	Maximum 2.0m height	Maximum 3.2m height ¹	1.2m

The Subdivision and Development Servicing Bylaw maximum height requirement is primarily concerned with safety, which will be addressed through engineering and Schedule B requirements for building permit. Moreover, the engineer notes that building a bylaw-compliant tiered structure entirely in the subject property could potentially impact the stability of the existing building.

The Zoning Bylaw fence height requirement preserves neighbourhood character and prevents large, imposing visual barriers. In this case the fence would be only 1.2m tall on neighbours’ sides, screened by the building and landscaping from Headquarters Road, and installed for safety. It could be set farther back, on the property line rather than on the wall, which could bring it into compliance, but setting it on the wall is favoured by the applicant for installation, inspection and maintenance reasons.

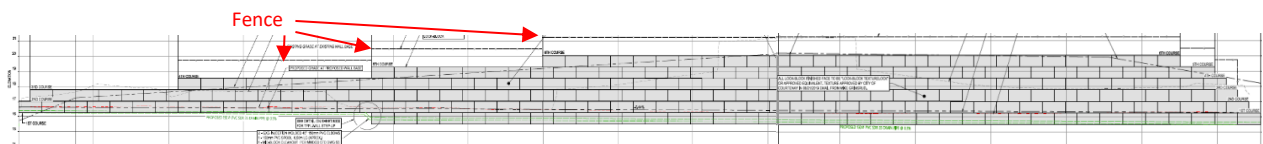


Figure 4: Proposed Retaining Wall Profile.

Site Considerations

The existing retaining wall is failing in sections and needs replacement. It cannot be rebuilt where it currently stands without an easement being registered to allow encroachment on the neighbouring property and potentially impede its future development. Placing a bylaw-compliant structure fully on the Casa Loma property would impede the pathway and amenity space at the rear of the building and may impact the building’s foundation.



Figure 5: Texturelock lock blocks.

Although screened from view off-property, a 4.0m tall wall will be imposing for Casa Loma residents. The top portion would move closer to the building than that of

¹ Fence height is measured from the average distance to ground level within 1.0m on either side of the fence
 $1.2\text{m tall fence} + (4.0\text{m wall low side} + 0.0\text{m wall high side})/2 = 3.2\text{m height}$

the current wall. However, the new wall will have an attractive Texturelock finish, and will be softened to some degree by landscaping (see landscape plan in **Attachment 1**).

While only one tree on the property of bylaw size will need to be removed for construction and it is not a protected species, it is expected that more trees will need to be removed on the neighbouring undeveloped 4657 Island Hwy lot for access. Garry Oaks are known to be on this lot but not near the wall and will be protected. Tree Cutting Permits will be required for works on both properties.

Staff assess the requested variances as supportable given the importance of wall replacement, the problems associated with alternatives, the low off-site visibility, and the attempts to address visual impact for residents.

FINANCIAL IMPLICATIONS:

There are no direct financial implications related to the processing of this development variance permit application. The fee for the development variance permit was \$1,500.

ADMINISTRATIVE IMPLICATIONS:

The processing of development applications is included in the current work plan as a statutory component. Staff have 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 prepare the notice of permit, have it registered on title, and close the file. Additional staff time will also be required for processing and issuing a Building Permit and related inspections.

ASSET MANAGEMENT IMPLICATIONS:

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

STRATEGIC PRIORITIES REFERENCE:

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

OFFICIAL COMMUNITY PLAN REFERENCE:

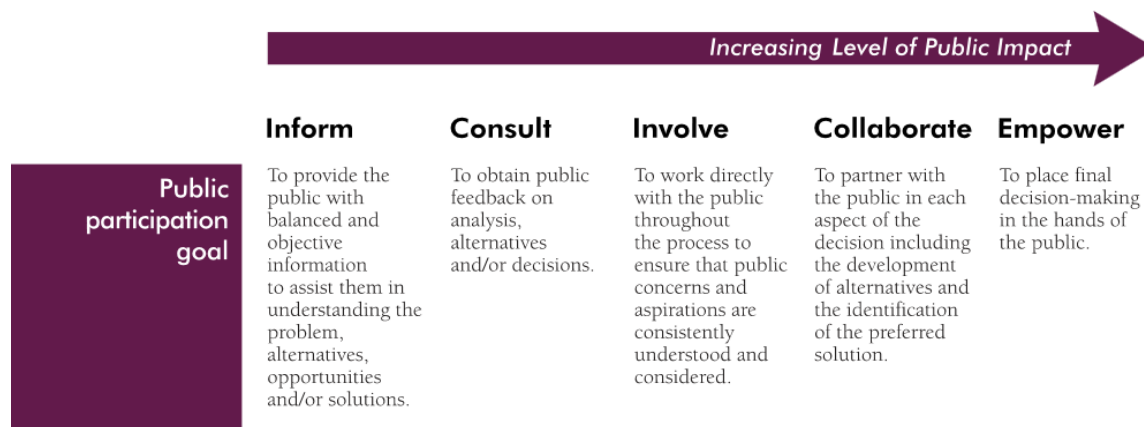
Section 2.1.3, ensuring the highest levels of aesthetic design, requires blank walls of large buildings to be detailed or landscaped. While the retaining wall will not be visible from Headquarters Road, the developer will use a decorative textured finish to improve the aesthetic.

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. Eliminating the encroachment on the neighbouring undeveloped property may improve its attractiveness for development.

CITIZEN/PUBLIC ENGAGEMENT:

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



The applicant held a public information meeting on July 24, 2019 at McElhanney’s office at 1211 Ryan Road from 3:00pm to 5:00 pm. Property owners and occupants within 30m of the subject property were invited to attend the meeting. The applicant’s public information meeting summary is included as **Attachment No. 3**. Four people representing two properties attended the meeting, submitting two comment sheets with concerns about privacy trees and drainage.

Drainage has been explicitly addressed in the revised plan attached to the permit, and in a technical memo, and will be further scrutinized during the Building Permit process should this Development Variance Permit be approved. A landscape plan, attached to the permit, was provided subsequent to the Public Information Meeting, detailing trees to be preserved and replanting specifics. Also a Tree Cutting Permit will be required for tree removal, which will ensure compliance with Tree Protection and Management Bylaw No. 2850, 2016.

Public notice was also sent to property owners and occupants who reside within 30 meters of the property lines as part of statutory public notice requirements for variance applications. To date, Development Services has not received any responses or inquiries from this notice.

OPTIONS:

OPTION 1: (Recommended): Approve Development Variance Permit No. 1904.

OPTION 2: Defer issuance of Development Variance Permit No. 1904 pending receipt of further information.

OPTION 3: Not approve Development Variance Permit No. 1904.

Prepared by:

Mike Grimsrud
Planner II

Reviewed by:

Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

1. *Attachment No. 1: Draft Development Variance Permit No. 1904*
2. *Attachment No. 2: Rationale for variance request*
3. *Attachment No. 3: Public Information Meeting documentation*

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. 3060-20-1904

DEVELOPMENT VARIANCE PERMIT

December 2, 2019

To issue a Development Variance Permit

To:

Name: Casa Loma Seniors Village Holdings, Ltd., Inc. No. BC0752948
Address: 3300 – 1055 Dunsmuir Street
 Four Bentall Centre
 Vancouver, B.C. V7X 1P4

Property to which permit refers:

Legal: LOT 1, SECTION 17, COMOX DISTRICT, PLAN VIP81094
Civic: 4646 Headquarters Road

Conditions of Permit:

Permit issued to allow construction of a retaining wall and safety fence, including the following variances:

- *Subdivision and Development Servicing Bylaw No. 2919, 2018, Section 5.22* – retaining wall maximum height from 2.4m to 4.0m in height without stepping.
- *Zoning Bylaw No. 2500, 2007, Section 6.8.1* – maximum back yard fence height from 2.0m to 3.2m for a 1.2 m safety fence on the retaining wall.

Development Variance Permit No. 1904 is subject to the following conditions:

1. Development must substantially conform to the drawings by McElhanney Consulting Services Ltd. dated October 10, 2019, contained in *Schedule No.1*;
2. Landscaping must substantially conform to the landscape plan by Bloom Landscape Architecture dated October 24, 2019, contained in *Schedule No.2A*;
3. Submission of landscape security in the amount of \$35,795 (\$28,636 x 125%), as estimated by Lindsay Clement, MBCSLA, CSLA dated November 1, 2019, contained in *Schedule No.2B*;
4. No trees with a diameter greater than 200mm D.B.H. are to be removed without a tree cutting permit from the City of Courtenay;
5. No roots from the protected Garry Oak trees on the neighbouring property are to be disturbed;
6. No access inside the drip line of the protected Garry Oak trees – snow fencing to be installed along the drip line of the protected Garry Oak trees;

7. The minimum depth of topsoil or amended organic soil on all landscaped areas is to be as follows:
Shrubs – 450mm; groundcover and grasses – 300mm; and trees – 300mm;
8. Landscaping must be completed within one year of the date of the final building permit inspection; and
9. No alterations or amendments shall be made without the City’s permission. If any amendments are required the applicant shall apply for either an amendment to the development permit or a new development permit.

Time Schedule of Development and Lapse of Permit

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

Date


Director of Legislative Services

DRAFT

DVP1904

Schedule No.1: Drawings

CLIENT	CEDAR TREE INVESTMENT CANADA INC.
ADDRESS / CONTACT INFO.	1818 - 701 W/ GEORGIA STREET VANCOUVER, BC V7Y 1G8
PROJECT NAME	CASA LOMA SENIORS VILLAGE - RETAINING WALL REPLACEMENT COURTENAY, BC
DESCRIPTION	REPLACEMENT OF EXISTING "ALLAN BLOCK" RETAINING WALL WITH "LOCK BLOCK" RETAINING WALL SYSTEM
McELHANNNEY PROJECT	2211-80161-08
OTHER REFERENCE	N/A
STATUS	REVISED PER CITY DVP COMMENTS

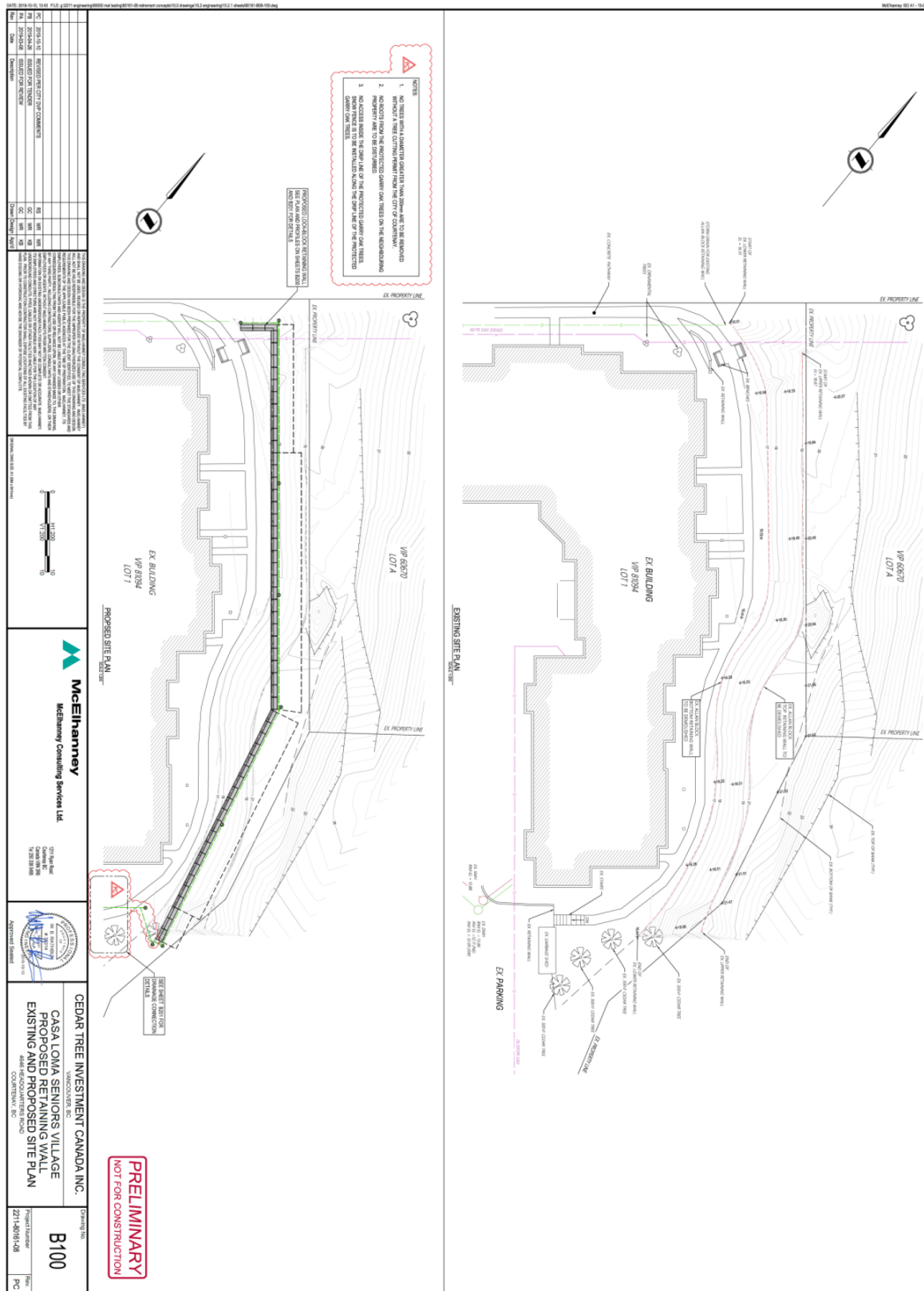


1211 Ryan Road
Oculina BC
Canada V0N 1S8
Tel: 250.339.5495

SHEET #	NAME	RESPONS
001	GENERAL NOTES, LEGEND AND SITE PLAN	1
002	EXISTING AND PROPOSED SITE PLAN	1
003	PLAN AND ELEVATION SHEETS	1
004	SECTION AND DETAILS	1

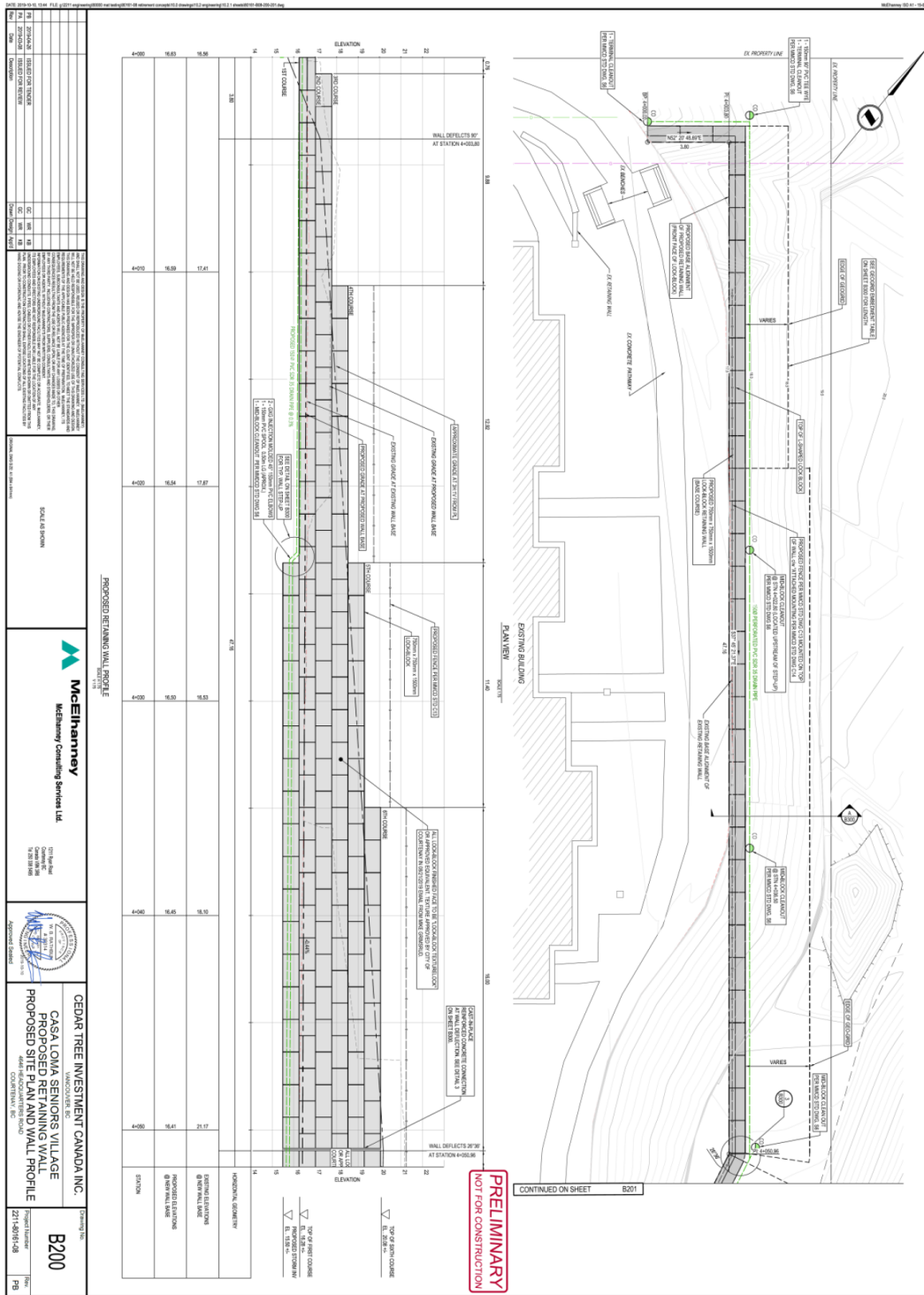
DVP1904

Schedule No. 1: Drawings



DVP1904

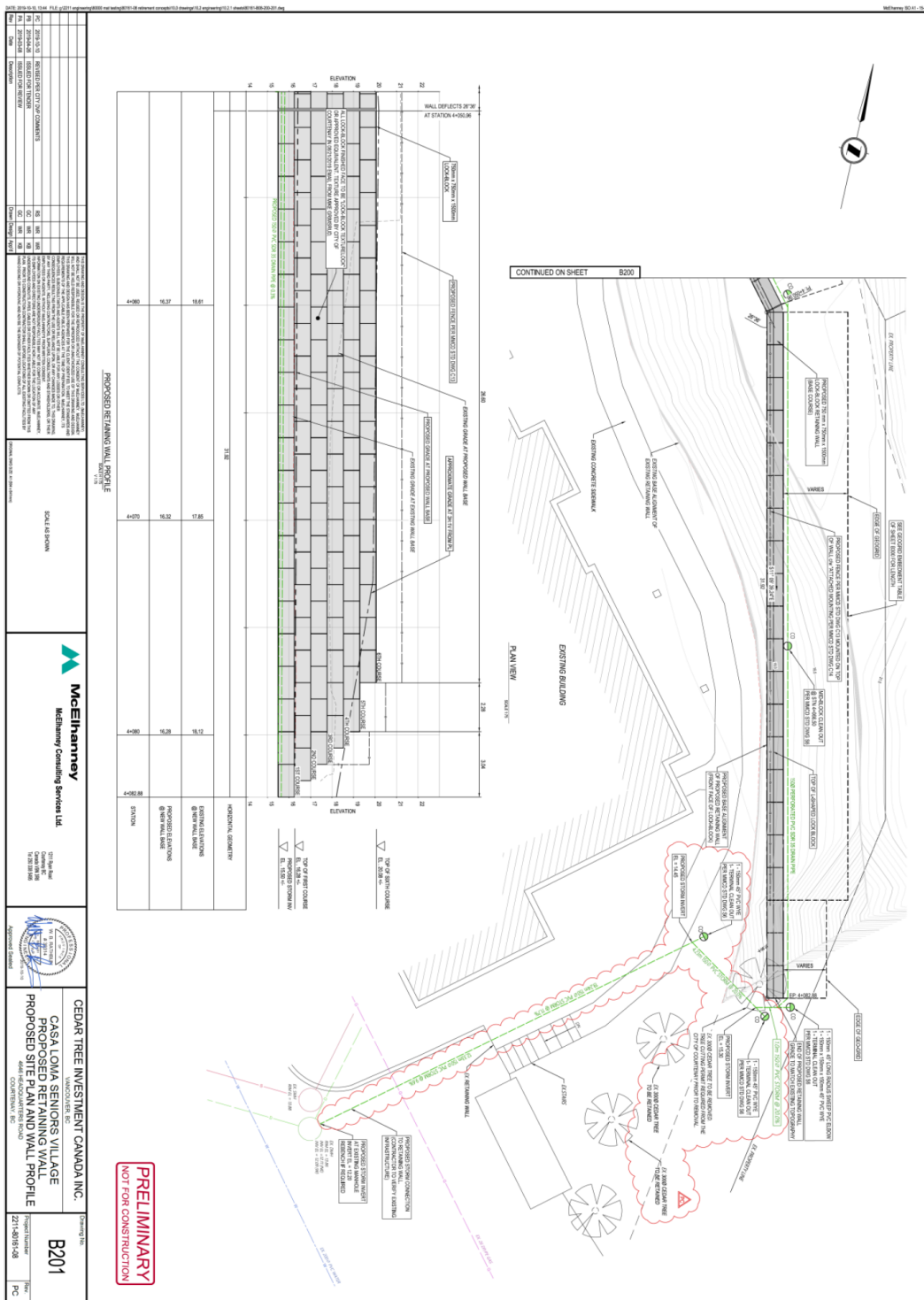
Schedule No. 1: Drawings



PRELIMINARY
NOT FOR CONSTRUCTION

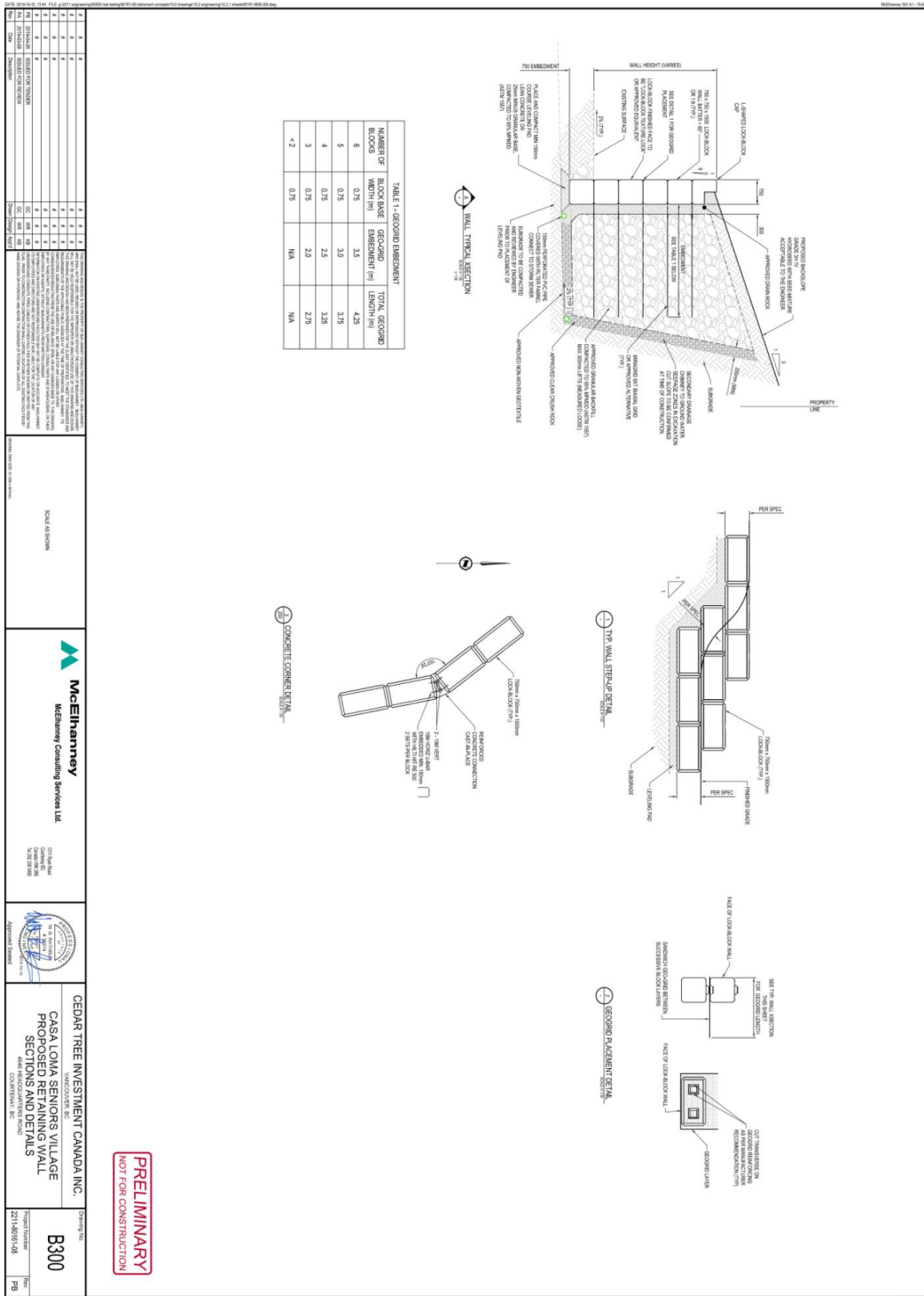
DVP1904

Schedule No. 1: Drawings



DVP1904

Schedule No. I: Drawings



DVP1904

Schedule No.2A: Landscape Plan



REFERENCE IMAGES

3 CONTAINER GROWN PLANT - PLANTING SECTION SCALE 1:15

PLANT MATERIAL LEGEND:

PLANT LIST:

TREES	SHRUBS	PERENNIALS	ANNUALS	GRASSES
11 Anemone	12 Red Bay	13 Red Bay	14 Red Bay	15 Red Bay
16 Anemone	17 Red Bay	18 Red Bay	19 Red Bay	20 Red Bay
21 Anemone	22 Red Bay	23 Red Bay	24 Red Bay	25 Red Bay



REMOVAL & SALVAGE NOTES:

- REMOVE ALL EXISTING PLANTING AND SALVAGE MATERIAL TO BE REUSED ON SITE.
- REMOVE ALL EXISTING PLANTING AND SALVAGE MATERIAL TO BE REUSED ON SITE.
- REMOVE ALL EXISTING PLANTING AND SALVAGE MATERIAL TO BE REUSED ON SITE.

SITE PLAN NOTES:

- REMOVING EXISTING PLANTING AND SALVAGING MATERIAL TO BE REUSED ON SITE.
- REMOVING EXISTING PLANTING AND SALVAGING MATERIAL TO BE REUSED ON SITE.
- REMOVING EXISTING PLANTING AND SALVAGING MATERIAL TO BE REUSED ON SITE.

2 LANDSCAPE PLAN SCALE 1:200

1 REMOVALS PLAN SCALE 1:200

3 CONTAINER GROWN PLANT - PLANTING SECTION SCALE 1:15

PROJECT: SHERIDAN SQUARE
CLIENT: SHERIDAN SQUARE
DATE: 2019.04.18
DRAWN BY: J. J. J.

Bloom
 LANDSCAPE ARCHITECTURE
 1000 Bay St. Suite 1000
 Toronto, ON M5G 1S2
 www.bloomlab.com

DVP1904

Schedule No.2B: Landscape Cost Estimate

Bloom

LANDSCAPE ARCHITECTURE

P.O. Box 403

Union Bay, BC, V0R 3B0

t: 250-218-1303

November 01, 2019

City of Courtenay

830 Cliffe Avenue

Courtenay, BC

Attn: Development Services

Re: Casa Loma Retaining Wall – Landscape Site Plan for Development Variance Permit

To whom it may concern:

Please accept this letter as verification that the estimated cost of the landscape work for the above noted project is **\$28,636**. This price includes the supply and installation of all softscape work and irrigation and is exclusive of any applicable taxes.

Should you have any questions please contact the undersigned.

Sincerely,



Lindsay Clement, MBCSLA, CSLA

Bloom Landscape Architecture

t: 250-218-1303 | www.bloom-la.com

DVP1904

Schedule No.2B: Landscape Cost Estimate

Class D Estimate of Probable Costs - Landscape Works

Project: Casa Loma Retaining Wall - Landscaping

Drawing Reference: Issued for Development Variance Permit

Date: 2019-11-01

1.0	General	Unit	Qty.	Unit Price	TOTAL
1.1	Landscape Architect - Pre-construction meeting	Ea.	1	\$300.00	\$ 300.00
1.2	Landscape Architect - Progress review meeting	Ea.	1	\$300.00	\$ 300.00
1.3	Landscape Architect - Project completion sign-off	Ea.	1	\$300.00	\$ 300.00
Sub-total 1.0					\$ 900.00
2.0	Demolition & Site Preparation	Unit	Qty.	Unit Price	TOTAL
2.1	Salvage and storage of plant material	L.S.	1	\$1,500.00	\$ 1,500.00
2.2	Screening and storing of topsoil	L.S.	1	\$5,000.00	\$ 5,000.00
2.3	Fine grading +/- 10mm	Sq.m	700	\$3.00	\$ 2,100.00
2.4	Excavation plant beds (450mm)	Sq.m	133	\$5.00	\$ 665.00
Sub-total 2.0					\$ 9,265.00
3.0	Softscape	Unit		Unit Price	TOTAL
3.1	Amended on-site growing medium - Lawn (150mm deep)	Cu.m	37	\$35.00	\$ 1,295.00
3.2	Amended on-site growing medium - Plant beds (450mm deep)	Cu.m	60	\$35.00	\$ 2,100.00
3.3	Amended on-site growing medium - Tree pits (900mm deep)	Cu.m	16	\$35.00	\$ 560.00
3.4	Natural grass - broadcast seeding	Sq.m	652	\$5.00	\$ 3,260.00
3.5	Lawn - broadcast seeding	Sq.m	247	\$5.00	\$ 1,235.00
3.6	Re-planting salvaged material	L.S.	1	\$500.00	\$ 500.00
3.7	#1 container plant	Ea.	67	\$16.00	\$ 1,072.00
3.8	#3 container plan	Ea.	9	\$45.00	\$ 405.00
3.9	#7 container plant	Ea.	18	\$110.00	\$ 1,980.00
3.10	Composted bark mulch	Sq.m	133	\$8.00	\$ 1,064.00
Sub-total 3.0					\$ 13,471.00
4.0	Site Servicing	Unit		Unit Price	TOTAL
4.1	High efficiency irrigation system	L.S.	1	\$5,000.00	\$ 5,000.00
Sub-total 4.0					\$ 5,000.00
Total all works:					\$ 28,636.00

Notes:

* Units rates are based upon 2018 contractor pricing

* Total does not include applicable taxes

* Price includes supply and installation



May 24, 2019

Our File No: 2211-80161-08

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

Att: Trevor Sweeney, RBO
Manager of Building and Administrative Service

**Re: RETAINING WALL HEIGHT VARIANCE REQUEST
CASA LOMA SENIORS VILLAGE
4646 HEADQUARTERS ROAD, COURTEANY, BC**

McElhanney Ltd. (McElhanney) is seeking a Development Variance Permit for the replacement of an existing retaining wall at 4646 Headquarters Road on behalf of Cedar Tree Investments Canada Inc. (Cedar Tree). This letter is provided in support of this application and informs the City of Courtenay (City) of the replacement retaining wall rational and design.

McElhanney has previously met with representatives of the City of Courtenay, to discuss and confirm the requirement for the retaining wall height variance.

Background

City of Courtenay’s Subdivision and Development Servicing Bylaw 2919, section 5.22 - Retaining Walls regulates the height of reating walls, stating:

“Retaining wall shall be a maximum of 2.4 m in height. Where larger retaining wall heights are required, they must be constructed as a stepped wall. The step must have a minimum width of 1.8 meters or 75% of the height of the highest adjacent wall”.

The existing retaining wall is located on the far northeast corner area of the property, behind the Northeast Senior’s Apartment complex. The existing modular block wall has been constructed with two-tiers, with portions of the wall encroaching onto the property line to the north. We understand, the retaining wall was constructed in the early 2000’s, as part of the original site development. Currently the existing wall is showing signs of failure, with the upper tier of the retaining wall starting to noticeably lean downslope. Should the existing retaining wall fail completely, there is a risk of damage to the Senior’s residence building, immediately adjacent to the retaining wall. McElhanney was retained by the owner, to complete a geotechnical

Page 1 of 3

1211 Ryan Road Tel 250 338 5495
Courtenay BC Fax 855 407 3895
Canada V9N 3R6 mcelhanney.com



May 24, 2019
City of Courtenay

Casa Loma Seniors Village – Retaining Wall Variance Application

investigation and back-analysis of the existing retaining wall. The results of the investigation and analysis indicated that the existing wall does not meet acceptable factors of safety (FoS) both in the long-term static conditions, and under seismic loading in the design seismic event. Our findings were summarized in a geotechnical assessment report and ultimately recommended removal and replacement of the existing retaining wall system.

Proposed Structure

Cedar Tree wishes to construct a standalone retaining wall to replace the existing wall and has retained McElhanney to provide detailed design of the replacement wall. The attached draft construction drawings form part of the variance application and shows the general site location plan as well as pertinent details of the proposed construction of the replacement wall.

The proposed retaining wall will consist of a single face modular concrete retaining wall (typical of Lock Blocks). The wall will set up in profile to a maximum of 4.0 m in height, incorporating reinforced earth (geogrid) for stability during the design seismic event. Significant works will be completed to safely convey collected groundwater seepage and stormwater to the on-site storm sewer service.

Global stability analyses conducted as part of the design of the proposed retaining wall, will meet the applicable minimum FoS for long term static stability, as well as stability under seismic loading conditions for the design seismic event.

Reasons for Variance Request

Request for variance to Bylaw 2919 Section 5.22 is being made for the following reasons:

1. The current condition of the wall poses a hazard to the residents of the property, particularly those occupying the bottom floor of the apartment complex.
2. The placement of the new wall is constrained by a concrete sidewalk, service corridor and greenspace between the retaining wall location and the building. The wall is also constrained by the property line directly to the east. Construction of a tiered retaining wall system would significantly increase the footprint of the retaining wall, requiring encroachment onto the neighboring property, or a loss of onsite greenspace and walkways.
3. The proposed replacement wall will be entirely contained on the property and will not be visible from the frontage along Headquarters Road.
4. If built in accordance to the requirements under the bylaw, an easement and/or a legal geotechnical covenant agreement will be required to encroach onto the neighboring property. Currently the adjacent property is undeveloped, and a registered covenant could significantly impede future development plans for the property.



May 24, 2019
City of Courtenay

Casa Loma Seniors Village – Retaining Wall Variance Application

5. If the retaining wall is constructed as a tiered wall and be completely contained on the property, the replacement wall would need to be placed much closer to the existing building which could also potentially impact the stability of the existing building foundation.

Summary

The existing retaining wall is failing and poses a potential hazard to the public and property. By approving this variance application, the replacement wall could be constructed without significantly impacting existing infrastructure on the subject and mitigate trespass onto neighboring property.

Yours truly,
McElhanney Ltd.

Reviewed By

Kerry Barth, ASCT
Geotechnical Division Manager

Derek Jensen, ASCT
Senior Techologist

Att: Issue for Tender Drawings
Replacement of existing “Allan Block” Retaining Wall with “Lock Block” Retaining Wall System; Drawing B001, B100, B200, B201, B300,



August 1, 2019

Our File: 2211-80161-08

Mike Grimsrud, Planner
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mr. Grimsrud,

**NEIGHBOURHOOD MEETING SUMMARY – 4646 HEADQUARTERS ROAD
RETAINING WALL DVP**

A neighbourhood meeting regarding the above application was hosted by Pacific Reach Properties Development and McElhanney Ltd. on Wednesday, July 24, 2019:

- a) The meeting was located at McElhanney's office, beginning at 3:00pm and finishing at 5:00pm.
- b) We have a record of four residents in attendance (attached).
- c) Meeting notification details were hand delivered on July 16, 2019 to all properties, per the list provided by the City of Courtenay.
- d) Information provided during the meeting:
 - McElhanney overall Development Site Plan.
 - McElhanney Tender drawings.
 - Colour samples of proposed building materials.
- e) Generally, topics of discussion included:
 - Reasons for replacement of the wall.
 - Impact to neighbouring parcels.
 - Drainage concerns.
 - Screening – existing vegetation on neighbouring parcel.
- f) Comment sheets are attached.

We trust you find the above information in order. Please don't hesitate to contact the undersigned should any additional information or clarification be required.

Yours truly,

McELHANNEY LTD.

A handwritten signature in blue ink that reads 'R. Watson'.

Randy Watson, P.Eng.
Project Manager

A handwritten signature in blue ink that reads 'Neil Penner'.

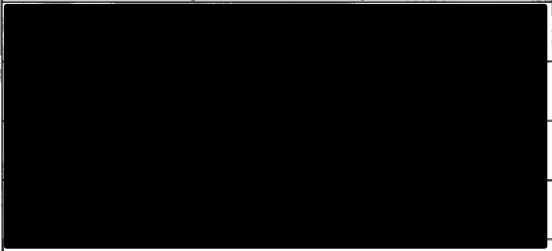
Reviewed by:
Neil Penner, P.Eng.

Enclosures

cc: Pacific Reach Properties, Todd Hansen

1211 Ryan Road
Courtenay BC
Canada V9N 3R6
Tel 250 338 5495
Fax 855 407 3895
mcelhanney.com

PUBLIC INFORMATION MEETING
July 24, 2019
SIGN IN SHEET
FOR
4646 Headquarters - Retaining Wall DVP

NAME (Please Print)	ADDRESS
	3035 Comox RD Courtenay ✓ ✓ ✓ V9N 3P7 4649 North Island Hwy Courtenay V9N 5Y5 4649 North Island Hwy Courtenay

PUBLIC INFORMATION MEETING

July 24, 2019

DV Permit - Retaining Wall - 4646 Headquarters

COMMENT SHEET

Name: [Redacted] Email: [Redacted]
Address: 4649 Island Hwy North Phone: [Redacted]

Pacific Reach has applied to the City of Courtenay for a Development Variance Permit for the replacement of an existing retaining wall with a 4.0m high lock block wall. 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 bit concerned about what is happening with our existing trees. Privacy issues. Thank you.

Please return your comments by Friday, August 2, 2019
Comment sheets can be submitted by one of the following methods:
1. Drop off or mail your comments to: Development Services Dept. City of Courtenay, 830 Cliffe Ave, Courtenay, BC V9N 2J7
2. Email your comments to planning@courtenay.ca
3. Fax your comments to: 250-334-4241

PUBLIC INFORMATION MEETING

July 24, 2019

DV Permit - Retaining Wall - 4646 Headquarters

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]
Address: OWNER: 4680 HQ RD Phone: [REDACTED]

Pacific Reach has applied to the City of Courtenay for a Development Variance Permit for the replacement of an existing retaining wall with a 4.0m high lock block wall. This project is under review by staff in the Planning Department of the City. Given the information you have received regarding this project do you have any comments or questions?

I AM CONCERNED THAT THERE IS APPROPRIATE AND AMPLE DRAINAGE PROVIDED SO AS NOT TO IMPACT MY PROPERTIES ADJACENT TO THIS PROJECT, NAMELY 4680 HQ RD AND 4694 HQ RD. COURTENAY BC.

PLEASE PROVIDE ADEQUATE DRAINAGE SO AS NOT TO DIRECT RUNOFF INTO MY LAND(S) THANKS - [REDACTED]

Please return your comments by Friday, August 2, 2019

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

1. Drop off or mail your comments to: Development Services Dept. City of Courtenay, 830 Cliffe Ave, Courtenay, BC V9N 2J7
2. Email your comments to planning@courtenay.ca
3. Fax your comments to: 250-334-4241



STAFF REPORT

To: Council

File No.: 4320-20

From: Chief Administrative Officer

Date: December 2nd, 2019

Subject: Permanent Change to Liquor Licence Application (Cornerstone) – 208A 5th St

PURPOSE:

The purpose of the report is to obtain Council direction to request public input with respect to Cornerstone's application for a permanent change to the food primary licence to include a Patron Participation Entertainment endorsement and to extend hours of liquor service from midnight to 1:00am every night.

CAO RECOMMENDATIONS:

THAT, based on the December 2nd, 2019 staff report, 'Permanent Change to Liquor Licence Application (Cornerstone) – 208A 5th St', Council approve OPTION 1 and direct staff to post notice on the City's website requesting public input on Cornerstone's proposed Patron Participation Entertainment endorsement and extended hours.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

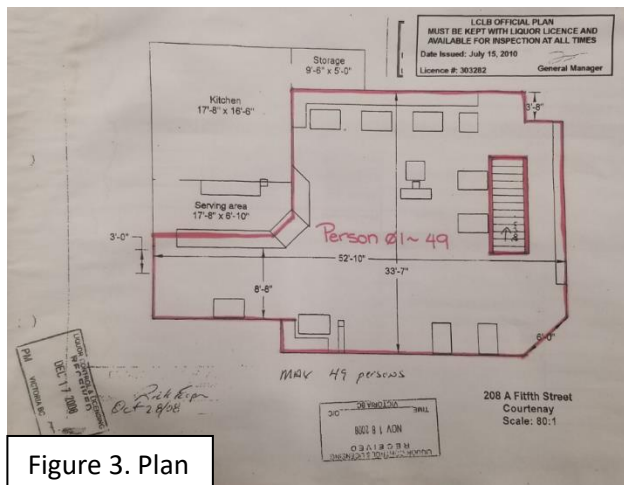
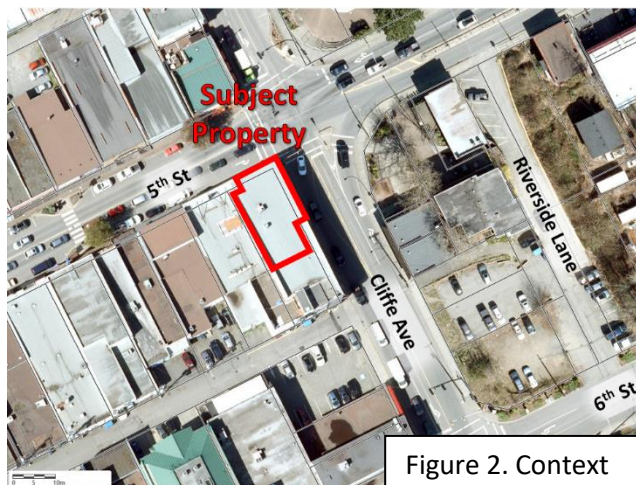
The applicant is making application for a permanent change to their existing liquor licence to the Liquor & Cannabis Regulation Branch (LCRB) for the property at 208A 5th Street. The proposed changes are to add a Patron Participation Entertainment Endorsement, which would allow the restaurant to host events where guests can move about freely and dance, and to extend hours of liquor service from midnight to 1:00am seven days a week. The applicant does not propose changes to the 49-person capacity.



Figure 1. Property from 5th St & Cliffe Ave

Pursuant to Section 38 (3)(c) of the *Liquor Control and Licensing Act*, the local government must gather the views of residents when the applicant has given the local government notice of the application. In order to

gather the views of residents, the City will post notice of the application on the City's main website for two weeks.



DISCUSSION:

The subject location is zoned Commercial One (C-1), which permits the intended use. The applicant is not proposing to make changes or alterations to the building and is not subject to development permit requirements.

The total number of patrons and seating does not change and potential nuisance noise increase with the extended hours is expected to be negligible, with all activity inside the downtown commercial area building. The types of entertainment proposed include karaoke, open mike and DJs, and are expected to be a good fit for the location and contribute positively to a vibrant downtown.

Section 71 (9) of the *Liquor Control and Licensing Regulation* states that a local government or first nation that wishes to provide comments and recommendations for the LCRB under section 38 (3) of the Act must do so in accordance with the following requirements:

- (a) the comments and recommendations must be in writing;
- (b) the comments must include the views of the local government or first nation on
 - (i) the impact of noise on the community in the immediate vicinity of the establishment unless subparagraph (ii) or (iii) apply,
 - (ii) in the case of an application that involves a temporary use area endorsement, the impact of noise on the community in the immediate vicinity of the proposed locations of event sites under corresponding temporary use area authorizations,
 - (iii) in the case of an application that involves a lounge or special event area endorsement, the impact of noise on the community in the immediate vicinity of the location of the service area under the endorsement,
 - (iv) the general impact on the community,
- (c) if the local government or first nation has gathered the views of residents under section 38 (3) (c) of the Act, the comments must include
 - (i) the views of the residents, and
 - (ii) a description of the method used to gather those views;

- (d) the recommendations must include whether the application should be approved or rejected; and
- (e) the recommendations must include the reasons on which they are based.

With respect to the requirement in section 38 (3) (c) of the *Liquor Control and Licensing Act*, the current practice is to advertise a notice on the City's website. Staff consider that it will satisfy the requirements of the LCRB. Once Council receives public input on the application, a resolution addressing these points will be forwarded to the LCRB for final consideration.

FINANCIAL IMPLICATIONS:

There is no direct financial implication related to this application. The application fee for all types of liquor licence applications is \$500 plus GST.

ADMINISTRATIVE IMPLICATIONS:

Administration of liquor licencing is included in the City's general statutory duties. To date, staff has spent four hours processing the application. It is anticipated an additional four hours will be required to complete the notification requirements, work with the applicant on the neighbours' concerns and bring a report back to Council.

ASSET MANAGEMENT IMPLICATIONS:

There is no direct asset management implication related to this application.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:



We focus on organizational & governance excellence

- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay
- **Area of Control**

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

OFFICIAL COMMUNITY PLAN REFERENCE:

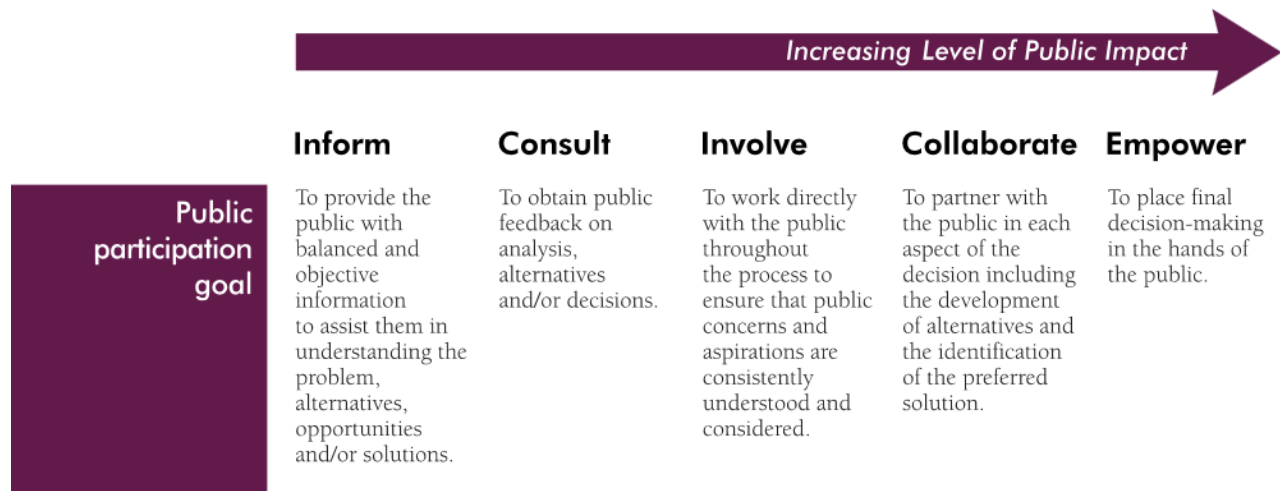
There is no direct reference related to this application.

REGIONAL GROWTH STRATEGY REFERENCE:

There is no direct reference related to this application.

CITIZEN/PUBLIC ENGAGEMENT:

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



The public comment gathering period will be open between December 3rd and December 16th, 2019 on the City's website. Any comments received from the public and the standard referral procedure will be attached to the staff report for Council's final consideration at a future Council meeting.

OPTIONS:

- Option 1: Direct staff to publish notice on the City's website requesting public input on the proposed Patron Participation Entertainment endorsement and extended hours for Council consideration at a future regular Council meeting. **(Recommended)**
- Option 2: Direct staff to obtain public input through an alternative method.
- Option 3: Direct staff not to proceed with the application and advise the LCLB that the City does not support the request.

Prepared by:

Mike Grimsrud
Planner 2

Reviewed by:

Ian Buck, MCIP, RPP
Director of Development Services



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 1700-01

From: Chief Administrative Officer

Date: December 2, 2019

Subject: Meeting Schedule – 2020-2024 Financial Plan Discussions and 2020 Property Tax Rates

PURPOSE:

The purpose of this report is for Council consideration and to set meeting dates for discussion and approval of the 2020-2024 Financial Plan.

POLICY ANALYSIS:

Sections 165 and 197 of the *Community Charter* requires the adoption of the 2020-2024 five year financial plan and the 2020 annual tax rates bylaws by May 15, 2020.

EXECUTIVE SUMMARY:

To ensure statutory deadlines are met and to facilitate adequate time for Council review and opportunity for feedback from the public, Staff have developed a schedule of regular and special meetings for the discussion of the 2020-2024 financial plan and 2020 property tax rates. Both of these bylaws must be fully adopted by May 15, 2020.

CAO RECOMMENDATIONS:

That based on the December 2, 2019 staff report “Meeting Schedule – 2020-2024 Financial Plan Discussions and 2020 Property Tax Rates”, Council approve OPTION 1 to approve the meeting schedule as proposed in Table 1 on Page 2 of this report.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Adoption by May 15, 2020 of the five year financial plan and the annual tax rates bylaws is required under Sections 165 and 197 of the *Community Charter*. Staff continue to work on beginning the annual budget and Financial Plan process earlier, to provide Council and the public with more time for review and comments.

DISCUSSION:

To facilitate adequate time for Council discussion and opportunity for feedback from the public for 2020, the following schedule of budget discussion meetings is proposed.

Feedback provided by the public will be reported back to Council for their consideration prior to final approval of the financial plan.

TABLE 1: 2020-2024 FINANCIAL PLAN MEETING SCHEDULE

Date and Time		Financial Plan Component
Regular Council Meetings	Special Council Meetings	
	Wednesday, December 11, 2019	Water and Sewer Financial Plan (operating and capital) Including 2020 User Fee Recommendations
	Wednesday, January 29, 2020	General Capital Fund (capital projects) General Operating Fund (city operations, proposed level of taxation)
	Thursday, January 30, 2020	General Capital and Operating Fund (2nd discussion meeting – if required)
Monday, February 24, 2020		Consolidated 2020-2024 Financial Plan document presented to Council
Monday, March 16, 2020		Report back on feedback from the public
Monday, March 30, 2020		Tax Rate Multiplier Discussion (property class distribution)
Monday, April 6, 2020		Three Readings of Financial Plan Bylaw
Monday, April 20, 2020		Final Adoption of 2020-2024 Financial Plan Bylaw Three Readings of 2020 Tax Rate Bylaw
Monday, May 4, 2020		Final Adoption of 2020 Tax Rates Bylaw

ADMINISTRATIVE IMPLICATIONS:

Preparation of the 2020-2024 financial plan and 2020 property tax rates are significant statutory work tasks for the financial services department and the majority of staff time over the next several weeks will be dedicated to this work.

ASSET MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC PLAN REFERENCE:

Communicating the Budget Process Schedule to Council is one of the operational strategies for the Financial Services Department identified in Councils Strategic Priorities Chart.

OFFICIAL COMMUNITY PLAN REFERENCE:

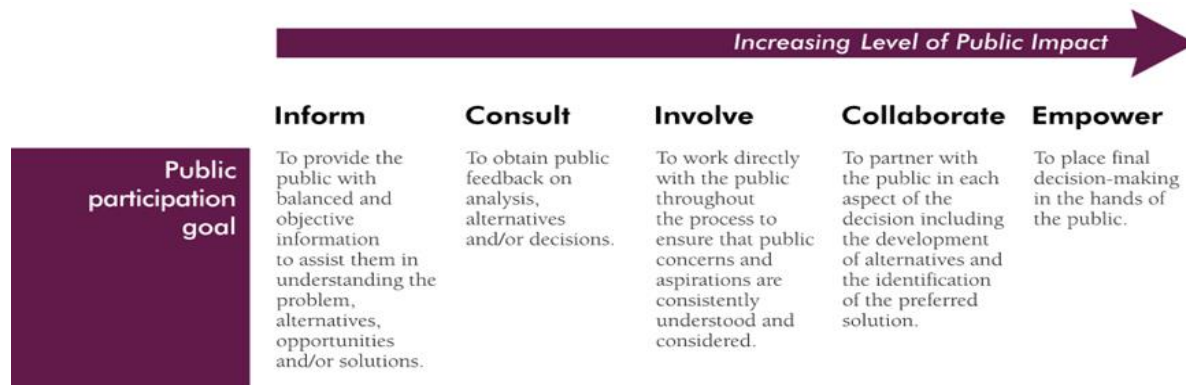
Not applicable.

REGIONAL GROWTH STRATEGY REFERENCE:

Not applicable.

CITIZEN/PUBLIC ENGAGEMENT:

The City will “**Inform**” the public about the 2020-2024 Financial Plan through regular and special council meetings, media webcasts, and information posted on the City’s website. In addition, the City will “**Consult**” the public prior to final adoption of 2020-2024 Financial Plan Bylaw.



OPTIONS:

OPTION 1: That Council approves the financial plan meeting schedule as proposed in Table 1 on Page 2 of this report.

[Recommended]

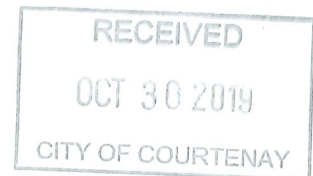
OPTION 2: That Council provides alternative meeting dates and times.

Prepared by:

A handwritten signature in black ink, appearing to read "J. Nelson", with a long horizontal flourish extending to the right.

Jennifer Nelson, CPA, CGA
Director of Financial Services

Comox Bay Care Society
2800 Cliffe Avenue, Courtenay, B.C. V9N 2L7
Phone: 250-331-1413
Email: sabina.comoxbaycaresociety@gmail.com
Website: www.cvcareavan.ca



October, 2019

City of Courtenay
830 Cliffe Avenue
Courtenay, B.C. V9N 2J7

Dear Council and citizens:

We are grateful to you for your past financial contributions to the Care-a-van. Our mission is to provide innovative, safe and ethical health and social development services to people who are homeless or at-risk of homelessness in the Comox Valley by providing trusting relationships that improve consistency and continuity of care.

With your dedication and our 50 member multidisciplinary team of volunteer health care providers, we have served over 1700 people in ten years. Within the last three years there has been a 47% increase in homeless people using our services. The Care-a-van has offered 19 programs: Nursing, Physicians, Dental, Denturist, Audiology, Optometry, Counselling, Chiropractic, Occupational Therapy, Mental Health & Addictions Service, Advocacy & Literacy, Social Work navigators, Pharmacy, Vet, Food & Supplies, Clothing, Water, Hygiene & Laundry, Harm Reduction, and Community & Professional Development, to those in need within our community. Last year alone we served 484 unique individuals.

How we care for the most vulnerable people in our community is a demonstration of our values. We know that living conditions can be rough, especially during the coldest nights of the year. Without generous donations from our sponsors and community members like you, we would not be able to continue providing services that are changing people's lives.

Going into 2020, our goal is to raise \$76000 so we can stay in operation 4 afternoon/evenings per week and continue to offer a full complement of programs; responding to the changing needs of the population we serve. To do so we need your help. There are many ways to give. You can sponsor several full days of operational service and subsidized programs for \$365 dollars/day, earmark funds for a certain program by specifying on the memo portion of a cheque, make a monthly contribution using PayPal on our website, provide a series of post dated cheques, create a unique fundraiser, or donate skills and supplies.

With your support we can continue rolling the Care-a-van out in all weather and seasons providing interventions that prevent homelessness, stabilize health, increase social connections and improve access to the determinants of health to people who need our services the most. For more information contact our Coordinator Sabina Acheson at 250-331-1413 or visit our website www.cvcareavan.ca

Thank you for your support and consideration

A handwritten signature in blue ink that reads "Thanks! Bob". The signature is written in a cursive, flowing style.

Sincerely
Bob Kallio, Board Member
Care-a-van Fund-Raising Committee



Kumugwe Cultural Society
3240 Comox Rd Courtenay BC, V9N 3P8

City of Courtenay
830 Cliffe Avenue
Courtenay, BC
V9N 2J7
Phone: 250-334-4441

November 26, 2019

Gilakas'la Mayor Wells,

The Kumugwe Cultural Society is applying to the Canada Council of the Arts for funding for Malkwalatlan's: A Legacy Project Honouring MMIWG2S and would like to request a letter of support.

The goal of Malkwalatlan's: A Legacy Project Honouring MMIWG2S is to design, carve and erect a 20- ft totem pole honouring the Missing and Murdered Indigenous Women, Girls and Two Spirited which will be placed in the Comox Valley in 2020.

Missing and Murdered Indigenous Women, Girls and Two Spirited are not just an Indigenous concern, all Canadians need to recognize and be aware of this injustice and be educated on the threat that many of our Indigenous women face daily.

We hope the City of Courtenay will join us as we continue today to honour and remember those women, girls and two spirited with our proposed legacy project.

Thank you for your time and consideration of our project. If further information is required, please don't hesitate to contact me.

Halakas'la

Lee Everson, Administrator
Kumugwe Cultural Society
250-702-6740
lee.everson@shaw.ca

Minutes of a Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) Inaugural Meeting held in the City Hall Council Chambers, Courtenay B.C., on Friday, October 25, 2019 at 12:00 p.m.

Attending:

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

Staff:

D. Allen, CAO
T. Kushner, Director of Public Works Services/Assistant CAO
D. Love, Senior Advisor Strategic Initiatives
J. Nelson, Director of Financial Services
R. Matthews, Executive Assistant
W. Sorichta, Manager of Legislative & Corporate Administrative Services

1.00 CALL TO ORDER AND WELCOMING REMARKS

.01 Mayor Wells called the meeting to order and presented the Inaugural
INAUGURAL Address.
ADDRESS

2.00 INTRODUCTION OF COMMITTEE MEMBERS

.01 Mayor Wells introduced the appointed members of Council and members
INTRODUCTION OF of staff participating on the Alternative Asset Management Funding
FINANCE SELECT Sources and Levels of Service Options Council Select Committee
COMMITTEE (Finance Select Committee):
MEMBERS &
PARTICIPANTS Mayor Wells, Councillors Cole-Hamilton, Hillian and McCollum, David
Allen, Chief Administrative Officer, Trevor Kushner, Director of Public
Works Services/Assistant CAO, Jennifer Nelson, Director of Financial
Services, and Dave Love, Senior Advisor Strategic Initiatives.

3.00 COMMITTEE APPOINTMENTS

.01 Moved by Cole-Hamilton and seconded by McCollum that
FINANCE SELECT Councillor Hillian be appointed Chairperson and Councillor Cole-
COMMITTEE Hamilton be appointed Deputy Chairperson to the Alternative Asset
CHAIRPERSON & Management Funding Sources and Levels of Service Options Council
DEPUTY Select Committee (Finance Select Committee).
CHAIRPERSON **Carried**
APPOINTMENTS
0550-20

Acting Chair Wells vacated the chair and Chair Hillian took the seat.

4.00 CONFIRMATION OF TERMS OF REFERENCE

.01
TERMS OF
REFERENCE (TOR) -
COUNCIL SELECT
COMMITTEE ON
ALTERNATIVE ASSET
MANAGEMENT
FUNDING SOURCES
AND LEVELS OF
SERVICE OPTIONS
(FINANCE SELECT
COMMITTEE)
0550-20

Moved by McCollum and seconded by Cole-Hamilton that the Alternative Asset Management Funding Sources and Levels of Service Options Council Select Committee (Finance Select Committee) adjust the timeline identified in *Section 6, Reporting*, of the *Terms of Reference* to read:

“...the Committee will submit its findings and recommendations in a written report to Council no later than **January 6th, 2020**”; and,

That the Finance Select Committee advise Council of the amendment to the timeline in Section 6 of the Terms of Reference at a future Council meeting.

Carried

5.00 ESTABLISH SCHEDULE OF MEETINGS

.01
ESTABLISH REGULAR
SCHEDULE OF
MEETINGS
0550-20

Moved by Cole-Hamilton and seconded by McCollum that the Alternative Asset Management Funding Sources and Levels of Service Options Council Select Committee (Finance Select Committee) meet on the following dates:

- Friday, November 15, 2019 10:00 a.m. - 12:00 p.m.
- Friday, November 29, 2019 10:00 a.m. - 12:00 p.m.

And; that the meeting dates be posted on the City of Courtenay website for public notification.

Carried

6.00 STAFF REPORTS/PRESENTATIONS

.01
DRAFT 2020 - 2023
SCHEDULE OF
GAMING FUNDS
DISTRIBUTION
1850-01

Moved by McCollum and seconded by Cole-Hamilton that based on the draft “2020 - 2023 Schedule of Gaming Funds Distribution” spreadsheet presented at the October 25, 2019 Finance Select Committee, that based on the estimated annual funds available, the Committee supports the following recommendation for the proposed schedule of annual gaming funds distribution:

- The City’s total annual grant-in-aid amount for distribution be reduced from \$100,000 to \$50,000 annually; and,

That the Committee’s recommended distribution of gaming funds be brought forward in a future report to Council for Council’s consideration as part of the City of Courtenay 2020-2024 Financial Plan.

Carried with Chair Hillian opposed

New motion:

Moved by Cole-Hamilton and seconded by McCollum that it is a recommendation of the Finance Select Committee that staff increase the annual infrastructure reserve budget to a total of \$220,800.

Carried

.02
GRANT-IN-AID AND
OTHER FORMS OF
FINANCIAL SUPPORT
POLICY NO.
1850.00.04
REVISION
1850-00

Moved by McCollum and seconded by Cole-Hamilton that based on the draft staff report, “Grant-in-Aid and Other Forms of Financial Support Policy 1850.00.04 Revision”, the Finance Select Committee recommends:

That Council support OPTION 1 which states:

- Council to defer the approval of the Provision of Grant-in-Aid and Other Forms of Financial Support policy 1850.00.04
- Staff be directed to pursue the “Flow-Through Funds” opportunity with the Comox Valley Community Foundation for the 2020 grant year
- Staff be directed to update the City website to inform applicants that the City will not be receiving Grant-in-Aid applications in 2019 for 2020.

Carried

The Finance Select Committee meeting recessed at 1:31 p.m.

The meeting reconvened at 1:41 p.m.

7.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

8.00 NEW BUSINESS

.01
PROPOSED
FINANCE SELECT
COMMITTEE AGENDA
ITEMS
NOVEMBER 15 & 29,
2019 MEETINGS
0550-20-03

The Finance Select Committee unanimously agreed to approve the following agenda items for discussion as follows:

- November 15, 2019 - Borrowing Process Discussion
 - Future Capital Project/Debt Impact Review (2019-2023 Financial Plan)
- November 29, 2019: Business Case Review
 - New Public Works Administration Building/New Satellite Fire Hall

9.00 ROUND TABLE/COMMITTEE INITIATIVES

10.00 ADJOURNMENT

.01 The meeting adjourned at 1:54 p.m.

CERTIFIED CORRECT

**Chairperson - Alternative Asset Management Funding Sources and
Levels of Service Options Council Select Committee (Finance Select
Committee)**

Adopted this 15th day of November, 2019

Corporate Officer/Deputy Corporate Officer

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2987

A Bylaw of the City of Courtenay to regulate, prohibit, and impose requirements in relation to the abatement of nuisances, and to provide for recovery of the costs of nuisance abatement where undertaken by the City

WHEREAS it is desirable for the protection and enhancement of the well-being of the community to regulate and require the abatement of nuisances in the City;

AND WHEREAS it is undesirable for the costs incurred in the abatement of nuisance on private property to be paid by the public;

AND WHEREAS pursuant to sections 8(3)(h) and 64 of the *Community Charter*, Council has the authority to regulate, prohibit and impose requirements in relation to nuisances;

AND WHEREAS pursuant to section 17 of the *Community Charter*, Council has the authority to direct that if a person subject to a requirement fails to take the required action, the City may fulfill the requirement at the expense of the person and recover the costs incurred from that person as a debt;

AND WHEREAS pursuant to section 194 of the *Community Charter*, Council may, by bylaw, impose fees payable in respect of municipal services and the exercise of regulatory authority.

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

PART 1 - INTERPRETATION

1.1 Definitions

In this Bylaw:

“City” means City of Courtenay;

“Council” means the municipal Council of the City of Courtenay;

"Fire Chief" means the person duly appointed as such from time to time and includes any person appointed or designated by the Fire Chief to act on his behalf;

"land" means any lot, block or other area in which land is held or into which it is subdivided and includes any improvement on a parcel but excludes streets, lanes, and municipal parks and public spaces;

"nuisance" means any activity which substantially and unreasonably interferes with a person's use and enjoyment of a highway, park or other public area or of land a person owns or occupies, or which causes injury to the health, comfort or convenience of an occupier of land, and without limiting the generality of the foregoing, includes an activity such as a noisy party, a group of people making noise, loud music, car racing, revving engines, yelling, shouting, screaming, fighting, littering, trespassing, illuminations, vibration, odour, accumulation of water or other liquids on a property, irritations, annoyances, unsanitary conditions on property, or other objectionable situations that in law are a nuisance;

"occupier" means any person who occupies land, or who is qualified to maintain an action for trespass in respect of the land, or who is in possession of the land under a lease, licence, agreement for sale or other agreement with the owner of the land;

"owner" means any person in relation to the land who is the registered owner of an estate in fee simple, the tenant for life under a registered life estate, or the registered holder of the last registered agreement for sale, and in the case of provincial Crown or City owned lands, means the occupier of the land;

"person" includes any company, corporation, owner, partnership, firm, association, society or individual; and

"RCMP" means the Royal Canadian Mounted Police, when providing municipal policing services within the City.

PART 2 – PROHIBITION

2.1 Causing a Nuisance Prohibited

- (a) No person shall cause a nuisance on land he or she owns or occupies.
- (b) No person shall permit land he or she owns or occupies to be used in a manner to cause a nuisance.

PART 3 – NUISANCE ABATEMENT

3.1 Requirement to Abate Nuisance

A person who causes a nuisance or permits land he or she owns or occupies to be used so as to cause a nuisance shall abate or cause to be abated the activity which causes the nuisance.

3.2 Order for Nuisance Abatement

- (a) If a person fails to abate or fails to cause to be abated an activity that causes a nuisance, Council may issue a written order directing that the owner or occupier abate or cause to be abated the nuisance.

- (b) Before Council makes an order under section 3.2(a), the owner or occupier must be provided an opportunity to be heard by Council in respect of the matter.

3.3 City May Abate Nuisance

If an owner or occupier who is subject to an order under section 3.2(a) fails to abate or cause to be abated the activity causing the nuisance, the City, by its employees, contractors and agents, and by the RCMP, may abate or cause to be abated the activity which causes the nuisance in accordance with section 17 of the *Community Charter*.

3.4 Entry on Property

- (a) In accordance with section 16 of the *Community Charter*, the following persons are authorized to enter onto property to inspect and determine whether the requirements of this Bylaw are being met, and to carry out an action authorized under section 3.3 of this Bylaw:

- (i) a member of the RCMP;
- (ii) the Manager of Legislative and Corporate Administrative Services;
- (iii) a Bylaw Enforcement Officer;
- (iv) an Animal Control Officer,
- (v) a Building Inspector;
- (vi) the Fire Chief;
- (vii) the Deputy Fire Chief;
- (viii) the Assistant Fire Chief;
- (ix) a Fire Inspector; and
- (x) a Fire Officer or Fire Fighter.

- (b) For the purposes of carrying out an action authorized under section 3.3 of this Bylaw, Council delegates to the Manager of Legislative and Corporate Services the power to authorize a person, as the City's contractor, to enter onto property in accordance with section 16 of the *Community Charter*.

PART 4 - COST RECOVERY

4.1 Cost Imposition

The City may impose the costs of abating a nuisance in accordance with section 3.3 of this Bylaw on one or more of the following:

- (a) a person causing the nuisance;
- (b) the occupier of land from which the nuisance emanates; and
- (c) the owner of land from which the nuisance emanates.

4.2 Cost Recovery

The City may recover the costs imposed under section 4.1 in accordance with:

- (a) section 231 of the *Community Charter*, as a debt due and recoverable in a court of competent jurisdiction;
- (b) section 258 of the *Community Charter*, in the same manner as property taxes; or
- (c) in any other manner authorized by law.

4.3 Costs Recoverable

The costs recoverable by the City for nuisance abatement under this Bylaw shall be determined and calculated in accordance with Schedule "A" to this Bylaw.

4.4 Offence

A person who contravenes, violates, or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$10,000.00 (ten thousand dollars) and not less than \$200.00 (two hundred dollars), together with the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter* or the Offence Act (British Columbia.)

4.5 Continuing Offence

Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

PART 5 - GENERAL PROVISIONS

5.1 Severability

If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion may be severed and such invalidity shall not affect the validity of the remaining portions of this bylaw.

5.2 Citation

This bylaw may be cited as the "**Nuisance Abatement and Cost Recovery Bylaw No. 2987, 2019**".

Read a first time this day of , 2019

Read a second time this day of , 2019

Read a third time this day of , 2019

Finally passed and adopted this day of , 2019

Mayor

Corporate Officer

**CITY OF COURTENAY NUISANCE ABATEMENT
BYLAW NO. 2987, 2019**

SCHEDULE "A"

The costs referred to in section 4.3 of this Bylaw are to be determined in part by multiplying the following hourly rates for the following individuals, vehicles or equipment involved in the abatement of a nuisance by the time spent by those individuals, and the time those vehicles and equipment are used, in the abatement of the nuisance.

(a) Staff and Personnel Cost Recovery

The following hourly rates apply for every hour or part thereof which any of the following City employees and RCMP members use to carry out the abatement of a nuisance where authorized under section 3.3 of this Bylaw. Depending upon the day of the week, the time of day, or the holiday status of when such services are required, the hourly rate may be increased by one and a half or two times.

City Employees	Hourly Rate
Manager of Legislative and Corporate Administrative Services	\$70
Bylaw Enforcement Officer	\$45
Animal Control Officer	\$40
Parking Control Officer	\$38
Building Inspector	\$50
Utilities Foreman	\$50

RCMP	Hourly Rate
Inspector	\$92
Staff Sergeant	\$82
Sergeant	\$78
Corporal	\$74
Constable	\$70

Fire/Rescue	Hourly Rate
Fire Chief	\$80
Deputy Fire Chief	\$70
Assistant Fire Chief	\$70
Fire Inspectors	\$50

(b) Vehicle and Equipment Cost Recovery

The following hourly rates apply for every hour or portion thereof where any of the following equipment and vehicles are used by City employees, RCMP or Fire Department personnel to carry out the abatement of a nuisance where authorized under section 3.3 of this Bylaw. Depending upon the day of the week, the time of day or the holiday status of when such services are required, the hourly rate may be increased by one and a half or two times. Costs imposed to carry out the required work will be subject to a 15% administrative cost recovery fee.

Equipment and Vehicles	Hourly Rate
City Truck and Fire support vehicles	\$18
Single Axle Dump Truck	\$75
Backhoe	\$75
Fire truck with crew (Provincial Rate)	\$595
RCMP Vehicles	\$20

(c) Contractor Cost Recovery

For any work carried out by a contractor of the City to carry out the work required under section 3.3 on behalf of the City, the costs imposed will be the actual cost of the work plus 20% of the contract value.

END OF DOCUMENT

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2963

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. 2963, 2019”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by changing the land use designation of Lot A, District Lot 236, Comox District, Plan VIP52110 (2600 Mission Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Commercial to Multi Residential; and
 - (b) That Map #2, Land Use Plan be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 4th day of November, 2019

Read a second time this 4th day of November, 2019

Published in two editions of the Comox Valley Record on the 12th day of November, 2019 and the 14th day of November, 2019

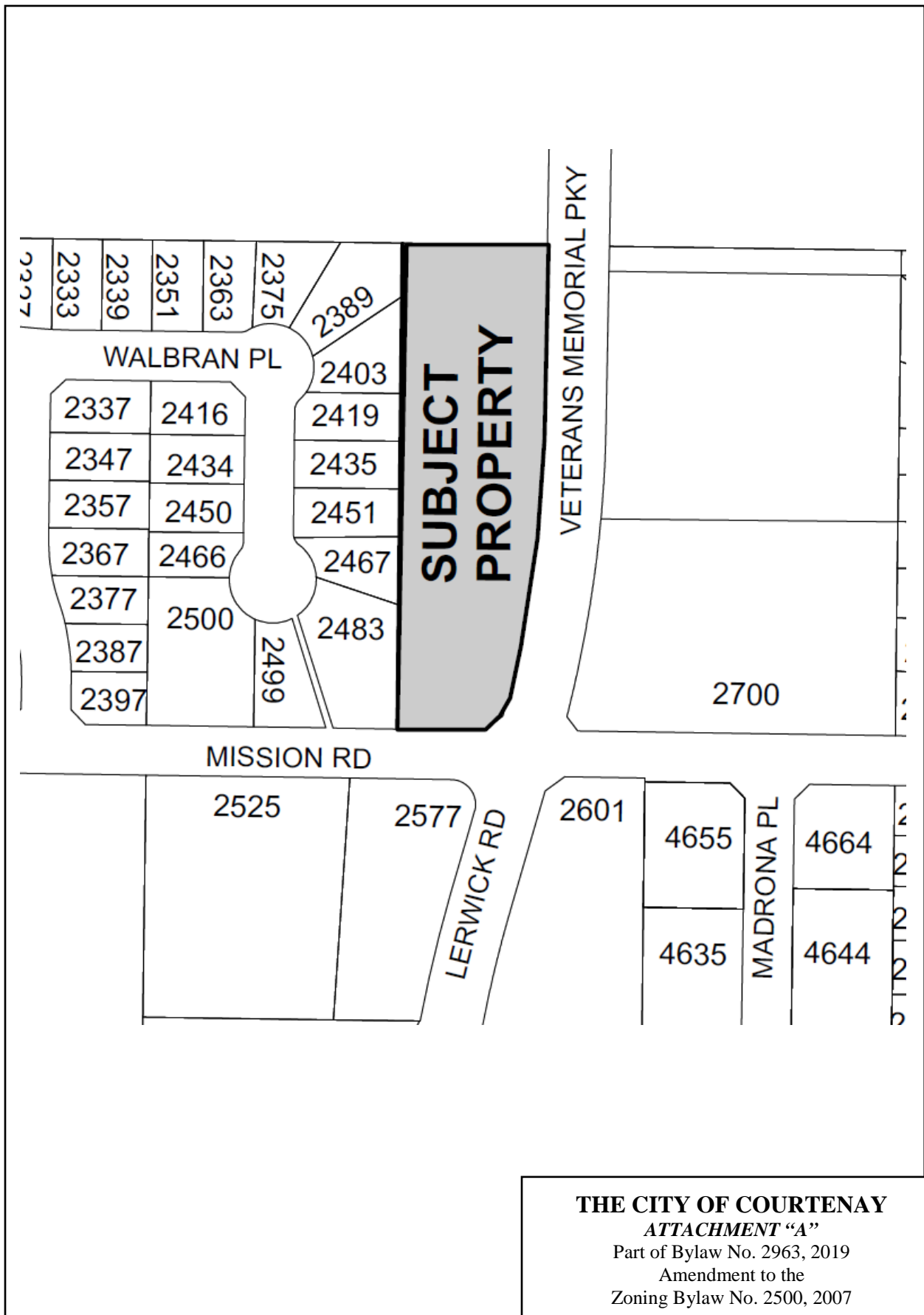
Considered at a Public Hearing this 18th day of November, 2019

Read a third time this _____ day of _____, 2019

Finally passed and adopted this _____ day of _____, 2019

Mayor

Corporate Officer



THE CITY OF COURTENAY

ATTACHMENT "A"

Part of Bylaw No. 2963, 2019
 Amendment to the
 Zoning Bylaw No. 2500, 2007

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2964

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. 2964, 2019**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Lot A, District Lot 236, Comox District, Plan VIP52110 (2600 Mission Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Multi Use Four Zone (MU-4) to Residential Four A Zone (R-4A); and
 - (b) That Schedule No. 8, Zoning Map be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 4th day of November, 2019

Read a second time this 4th day of November, 2019

Published in two editions of the Comox Valley Record on the 12th day of November, 2019 and the 14th day of November, 2019

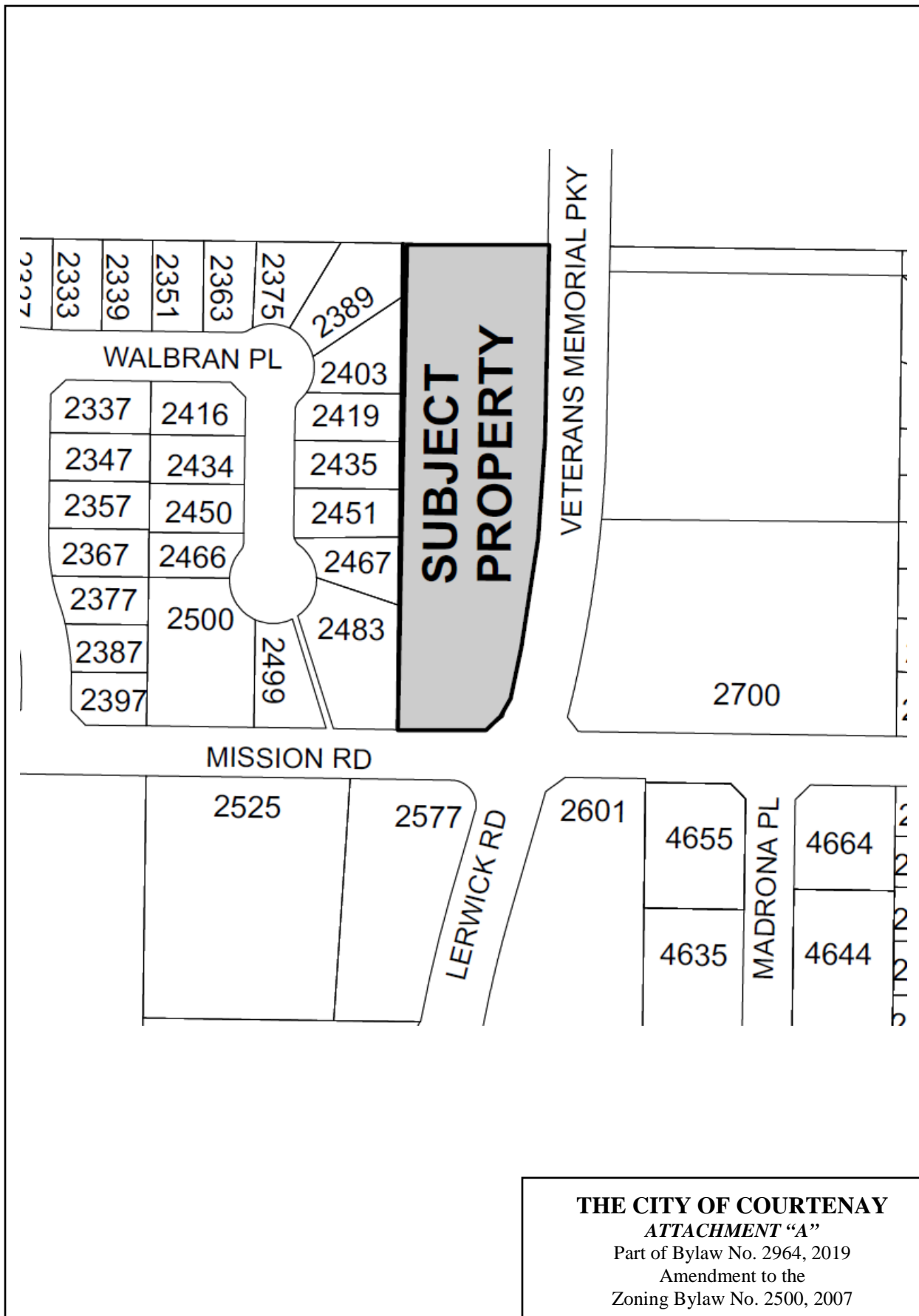
Considered at a Public Hearing this 18th day of November, 2019

Read a third time this day of , 2019

Finally passed and adopted this day of , 2019

Mayor

Corporate Officer



THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No. 2964, 2019
 Amendment to the
 Zoning Bylaw No. 2500, 2007

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2971

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. 2971, 2019**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) Rezoning Lot 6, District Lot 179, Comox Plan VIP1962, Except Part in VIP69550, (Arden Road), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Country Residential One Zone (CR-1) to Rural Residential Five Zone (RR-5);
 - (b) Amending Division 8 – Classification of Zones Section 8.10.1 by adding:

“(6) notwithstanding any provision of this bylaw, a *secondary suite* or *secondary residence* or *carriage house* is a permitted use on Lot 6, District Lot 179, Comox Plan VIP1962, Except Part in VIP69550 (Arden Road).”
 - (c) Amending Division 8 – Classification of Zones Section 8.10.6 by adding:

“(c) Carriage House

(1) <i>Front yard</i> :	7.5 m
(2) <i>Rear yard</i> :	10.0 m
(3) <i>Side yard</i> :	3.5 m except where a side yard flanks a street, in which case, the minimum shall be 4.5 m.”
 - (d) Amending Division 8 – Classification of Zones Section 8.10.7 by adding:

“(3) The *height* of a *carriage house* shall not exceed 6.5 m.”
 - (e) That Schedule No. 8, Zoning Map be amended accordingly.

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

Read a first time this 4th day of November, 2019

Read a second time this 4th day of November, 2019

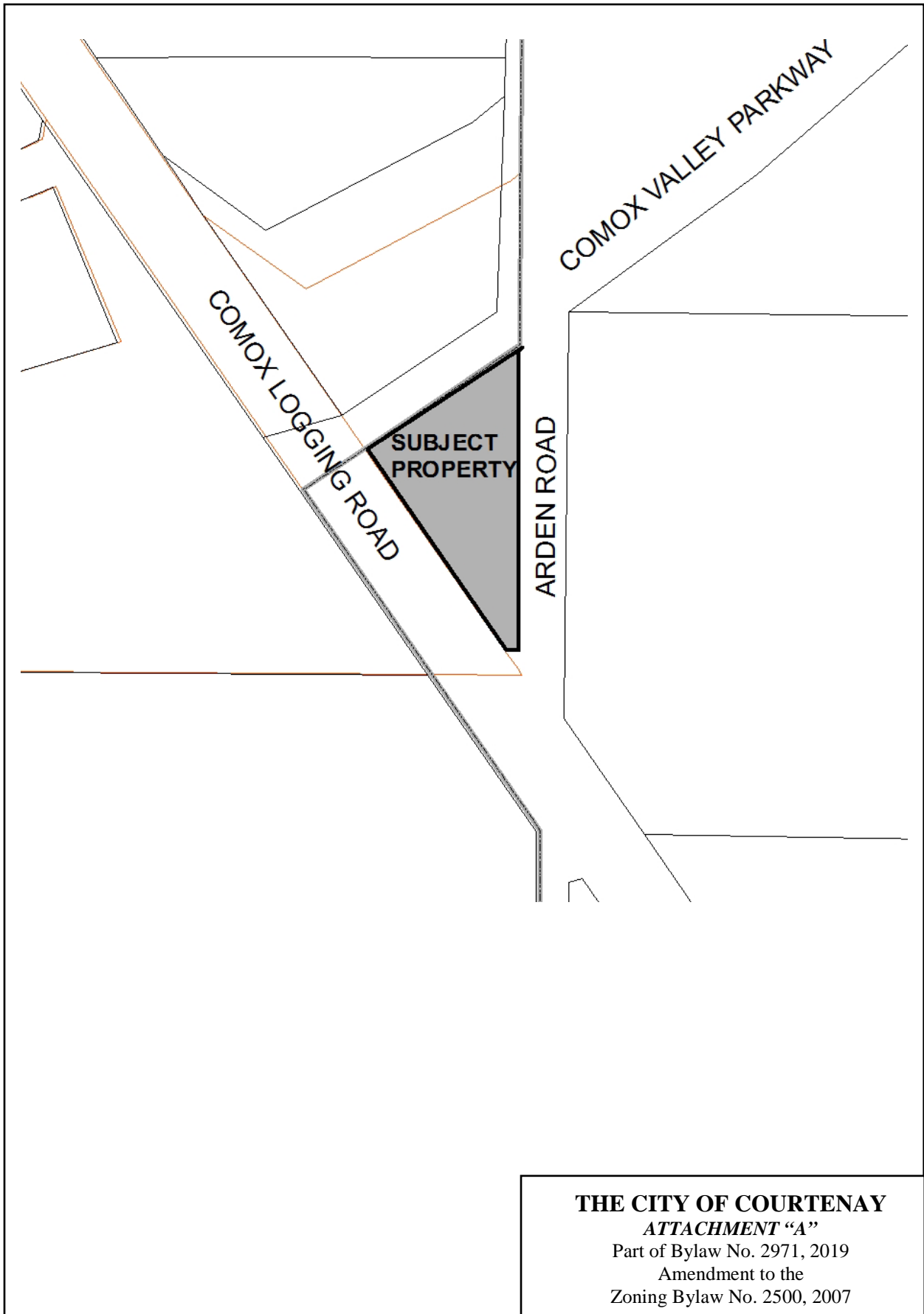
Considered at a Public Hearing this 18th day of November, 2019

Read a third time this day of , 2019

Finally passed and adopted this day of , 2019

Mayor

Corporate Officer



THE CITY OF COURTENAY
ATTACHMENT "A"
Part of Bylaw No. 2971, 2019
Amendment to the
Zoning Bylaw No. 2500, 2007

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2981

A bylaw to provide for an asset management program aimed at sustainable service delivery

WHEREAS Council wishes to promote best practices in asset management at the local government level, including by supporting the work of Asset Management BC and the standards set by NAMS Canada;

WHEREAS the City of Courtenay is a host community for a pilot project of the Municipal Natural Assets Initiative;

AND WHEREAS Council has previously provided for asset management within the Corporation of the City of Courtenay by means of Council Policy 1670.00.02;

NOW THEREFORE the Council of the City of Courtenay enacts as follows:

Citation

1. This bylaw may be cited for all purposes as *“Asset Management Bylaw No. 2981, 2019”*.

Definitions

2. In this bylaw:
 - (a) **“Asset Management”** means the systematic and coordinated activities and practices of an organization to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of Tangible Capital Assets;
 - (b) **“Asset Management Plan”** means a long-term plan that outlines assets, asset conditions, levels of service, asset and service risks, activities and programs for each service area, and resources required to provide a defined level of service in the most cost-effective way;
 - (c) **“Asset Management Program”** means a corporation-wide program for the management of the City’s Tangible Capital Assets aimed at achieving Sustainable Service Delivery;
 - (d) **“Chief Administrative Officer”** means the Chief Administrative Officer of the City or a person designated to act in the place of the Chief Administrative Officer;
 - (e) **“City”** means the Corporation of the City of Courtenay;
 - (f) **“Council”** means the Council of the City;

- (g) **“Full Lifecycle Cost”** means the total cost of a Tangible Capital Asset throughout its life, including planning, design, construction, acquisition, operation, maintenance, rehabilitation, and disposal;
- (h) **“Natural Assets”** means the stocks of natural resources or ecosystems that have the potential to contribute to service delivery;
- (i) **“Sustainable Service Delivery”** means an approach to service delivery whereby current community service needs are met in a socially, economically, and environmentally responsible manner that does not compromise the ability of future generations to meet their own needs; and
- (j) **“Tangible Capital Asset”** has the meaning established under the accounting standards applicable to local governments by the Public Sector Accounting Board.

Asset Management Program

- 3. The Chief Administrative Officer will establish and maintain an Asset Management Program.
- 4. In complying with section 3, the Chief Administrative Officer will endeavour to:
 - (a) establish and maintain Asset Management Plans, directives, practices, and procedures in accordance with best practices;
 - (b) ensure personnel, financial resources, and other operational capabilities deemed necessary by the Chief Administrative Officer are provided and that responsibilities under the Assessment Management Program are effectively delegated;
 - (c) create a corporate culture where all departments, officers, and employees have a role to play in Asset Management by providing awareness and professional development opportunities; and
 - (d) regularly identify new opportunities for achieving Sustainable Service Delivery, including by identifying opportunities for incorporating Natural Assets into the Asset Management Program.

Lifecycle Costing

- 5. The Chief Administrative Officer will endeavour to provide or to coordinate the provision to Council of all available information and advice pertaining to Lifecycle Costs to facilitate decision-making related to the renewal, upgrade, and acquisition of Tangible Capital Assets.

6. Council will consider Lifecycle Costs in all decisions related to the renewal, upgrade, and acquisition of Tangible Capital Assets and in doing so will consider information provided to Council under section 5.

Severability

7. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

Read a first time this 18th day of November, 2019

Read a second time this 18th day of November, 2019

Read a third time this 18th day of November, 2019

Finally passed and adopted time this ____ day of _____, 2019

Mayor

Corporate Officer

